

Part I

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All Wards

WELWYN HATFIELD BOROUGH COUNCIL

CABINET – 8TH OCTOBER 2019

REPORT OF THE CORPORATE DIRECTOR (HOUSING AND COMMUNITIES)

REVIEW OF THE HATFIELD COMMUNITY SPORT FUND

1 Executive Summary

- 1.1 In February 2016 Development Management Committee agreed to a variation to the Section 106 agreement attached to planning permission S6/2003/0150/FP dated 13 January 2006.
- 1.2 The previous agreement was for the University of Hertfordshire to replace sports pitches and facilities at Angerland Common, on the exercise of the planning permission. After lengthy negotiations between all key stakeholders, this obligation was replaced with a new obligation requiring the University to contribute the sum of £1.4 million, on completion of the deed of variation, into a designated bank account administered by Welwyn Hatfield Borough Council on behalf of a Hatfield Community Sports Fund (the Fund).
- 1.3 On 5 April 2016 Cabinet agreed how the Fund should be overseen and administered - consequently the Hatfield Community Sports Fund Board (HCSFB) was established through the Local Strategic Partnership (Welwyn Hatfield Alliance).
- 1.4 Further to consultation with both statutory and non-statutory partners, it was agreed that a proportion of the Fund be ring-fenced specifically for football and for rugby, with the remaining funds being made available, via a grants system administered by the HCSFB, to the wider sporting community of Hatfield.
- 1.5 Since April 2016 there has not been any allocation from the Fund for rugby or football; a limited amount of funds has been allocated from the general pot to Hatfield bowls, Hatfield boxing, football, wheelchair rugby, disability sport and to Hatfield Town Council.
- 1.6 The Fund has now been operational for three years and to date only £116,487 has been spent from the £1.4million. All of the expenditure has been from the wider community sport pot, no expenditure has been made from the ring fenced football or rugby funds.
- 1.7 At the meeting of HCSFB on the 4 September, members of the Board requested that consideration is given by officers to how the fund can be focussed on projects which will deliver a legacy/long term structural benefit to the community in favour of short term projects, initiatives and events. Additionally the Board members wanted to agree on a way to improve the recording of the tangible outcomes of funded projects and how these are reported.

- 1.8 The borough council is currently in the process of completing a sports facilities strategy which could affect the direction of where funds could/should be allocated.
- 1.9 As such it now seems timely to review the purpose of the fund, how the funds are allocated and the split of that funding.

2 Recommendation(s)

- 2.1 Cabinet recommends to the HCSFB that no further applications or allocation of the Fund are considered or made whilst a review of the Fund takes place, save that any current funding applications (up to the date of this meeting) that are in the process of being reviewed, be allocated as deemed appropriate by the Board.
- 2.2 Cabinet agrees that this review will include meeting with the current Board member organisations as well as associated partners, which includes University of Hertfordshire, Sport England, the Rugby Football Union and Football Association.
- 2.3 Cabinet agrees that the review will focus on the purpose of the fund, how the funds are allocated and the split between football, rugby and community sport.
- 2.4 Cabinet agrees that the review of the Fund will not include any changes to the geographical area of the Fund as set out in the report to Development Management Committee in February 2016 (Appendix One highlights the geographical area where the fund can be spent).
- 2.5 Cabinet agrees that upon conclusion of the review a further report will be brought to Cabinet to make recommendations on the future operation of the Fund.

3 Explanation

- 3.1 Background information around the Angerland Common site and the original Section 106 agreement is set out in Appendix Two.
- 3.2 The current allocation of the funds is split £800,000 for football, £200,000 for rugby and £400,000 for community sport. Neither the football nor the rugby funds have had any applications for funds to date.
- 3.3 £116,487 has been spent to date from the Fund, which has been given to the following organisations:-

Hatfield Bowls, indoor facility improvements - £42,542

Hatfield Boxing, the BIG Hit project - £10,640

Hatfield Comets Football, purchase of a goal - £1,500

Hatfield Town Council, Hatfield Comet 70th Sports Week - £25,841

Hatfield Wheelchair Rugby Club, purchase of equipment and coaching - £22,000

Hatfield SPACE for SPORT, delivery of specialised disability sessions - £13,537

- 3.4 The council is currently working with consultants 4Global, to update the borough's Sports Facilities Strategy. It is hoped that this will be completed by

November 2019 and as such, the findings and recommendations should be taken into account when reviewing the Fund.

- 3.5 The current Hatfield Community Sport Fund Board is overseen by the Welwyn Hatfield Alliance Board and has six member organisations/groups; the organisations/groups represented on the Board are:

Herts Sports Partnership

Welwyn Hatfield Alliance

Hatfield Town Council (Member representative)

Herts County Council (Member representative)

Welwyn Hatfield Borough Council (Member representative)

WelHat Sports

- 3.6 All six of these organisations would be involved in the review process both individually and as a collective Board.
- 3.7 The University of Hertfordshire will be invited to be involved in the review process as the organisation with the original Section 106 obligation.
- 3.8 As the statutory consultee on all planning applications and the country's statutory sport's body Sport England should be involved in the review of the Fund. This is in addition to the two main National Governing Bodies of Sport, the Rugby Football Union and the Football Association who both should be providing representation as the two sports that the current Fund would benefit.

Implications

4 Legal Implication(s)

- 4.1 The variation to the Section 106 agreement (attached to planning permission S6/2003/0150/FP dated 13 January 2006), was authorised by Development Management Committee and complied with the legal tests for planning obligations set out under Regulation 122 of the Community Infrastructure Regulations 2010.
- 4.2 Whilst there are no legal implications arising from this report, legal advice will be secured during the process of the review, as any proposed changes may require a change to the S106 Agreement and this would have to comply with the legal tests for planning obligations as above.

5 Financial Implication(s)

- 5.1 Use of this Section 106 money is expressly set out within the terms of the deed of variation agreed by the Development Management Committee on 4th February 2016 and it cannot be used for any other purpose.
- 5.2 The review will be carried out using internal resources and from existing budgets.

6 Risk Management Implications

6.1 Reputational Risk

6.2 It is possible that suspending the Fund could cause a reputational risk to the council, as we could be deemed to be delaying the availability of funds for sports in this location. However this will be mitigated by a clear communication strategy, which will explain why we are reviewing this and the benefits of carrying out a review. Likelihood Medium Impact Low

7 Security and Terrorism Implication(s)

7.1 There are no security and terrorism implications associated to this report.

8 Procurement Implication(s)

8.1 There are no procurement implications associated to this report.

9 Climate Change Implication(s)

9.1 There are no climate change implications associated to this report.

10 Human Resources Implication(s)

10.1 There are no Human Resources implications arising from this report.

11 Health and Wellbeing Implication(s)

11.1 There are no health and wellbeing implications associated to this report.

12 Communication and Engagement Implication(s)

12.1 The nature of this review will require close engagement with partner organisations both individually and collectively in order to review the Fund. There will be a clear communication strategy, setting out both who we are consulting and also the purpose of the review.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the council's Corporate Priority Our Community and specifically to the achievement of 'supporting local sport and leisure'

14 Equality and Diversity

An Equality Impact Assessment has not been completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

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Background papers to be listed (if applicable)

Appendices

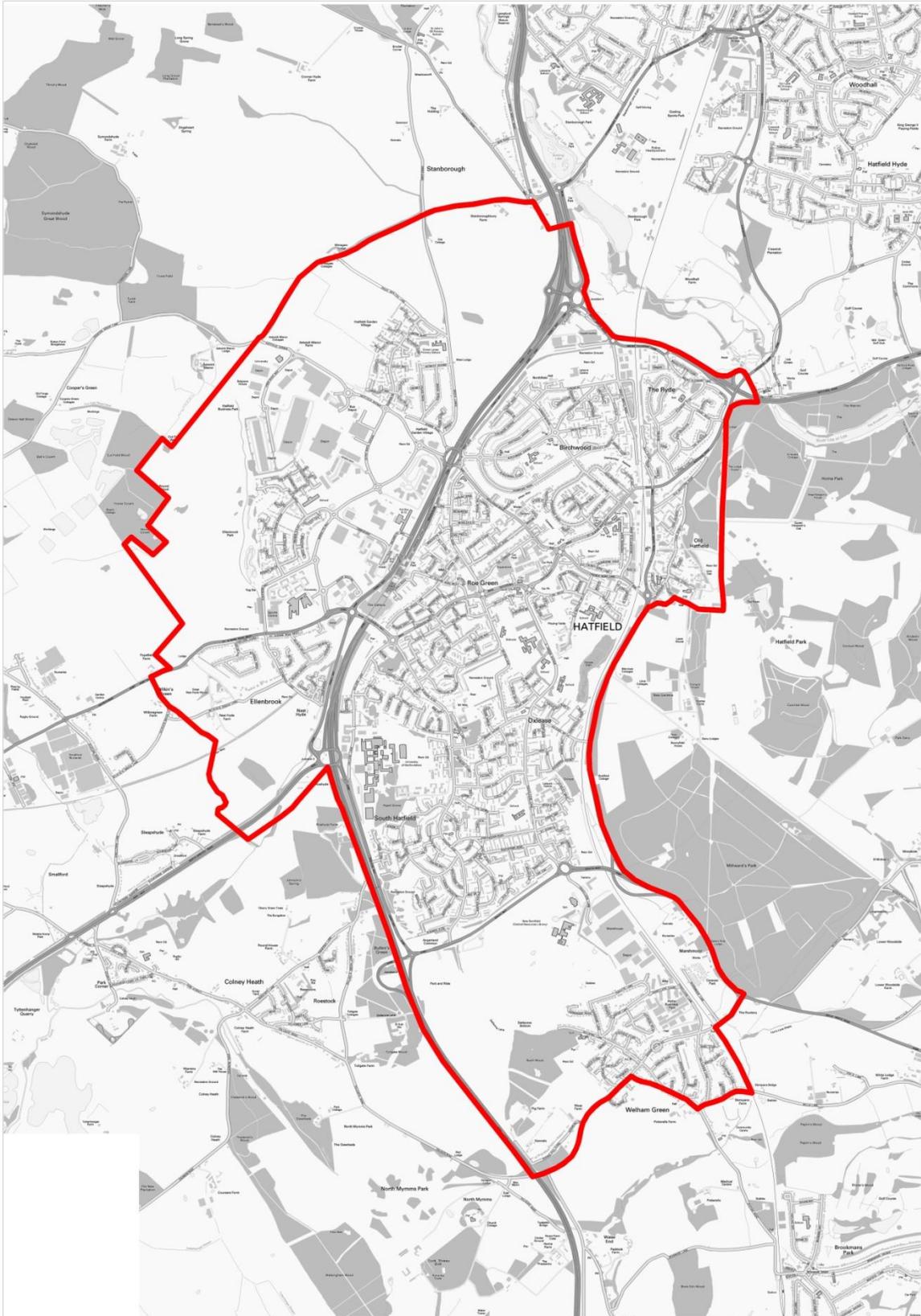
Appendix One – Geographical Map of where funding can be spent

Appendix Two – Background on Angerland Common

Appendix One

Area for Funding

Applications will be accepted by those organisations within the red line.



Appendix Two

Background

Site Description

Angerland Common is an area of land of approximately 14ha, located on the south side of the A1001 South Way. The Council's Lawn Cemetery lies to the east, while the site borders the A1 (M) to the west. The site is largely flat and bounded by trees and hedgerow, with vehicular access onto South Way. The northern part of the site is enclosed by fencing, is hard-surfaced, and is laid out as the 'park and ride' for the University of Hertfordshire, whilst the southern part of the site is open grassland.

Background

From the 1970s until 2003 the whole of the Angerland site was used for the provision of sports pitches, together with a small changing facility and car park. The facilities were used by Hatfield Polytechnic and subsequently the University as well as by local clubs booking through this Council.

In 2003 the University submitted a planning application (S6/2003/0150/FP) for the construction of a park and ride on the northern part of the site as part of plans to alleviate parking congestion on the University College Lane Campus and in surrounding residential areas of southern Hatfield. This was to be accompanied, subject to public consultation, by the introduction of controlled parking zones in southern Hatfield, the initial cost of which would be met by the University.

In preparation for the construction of the park and ride, the existing sports pitches at Angerland were closed in 2003. The University's sports users transferred largely to new facilities at the de Havilland Campus, which opened that same year, whilst local sports clubs had to find alternative arrangements elsewhere. The Angerland site remained vacant between 2003 and the grant of the park and ride planning permission in 2006.

The planning permission granted in January 2006 was subject to a Section 106 agreement requiring a) the construction and operation of the park and ride in accordance with agreed details, b) the payment of financial contributions towards the design, consultation and implementation stages of parking control schemes in southern Hatfield, and c) the replacement of the sports pitches and changing facilities lost due to the development, on the remaining southern part of the site.

During 2005 a planning application (S6/2005/1137/FP) had been submitted by Sport Hatfield to provide the replacement sports facilities and in addition, to provide an enhanced standard of playing pitch, floodlighting, grandstand and clubhouse facilities for the use of Hatfield Town Football Club. The submission of this application fulfilled the relevant requirement of the Section 106 Agreement but unfortunately, although permission was granted, the scheme was never implemented as the necessary funding could not be found. The permission subsequently lapsed.

Between the lapse of the above permission in 2011 and 2014, discussions took place between the Council, the University and local sports clubs (principally Hatfield Town FC and Hatfield QE II RFC, under the combined title of the Hatfield Sports Association) with a view to putting together a new set of proposals for the replacement facilities at

Angerland which would enable the University to fulfil its obligations under the Section 106 whilst providing sustainable sports facilities at that location.

Although these discussions culminated in a planning application (S6/2013/1261/MA) being submitted and approved, again it proved impossible to raise the necessary funding to top-up the University's financial contribution and complete the development to a standard which would make the facilities sustainable in the longer term. Concerns were also expressed by some of the potential funding bodies, that Angerland was not the most suitable location for sustainable sports facilities to serve the wider community of Hatfield.

In the light of the above, discussion between the parties turned to a possible alternative means of mitigating the effect which the construction of the park and ride has had on sports facilities serving Hatfield. This entails the University making an appropriate financial contribution towards the provision and enhancement of sports facilities in Hatfield, without this contribution being tied to provision at the Angerland site. The total contribution proposed by the University, and now agreed by the Council, is £1.4 million.

To adopt such an alternative solution in place of the reinstatement of pitches at Angerland requires a formal variation to the legally-binding Section 106 agreement from 2006. A report to Development Management Committee was written to seek the decision of the Council as local planning authority as to whether it supported the alternative solution. The Committee agreed this solution on 4th February 2016.