



REPORT FROM: CORPORATE DIRECTOR

TO: EXECUTIVE

DATE: 8th DECEMBER 2016

Report Author: Philip Mousdale
Tel. No: 01282 661634
E-mail: Philip.mousdale@pendle.gov.uk

**TRANSFER OF PARKS and RECREATION GROUNDS to
TOWN and PARISH COUNCILS**

PURPOSE OF REPORT:

To report on progress with transfers of parks and recreation grounds, specifically requests from Barrowford Parish Council and Barnoldswick Town Council; to report further on the requests from the North West Heritage Trust and Barrowford Parish Council for the transfer of the freehold of the Pendle Heritage Centre; and on the position with regard to proposed savings on the parks' grounds maintenance budget.

RECOMMENDATIONS

1. That the requests from Barrowford Parish Council and Barnoldswick Town Council for the transfer of Barrowford Memorial Park, Letcliffe Park, Victory Park and Valley Gardens be agreed in principle.
2. That the Corporate Director in consultation with the Leader, Deputy Leader and Communities, Parks, Recreation and Devolution Portfolio Holder be authorised to negotiate the terms of the transfers and supporting financial arrangements and levels of service.
3. That the transfer of the freehold of the Pendle Heritage Centre to either the North West Heritage Trust or Barrowford Parish Council be agreed in principle, the decision to be made following the further meetings mentioned in paragraph 11 below.
4. That a recommendation be made to the Council meeting on 15th December on the overall level of savings in the grounds maintenance budget relating to parks.
5. That in the light of the decision to be made on the reduction in the grounds maintenance budget the Leader, Deputy Leader, Communities, Parks, Recreation and Devolution Portfolio Holder and the Corporate Director be asked to hold further meetings with the other town and parish councils with parks in their areas.

REASON FOR RECOMMENDATIONS

To take forward the programme of transfers and to contribute to the savings the Council needs to achieve.

1. At the Council meeting on 17th December 2015 a report was submitted on progress with the transfers of facilities and services to town and parish councils. The report also outlined the future programme, which included parks and recreation grounds.
2. The programme has been taken forward by the Transfer of Services and Facilities to Town and Parish Councils Committee with reports to the Executive as necessary.
3. The Executive has come to the view that it wishes to continue to provide a core sports pitches service and therefore retain the majority of recreation grounds though it has agreed to the transfer of Trawden, Hilltop and Springfield. Some other miscellaneous recreation grounds are likely to be the subject of separate consideration.
4. This report therefore relates to the eleven parks - Alkincoats, Barrowford, Ball Grove, Heyhead, Letcliffe, Marsden, Sough, Valley Gardens, Victoria, Victory and Walverden. It also deals with the question of the freehold of Pendle Heritage Centre in view of its connection with Barrowford Park.
5. In June Members of the Transfer of Services and Facilities to Town and Parish Councils Committee met with representatives of those town and parish councils with parks and recreation grounds in their areas. For that meeting the following briefing note was issued.

As you will know Pendle and yourselves have been engaged in a programme of transfers of facilities and services in the last few years and now we wish to look at parks and recreation grounds. There is no doubt that these are much more complex than what we have done so far. The major element of what we spend on parks and recreation grounds is Grounds Maintenance and in total across the Borough it amounts to c£750,000 per annum. Over the next three financial years we estimate that the Council will have to make savings amounting to £4.8million across all its services. Grounds Maintenance is one of the Council's biggest items of expenditure and there will inevitably need to be significant savings in it. Transfers of parks and recreation gardens and/or financial contributions by town and parish councils will have to be a major element in achieving this. Without these the standard of upkeep of parks will fall dramatically. We have identified six broad options:

(a) The Council continues to own and maintain the parks with a significantly reduced budget;

(b) The Council continues to own and maintain the parks with a significantly reduced budget and with top up funding provided by Town and Parish Councils and agreements on how this is to be used;

(c) The Council transfers the parks to Town and Parish Councils but continues to maintain them with its significantly reduced budget and top up funding provided by Town and Parish Councils and agreements on how this is to be used;

(d) The Council transfers the parks to Town and Parish Councils who take over their maintenance with a tapering off grant or transitional payment from the Council;

(e) The Council transfers the parks to Town and Parish Councils without any funding;

(f) Trusts and/or social enterprise arrangements be examined involving the Council, Town and Parish Councils and potentially other interests, either for individual parks or for groups of parks;

For all the options the potential for disposal of parts of park land with the receipts used for maintenance is being investigated. Also we are examining the legal titles to the parks and recreation grounds in particular to see what covenants and restrictions there are on use. The possibility of moving over a period of time from one option to another can also be considered. For example start with option (b) and then move to (d), e) or (f) We would like to hear your views on the options and any suggestions for others.

6. There have now been three recent important further developments.

Barrowford

7. Firstly, following a series of meetings between representatives of the two councils, the Parish Council on 16th November passed the following resolution:

That Pendle Council be requested:

To agree in principle to the transfer to Barrowford Parish Council of the entirety of Barrowford Memorial Park, including the bowling facilities, the lake and the land and buildings consisting Park Hill Farm known as Pendle Heritage Centre, for a nominal sum of £1, with a target date of 31st March 2018; and

To enter into further detailed negotiations with Barrowford Parish Council regarding financial arrangements and contributions and levels of maintenance and service in the Park.

That a sum be included in the 2017-18 Budget to cover the envisaged contribution by the Parish Council in 2017/18.

8. The request that alongside the transfer of the park the Council also transfer to it the freehold of the Pendle Heritage Centre was made in the light of the request by the North West Heritage Trust for the transfer to it of the freehold reported at the last meeting of the Executive.
9. The Parish Council has submitted a statement setting out its reasons in support of this request which is attached to this report.
10. A meeting with representatives of the North West Heritage Trust was held on 21st November as agreed at the last meeting of the Executive. The Trust currently has a lease for 90 years from 1st April 1991 i.e. there are just over 64 years remaining. The Trust was advised of the interest on the part of the Parish Council in having the freehold transferred to it.
11. The Trust has subsequently indicated that before any decision is taken it would like to discuss the issue further at the next meeting of the full Trust and would also like to meet with the Parish Council about it. It would also like to discuss further with the Council the proposed amendments to the lease which were discussed in 2012 and included in the report to the last meeting of the Executive.

Barnoldswick

12. Secondly at a meeting with representatives of Barnoldswick Town Council on 29th November the Council was similarly requested to agree to the transfer to the Town Council of Victory Park, Letcliffe Park and Valley Gardens. As in the case of Barrowford a target date of 31st March 2018 was agreed and the Town Council indicated it would make provision in its 2017/18 budget for a contribution towards grounds maintenance in the three parks.

Budget option for savings on Grounds Maintenance

13. Thirdly the attached spreadsheet gives a breakdown of how the budget for grounds maintenance is distributed across the parks; and what would be the impact for each park if for example overall savings of £100,000 or £200,000 were implemented.

14. The Management Team recommendation is a saving of £200,000 profiled over the next three years (Members are referred to the Revenue Budget item elsewhere on the agenda). The Executive is asked to consider this and make a recommendation to the Council meeting on 15th December so that information can be passed to the town and parish councils involved to assist them in drawing up their budgets and precepts.
15. As is apparent from the briefing note at paragraph 6 above there is a range of options around transfers and potential financial contributions by Pendle and by parishes. The Executive and Council will wish to ensure that an equitable approach is taken across all the parks and towards the parish and town councils concerned in implementing the agreed reduction in the budget.

Conclusion

16. Considerable further work will be required in negotiating the terms for the proposed transfers and arrangements to support financial contributions. Importantly further meetings will be required with those parish and town councils who have so far not felt in a position to accept transfer and/or make financial contributions.

17. In summary the Executive is asked to agree:

That the requests from Barrowford Parish Council and Barnoldswick Town Council as regards the transfer of Barrowford Memorial Park, Letcliffe Park, Victory Park and Valley Gardens be agreed in principle.

That the Corporate Director in consultation with the Leader, Deputy Leader and Communities, Parks, Recreation and Devolution Portfolio Holder be authorised to negotiate the terms of the transfers and supporting financial arrangements and levels of service.

That the transfer of the freehold of the Pendle Heritage Centre to either the North West Heritage Trust or Barrowford Parish Council be agreed in principle, the decision to be made by the Executive following the further meetings mentioned in paragraph 8 above.

That a recommendation be made to the Council meeting on 15th December on the overall level of savings in the grounds maintenance budget relating to parks.

That in the light of the decision to be made on the reduction in the grounds maintenance budget the Leader, Deputy Leader, Communities, Parks, Recreation and Devolution Portfolio Holder and the Corporate Director be asked to hold further meetings with the other town and parish councils with parks in their areas.

IMPLICATIONS

Policy: The Council's policy is to transfer facilities and services to town and parish councils and other community organisations both to help realise budget savings and to help ensure they remain in local control for the foreseeable future.

Financial: The General Disposal Consent 2003 allows the Council to transfer assets at an undervalue subject to certain conditions including the requirement for Councillors to be informed of the unrestricted and restricted values of the asset being transferred. This information

will be brought to the Executive at the appropriate time.

Grounds maintenance is one of the Council's four main items of expenditure and significant savings in the budget are required (see also report on the Revenue Budget elsewhere on the agenda).

- Legal:** The negotiation and drafting of the transfer and supporting documentation including covenants and conditions will be a significant legal task
- Risk Management:** None arising from the report
- Health and Safety:** None arising from the report
- Sustainability:** None arising from the report
- Community Safety:** None arising from the report
- Equality and Diversity:** None arising from the report

APPENDICES

- App A - Statement by Barrowford Parish Council
App B - Parks' grounds maintenance spreadsheet.