

Name of meeting: Cabinet
Date: 17 November 2015

**Title of report: Sycamore Recreation Ground, New Mill Road,
 Wooldale, Holmfirth**

| | |
|---|----------------------------------|
| Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | No |
| Is it in the Council's Forward Plan ? | No |
| Is it eligible for "call in" by Scrutiny ? | Yes |
| Date signed off by <u>Director</u> & name | Jacqui Gedman – 5 November 2015 |
| Is it signed off by the Director of Resources | David Smith – 3 November 2015 |
| Is it signed off by the Assistant Director - Legal & Governance | Julie Muscroft – 6 November 2015 |
| Cabinet member portfolio | Cllr Graham Turner |

Electoral [wards](#) affected: Holme Valley South

Ward councillors consulted: Councillors Patrick, Firth & Sims were consulted on the proposed lease in July 2014

Public or private: Public

1.0 Purpose of report

- 1.1 To advise Cabinet of the representations made in response to consultations and statutory notices concerning the lease of part of Sycamore Recreation Ground, New Mill Road, Wooldale, Holmfirth which comprises Public Open Space.

2. Key points

- 2.1 A request to lease part of Sycamore Recreation Ground which is Council owned land was received by Streetscene and Housing from Holmfirth Town Football Club. The area of land requested extends to approximately 1.20 hectares (2.96 acres) and is shown edged red on

the site plan at Appendix 1. The land comprises a maintained open space.

- 2.2 Sycamore Recreation Ground has been used for many years for the playing of football but recently due to the current drainage problems the ground has not been usable during the winter months.
- 2.3 The football club wish to lease the land for the purpose of playing, practicing or coaching junior football between 1 August and 31 May in any year. The lessee shall have exclusive use of the three junior pitches between 10.00 and 12.00 hrs on Saturdays and 10.00 and 12.00 hrs on Sundays. The public will be permitted to use the land and pitches at all other times.
- 2.4 The lease will be for a term of 25 years to satisfy the requirements of Sport England who have awarded the football club funding of £50,000. The funding is for the draining, levelling and pitch surfacing of the land to create three junior football pitches.
- 2.5 The granting of the lease will enable the football club to invest in the recreation ground and improve the facility for the public. Holmfirth High School has also expressed an interest in using the pitches for matches on an ad hoc basis once the works have been carried out. Currently, during the winter months the recreation ground is unable to be used due to waterlogging.
- 2.6 Sport England commissioned Total Turf Solutions to provide a feasibility report for the proposed improvements to the recreation ground. The feasibility study involved a detailed site investigation, topographical (levels) study and geophysical survey to provide development options for the remediation of the recreation ground and obtain indicative costs for the remediation and construction of the pitches. It is intended that Total Turf Solutions will carry out the proposed works.
- 2.7 Planning Services have advised that the re-levelling through cut and fill is likely to be classed as an 'engineering operation' and in which case planning consent would be required. The lease would not be completed until planning permission was granted.
- 2.8 Streetscene and Housing who are responsible for the management of the recreation ground are supportive of the football club's request for a lease and instructed Physical Resources and Procurement to negotiate lease terms.
- 2.9 Lease terms were negotiated and agreed by the Assistant Director of Physical Resources and Procurement under delegation. Local Ward Members were consulted prior to obtaining delegated approval and no objections were received.
- 2.10 The required statutory notices to advertise the proposed disposal of Public Open Space by way of lease were placed in the local press.

One objection was received, Appendix 2 and one letter supporting the playing of football on the land but expressing concerns over the drainage was received, Appendix 3.

- 2.11 The letter marked as Appendix 2, raises an objection to the loss of Public Open Space and refers to the land being left in Trust and that the playing of football would take away the ability for the public to enjoy the area. Legal, Governance & Monitoring have advised that the land was not left in Trust but was acquired by the Urban District Council of Holmfirth under the Public Health Acts in 1931 for recreation purposes. The objection also refers to parking issues and drainage and levelling works.
- 2.12 The Council's response to the questions raised in the letter marked Appendix 3 is attached as Appendix 4.

3. Implications for the Council

a) Policy

- 3.1 The Council will generally grant leases of 25 years to organisations and groups that are seeking funding to improve Council assets and the funders require the organisation to have a minimum 25 year interest in the land.

b) Finance

- 3.2 The recreation ground will be improved without the Council incurring any expense.

c) Legal

- 3.3 A Council may not dispose of public open space until it has undertaken a consultation exercise. This is by giving notice of its intention to dispose of the land in a newspaper circulating in the area in which the land is situated for two consecutive weeks. The Council must consider objections to the proposed disposal submitted following the consultation exercise. The Council has given appropriate notice. The purpose of this report is to consider the objections/representations made following the notice.

4. Consultees and their opinions

4.1 Local Ward Members

As part of the normal delegated procedure, Local Ward Members were consulted on the proposed lease in July 2014.

There were no objections to the proposal from the Ward Members.

4.2 Advertisement for Disposal of Public Open Space

The following were received in response to the statutory notices placed in the local press concerning the proposed disposal of an area of Public Open Space:-

Letter from Mr & Mrs J Shaw (Appendix 2)

Letter from a group of residents whose properties are adjacent to the recreation ground (Appendix 3)

4.3 Council Officers

Sally White in Parks, Open Spaces and Street Cleaning has advised that the playing pitch strategy has highlighted a shortage of space for expanding junior football clubs and the lease would provide much needed space for the development of Holmfirth Town junior teams.

5. **Next steps**

- 5.1 If Cabinet agree to the disposal of the land, the next steps would be for the Assistant Director of Legal, Governance & Monitoring to complete the lease documentation, subject to planning permission being granted for the works.

6. **Officer recommendations and reasons**

- 6.1 The matter is being brought to Cabinet for a decision on whether or not to proceed with the disposal of part of Sycamore Recreation Ground.
- 6.2 Having considered the objections and representations put forward, Cabinet has to consider whether to agree to the granting of a 25 year lease to Holmfirth Town Football Club to allow them to invest £50,000 to improve the recreation ground, which is currently unusable in the winter due to drainage problems. Under the terms of the lease, the public would continue to have full access to the recreation ground with the exception of the new pitches which would be exclusively used by the football club between 1 August and 31 May between 10.00 and 12.00 hours on Saturdays and Sundays.
- 6.3 It is recommended that:-
 - 6.3.1 The granting of a lease is approved to;
 - a) Allow Holmfirth Town Football Club to carry out draining, levelling and pitch surfacing works with Sport England funding to bring back into use the recreation ground for the playing of football.
 - b) Allow Holmfirth Town Football Club to develop its junior teams.
 - c) Provide an improved recreation ground which the public will have use of with the exception of the new pitches which would be exclusively used by the football club between 1 August and 31 May between 10.00 and 12.00 hours on Saturdays and Sundays.

6.3.2 The Assistant Director of Legal, Governance & Monitoring complete the lease documentation, subject to planning consent being granted.

7. Cabinet portfolio holder recommendation

7.1 Cllr Turner supports the officer recommendation to grant a lease to Holmfirth Town Football Club to allow them to carry out works using Sport England funding to improve the recreation ground.

8. Contact officer and relevant papers

8.1 Cheryl Noble
Disposals and Acquisitions Surveyor, Physical Resources &
Procurement Service
Tel: 01484 221000; email: cheryl.noble@kirklees.gov.uk

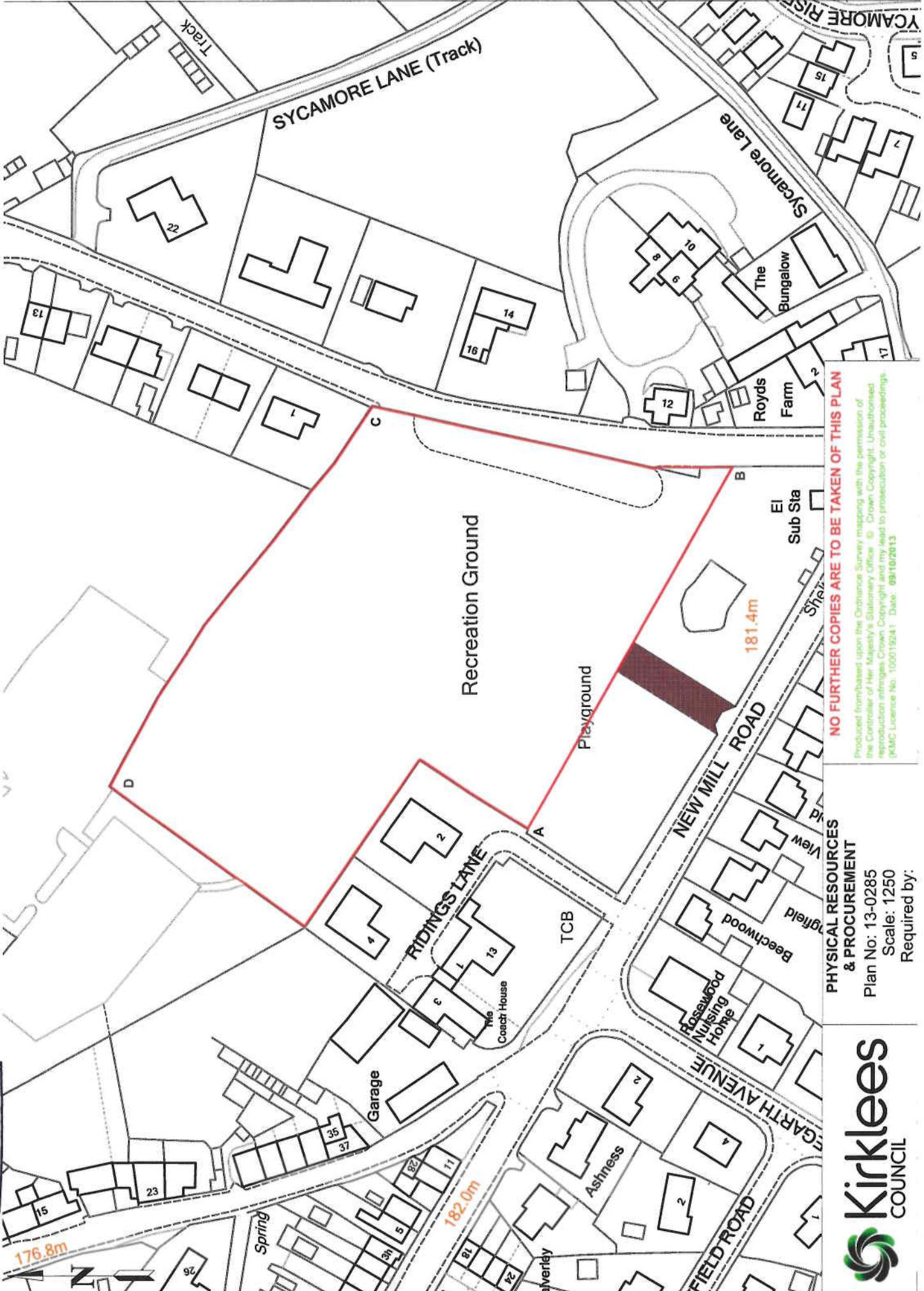
9. Assistant director responsible

9.1 Joanne Bartholomew
Assistant Director, Physical Resources & Procurement Service
Tel: 01484 221000; email: joanne.bartholomew@kirklees.gov.uk

10. Appendices

Appendix 1 – Site location plan
Appendix 2 - Letter from Mr & Mrs J Shaw
Appendix 3 - Letter from owners of properties adjoining the land.
Appendix 4 - Response to the letter from owners of properties
adjoining the land

APPENDIX I



NO FURTHER COPIES ARE TO BE TAKEN OF THIS PLAN

Produced from based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings (KMC Licence No. 100019241 Date: 09/10/2013)

PHYSICAL RESOURCES & PROCUREMENT

Plan No: 13-0285
Scale: 1:250
Required by:



APPENDIX 2

Mr & Mrs J Shaw
1 Springwood Road
Thongsbridge
Holmfirth
HD9 7SJ

15th February 2015

Kirklees Council
Legal, Governance and Monitoring
PO Box 1274
Huddersfield
HD1 2WZ

Ref:- SJH/ML/DEV/D70A-410

Re:- Disposal of Public Open Space Land at
SYCAMORE RECREATION GROUND, NEW MILL ROAD, WOOLDALE,
HOLMFIRTH

We write in response to the intent to lease the above land to the Holmfirth Town Football Club and although we having already telephoned and visited the office, I am told we now need to express our concerns in writing.

This land was left in trust to the local people of Sycamore and it is regularly used by families for picnics, bikes, games and sledging. To hand it over to a club for the sole use of football would take away the ability for the rest of the local people to continue to enjoy this area especially if the sport destroys the turf making it even impassible. There are presently 2 fulltime pitches less than 100yds from this land so we do not see any justifiable reason for the need to take this land from the people for which it was intended.

Beyond this we are greatly concerned due to the recent experience of this in summer 2014 where we were subjected to incidents of aggressive verbal abuse, threats of violence and theft, all due to the football landing in our garden on multiple occasions. We have CCTV footage and an incident log with the police to prove this. Adults playing football brings about an atmosphere of rowdiness, increased noise level, foul language and aggressive behaviour that is not suited to be present next door to a family home where our grandchildren are likely to be playing in our garden, especially at the weekends. Although the stipulation is presently for only 2 hours per day at the weekend, it is highly probable that within the 25 year time scale, these times and days will increase dramatically. It is a truly daunting prospect, especially since as an employee of Holmfirth high school I know for a fact the school has ALREADY shown interest in further use of the pitch and in fact hold the belief that they have arrangements with the club allowing the

school use of the pitch during and after school hours in return for use of the school grounds and facilities such as changing rooms and parking. (No one had any knowledge of this when I visited the Kirklees office with my concerns – which proves my point entirely!)

Which leads me onto the next point of **Parking Issues**, again from past experience, the parking situation for players, parents and spectators tends to be on our street and often directly over our drive, blocking access and have already found it necessary to spend £180 having white lines painted on the road to prevent this. Also the aggressive behaviour is not confined to the pitch, but also spills out into the street with violence, foul language and horn blowing directly outside our house on the street, intimidating residents and restricting visitors parking. There are no signs on the street to stop parking or to advise there is parking available in the school but instead we now have to intermittently endure cones strewn up the street to occasionally stop offending parking but which also stops our visitors having parking!!!

Further to this we have great concern about the **EXTENSIVE drainage and levelling works** that are stipulated in the notice and would like further information about the exact work that is being suggested. It is our concern that in order to level the ground there would be a need for a large retaining wall that will run parallel with our boundary and due to the extent of the levelling required we believe it would be completely visible from our garden, perhaps even invasive? Concerning the drainage of the land; considering that this land been waterlogged for over 40 years we would like to know where the excess water would go as our property is directly below the land? Also to point out the foreseeable problem that it would cause to the foundations of our property; the ground here is soft all year round, so to suddenly have that moisture taken away would cause shrinkage of the land that holds our foundations as it dries out with the possibility of causing untold amounts of damage to the structure of the property for which someone would have to be held accountable.

In consideration of the above we would ask that you seek to understand the amount of anxiety and intimidation that this proposal could cause by the aggression and often violent sport that football is renowned for.

Regards

Mr & Mrs J Shaw

4 Ridings Lane
Thongsbridge
Holmfirth
HD97RU

February 2015

Dear Ms Muscroft

Ref: SJH/ML/DEV/D70A-410

Land at Sycamore Recreation Ground, New Mill Road, Wooldale

As owners of properties adjacent to the land in question we write with regard to the planning permission that is being sought in the recreation ground. We fully support the playing of football in the field however, we feel we must put on record the difficulties experienced with drainage/sewerage in the field over many years.

Football ceased to be played on the recreation ground approximately 15 years ago, this was entirely due to drainage/sewerage problems – no remedial work has been carried out since to alleviate the problems. The attached plan highlights the main problems but this is by no means exhaustive.

The line marked "A" on the plan shows the sewerage pipeline which serves six properties – i.e. 4 on Ridings Lane, and 13 and 13A New Mill Road. The sewer would be vulnerable to work involving draining, levelling and surfacing. The surrounding area becomes very wet and soggy in winter and the footballers were unable to keep the corner flag in because of the amount of sewerage that was present. The tip of the pipeline furthest away from property 4 Ridings Lane goes into an underground storage manhole that has been causing surface problems for many years.

A couple of years ago an unauthorised manhole was dug along the line of this sewerage pipe which we assume will result in the football pitch layout having to be changed because surely you cannot have a manhole in a goalmouth?

The line marked "B" shows another drainage line which always caused problems for the footballers as it is right in the middle of the pitch.

The line marked "C" has running water that comes from and under New Mill Road.

Many attempts have been made over the years to get representatives of Kirklees Council and Yorkshire Water to meet and discuss the problem together. Unfortunately Kirklees has insisted that it is a surface water problem, which it clearly is not !

Mrs Marshall was approached by Holmfirth Town Football Club some time ago to ask if she was supportive or against a proposal to reinstate football on the wreck. We support their proposal on the understanding that no further development is part of a long-term plan i.e. any building or lighting.

We would ask a number of questions:

1. Is the plan for football to be played only by junior teams and from 10 am – 12pm on Saturday and Sunday and at no other time?
2. Can you confirm that no further development will take place?
3. What plans are in place to rectify the drainage problems?

Our understanding is that Holmfirth town football club have been given £50,000 to develop the field, however we are sure that the drainage issues alone will cost much more than this. We fear that if the problems are not sorted out now the football club will have major issues with the field in a very short time.

We would appreciate an on-site meeting with representatives of Kirklees Council and Yorkshire Water and if possible, Holmfirth Town Football Club.

Yours faithfully

Anne Marshall (Mrs) 4 Ridings Lane

Edna Wilson - MARGARET WILSON 712 Ridings Lane

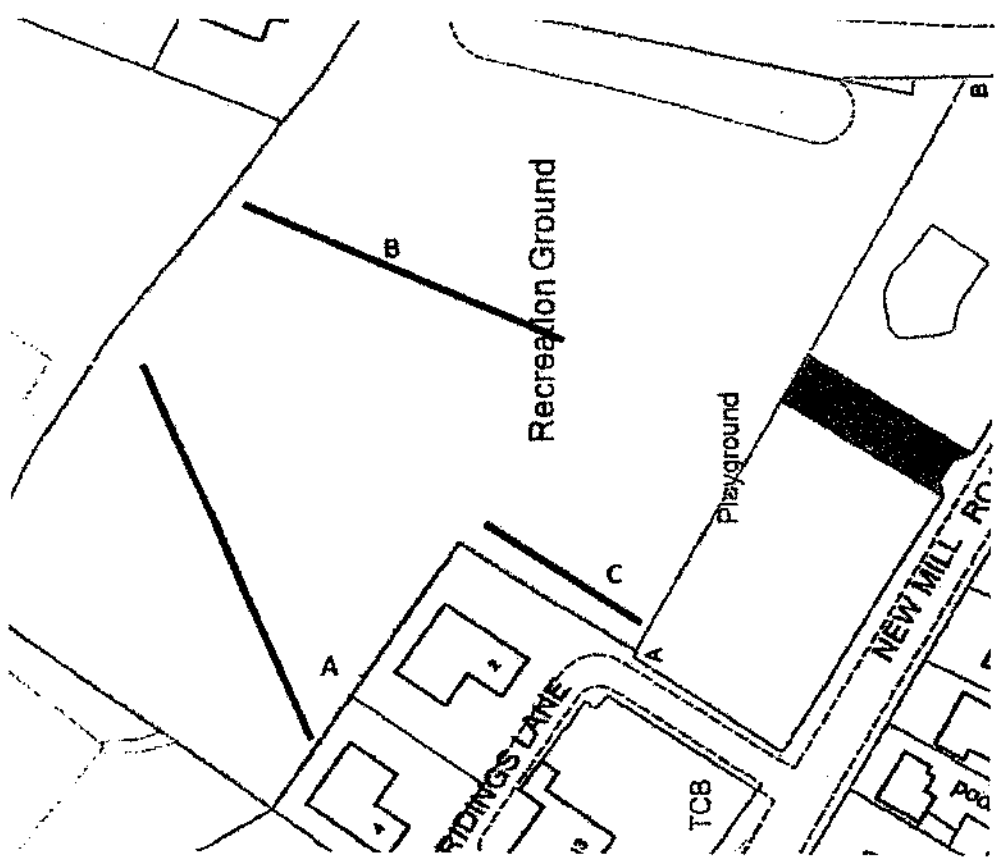
GRAHAM & PAMELA 13 New Mill Road
COOKSEY

A. Marshall

M. Whetton

G. Cooksey Pamela Cooksey

Please acknowledge receipt.



Civic Centre 3
Market Street
Huddersfield
HD1 2TG

Mrs A Marshall
4 Ridings Lane
Thongsbridge
Holmfirth
HD9 7RU

Tel: 01484 221000
Fax: 01484 226086
Email: cheryl.noble@kirklees.gov.uk

23 September 2015

Our ref: CJN/N610
Your ref:

Dear Mrs Marshall

LAND AT SYCAMORE RECREATION GROUND, NEW MILL ROAD, WOOLDALE

I refer to your letter of February 2015 sent on behalf of the owners of properties adjacent to the above land.

I note your concerns and would respond to your questions as follows:

1. The granting of the lease would give Holmfirth Town Football Club exclusive use of the junior pitches between 10.00am and 12.00pm on Saturdays and Sundays between 1 August and 31 May in any year. At all other times the pitches will be available for public use and may be used by Holmfirth Town Football Club for junior training. In addition Holmfirth High School has expressed interest in using the new pitches for matches on an ad hoc basis.
2. There are no plans for any further development.
3. The Council is aware that one of the sewer pipes is leaking, saturating the surrounding soil. The Council will ensure that this is repaired prior to the main works being undertaken.

As part of the grant process, Sport England commissioned Total Turf Solutions to prepare a feasibility study and costings for improvements required to Sycamore Recreation Ground to create football pitches. Total Turf Solutions work alongside Sport England and are experienced in designing schemes for sports facilities and I would therefore hope that the recommended works will alleviate the drainage issues at the recreation ground which will not only benefit the football club, but the local community as a whole.

I trust that the above answers your questions but if you still feel that a meeting on site would be beneficial, please let me know.

As a result of receiving representations to the granting of a lease to Holmfirth Town Football Club, the Council's Cabinet will be asked to make a decision on whether or not to proceed with the lease. The Cabinet report has been drafted and I will let you know of the Cabinet date in due course.

Yours sincerely

Cheryl Noble (Mrs)
Disposal & Acquisition Surveyor