

**CABINET SUB-COMMITTEE (COUNCIL CHARITIES)
16 DECEMBER 2019**

PUBLIC DOCUMENT

TITLE OF REPORT: RUGBY CLUB – KING GEORGE 5TH RECREATION GROUND

REPORT OF THE SERVICE DIRECTOR - PLACE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 To consider requests submitted by the Rugby Club at King George 5th Recreation Ground, Hitchin regarding the use of an old disused toilet block to convert to storage facilities.
- 1.2 Secondly to consider a request to introduce a unisex disabled toilet for users of the pavilion.
- 1.3 Additionally to consider the introduction of charging for the hire of the multi use games area (MUGA) as part of the broader District Wide approach to generate income to help off-set running costs and the costs of administration which is being reported to Cabinet on the 17th December 2019.

2. RECOMMENDATIONS

- 2.1 The committee is recommended to approve the introduction of charges for the hire of the multi use games area at King George 5th Recreation Ground This will also be considered as a wider policy consideration at Cabinet on the 17th December 2019.
- 2.2 The committee is recommended to approve the Rugby Club taking on maintenance of the disused toilet block adjacent to the play area to use as additional storage space.
- 2.3 The committee is recommended to approve Hitchin Town Band undertaking works to alter an existing male toilet into a unisex disabled toilet for use by band members and other users of the rugby club providing the alterations are in line the Equality Act 2010 .

3. REASONS FOR RECOMMENDATIONS

- 3.1 The introduction of charges for the use of the multi use games area will help to off set the ongoing running costs especially in relation to the use of the flood lights.
- 3.2 The toilet block is currently unused and could accommodate an increasing demand for storage on site required by the rugby club.

- 3.3 Hitchin Town Band has submitted plans to alter an existing male toilet into a unisex disabled toilet to meet the needs of their members.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 If there was a decision to not charge clubs for using the multi use games area (MUGAs), then this facility could be out of step with the other MUGAs in the District. This could lead to greater demand for this MUGA and therefore limit the availability for existing users.
- 4.2 The rugby club have historically requested permission to use lorry containers as storage facilities. However this proposal would remove the need to demolish an existing unused toilet block already on site. Therefore there would be no need to use more lorry containers in addition to what is already in use. This proposal would entail that there would not be an increase in containers on site used for storage in the future.
- 4.3 Hitchin Town Band currently uses the hall for practice sessions and if the proposed alterations can not be undertaken they will have to consider the use of alternative venues.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Consultation has already taken place with the King George 5th User Group who are supportive of these proposals.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Council's constitution states that the decision should be taken by the Chairman of the Cabinet Sub-Committee (Council Charities) in consultation with the Charities Lead Officer for the site.
- 7.2 The Charities Lead Officer (Andrew Mills) supports these proposals.

8. RELEVANT CONSIDERATIONS

- 8.1 The introduction of charging for the multi use games area is part of a boarder corporate strategy to manage costs and minimise liabilities the Council may face in the future. The final decision to introduce a policy for charging will be considered by Cabinet in January 2019 as part of a District Wide policy.
- 8.2 The buildings and facilities are outdated and need to adapt and change to the current demands of the users which is primarily the ruby club. There is a significant need to increase storage capacity on site as there is a distinct need to address the needs presented by the Hitchin Town Band on behalf of their members. This will ensure that provision of facilities at King George 5th is moving towards being more inclusive and meeting the requirements of the Equalities Act.

9. LEGAL IMPLICATIONS

- 9.1 Paragraphs 5.10.4 (b) and (c) of the Committee's terms of reference confirm that the proposals set out in this report should be considered by the Committee. These paragraphs are recited below respectively for ease of reference.

“(b) In the capacity of Corporate Trustee, to consider all matters relating to those trusts, including the use, operation and management of trust assets and the preservation of the objectives of those trusts so instituted.”

“(c) To consider all proposals and representations from and on behalf of the Council or any third party, in connection with the use, operation, management and ownership of trust assets.”

- 9.2 The Trustees have a duty to act in the best interests of the Trust Fund and this would include consideration of proposals that would generate income to help improve and sustain the recreation ground for the benefit of the public.
- 9.3 Paragraph 9 of the First Schedule of the Trust Deed authorises the Council to “*do all such other lawful things as are incidental or conducive to the attainment of the objects of the Trust*” Generating income would provide additional resources to further the Trust objective to promote and maintain the recreation ground.

10. FINANCIAL IMPLICATIONS

- 10.1 The introduction of charges for the multi use games area will help to generate income that will help offset the running costs of this facility and the administration costs of providing a booking system for the MUGA. The income generated will become part of the Charities income. As the District Council provides a significant contribution towards the running costs of the Trust, the overall impact is that it will reduce the contribution that the Council needs to make.
- 10.2 Costs associated with converting the disused toilet block into a storage facility will be accommodated by the rugby club – there will be no cost impact upon the Council.
- 10.3 Costs associated with converting the male toilet to a unisex disabled toilet will be accommodated by the Hitchin Town Band – there will be no cost impact upon the Council.
- 10.4 There could be an expectation that the standard of the MUGA be kept at a good and adequate level by groups paying to use the facility, this would incur additional maintenance and repair costs such as resurfacing. This could inadvertently mean the Council make a greater contribution towards the Charities running cost.

11. RISK IMPLICATIONS

- 11.1 Risk implications are minimal as the physical works will be undertaken and financed by third parties. Officers will monitor this process to ensure that the works are undertaken to a satisfactory standard.

- 11.2 The ongoing costs of providing the multi use games area are only going to increase in the future due to increasing electricity prices. The introduction of charging for this facility will ensure that it will be available for hire for longer into the future without becoming a financial burden upon the Council.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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.
- 12.2 The introduction of a charging scheme may have a negative impact on those poorer within the community. It is recommended that if the committee approve the decision to introduce a charging scheme an equalities impact assessment accompany the proposed policies for introducing charges.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no human resource implications associated with this report.

15. APPENDICES

- 15.1 None

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 None