

## Bath & North East Somerset Council

MEETING/ DECISION MAKER:	<b>Alice Park Trust Sub Committee</b>	
MEETING/ DECISION DATE:	<b>22<sup>nd</sup> August 2016</b>	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	<b>Request by Larkhall Football Club to mark out football pitch lines in Alice Park</b>	
WARD:	Lambridge	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Please list all the appendices here, clearly indicating any which are exempt and the reasons for exemption		
None		

### 1 THE ISSUE

- 1.1 Larkhall Football club use Alice Park for 3 separate informal training sessions for approximately 60 children aged 5-11 each week during the football season. The club stores its goal posts behind the tennis courts and sets up informal pitches on the grass lawn near the shelter in the centre of the park.
- 1.2 The Club now wishes to use the park for weekly matches for the under 8's team and has asked for permission to mark lines in the lawn area for this purpose.

### 2 RECOMMENDATION

The Alice Park Trust Sub-committee is asked to consider the options provided in this report and recommend their preferred way forward:

- 2.1 Option 1. To turn down the request to mark out the pitches, and carry on with the current informal arrangement using unmarked pitches within the current grounds maintenance regime, but to encourage the football club to use existing under-utilised pitches at Lansdown playing fields which would be a more appropriate location.
- 2.2 Option 2. To grant permission to Larkhall football Club to mark out one formal football pitch for under 8's (half-sized pitch) - subject to a public consultation carried out by the Council's Parks department. The Trust to charge Larkhall Football Club for the exclusive use of marked pitches during matches and to cover the costs of increased grounds

maintenance. The fee levied to be delegated to the Lead Officer in consultation with the Chair of the Sub-Committee to determine.

2.3 Option 3. To grant permission to Larkhall football club for one season only to mark out a formal football pitch for under 8's (half-sized pitch) as a trial. The Trust to charge Larkhall Football club for the exclusive use of marked pitches during matches and to cover the costs of increased grounds maintenance. The fee levied to be delegated to the Lead Officer in consultation with the Chair of the Sub-Committee to determine. A public consultation be undertaken including opportunities provided for all parks users to provide feedback on the arrangement throughout the trial period (to be coordinated by the Council's Parks department).

(1) At the end of the trial a longer term recommendation to be made to the Sub-Committee by the Parks Department, based upon the public consultation, feedback, and the implications on the maintenance and remediation of the park grounds as determined through the trial.

### **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

3.1 Given that Larkhall Football Club has offered to cover the costs of line marking, the only financial implications of creating marked formal pitches would be in terms of turf maintenance: the Trust would potentially need to increase the frequency of mowing and may incur costs for re-instatement due to the increased wear and tear on the surface from footfall/studded football boots etc.

3.2 These increased costs would be monitored by the Parks department and reported back to the Sub-Committee. If the Trust recommend that the pitches are marked out at the cost of the Club, then the Trust will undoubtedly incur additional grounds maintenance costs for upkeep of the turf etc.

3.3 If the trust decides to grant exclusive use to Larkhall Football club then it is recommended that the Trust enter into a non-exclusive licence which makes the club liable for public liability and other liabilities for the limited time it is in use by the club, and imposes obligations upon them to remove posts etc, immediately after the licensed period. It is the trust that are the landowners and not the Council

### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

4.1 It is anticipated that this proposal will not prove universally popular with other park users. The proposal to mark out some of the lawn for private, more formal sports use, is not necessarily in-keeping with the park being a public open space accessible to all.

4.2 The Alice Park Trust would need to consider any impacts of increased traffic and parking pressures associated with regular football matches in the park in making their decision.

4.3 The Council is sole corporate trustee of the Alice Park Trust and the sub-committee's terms of reference are to undertake the operational management functions in respect of the Alice Park site and its resources, in accordance with Trust's objects and the duties it owes pursuant to the Charities legislation.

4.4 The objects of the trust require the land bequeathed to be used as a public park and children's recreation ground. The committee must consider whether any proposed use falls within the trust's objectives, and if so whether to permit the use requested. If it permits the use then it must decide on what terms, in order to ensure effective use of the park whilst minimising any conflict between the different uses to which the park is subject to under the terms of the trust deed.

## 5 THE REPORT

- 5.1 Larkhall Football Club argue that their children benefit socially and physically from what they are trying to achieve and claim that marking out formal pitches 'would be really great for the community on that side of town' and that 'It would also attract new children to join, and therefore give them the experiences they are currently missing out on'.
- 5.2 There is no indication that Larkhall Football Club are proposing to pay the Alice Park Trust for the allocation to, and use of, a football pitch in what is an otherwise public space. The club have suggested that they would be willing to cover the costs of undertaking the line marking.
- 5.3 If the pitches were formally marked out there would undoubtedly be additional grounds maintenance costs that would have to be paid. These could be covered in part by levying a fee for exclusive use of the pitches in this public space.
- 5.4 The space is currently well used for dog walking and other activities and there may be some opposition from parks' users to the arrangement and to the exclusive use of the space by a private club during training and matches.

## 6 RATIONALE

- 6.1 The club currently use the site informally, free of charge, but using unmarked land. The request is to formalise the arrangement and mark out the pitches.

## 7 OTHER OPTIONS CONSIDERED

- 7.1 Encourage Larkhall Football Club to use pre-existing sports pitches elsewhere in Bath for its matches (there are currently under-used facilities at the Beckford grounds at Lansdown and at Lansdown North) which have changing facilities and good parking.

## 8 CONSULTATION

- 8.1 There has been no public consultation on this proposal to date.
- 8.2 The S 151 Officer or his representative has not had opportunity to comment on this report. Any decisions taken will be subject to their advice.

## 9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has not been undertaken.

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<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	