

**TITLE OF REPORT: BANCROFT RECREATION GROUND, HITCHIN - FUTURE OPTIONS**

REPORT OF THE STRATEGIC DIRECTOR OF CUSTOMER SERVICES  
EXECUTIVE MEMBER: COUNCILLOR JANE GRAY

**1. SUMMARY**

- 1.1 To consider the future development of Bancroft Recreation Ground after an unsuccessful Heritage Lottery Bid and to determine a sustainable solution that will meet users' current and future needs.
- 1.2 The Master plan shown at appendix A identifies key proposals for the refurbishment of Bancroft Recreation Ground. The proposed work programme shown at appendix B identifies affordable options for the potential delivery of elements of the Council's agreed master plan. It identifies potential sources of funding and prioritises improvements to provide maximum community benefit within available resources. The approach is that we use section 106 funding and apply for smaller grants, so the work will be carried out over a number of years broadly in accordance with an agreed Master plan and Cabinet's previous resolution. The proposed programme will be to carry out works over the short (1-2yrs), medium (3-5yrs) and longer (6yrs+) terms.

**2. RECOMMENDATIONS**

- 2.1 To approve the programme of works proposed in the table shown at appendix B, to deliver improvements over a number of years broadly in accordance with an agreed Master plan.
- 2.2 To engage with our urban landscape provider (currently Groundwork Hertfordshire) and the Countryside Management Service to project manage the capital programme.
- 2.3 To include in the 2016/17 capital programme the following projects as listed in appendix B:
- |  |       |
|--|-------|
| • Resurfacing and rationalising pathways.  | £50K  |
| • Removal and landscaping of disused public tennis courts.                                       | £35K  |
| • Provision of multi use informal games area, subject to receipt of Sport England grant of £80K. | £170K |
- 2.4 To note that £75K is already included in the capital programme for enhancements to the play area.
- 2.5 To approve the option for car parking as detailed at section 8.7.3 in the report, to investigate amendments to the existing TRO making available for purchase parking passes for limited periods of use.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide a sustainable solution to deliver improvements to Bancroft Recreation Ground that will meet users' current and future needs.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The alternative option to resubmit a Parks for People Lottery bid Circa £2.2m for improvements to Bancroft Recreation Ground was considered but discounted on the basis that such an application could not be guaranteed and in view of Cabinet's previous resolution (see para 8.1 – 8.5).

#### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 The previous agreed master plan was developed through extensive consultation which was reaffirmed by Cabinet on the 16th December 2014.
- 5.2 The Executive Member for Leisure has been consulted on the proposed approach.

#### **6. FORWARD PLAN**

- 6.1 This report contains recommendations and gives reference to key decisions first notified in the Forward Plan October 2015.

#### **7. BACKGROUND**

- 7.1 Following the Heritage Lottery Fund's (HLF) decision not to award a lottery grant for the refurbishment of Bancroft Recreation Ground, Hitchin at its meeting of the 16th December 2014 Cabinet resolved the following:

- (1) That a phased approach to deliver incremental affordable improvements to Bancroft Recreation Ground based on the principles outlined in the most recent version of the master plan set out in the report to Cabinet on 28 January 2014 be agreed, using Section 106 and other limited internal and external financial resources;
- (2) That, subject to the approval of a revenue growth bid of £15,000 per annum, the inclusion of a water splash park and associated toilet/baby changing provision for Bancroft Recreation Ground in the Capital Programme for 2015/16 be agreed; and
- (3) That the limited incremental improvements for Bancroft recreation ground be incorporated into the Green Space Management Strategy Work Programme and, in consultation with relevant Portfolio Holders, be managed by officers without the need of a Project Board.

- 7.2 In October 2015 the Parks & Countryside Development Manager presented to the Strategic Director of Customer Services and the Executive Member for Leisure a future options report which identified options for the future delivery of improvements based on the previously approved master plan. It listed the pros and cons of a resubmission of a lottery bid for the sake of completeness and that of undertaking a phased approach for the delivery of improvements to Bancroft Recreation Ground.

- 7.3 The view of the Strategic Director of Customer Services and the Executive Member for Leisure is that for the reasons summarised below under item 8 "Issues" the preferred option is to adopt a phased approach for the delivery of improvements to Bancroft Recreation Ground.

## **8. ISSUES**

- 8.1 In the current economic climate it would not be viable for the council to fully fund all the improvement to Bancroft Recreation ground (circa £2,2m capital and £60k pa revenue).
- 8.2 Lottery funding is a very competitive arena where sites with a high heritage value and a high level of deprivation generally stand a better chance of securing funds. The HLF have advised that whilst Bancroft meets the criteria for the Parks for People lottery programme, it has been only assessed as being of medium heritage importance and Hitchin does not suffer from high levels of deprivation.
- 8.3 The average pass rate for a stage 1 bid over the past 18 months is 50%. There is therefore no certainty that a revised future bid for Bancroft would receive funding.
- 8.4 The cost to develop a new stage 1 lottery application is estimated to be in the region of £25 - £30K. If the bid was not successful this money would be lost which could have been used to help fund improvements based on the existing master plan.
- 8.5 Having reassessed this approach and mindful of Cabinet's previous resolution, this approach has not been proposed.
- 8.6 The proposed approach is therefore to prioritise elements of the master plan for delivery in the short, medium and longer term. This will enable improvement to take place over a number of years. The intended funding for the improvements will come from external grants, developer contributions, a limited capital programme and existing revenue budgets.

## **8.7 CAR PARKING / RESTRICTIVE COVENANT**

- 8.7.1 Solutions relating to car parking were to be developed as part of the redevelopment proposals as despite attempts to restrict vehicles movement vehicles still drive into and park in the recreation ground. With the exception of maintenance vehicles the proposed redevelopment aimed to restrict all vehicles from the site.
- 8.7.2 The site was conveyed to the Council on the 25th November 1924 with a restrictive covenant confining use to a public recreation ground or for purposes incidental thereto. The conveyance includes the adjoining public car park. Legal advice has been sought relating to the impact of the covenant. It is the Council's view that the current use as a car park is not in breach of the covenant. The car park is incidental to / associated with the public use of Bancroft Recreation Ground. Accessible parking encourages the public to visit. If a portion of the car park was reserved exclusively for use by a private club such as the Bowls club, this could constitute a breach of the covenant as it would not be equitable for all users.
- 8.7.3 Appendix C. considers options for car parking. It is officers' view that the most equitable solution would be to investigate amendments to the existing TRO making available for purchase parking passes for limited periods of use which will be stated on the permit and charged accordingly. These would be available for all users of the car park including the Bowls club.
- 8.7.4 If the approach listed at 8.7.3 is adopted officers will approach the clubs to determine their requirements and set a charge according to the anticipated level of use.

## 9. LEGAL IMPLICATIONS

- 9.1 Under Cabinet's Terms of Reference as set out in section 5 of the Council's Constitution, Cabinet has responsibility for agreeing policies and strategies other than those reserved to Council and to approve those major service developments which also constitute Key Decisions.
- 9.2 The Council provides parks, recreation grounds and open spaces under its discretionary powers.
- 9.3 Bancroft Recreation Ground was conveyed to the Council on the 25th November 1924 with a restrictive covenant confining use to a public recreation ground or for purposes incidental thereto. The conveyance includes the adjoining public car park. Legal advice has been sought relating to the impact of the covenant. It is Legal's view that the current use as a car park is not in breach of the covenant. The car park is incidental to / associated with the public use of Bancroft Recreation Ground.

## 10. FINANCIAL IMPLICATIONS

- 10.1 The projects listed in table 1 below are already included in the Council's approved 2015/16 capital programme:

**Table 1. Currently funded projects**

Item	Value	Capital	Other funding
Toilets / baby changing	£30K	£30K	£0
Water play feature	£160K	£11K	£149K (Section 106)
Improvements to Play Area	£75K	£75	£0
<b>Total</b>	<b>£265K</b>	<b>£116K</b>	<b>£149K</b>

- 10.2 The projects listed in table 2 below are recommended for inclusion in the 2016/17 capital programme:

**Table 2. Proposed additional 2016/17 projects**

Item	Value	Capital	Other funding
Resurfacing and rationalising pathways.	£50K	£50K	£0
Removal and landscaping of disused public tennis courts	£35K	£35K	£0
Provision of informal games area	£170K	£31K*	£59K (Section 106) £80K (Sport England grant)
<b>Total</b>	<b>£255K</b>	<b>£116K</b>	<b>£139K</b>

\* The capital would increase by £80K if failed to secure Sport England grant.

- 10.3 Officers will be exploring funding options for the mid to long term projects. Where possible these will be from external grants or future developer contributions.
- 10.4 The revenue items listed in the appendix B could be funded from the existing Green Space strategy revenue budget.

## **11. RISK IMPLICATIONS**

- 11.1 A re-submitted lottery bid has no certainty of success and any abortive work will need to be charged to the general fund.
- 11.2 The option for incremental improvements provides the least risk to the council and ensures expenditure is only made as and when it is affordable.
- 11.3 The master plan provides a balance of facilities for the whole community. Being endorsed by the Council and included in the capital work programme it provides the opportunity to use section 106 contributions and increases the opportunity for external grant applications. Moving away from the master plan could jeopardise funding streams.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.3 The proposals as made for the refurbishment of Bancroft Recreation Ground offer opportunities for a wide range of people to use the recreation ground, would benefit the significant number of younger families who have settled in the town in recent years. The proposals also contribute to the authority's commitment to improving the wellbeing of its residents through provision of open space for recreation, physical and social opportunity.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section in Paragraph 12 above.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 The Council will need to engage with its urban landscape provider (currently Groundwork Hertfordshire) and the Countryside Management Service to project manage the capital programme.

## **15. APPENDICES**

- 15.1 Appendix A - Adopted Master Plan.  
Appendix B - Proposed work programme for delivery of Master Plan.  
Appendix C - Options for Car Parking.

**16. CONTACT OFFICERS**

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**17. BACKGROUND PAPERS**

Cabinet 16<sup>th</sup> December 2014 agenda item 13.

Bancroft Recreation Ground future options report to the Strategic Director Customer Services October 2015.