

HERITAGE, CULTURE AND LEISURE COMMITTEE MEETING

Date: Tuesday 3 July 2018
Time: 6.30 p.m.
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Cuming, Fermor, Fort, Greer, Harper (Chairman), Hastie,
Mrs Hinder, Lewins and Mrs Wilson (Vice-Chairman)

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

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3. Urgent Items	
4. Notification of Visiting Members	
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7. To consider whether any items should be taken in private because of the possible disclosure of exempt information	
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Issued on Monday 25 June 2018

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

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In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 29 June 2018). If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

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MAIDSTONE BOROUGH COUNCIL

Heritage, Culture and Leisure Committee

MINUTES OF THE MEETING HELD ON TUESDAY 22 MAY 2018

Present: Councillor Harper (Chairman), and
Councillors Cuming, Fermor, Greer, Hastie, Mrs
Hinder, Lewins, Perry and Mrs Wilson

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Fort.

2. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Perry was present as a Substitute for Councillor Fort.

3. ELECTION OF CHAIRMAN

RESOLVED: That Councillor Harper be elected as Chairman of the Committee for the Municipal Year 2018/19.

4. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED: That Councillor Wilson be appointed as Vice Chairman of the Committee for the Municipal Year 2018/19.

5. DURATION OF MEETING

6.50 p.m. to 6.52 p.m.

Agenda Item 9

Should you wish to refer any decisions contained in these minutes to **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy and Communications** by: **18 June 2018**

MAIDSTONE BOROUGH COUNCIL

Heritage, Culture and Leisure Committee

MINUTES OF THE MEETING HELD ON TUESDAY 5 JUNE 2018

Present: Councillor Harper (Chairman), Councillors Fermor, Fort, Harper, Hastie, Mrs Hinder, Lewins and Mrs Wilson

Also Present: Councillor McKay

6. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Cuming and Greer.

7. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Spooner was substituting for Councillor Cuming.

8. **URGENT ITEMS**

There were no urgent items.

9. **NOTIFICATION OF VISITING MEMBERS**

It was noted that Councillor McKay was present as a Visiting Member and indicated his wish to speak on Agenda Item 12 – Key Performance Indicator Update Quarter 4.

10. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

11. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

12. **EXEMPT ITEMS**

RESOLVED: That the items on the agenda be taken in public as proposed.

13. MINUTES OF THE MEETING HELD ON 6 MARCH 2018

RESOLVED: That the minutes of the meeting held on 6 March 2018 be approved as a correct record and signed.

14. PRESENTATION OF PETITIONS

There were no petitions.

15. QUESTION AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

16. COMMITTEE WORK PROGRAMME

The Committee considered the Committee Work Programme for 2018/19.

The Chairman suggested that as part of the Committee's work going forward that they review a number of areas which would include the Arts, Sports, Accessibility and a Fundraising Strategy.

In response to a question from the Committee Ms Hudd, the Head of Regeneration and Economic Development, advised that a decision had been made in March 2018 by the Committee to ban the use and release of sky lanterns. This included a recommendation to contact Parish Councils within the Borough to encourage them to introduce a similar ban and Ms Hudd undertook to follow this up and advise Members whether there had been any feedback from the Parishes. It was also noted that an information campaign had been launched by the Communications Team to discourage the use of sky lanterns.

The Committee asked for the following items to be put on the Committee Work Programme:-

Pride Week Event – that a report be brought in November 2018 on proposals for a Pride Week Event in the town centre to be funded externally.

It was noted that Officers were looking at the feasibility of being able to fly a Pride flag at the Town Hall in July.

Review of Play Areas – It was noted that Boxley Parish Council had agreed to provide ongoing funding for the Franklin Drive Play Area.

Officers confirmed that a report on play areas would only come to the Committee when there were plans to close any of them down.

Sports Facilities and Playing Pitch Strategies – It was noted that a report would be presented to the Strategic Planning, Sustainability and Transportation Committee in July and would then come to this Committee in September to enable Members to make comments back to Strategic

Planning, Sustainability and Transportation Committee for their meeting on 11th September.

RESOLVED: That the Committee Work Programme be noted with additional items agreed by the Committee.

17. KEY PERFORMANCE INDICATOR UPDATE QUARTER 4 HCL

Mr Alex Munden, the Information and Corporate Policy Officer presented the Key Performance Indicator Quarter 4 Update Report to the Committee.

It was highlighted to the Committee that:

- 69.6% of all available tickets were sold during Quarter 4 by the Hazlitt Theatre against a target of 50%.
- 2,924 students benefitted from the museum's educational service against a target of 2,085.
- The Leisure Centre had 200,794 visitors during Quarter 4 against a target of 181,094.

In response to a question from the Committee, Ms Hudd, the Head of Regeneration and Economic Development replied that visitor figures for museums were declining on a national basis and the only ones bucking the trend were those who received government funding.

It was also noted that the decline in visitors last year had largely been attributable to the very popular gallery where the Mummy was housed being closed for a number of months for refurbishment and Monday closures had also reduced the number of visitors for the past two years.

Ms Hudd also advised that figures for the outreach service that the Museum provided to schools was not included in the visitor numbers.

The Committee were keen for Officers to find a way to better illustrate the footfall of the Museum which should include the outreach activities but separate out the TIC enquiries. Ms Hudd would liaise with the Chairman and Vice-Chairman on the methodology for the Performance Indicators.

The Head of Regeneration and Economic Development suggested that an All Member Briefing be undertaken at the Museum to explain the 20 year plan and showcase the Museum.

RESOLVED: That

1. The summary of performance for Quarter 4 of 2017/18 for Key Performance Indicators (KPIs) be noted.
2. The Head of Regeneration and Economic Development arrange an All Member Briefing to showcase the Museum and explain the 20

year plan.

Voting: Unanimous

18. FOURTH QUARTER BUDGET MONITORING 2017/18

Miss Ellie Dunnet, the Head of Finance, presented the Fourth Quarter Budget Monitoring Report to the Committee.

It was highlighted to the Committee that there was an overall under spend of £125,398.

In response to a question from the Committee, Miss Dunnett undertook to give further information by email on what the £31,350 for Green spaces related to under the Carry Forward of Grants 2017/18 to 2018/19.

The Chairman suggested that a figure of up to £75,000 from the under spend should be applied for through the Policy and Resources Committee to review a number of areas which would include the Arts, Sports, Accessibility and a Fundraising Strategy.

RESOLVED:

1. That the Committee notes the financial performance of the services within its remit for 2017/18.
2. That the Committee notes the revenue resources to be carried forward into the current financial year, detailed at Appendix 2 to the report.
3. That the Committee notes the slippage within the capital programme in 2018/19, detailed at Appendix 3 to the report.
4. That the Committee recommends to Policy and Resources Committee that up to £75,000 of the current under spend be utilised to fund a series of reviews.

Voting: Unanimous

19. DURATION OF MEETING

6.30 p.m. to 7.50 p.m.

2018/19 WORK PROGRAMME

Report Title	Committee	Month	Lead	Report Author
Sports Pitches Booking Process	HCL	Jul-18	Dawn Hudd	Dawn Hudd
Disposal of Open Space at Franklin Drive	HCL	Jul-18	Jennifer Shepherd	Andrew Williams
Outside Bodies - Nominations	HCL	Jul-18	Angela Woodhouse	Caroline Matthews
Play Area Grant Scheme Update	HCL	Sep-18	Jennifer Shepherd	Andrew Williams
Cemetery Improvements	HCL	Sep-18	Jennifer Shepherd	Sharon Smith
Q1 Budget Monitoring 2018/19	HCL	Sep-18	Ellie Dunnet	Paul Holland
Q1 Performance Report 2018/19	HCL	Sep-18	Angela Woodhouse	Anna Collier
Museums 20 Year Plan Update	HCL	Sep-18	Dawn Hudd	Victoria Barlow
Tourism Destination Management Plan Progress Update	HCL	Oct-18	Dawn Hudd	Laura Dickson
Q2 Budget Monitoring 2018/19	HCL	Nov-18	Ellie Dunnet	Paul Holland
Q2 Performance Report 2018/19	HCL	Nov-18	Angela Woodhouse	Anna Collier
Festivals and Events Update	HCL	Nov-18	Dawn Hudd	Laura Dickson
Fees & Charges 2019/20	HCL	Jan-19	Mark Green	Ellie Dunnet
Draft Strategic Plan	HCL	Jan-19	Mark Green	Angela Woodhouse
Medium Term Financial Strategy & Budget Proposals 2019/20	HCL	Jan-19	Mark Green	Ellie Dunnet
Q3 Budget Monitoring 2018/19	HCL	Feb-19	Ellie Dunnet	Paul Holland
Q3 Performance Report 2018/19	HCL	Feb-19	Angela Woodhouse	Anna Collier
Museums Future Governance Options Update	HCL	Mar-19	Dawn Hudd	Victoria Barlow
Biodiversity Action Plan	HCL	Mar-19	Jennifer Shepherd	Andrew Williams
New Market on Jubilee Square	HCL	TBC	Dawn Hudd	Fran Wallis

**HERITAGE, CULTURE AND
LEISURE COMMITTEE**

3 July 2018

Nominations to Outside Bodies - HCL

Final Decision-Maker	Heritage, Culture and Leisure Committee
Lead Head of Service/Lead Director	Angela Woodhouse, Head of Policy, Communications and Governance
Lead Officer and Report Author	Caroline Matthews, Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

The Committee is requested to consider the nominations received for the vacancies to Outside Bodies.

This report makes the following recommendations to this Committee:

1. That the nominations for outside body memberships as set out in paragraph 1.2 be considered and appointed to where appropriate.

Timetable

Meeting	Date
Heritage, Culture and Leisure Committee	3 July 2018

Nominations to Outside Bodies - HCL

1. INTRODUCTION AND BACKGROUND

- 1.1 At its meeting on 28 February 2018 the Council recommended that some of the Council's Outside Bodies be appointed by an appropriate Committee.
- 1.2 The outside bodies vacancies attributable to the Heritage, Culture and Leisure Committee have recently been advertised to Members and the nominations received are set out below:-

Brenchley Charity Trust – No nominations received

Collis Millennium Green Trust – One nomination received from Councillor English

Maidstone Area Arts Partnership – No nominations received

Maidstone Sea Cadets – Two nominations have been received from Councillors Cuming and Mrs Gooch

Maidstone Beauvais Twinning Association – One nomination received from Councillor B Hinder

2. AVAILABLE OPTIONS

- 2.1 The Committee could do nothing. This is not recommended as it could damage the relationships that the Council foster with these organisations.
- 2.2 The Committee could appoint to the various Outside Bodies as appropriate.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 Option 2.2 is recommended as there is a need to ensure that these vacancies are filled as soon as possible.

4. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 4.1 Should any of the vacancies be filled then the relevant outside bodies would be contacted and appraised of the Member/person having been appointed.
 - 4.2 In the event that some of the vacancies are not filled then these will be re-advertised at a later stage and brought back to the Committee for consideration should a nomination be received.
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5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendation will by itself materially affect the achievement of the corporate priorities	Democratic Services Officer
Risk Management	There are no significant risks	Democratic Services Officer
Financial	There are no significant financial implications arising from this report	Democratic Services Officer
Staffing	There are no staffing implications arising from this report	Democratic Services Officer
Legal	There are no legal implications unless the Constitutions of these charities change	Democratic Services Officer
Privacy and Data Protection	There are none	Democratic Services Officer
Equalities	There are none	Democratic Services Officer
Crime and Disorder	There are none	Democratic Services Officer
Procurement	There are none	Democratic Services Officer

6. REPORT APPENDICES

- Appendix 1 – Nomination for Collis Millennium Green Trust
- Appendix 2 – Nomination for Maidstone Sea Cadets
- Appendix 3 – Nomination for Maidstone Sea Cadets
- Appendix 4 – Nomination for Maidstone/Beauvais Twinning Association

7. BACKGROUND PAPERS

NOMINATION FORM TO OUTSIDE BODYDate 22nd June 2018.....

NAME:	Clive English
ADDRESS:	c/o 4 th Floor Maidstone House, King Street, Maidstone. ME15 6JQ
TELEPHONE NO:	07922616858
NAME OF ORGANISATION APPLYING FOR:	Collis Millennium Green Trust
REASON FOR APPLYING:	<p>I was a founder Trustee of the body and assisted John Frisby in the initial campaign to save the site from development. Since then I have worked with the Committee and my fellow Ward Members to obtain funding for various projects and to help the Trust in a number of ways.</p> <p>I now feel that it is once again time to take a more direct role and put my name forward to serve on the Committee.</p>
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:	A knowledge of procedures, and general administration and a history of involvement with the organisation.

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Please attach further sheet if required

NOMINATION FORM TO OUTSIDE BODY

Date 21/6/2019

NAME:
ADDRESS:
TELEPHONE NO:
NAME OF ORGANISATION APPLYING FOR:
REASON FOR APPLYING:
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:

MIKE CUMING

60 MADGINFORD ROAD
BEARSTED
KENT
ME15 8LB

01622 738825

MAIDSTONE SEA CADETS

TO HELP THE YOUNG PEOPLE OF MAIDSTONE IN DEVELOPING THEIR TEAM SKILLS

KNOWLEDGE OF, AND LONG EXPERIENCE IN THE CADET SECTOR
CURRENTLY IN THIS POST FOR THE LAST 4 YEARS.

EXPERIENCE :-

- 714 SQDN AIR TRAINING CORPS IN CROYDON AS CADET, THEN CIVILIAN INSTRUCTOR
- 40(F) ATC IN MAIDSTONE AS CIVILIAN INSTRUCTOR.
- WORKED ON SEISMIC SURVEY SHIPS FOR A U.S. COMPANY IN THE OIL EXPLORATION BUSINESS, AS TECHNICIAN PROGRESSING TO CREW MANAGER, 1967-1986
- OWNED MARINE ENGINEERING COMPANY IN RAMSGATE 1987-1991
- CONSULTANT FOR A U.K. COMPANY IN THE OIL EXPLORATION FIELD 1990-1994
- OWNED VARIOUS MOTOR CRUISERS.

Please attach further sheet if required

NOMINATION FORM TO OUTSIDE BODYDate ...25th June 2018.....

NAME:	Cllr Fay Gooch
ADDRESS:	137 Heath Road Barming Maidstone ME16 9HJ
TELEPHONE NO:	07815 807716 01622 726608
NAME OF ORGANISATION APPLYING FOR:	Maidstone Sea Cadet Corps
REASON FOR APPLYING:	<p>I fully support its role in helping to equip the youngsters with the skills such as social and physical that they'll need as they meet the challenges of the adult world.</p> <p>The Cadets have at long last reached a milestone in their long history: they now have proper moorings (a new ramp installed down to the river edge, and canoes) which will be officially opened on 7th July. This marks a new future for them and I would like to be able to contribute in some way.</p>
WHAT BENEFITS COULD YOU BRING TO THE ORGANISATION?:	<p>As an experienced and active borough councillor and parish councillor I have effective inter-personal skills</p> <p>My keenness for clarity of understanding between residents and the services that MBC provides, has proved useful when communicating with the Sea Cadets Chairman and with their Officer In Charge</p> <p>I continue to be the Armed Forces Champion for the Borough Council as part of the Civilian - Military Covenant, so there is synergy, and possibly opportunities to the advantage of the Sea Cadets.</p>

Please attach further sheet if required

NOMINATION FORM TO OUTSIDE BODY

Date25/6/2018.....

NAME:	Councillor Bob Hinder
ADDRESS:	8 The Spinney Walderslade Chatham Kent ME5 9JP
TELEPHONE NO:	01634 861579
NAME OF ORGANISATION APPLYING FOR:	Maidstone/Beauvais Twinning Association
ROLE APPLYING FOR:	Committee Member
REASON FOR APPLYING:	I am a Committee Member of Beauvais Twinning but would be pleased to be elected as the Council's representative.
WHAT SKILLS AND EXPERIENCE COULD YOU BRING TO THE ORGANISATION?:	I have been a Member of the Beauvais Twinning for the past 10 years and have a lot of experience in helping to organise events, fund raising and meeting our French counterparts. Recently I spent the weekend visiting the Jeanne Hachette Festival in Beauvais supporting other Committee Members to ensure a successful twinning at this prestigious event.

Heritage, Culture and Leisure Committee

3rd July 2018

Disposal of open space at Franklin Drive

Final Decision-Maker	Heritage, Culture and Leisure Committee
Lead Head of Service	Jennifer Shepherd, Head of Environment & Public Realm
Lead Officer and Report Author	Andrew Williams, Parks and Open Spaces Manager
Classification	Public
Wards affected	Boxley

Executive Summary

This report recommends the disposal of Franklin Drive Open Space by long lease to Boxley Parish Council for them to manage and maintain the space for play and recreation for the public. Boxley Parish Council would then be able to invest in play equipment as they see fit.

This report makes the following recommendations to this Committee:

1. That agreement be given to the disposal of Franklin Drive open space to Boxley Parish Council by a long lease (99 years).
2. That the proposed disposal be advertised for two consecutive weeks in a local newspaper and consideration be given to any objections that may be received in response.
3. That the Director of Finance & Business Improvement be authorised to negotiate, agree and complete the Lease and such other documents and to undertake such steps as are necessary and incidental to the recommendations in this Report.

Timetable

Meeting	Date
Heritage, Culture and Leisure	3 rd July 2018

Disposal of open space at Franklin Drive

1 INTRODUCTION AND BACKGROUND

The Maidstone Parks and Open Spaces 10 year Strategic Plan 2017-2027 was formally adopted by HCL Committee on the 4th July 2017 and part of that work plan was the development of the Maidstone Play Area Policy.

The Maidstone Play Area Policy identified those areas that will be most effective in providing high quality play for mixed age ranges within reach of the majority of residents of the borough. In all 78 Strategically Important Play Areas were identified in the borough

The review of play areas identified 20 play sites that did not meet the criteria and as such should not be maintained into the future with revenue nor capital investment from MBC core budgets. In time these areas would be decommissioned when they are not fit for purpose. Consideration could be given to refurbishing such areas if other funds become available from Section 106 Developer Contributions or other grant aiding bodies.

The report highlighted the possibility of disposing of such sites (to remain as public parks/play areas) to Parish Councils, Housing trusts or other community groups.

Boxley Parish Council has requested that they take on the management of Franklin Drive Open Space on a long lease to allow them to continue to provide a resource to the local residents and invest in new play equipment.

2 AVAILABLE OPTIONS

- 2.1 Transfer land and existing play equipment on a 99 year lease to Boxley Parish Council. There will be a nil premium and a peppercorn rent. Draft heads of terms are attached in Appendix 2 to illustrate obligations and conditions.
- 2.2 Do nothing and retain site as MBC managed site – no further investment and decommissioning play equipment as it reaches end of life. Site would be retained as informal grassed public open space with on-going ground maintenance costs and the future costs associated with removal of play equipment and ground restoration.
- 2.3 Retain land until existing play equipment is decommissioned and dispose of land for alternative uses. Land has potential value for extending existing gardens or as potential for a secure access route for Network Rail to reach line-side. Market for sale of land would need to be tested in approximately 10 years-time. Ongoing maintenance costs for 10 years and potential for negative community reaction to the sale of public open space/parks land.

3 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

Members are recommended to endorse Option 2.1 above to allow Boxley PC to invest in the local play provision as they see fit. Boxley Parish Council have already earmarked funds for new play equipment at this location. Reduce MBC's exposure to risk and reputational damage in managing the decline of the play area over the next 5-10 years. Transfer of the land to an established accountable organisation embedded within the community may generate more opportunities for a sense of community ownership, fundraising and activities such as those found at the nearby Weaving Diamond Jubilee Orchard. Disposal of land will comply with the Council's policy adopted at the Policy & Resources Committee meeting 25/07/17 as the disposal will contribute to the improvement of social well-being; the promotion or improvement of environmental well-being; and the difference in the value of the land and the price for disposal does not exceed £2 million.

4 RISK

4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended and shown in section 2.2, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Maidstone Parks and Open Spaces 10 year Strategic Plan 2017-2027 was formally adopted by HCL Committee on the 4th July 2017 and part of that work plan was the development of the Maidstone Play Area Policy; the disposal of non-strategic play areas to Parish Councils is part of the agreed way forward.

6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 If members are minded to agree to the disposal of Franklin Drive Play Area by long term lease to Boxley Parish Council then local notification would be undertaken for a period of four weeks – this would involve use of site notices, direct communication with neighbouring households and circulating the outcome through the parish communications network of e-mail & newsletters. Statutory notification in a local newspaper for a period of not less than two weeks would also be undertaken.

7 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in the 10 Year Parks and Open Spaces Strategy	Jennifer Shepherd Head of Environment & Public Realm
Risk Management	Already covered in the risk section – option 2.1 reduces risk, other options are status quo	Jennifer Shepherd Head of Environment & Public Realm
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Paul Holland, Senior Finance Manager (Client)
Staffing	We will deliver the recommendations with our current staffing.	Jennifer Shepherd Head of Environment & Public Realm
Legal	The Local Government Act 1972, section 123(2) requires that the disposal by way of a lease exceeding seven years or more must not be for a consideration or value which is less than the best that can reasonably be obtained. Valuation advice should be obtained to ensure that the Council complies with its obligation under section 123(2).	Claudette Valmond on behalf of Head of Legal Services

	123(2A)of the Local Government Act 1972 requires that before disposing of any land consisting of or forming part of open space the Council must advertise the proposed disposal for two consecutive weeks in a local newspaper and consider any objections received in response	
Privacy and Data Protection	There are no implications for privacy and data protection	Democratic Services Officer
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Policy & Information Manager
Crime and Disorder	The recommendation will not have a negative impact on Crime and Disorder.	Jennifer Shepherd Head of Environment & Public Realm
Procurement	Not required	Jennifer Shepherd Head of Environment & Public Realm

REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Map of Franklin Drive Open Space
- Appendix 2 : Draft Heads of Terms

Appendix 2 : Draft Heads of Terms, to form part of lease agreement in relation to Franklin Drive Open Space

- 99 year lease
- Peppercorn rent
- Use as a public open space and children's playground but excluding any political rallies or meetings or any circuses or similar events involving animals and any business or commercial activities
- Tenant to pay all rates taxes assessments duties charges impositions and outgoing of an annual or other periodically recurring nature that are or may at any time during the Term be charged assessed or imposed on the Premises or on the owner or occupier of the Premises, all VAT that may from time to time be charged on the sums payable by the Tenant under this Lease and all VAT incurred in relation to any costs that the Tenant is obliged to pay or in respect of which it is required to indemnify the Landlord under the terms of this Lease save where such VAT is recoverable or available for set off by the Landlord as input tax
- The Tenant must maintain the Premises (including the playground and all Tenant's fixtures and fittings including the playground equipment now or at any time during the Term erected thereon) and keep the Premises in a good condition and state of maintenance
- The Tenant must keep the Premises clean and tidy and clear of all rubbish
- The Tenant must keep the grass in good condition and not break up or damage that grass in particular the Tenant must keep the grass within the Premises free of all weeds including ragwort
- The Tenant must not store anything on the Premises or bring anything on to it that is or might become untidy unclean unsightly or in any way detrimental to the Premises or the area generally
- The Tenant must not deposit any waste rubbish or refuse on the Premises and must make available on the Premises receptacles for the depositing of litter
- The Tenant must not keep or store or permit any vehicle or caravan or mobile home to be placed on the Premises or any part thereof
- The Tenant must not cut down or injure any trees shrubs or hedges on or bordering the Premises other than in accordance with any boundary management scheme which enhances the wildlife value of such trees shrubs or hedges
- The Tenant must maintain and keep in good repair all the boundary fences and hedges abutting the Premises

- The Tenant must keep in good repair and condition any playground equipment situated on the Premises and renew such equipment as and when it falls into disrepair
- The Tenant must not cause any land roads or pavements abutting the Premises to be untidy or dirty and in particular but without prejudice to the generality of the foregoing must not deposit refuse or other materials on them
- The Tenant must not commit any waste make any addition to the Premises nor erect any building structure or erection on the Premises unless it first obtains the consent of the Landlord
- At the end of the Term (howsoever determined) if so requested by the Landlord the Tenant must remove any structures additions alterations or improvements made to the Premises and must make good any part of the Premises that is damaged by their removal
- The Tenant must not erect any pole or mast on the Premises and in particular no telecommunications mast shall be placed on the Premises
- The Tenant must not without the consent of the Landlord fix to or exhibit on the Premises or display anywhere on the Premises any placard sign notice fascia board or advertisement except signs advertising the Premises as an open space available for community use and enjoyment
- The Tenant must not hold the Premises on trust for another. The Tenant must not part with possession of the Premises or any part of them or permit anyone to occupy them or any part of them
- The Tenant must not assign sublet or charge the whole or any part of the Premises
- The Tenant must not use the Premises for any auction sale trade business manufacture or occupation or any illegal or immoral act or purpose
- The Tenant must effect throughout the Term and keep in force a policy of insurance with a reputable insurance company incorporating the standard conditions and exemptions of the insurance company to cover all claims arising from the exercise of the Permitted Use in the amount of not less than £5 million in respect of any one claim for bodily injury or disease or damage to property and must make available to the Landlord or its agent on reasonable demand a copy of the policy or a summary of its terms and a copy of the current premium receipt

**HERITAGE CULTURE AND
LEISURE COMMITTEE**

3 July 2018

MBC Outdoor Sports Facilities Booking Process

Final Decision-Maker	Heritage Culture and Leisure Committee
Lead Head of Service/Lead Director	William Cornall Director of Regeneration & Place
Lead Officer and Report Author	Dawn Hudd Head of Regeneration & Economic Development
Classification	Public
Wards affected	All

Executive Summary

This report sets out the process for the booking of council sports pitches.

This report makes the following recommendations to this Committee:

1. This report is to note.

Timetable

Meeting	Date
Heritage, Culture & Leisure Committee	3 July 2018

MBC Outdoor Sports Facilities Booking Process

1. INTRODUCTION AND BACKGROUND

Background

1.1 Maidstone Borough Council has outdoor sports pitches in some of its parks and open spaces. Currently there are 22 Junior Football pitches of various sizes depending on age, 7 Senior Football Pitches, 3 Rugby Pitches and recently we have installed American Football pitches at Shepway Green. The number of pitches prepared and available can be changed depending on need.

Current pitch booking process

1.2 The current process for booking MBC pitches is as follows:

1.3 In June each year all sports teams that hired pitches during the previous season, or have expressed interest in doing so for the new season are contacted by MBC regarding their requirements for the coming season. Teams replying that they wish to hire are then sent an application to hire form and a copy of the conditions of hire. Any new teams are also set up with an account with Serco (the operators of Maidstone Leisure Centre (MLC)), who manage the collection of funds and weekly booking of pitches.

1.4 Teams who hired pitches the previous season are given first refusal for the same pitch for the forthcoming season.

1.5 Teams are given until mid-July to respond, when they will be issued a contract letter by MBC which advises of hire process and costs.

1.6 Teams then book pitches for their fixtures for and during the season with MLC, this service is provided as part of their contract. Most teams request to take the block booking option which is VAT exempt. Teams are invoiced over the course of the season and must play a minimum of ten home games. If they do not play 10 games at home they will still be charged for 10 in order to avoid paying VAT. If more than 10 games are played then these will be invoiced at the end of the season.

1.7 The weekly pitch allocation is produced by MLC and is passed on to the MBC Grounds Maintenance Team who prepare the pitches as per the booking sheet.

1.8 MLC will invoice teams twice over the course of the season. MBC will then invoice MLC for this income when received from the clubs.

1.9 If any issues occur i.e. invoices not being paid or changing rooms left in a state these are addressed by MBC with the teams directly.

1.10 Hirers wishing to book a single pitch can contact Maidstone Leisure Centre direct to book and pay for the pitches.

Maintenance and Condition of Pitches

1.11 All MBC pitches in the borough are maintained by MBC. This includes line marking. Clubs supply and install their own goal nets.

Pitch Charges

1.12 Fees and Charges for sports pitches are agreed by council along with all other fees and charges every year. The charges are regularly benchmarked against other pitch providers and as well as this officers through discussion with the football leagues get an indication as to what an appropriate level is. Because of this there has not been an increase in the charge for MBC Football and Rugby Pitches since 2012.

1.13 The current prices for football pitches are as follows:

Pitch/Changing Rooms	Prices Including VAT Single Match	10 or more matches
Junior Pitch	£22.80	£19
Senior Pitch	£57.60	£48
Changing Rooms and Showers (where available)	£16.80	£16.80

1.14 The current prices for rugby are as follows:

Pitch/Changing Rooms	Price including VAT Single Match	10 or more matches
Junior Pitch	£30.50	£25.40
Senior Pitch	£60.50	£50.40
Changing rooms and showers	£16.80	£16.80

1.15 Some MBC sites also have changing rooms and showers, although the demand for these are very limited as juniors clubs no longer use changing rooms.

Cancellation of pitches

1.16 Currently clubs cannot cancel a pitch after the Wednesday before a fixture. The reason for this is that MBC will have had to pay for the pitch to be

prepared.

- 1.17 If MBC has to cancel a game as the pitch is not playable a message will be left on the answer phone which all clubs can access. Unfortunately clubs often choose to ignore the answer phone and play pitches when they are too wet which causes damage and reduces quality further.

MBC Resources

- 1.18 Up until July 2011 MBC employed a Sports Bookings Assistant who dealt with all matters relating to sports bookings including dealing with clubs, contracts, taking weekly bookings and charging clubs.
- 1.19 After this time in order to enable the sports bookings to continue MLC was approached, and agreed, to take on the weekly booking and charging to sports clubs. Until now MLC have charged MBC to carry out this work at a cost of £5,562 per annum, we are currently working with them on a contract amendment which will make this service a contractual obligation.
- 1.20 At this time the Leisure Monitoring Officer took on the role of liaising with Clubs at the start of the season, issuing of contracts and overseeing how the Leisure Centre were managing the sports bookings process.
- 1.21 In December 2016, the Leisure Monitoring Officer left MBC and the post was moved to the Commissioning and Business Improvement Team. The part of the role that dealt with sports pitch bookings did not transfer as it was unrelated to the contract monitoring role. Since this time there has been very little resource left to deal with sports pitch bookings and this has been dealt with on an ad-hoc basis.
- 1.22 The reduction in resource to deal with sports booking has had an impact on the level of service that sports clubs have received.
- 1.23 It is proposed that the liaison with the sports clubs and the annual contact with them regarding seasonal bookings will sit entirely to MLC. This will provide a clearer line of responsibility and a clearer and easier process for the customer. Any queries or complaints can then be dealt with at source. We are currently working with MLC to finalise these arrangements.

Playing Pitch Strategy

- 1.24 As part of the work being carried out for the local plan a Playing Pitch Strategy is currently being produced by the Strategic Planning Team. This will identify the type, number and quality of playing pitches that will be required up until 2031 to accommodate the additional houses that are being built in the borough. A report will be brought to HCLC in due course.
- 1.25 This strategy should provide the opportunity and funding for improvements in the number and quality of pitches going forward.

2. AVAILABLE OPTIONS

2.1 This report is to note only.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 This report is to note only.

4. RISK

4.1 This report is presented for information only and has no risk management implications.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 None.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The final arrangements with MLC will be agreed and the clubs notified of the new process.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims to provide good leisure and cultural attractions and to encourage health and wellbeing.	Head of Regeneration and Economic Development
Risk Management	Already covered in the risk section of this report	Head of Regeneration and Economic Development
Financial	The proposals set out in the recommendation are all within	Head of Regeneration

	already approved budgetary headings and so need no new funding for implementation.	and Economic Development
Staffing	We will deliver the recommendations with our current staffing.	Head of Regeneration and Economic Development
Legal	N/A	Head of Regeneration and Economic Development
Privacy and Data Protection	Any data collected will be processed in accordance with the appropriate data protection legislation.	Head of Regeneration and Economic Development
Equalities	There are no impacts identified, however it is important to communicate our policies widely to ensure access to services especially for hard to reach groups.	Equalities and Corporate Policy Officer
Crime and Disorder	N/A	Head of Regeneration and Economic Development
Procurement	N/A	Head of Regeneration and Economic Development

8. REPORT APPENDICES

- None

9. BACKGROUND PAPERS

- None