

READING BOROUGH COUNCIL

REPORT BY HEAD OF ECONOMIC & CULTURAL DEVELOPMENT

TO:	MAPLEDURHAM PLAYING FIELDS TRUSTEES SUB-COMMITTEE		
DATE:	7 MAY 2019		
TITLE:	LANDSCAPE UPDATE REPORT		
LEAD COUNCILLOR:	COUNCILLOR EDWARDS	PORTFOLIO:	MAPLEDURHAM PLAYING FIELDS CHAIR OF TRUSTEES
SERVICE:	TRUSTEE OF CHARITY	WARDS:	MAPLEDURHAM
LEAD OFFICER:	BEN STANESBY	TEL:	0118 937 3276
JOB TITLE:	LEISURE AND RECREATION MANAGER	E-MAIL:	ben.stanesby@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 The Landscape Master Plan agreed by Trustees was submitted and received planning approval on 16th April 2019. Costs were sought to implement the plan within existing approved budgets for the scheme. The recommendation is to appoint Agripower Ltd and RBC Parks for these works.
- 1.2 To update Trustees on the outline programme of works to implement the approved scheme. This programme is heavily dependent on suitable weather conditions and agreement with the Department for Education (DfE) contractor on maintaining access through the MPF community carpark into the playing fields. Contingency plans are being developed if access through the car park becomes problematic.
- 1.3 To update the Trustees on the works by the DfE to the MPF community carpark.
- 1.4 To update the Trustees that the existing approved budget to refurbish the pavilion still remains at £825k including fees and contingency.
- 1.5 To update the trustees on the completion of the Community Use Agreement between the Council and School.
- 1.6 The following documents are attached to the report:

Appendix 1- Approved landscape plan
Appendix 2 - community use agreement

2. RECOMMENDED ACTION

- 2.1.1** That the outline programme for the landscape plan, DfE works to the MPF community car park, financial breakdown of the funds including the budget for the pavilion refurbishment, and the tennis club planning application are noted.
- 2.1.2** That the Assistant Director of Legal & Democratic Services and the Assistant Director of Economic & Cultural Development are authorised to appoint Agripower Ltd for a contract sum of £681,815 and RBC Parks for a contract sum of £191,869 to carry out the works to implement the approved landscape plan.
- 2.1.3** That the contents of the community use agreement appended to this report are noted.

3 POLICY CONTEXT

- 3.1** Reading Borough Council holds the Ground in its capacity as charity trustee ("Trustee") of the Charity. The Charity is registered with (and therefore regulated by) the Charity Commission. The charitable object of the Charity is:

"the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions. "

The beneficiaries of the Charity, therefore, are the inhabitants of the Parish of Mapledurham and the Borough of Reading. The Ground is an asset of the Charity and is held "in specie" i.e. specifically in order to advance the Charity's object.

- 3.2** The Sub-Committee has delegated authority, with the support of the Officers, to discharge Reading Borough Council's functions as charity trustee of the Charity. The Sub-Committee has a duty to make all decisions in what it considers to be the best interests of the Charity and in order to advance the object referred to above and any such decision must be in line with all relevant charity law and other legal restrictions.

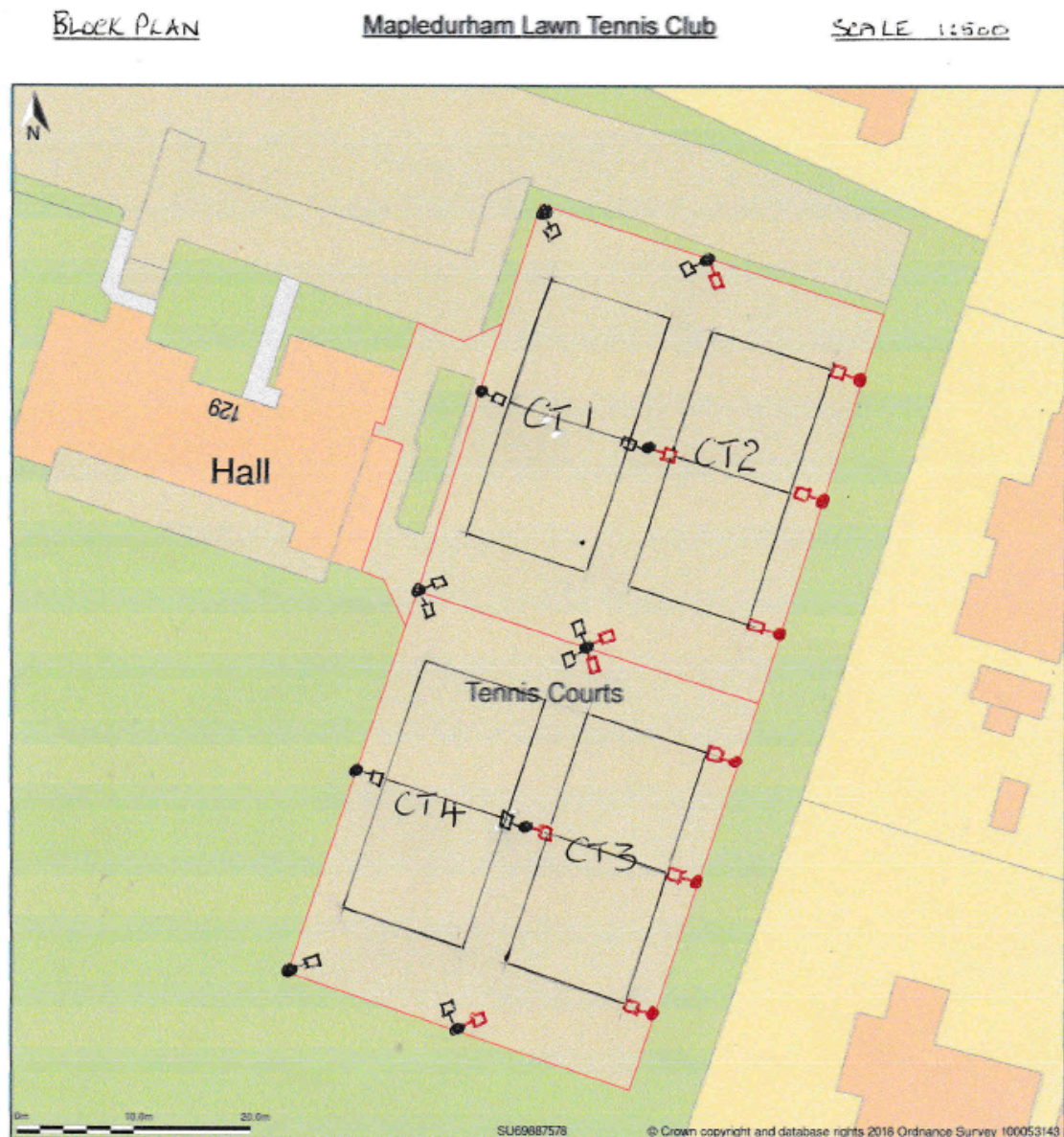
4. CURRENT POSITION

4.1 Tennis Club Planning Application

- 4.1.1** Mapledurham Lawn Tennis Club has applied for planning permission to floodlight the remaining two unlit courts of their total four courts. Two courts are already floodlit and no complaints have been received about the use of the tennis courts in the last two years.
- 4.1.2** The proposal is to install 6 new lighting columns - 6.7m high mounted LED floodlight panels. A further 6 floodlighting panels to be added to 5 of the

existing panels. Additional lighting will allow increased use of the facilities outside peak times, complementing the objects of the trust.

- 4.1.3 The two courts proposed to be illuminated are those closest to properties in Knowle Close (See plan below). The club are proposing that the lighting may be used until 10pm each evening in line with the hours of use of courts that are already lit.



Block Plan shows area bounded by: 469641.66, 175739.94 469931.66, 175829.94 (at a scale of 1:500), OSGridRef: SU69887578. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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KEY: EXISTING COLUMNS ● PROPOSED COLUMNS ●
EXISTING LIGHTS □ PROPOSED LIGHTS □

- 4.1.4 While the increased use is in line with the objects of the trust there may be an impact on the adjacent properties. A consultation will be undertaken as

part of the planning process and an evaluation of the impact of the development undertaken. It would be appropriate to use the consideration of the planning committee to inform the trustees in coming to a decision on whether to agree the increased floodlighting on its playing fields.

4.2 Landscape plan

- 4.2.1 Changes to the landscape plan were approved unanimously by members of the Trustee Sub Committee in February this year and submitted for planning approval on 11th February 2019.
- 4.2.2 The proposals identified within the landscape plan gained planning permission on 16th April 2019. The landscape plan has now been summarised and is attached to this report as Appendix 1.
- 4.2.3 Costs for works identified below to implement the plan have been received and assessed by the scheme's external cost consultants as bona fide prices. These costs remain within the approved funding allowance for these works. Section 7 (Financial Implications) provides more details of the costs.

The largest element of works procured to be carried out by Agripower Ltd are the drained sports pitch terrace to the eastern side of the playing fields and the new children's play area. The cost of the works also includes £105k of provision for importing topsoil as a contingency to meet Sport England quality standards. The contractor is however confident that the method employed for stone screening will negate the need to import topsoil.

The smaller element of works procured to be carried out by RBC Parks are the footpaths with associated furniture & lights, trim trail, trees, and Hewett Avenue boundary fencing.

The only item yet to be procured is the proposed small overflow parking area to the north of the new school and adjacent to the existing community car park.

- 4.2.4 The intention is to implement the landscape plan in phases to factor in weather conditions and the need to re-provide improved sports pitches by the start of the 2020 football season. This outline programme is heavily dependent on suitable weather conditions and agreement with the Department for Education (DfE) contractor on maintaining access through the MPF community carpark into the playing fields. Contingency plans are being developed if access through the car park becomes problematic.

Summer/Autumn 2019: Sports pitch regrading and drainage works to form new sports pitch terrace area; new children's play area, western side perimeter footpaths. We aim to start the sports pitch works from 17th June 2019 onwards (This is dependent on the DfE contractor being able to maintain access to the playing fields from the community carpark).

Winter 2019: Trees planting

Spring/Summer 2020: Central avenue footpath, trim trail, small overflow parking area, secondary drainage to the new sports pitch terrace area

4.3 School Development

- 4.3.1 The area being leased to the Department for Education has been secured by Heras fencing. Kier have been appointed by the DfE to undertake pre commencement works to prepare the site for the school. This includes additional ground investigation works within the school site and community carpark to inform their design.
- 4.3.2 Kier are looking to start on site mid-June 2019 with the aim still to open the school by September 2020.
- 4.3.3 It is proposed to explore letting the area identified as the overflow car park to the DfE/Kier for them to use a site compound/car parking on the basis they undertake groundworks to prepare the area as the overflow carpark in the future.

4.4 Community Use Agreement

- 4.4.1 The community use agreement has been completed between the Council and Heights School.
- 4.4.2 The Community use agreement identifies public use of the multi-use games area, school hall and School car park as below.

2. Hours of Access for Community Use

- (a) Subject to the exceptions in paragraph 2 (b) below the Sports & Community Facilities shall be available for Community Use as set out below.

TERM-TIME

School MUGA: Mon-Fri: 5.15pm-10pm; Sat: 1pm-6pm; Sun: 9am-6pm

School Staff Car Park: Mon-Fri: 6.00pm-11pm; Sat: 1pm-6pm; Sun: 9am- 6pm

School Hall indoor facilities: Mon-Fri: 6.00pm-11pm; Sat: 1pm-6pm; Sun: 9am-6pm

SCHOOL HOLIDAYS

School MUGA: Mon-Fri: 9am-10pm; Sat/Sun: 9am-6pm

School Staff Car Park: Mon-Fri: 9am – 10pm; Sat/Sun: 9am - 6pm

School Hall indoor facilities: Mon-Fri: 9am-10pm; Sat/Sun: 9am-6pm

- (b) Outside School Core Times the School shall on a maximum of 12 occasions in any calendar year have priority use for each of the School Hall and the School MUGA for school-related events and activities unless otherwise agreed in writing by the Community Use Committee. No less than 10 days' notification shall be provided to the Community Use Committee of the School's requirement to use such facilities on these specified occasions.

- 4.4.3 More detail is provided in the appended community use agreement (Appendix

2).

5. CONSULTATION

- 5.1 A comprehensive consultation exercise was undertaken in the summer of 2017 to establish the views of beneficiaries, which generated 3,313 valid responses. This was reported in detail to the Sub Committee on 9 January 2018. This was used as the basis for developing the landscape plan
- 5.2 A further round of consultation was undertaken as part of the decision making process by planning when determining the application for the landscape works.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to-
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 In this regard you must consider whether the decision will or could have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief.
- 6.3 An updated equality impact assessment (EIA) for the Landscape Plan was undertaken and reported to the June 2018 Sub-Committee. There has been no material change to the proposals being made and the EIA remains valid.

7. FINANCIAL IMPLICATIONS

- 7.1 The 20th June & 22nd October 2018 Sub-Committee approved:

£ 232k for landscape improvement works

£ 30k for the footpath lighting

£ 262k Sub-total

£ 35k for a small overflow parking area north of the new school

£ 825k for the pavilion refurbishment

£ 100k for maintenance capital works

£955k Sub-total

Funding available

Enhancement
£1,360k - lease payment
£ 85k - S106 pavilion works

£1,445k Sub-total

Mitigation
£380k - S106 DfE payment
£407k - RBC Capital provision

£787k Sub-total

- 7.2 The landscape works (except the small overflow carpark) have been procured and the following costs assessed & verified by the external cost consultant:

Agripower Ltd: sports pitch terrace and children's play area cost: £576,815**
RBC parks: other landscape items (except the small overflow carpark): £191,869
Fees for the above works: £138,000
Total costs to date: £906,684** funded by £230k** enhancement & £676,684 mitigation

This leaves £144k plus £105k of contingency** of unallocated enhancement funding for future consideration by Trustees for schemes such as match funding for a grant applications. This also assumes that the overflow carpark is delivered outside of the enhancement funding.

There also remains £825k of funding for the pavilion refurbishment yet to be procured.

**This excludes £105k provision for importing topsoil to comply with Sport England pitch quality for pitch improvement works which will form part of Agripower contract sum of £681,815

8. LEGAL IMPLICATIONS

- 8.1 The Sub-Committee has been delegated the power by the Council acting in its capacity as sole corporate Trustee of the Charity to act in the best interests of the Charity and its beneficiaries.
- 8.2 The landscape works are classified as a 'Works' contract and the cost falls well below the threshold which would require an OJEU advertisement for a 'Works' contract. The procurement of these works has been conducted in accordance with the Council's Contract Procedure Rules.

9 BACKGROUND PAPERS

- 9.1 Mapledurham Playing Fields Trustees Sub-Committee - 9th January 2018.
9.2 Mapledurham Playing Fields Trustees Sub-Committee - 20th June 2018.
9.3 Mapledurham Playing Fields Trustees Sub-Committee - 22nd October 2018.
9.4 Papers prepared for Mapledurham Playing Fields Trustees Sub-Committee 30th January 2019.

