WARWICK DISTRICT COUNCIL	**EXECUTIVE** **3rd September 2015**	**Agenda Item No.** **3**

Title	St Mary's Lands, Warwick
For further information about this report please contact	Chris Elliott chris.elliott@warwickdc.gov.uk (01926) 456003
Wards of the District directly affected	Aylesford
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No
Date and meeting when issue was last considered and relevant minute number	Full Council 19th November 2014, min 50 Executive meeting 1st October 2014, min 56 Executive meeting 16th April 2014, min 189 Executive meeting 11th September 2013, min 55 Executive meeting 19th June 2013, min 13 Executive meeting 12th December 2012, min 107
Background Papers	See above reports plus Submitted Version of Local Plan 2015; SML Management Plan 2006; SML Regeneration Masterplan 2004; and SML Strategy 1998

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	**Date**	**Name**
Chief Executive	14.08.15	Author
CMT	14.08.15	Author, Bill Hunt, Andy Jones
Section 151 Officer	14.08.15	Mike Snow
Monitoring Officer	14.08.15	Andy Jones
Heads of Service	14.08.15	Tracy Darke, Rose Winship, Robert Hoof, Richard Hall
Legal Services	14.08.15	Ian Marriott, Peter Endall, Barry Juckes
Portfolio Holder(s)	14.08.15	Councillor Gallagher
Consultation & Community Engagement		
Consultation with the St Mary's Lands Working Party		
Final Decision?		
Yes other than where a further report is referred to within this report.		

1 SUMMARY

1.1 This report updates Members on the latest position in respect of the work on the St Mary's Lands (SML) area of Warwick which is a key project of the Council. The report recommends a number of steps:

- To commission a review of the overall strategy, regeneration master plan and management plan of SML;
- To support the preparation of a comprehensive plan for the revitalisation of Racing Club Warwick Football Club (RCWFC) and some funding to support it;
- To ask for a detailed proposal for improving the drainage of the football pitches in the centre of SML to be considered as part of the capital programme for 2016/17;
- To consider the identification of a site for a new children's playground on land adjacent to RCWFC as part of the development of the SML Masterplan;
- To modify a previous decision in respect of agreed funding for improvement works to the Warwick Corps of Drums;
- To give landlord's consent for a series of works being proposed and funded by the Jockey Club for improvements to the racecourse.

2 RECOMMENDATIONS

2.1 That Executive:

(i) Notes the latest position in respect of St Mary's Lands (SML) as set out in this report;

(ii) Agrees to commission a review (as per Appendix 2) of the Council's previous Strategy, Regeneration Master Plan and Management Plan from Plincke Landscape;

(iii) Agrees an exemption to the Council's Code of Procurement to continue to utilise the previous experience from this consultancy, at a cost of up to £20,000 to be funded from the Service Transformation Reserve; and,

(iv) That the review work is to be overseen by the St Mary's Lands Working Party.

2.2 That the Executive welcomes the letter received from Racing Club Warwick Football Club (RCWFC) attached at Appendix 3 and delegates to the Chief Executive in consultation with the Leader of the Council to draft and send a positive response.

2.3 That the Executive agrees to RCWFC's request for emergency funding of £20,000, as set out in Appendix 3, to be funded from the Contingency budget subject to completion of a grant agreement letter and paying of invoices as per the Council's RUCIS arrangements.

2.4 That the Executive agrees to authorise and fund the removal of a number of derelict and potentially dangerous buildings, making good the ground and to properly secure the area by way of new fencing, as per the Plans at Appendix 4, at an estimated cost of £55,000, funded from the Contingency Budget. The authorisation to proceed is delegate to the Chief Executive in consultation with the Leader and subject to them being satisfied on confirmation of changes in RCWFC's Trustees.

2.5 That subject to the prior submission of, and, agreement to a sound and credible business plan; and, confirmation of changes to Trustees, the Executive agrees in principle to consideration of providing match funding for a programme of necessary works including:

- replacement dug outs;
- replacement floodlights;
- putting in place new changing rooms; and,
- fees, project resource and an overall contingency provision.

2.6 That the Executive in addition agrees that the Council should:

- Assist with raising funds from other sources (e.g. Football Association, King Henry VIII Charitable Trust, etc.) towards the costs;
- Agree that its property staff manage the building works and contracts, if required in connection with 2.5 but for which financial provision will be needed;
- Agree to give landlord's consent to the necessary alterations referred to 2.5 above and elsewhere in this report subject to the prior submission of appropriate details;
- Agree to seek all appropriate statutory consents, including planning permissions, for the works described in this report where the club requires such help.
- Agree to licence the land shown as area "X" on the plan attached at Appendix 4 for a nominal fee of £1 to RCWFC on an annual basis to allow the club to use it for "children's sporting activities", the club to be responsible for any works or alterations needed (and cost thereof) to make the land appropriate for such use.

2.7 That the Executive asks officers to investigate the causes of the poor drainage to the pitches in the centre of SML and to work up and cost a scheme that would make the pitches playable in order that members can then consider whether a proposal should be considered for inclusion within its capital programme for next financial year (2016/17).

2.8 That the Executive agrees to consider within the masterplan for SML, a proposal for the establishment of a children's play area on the land shown as "Y" on the Plan at Appendix 4, adjacent to the RCWFC ground, subject to the availability of Section 106 and other similar funds.

2.9 That the Executive modify the decision made in October 2014, from:

"That Executive agrees to make available £50,000 from the Capital Investment Reserve to be administered by Deputy Chief Executive (AJ) in consultation with the Portfolio Holder for Development Services, as a pump-primer to help facilitate much needed investment in the Warwick Corps of Drums building."

To:

That the release of £50,000 from the Capital Investment Reserve to the Warwick Corps of Drums and landlord's consent for the proposed alterations referred to in Appendix 5 is delegated to the Chief Executive and the Portfolio Holder for Culture upon receipt of confirmation of the other necessary funding, a sound and credible business plan and that planning permission and any other statutory consents are obtained.

2.10 That the Executive note the proposals in paragraph 3.11 to be sought for planning permission from the Racecourse to make the course fit for use as a

"Jump only" course and grants landlords consent should they be given planning approval.

3 REASONS FOR THE RECOMMENDATIONS

3.1 In November 2014 the Council considered a petition in respect of SML and resolved that:

1. the Council notes the petition and that also a master plan for St Mary's Lands has yet to be developed;

2. the development of the master plan be undertaken involving a reconstituted working party, including two representatives of the Friends of St Mary's Lands Group;

3. the resultant draft master plan be the subject of widespread public consultation; and

4. only following all of the above would a decision come before the Executive to be made on the master plan.

3.2 This followed a decision made by the Executive on the 1st October 2014 in relation to several matters being progressed. That Executive decision is attached at Appendix 1.

3.3 In response to the Full Council decision and following a reallocation of work at CMT level, the Chief Executive called a meeting of the reconstituted Working Party on 27th February 2015. Another meeting was to be arranged but delay has occurred initially whilst trying to find suitable dates; then the impact of the election results as there is only one Councillor on the Working Party remaining from before the election and nominations are still being sought; and now summer holidays. All have combined to cause a significant delay in progressing work on a masterplan.

3.4 In addition, the February 2015 meeting highlighted the very high extent of antipathy between a number of the attendees, making the Working Party as the engine to drive the preparation of the masterplan for SML, very fraught and difficult. It is suggested therefore that to help address this matter and to drive forward the work of developing a new master plan and to make up for lost time, a different approach is needed. In essence the proposal is to re-engage the consultants (Plincke) who assisted the Council in the original work on a Strategy, Regeneration Masterplan and Management Plan from 1999 to 2006. The Company and personnel have the background knowledge, experience and independence to assist with a more facilitative, rapid and inclusive development of the work needed which are not otherwise available within the Council.

3.5 The proposal is in 3 stages: (i) to review; (ii) to understand the issues; and, (iii) to build a consensus. These are explained in more detail at Appendix 2. A fourth stage may be anticipated once the outcome of the first 3 stages is complete. It is estimated that these 3 stages will cost up to £20,000 and could be funded from the Service Transformation Fund which has £589,000 available. If a fourth stage is required, further consideration and agreement will be needed as to how this is funded and procured. The timeframe for this work should mean that it is completed in January/February 2016. It is envisaged that the Working Party will re commence and would oversee the work of the consultants. **(Recommendation 2.1)**

3.6 However, since the discussion at Full Council in November 2014, a number of other elements have progressed and require decisions to be made by the Council in advance of agreement of an overall masterplan and will help to inform it. These relate to:

- Racing Club Warwick Football Club
- Improvements to two Council owned football pitches
- Installation of a children's play area
- Warwick Corps of Drums
- Warwick Racecourse

3.7 Racing Club Warwick Football Club (RCWFC)

3.7.1 Under the terms of its 1992 lease, RCWFC had the right to renew for a further 21 years. This right has been exercised and a new Lease was completed in June 2014. The only issue that remains outstanding is the amount of rent to be paid. This matter has been discussed by the representatives of RCWFC and Warwick District Council and is the subject of a separate report on this agenda.

3.7.2 The report to the Executive in October 2014 stated that RCWFC had developed its own proposals for consultation. These were as follows:

1. An all-weather pitch is created;
2. New changing-rooms, showering facilities and other functional rooms are created;
3. The Clubhouse is improved to offer an attractive function room for the local community.

3.7.3 The then representatives of RCWFC had worked very constructively on the previous Stakeholder Group which led to a decision that to help RCWFC achieve its ambitions, the Council's officers should provide the necessary support to assist with any funding bids. This came to an unfortunate end in March 2015 when a proposed report seeking a way forward had to be withdrawn because of a clear difference of views with the then RCWFC Chairman.

3.7.4 The back drop to that situation is that for a considerable period of time (since 2009) relations between RCWFC and the Council had not been amicable and no progress on any of the matters had been made other than (more recently) on the lease issue.

3.7.5 However, after the events in March this year, a dialogue re-opened with newer members of the RCWFC's Committee and in July the Leader of the Council received a letter from the new Chairman of RCWFC who is leading what is effectively a new Committee. New Trustees are planned at the time of writing this report. This letter, attached at Appendix 3, seeks a new and better relationship with the Council, putting aside old differences, including removing threats of legal action, which have stymied relations for many years. This positive approach deserves recognition and an appropriate positive response from the Leader of the Council and Chief Executive **(Recommendation 2.2)**.

3.7.6 The letter also sets out the wide range of community activities RCWFC now runs and wishes to expand. However, it also makes it clear that RCWFC needs considerable help to develop its community hub work, especially with young people, and its sporting activities. This is against a backdrop of poor facilities and very limited revenue finance available. Its accounts for the last financial year have been shared with Council officers.

3.7.7 This new positive approach from RCWFC has led to several meetings with officers, offers of advice, re-establishment of relationships with the Birmingham County FA and constructive discussions about what is needed to help take RCWFC forward on a more sustainable basis. RCWFC is also widening its engagement with other organisations and, for example, is discussing charity matches with UNICEF and Warwick Castle.

3.7.8 As a matter of urgency a range of minor works are needed to keep RCWFC operational in the short term for which they have asked for £20,000. It is suggested that as a gesture of support that the Council agrees to this request to be funded from the Contingency budget which has £215,000 available **(Recommendation 2.3).**

3.7.9 A matter arose when officers met with the new officials of the club concerning a number of outbuildings. There is a large portacabin on site, formerly owned and used by the boxing club (no longer in existence). The portacabin is not RCWFC's responsibility but is clearly being impacted by its derelict state and by its risk as a community safety nuisance and hazard. It is proposed therefore that as the freeholder of the land upon which it stands that the Council removes the building; makes good the ground (levelling and tarmac) and fences the area off to protect the area from further nuisance. As it would do this it makes sense and achieves economy to remove some other derelict buildings on site at the same time. The existing building layout, and as proposed after removal, are shown on the plan at Appendix 4. Prices from contractors indicate a cost of £55,000. This work will require a prior approval notification, already actioned, as the buildings are in a Conservation Area and to ensure there is no risk legally, the prior agreement of RCWFC's Trustees. This work may also be funded from the Council's Contingency Budget **(Recommendation 2.4)**

3.7.10 Discussions with officers and site visits have highlighted a number of critical issues with RCWFC's facilities which could have a serious impact on its future. One formal complaint from a match official about the state of its facilities has already been received this season and a Football Association Inspection is due shortly. Should RCWFC fail its inspection then this could lead at worst case to relegation for next season or immediately. The impact of this upon a F.A. Charter Standard Community club is that it would need to focus on raising the standard of the senior team to the detriment of its work with its youth teams and the wider community. This would undermine the approach that it is presently trying to develop as a community and sporting hub for the local community. At very worst case it may lead to the club folding and the Council then having to take responsibility directly for maintaining the ground. In such a scenario that Council would no doubt be liable for investing to upgrade the facilities since the rent level is so low that a rent reduction incentive in exchange for capital investment is not a viable proposition.

3.7.11 The condition of the sporting facilities is clearly poor and without immediate investment the continued operation of the club is at risk. Left as it is, the ground would reflect poorly as much on the Council as on the previous administration of RCWFC. Essentially, a number of things need to be put right and quickly:

- Replacing the dug outs – which do not confirm to FA requirements
- Replacing the flood lights – which are no longer technically repairable
- Replacing the changing rooms

Planning permissions and perhaps other statutory consents will be required and therefore some fee cost, a project resource, as well as a contingency will be needed. Costs are estimated to be in the region of £250,000.

3.7.12 However, RCWFC will be able to apply for grant aid to a number of bodies. The various eligible funds should be investigated and then the Council can consider how much may be needed to help with match funding. **(Recommendation 2.5)**. For example, RCWFC has in effect a pre-allocation from the Football Association under its Stadium Improvement Facility Fund of up to £100,000 but for which match funding of at least 30% is required. It is suggested that such match funding be considered also in the context of a sound and credible business plan.

3.7.14 Alongside the ground improvements, this RCWFC has altered and updated its constitution; it is looking to appoint new Trustees; and, it wants to develop a sound and credible business plan to put itself on a more sustainable financial basis so that it can more effectively operate as a local sporting and community hub. The lease it now has enables it to consider the use of the former Cadets building and in this respect they want to apply for planning permission for a children's nursery which they hope to sub-let to generate a financial return.

3.7.15 As well as making a financial contribution, the Council can also aid RCWFC by **(Recommendation 2.7)**:

- Assist with raising funds from other sources (e.g. Football Association, King Henry VIII Charitable Trust, etc.) towards the costs;
- Agree that its property staff manage the building works and contracts, if required in connection with 2.5 but for which financial provision will be needed;
- Agree to give landlord's consent to the necessary alterations referred to 2.5 above and elsewhere in this report subject to the prior submission of appropriate details;
- Agree to seek all appropriate statutory consents, including planning permissions, for the works described in this report where the club requires such help.
- Agree to licence the land shown as area "X" on the plan attached at Appendix 4 for a nominal fee of £1 to RCWFC on an annual basis to allow the club to use it for "children's sporting activities", the club to be responsible for any works or alterations needed (and cost thereof) to make the land appropriate for such use.

3.8 **Playing Pitches on SML**

There are two council owned pitches in the centre of SML that experience poor drainage which limits their use by the community. They are often rented by RCWFC or other clubs but only when playable. The drainage needs to be improved. More detailed work needs to be undertaken to establish the cost and what works specifically are needed. It is proposed that officers undertake this work with a view to a proposal being put forward for consideration by members for inclusion in 2016/17 financial year's capital programme.
(Recommendation 2. 7)

3.9 **Children's Play Area**

Additionally, officers of the Council's Green Space team have been looking for quite a while for a site for a children's play area to serve the Forbes Estate.

The proposed works to the RCWFC ground will free up some land shown as "Y" on the plan at Appendix 4. Whilst this is on the other side of Hampton Road to the Forbes Estate, as RCWFC is developing itself as a community hub for that estate in any case, it may make sense to bring community activities together. This site should therefore be considered as part of the master plan development. It could be paid for by S106 monies or similar when available. **(Recommendation 2.8)**

3.10 Warwick Corps of Drums

3.10.1 At the Executive meeting of 16th April 2014 it was decided that if RCWFC was not prepared to agree to the Cadets constructing and occupying a new building on the land under their (RCWFC's) lease then all negotiations with RCWFC were to end and instead negotiations begin with Warwick Corps of Drums to enable the Cadets to build a new facility on the land currently under the Corps of Drums' lease. As RCWFC was not prepared at that time to agree to Executive's request then attention turned to the alternative option for the Cadets to be accommodated on the Corps of Drums site.

3.10.2 The planning application was successful but owing to projected cost over runs the Cadets are now looking to locate their facility on Aylesford School and now have planning permission for their proposed new site. The matter is now at the stage where the Secretary of State for Education's consent is being sought for the location of the facility on a school playing field. This Council is also seeking a legal agreement to protect its investment. Both processes will need completion before construction can start on site. It is not currently possible to give a timetable for such works being complete.

3.10.3 As a key stakeholder, Warwick Corps of Drums had developed its own proposals for public consultation. The proposals were as follows:

1. Structural improvements are made to deal with the building's water penetration;
2. Investment is made in the fabric of the building to provide better insulation;
3. Internal improvements to the building are made enabling multi-use;
4. The toilet and showering facilities are upgraded.

3.10.4 As part of the work to support the negotiations between Warwick District Council, Warwick Corps of Drums and the Cadets, officers undertook building survey work on behalf of the Corps of Drums to enable them to determine how much investment would be required to undertake the changes described in the proposals. A rough estimate of costs at that time was £155,000.

3.10.5 The Corps of Drums is a registered charity and so would have access to a number of grant schemes that could deliver the improvements to its building. Council officers have worked closely with the organisation, supporting them in establishing building improvement costs, writing funding bids and general process facilitation. To provide the Corps of Drums with a start to lever in further funding, it was agreed at the October 2014 Executive to approve the release of £50,000 (a third of the anticipated necessary investment) from the Capital Investment Reserve to be administered by Deputy Chief Executive (AJ) in consultation with the Portfolio Holder for Development Services.

3.10.6 Owing to the discussions ongoing with the Cadets there again has been a delay in progressing this piece of work but it is now probable that the Cadets will not now relocate to the Corps of Drums site. Consequently, the Corps of Drums

have now progressed their own specific proposals. The Corps of Drums has submitted details at Appendix 5 which it estimates will cost approximately £110,000. It is clear from parallel discussions, though not from the documentation submitted, that the Corps of Drums want to consider the use of part of the premises for other purposes, including a children's nursery. This will require planning permission and consent from OFSTED may also be necessary.

3.10.7 Given the lack of written detail of their ambitions and in line with emerging practice on other schemes where the Council is contributing significant financial support, the Council should amend the previous decision to delegate release of the funds and grant landlord's consent to the Chief Executive in consultation with the Culture Services portfolio holder **(Recommendation 2.9)** and that the Council also require the following details:

- A sound and credible business plan;
- Confirmation that the rest of the project funding has been secured;
- Confirmation of quotes received;
- Completion of a grant acceptance form (as was recently agreed for the St Chad's Centre in Bishop's Tachbrook);
- A standard draw down process of council funds as a proportion of overall cost e.g. if Council contribution is 50% overall then at each submission of builder's invoices the Council pays 50%.

3.11 Warwick Racecourse

3.11.1 Previous reports to Executive have painted a picture of a racing industry that is undergoing seismic changes due to the changes in Bookmaking (and consequently the Levy received from Government) and the various other leisure opportunities available to the paying customer. In fact, over the period 2005 to 2011, the Levy contribution to Warwick Racecourse had reduced by nearly £0.5m to £413k (a reduction of over 50%). This then has a knock-on effect on the level of prize money that can be offered and consequently the quality and number of racehorses entered for races. The manifestation of these challenges has been seen in recent years with the closures of Folkestone and Hereford racecourses and the proposed ending of flat turf racing and laying of an all-weather circuit at Newcastle and Catterick respectively. This is the landscape that has seen many British racecourses diversify into areas such as conferences, concerts and events as they can no longer survive as viable businesses on just their previously allocated 20-25 race days per year.

3.11.2 It is within this industry context, the failure to achieve planning permission for the hotel and the substantial investment that would be required to address concerns about the condition of the flat racetrack that The Jockey Club (parent company of Warwick Racecourse) has announced that after 307 years, Warwick will no longer host flat racing but solely jump racing. 17 race fixtures have recently been announced for the year ahead.

3.11.3 However, in order to pursue the business model based on the racecourse being for jump racing only, a number of physical improvements are absolutely necessary and indeed are a pre-requisite for the course continuing in operation. The course has had issues about the "ground condition" and about the curvature across part of the track giving rise to safety issues. In response it is proposed to extend the existing reservoir in the northern enclosure to allow for more water to be held to irrigate the course (this is in addition to the current works of repairs to the bank owing to damage by trees and removing silt) and to level the track from the start line up to the first bend on the eastern side, as

shown on the Plan at Appendix 6. The racecourse also wishes to improve the entrance (i.e. the turnstiles) to the course. These alterations will require planning permission and so will be subject to public consultation but will also need Landlords consent which it is recommended should be given if planning approval is given. **(Recommendation 2.10)** These proposals will represent an investment of several hundred thousands of pounds (£s) by Warwick Racecourse Company.

4 POLICY FRAMEWORK

4.1 Fit for the Future (FFF)

4.1.1 The FFF Programme is designed to deliver the Sustainable Community Strategy (SCS) for Warwick District and to that end it contains a number of significant projects. A report elsewhere on this agenda updates the FFF Programme and sets out an updated list of projects. St Mary's Lands is one of the Council's key projects in the FFF Programme. Therefore this report can be seen as the way forward for implementing one of the Council's key projects.

4.1.2 The FFF Programme has 3 strands and the impact of this report's proposals in relation to each of them is as set out below:

Maintain or Improve Services – the proposals, especially for RCWFC and the racecourse, will allow the existing facilities and services to continue to be operated and indeed they will be enhanced.

Engaged and Empowered Staff – the proposals will be helpful in engagement terms as they will involve a range of staff across the Council and to empowerment since they will be helping to deliver schemes of direct benefit to the local community.

Achieve and maintain a sustainable balanced budget – the proposals may help the Council in addressing its financial revenue situation via making better use of its physical assets.

4.2 Sustainable Community Strategy (SCS)

4.2.1 The Council has approved a Sustainable Community Strategy for Warwick District (SCS) which has Prosperity as one of its five key themes. Under this theme Priorities relevant to St Mary's Lands are:

- Ensuring effective promotion of the district to attract growth;
- Making better use of public assets to increase financial rewards;
- Incentivising growth of existing businesses and attracting inward investment.

To do this the Council has committed itself, among other things, to:

- Using public land/assets to stimulate growth;
- Ensuring a co-ordinated approach to inward investment.

4.2.2 The Racecourse proposals are especially important to this theme given the significant impact it has on Warwick town's local economy by virtue of the numbers of visitors it attracts each year. It is important economically that the town enjoys the benefits of a continuing racecourse, as well as historically.

4.2.3 The proposals relating to RCWFC and the Corps of Drums are also relevant to the SCS in respect of its Health and Well Being theme since both organisations' activities encourage people to participate in sporting and cultural activities, especially for younger and older people. Moreover, the SCS seeks to aid those areas of social and economic deprivation in the District to improve them to the level of the District overall. The Forbes Estate is part of one such area of deprivation.

4.2.4 The proposals for the removal of derelict and potentially dangerous buildings (and making good the ground and fencing it off) is relevant to the Council's Community Safety theme of the SCS since it will remove a source of community safety nuisance (drug taking in the portacabin) and secure the club's boundary (it has had 4 break ins lately).

4.2.5 Part of SML is also designated as a Local Nature Reserve (LNR) and all of it is part of a Conservation Area. Consequently, the area is important to the Council's SCS agenda relating to promoting Sustainability. No impacts are likely in respect of the SCS's Housing theme.

4.3 Local Plan

4.3.1 The Council has also agreed a strategy statement "The future and sustainable prosperity for Warwick District" which amongst other things seeks to:

- Support the growth of the local economy; and
- Maintain and promote thriving town centres.

4.3.2 The Council has determined that a spatial masterplan should be developed for St Mary's Lands via public consultation as it recognised that it is an essential community amenity that needs to receive the necessary investment to enable its attractions and operations to prosper.

4.3.3 The Local Plan - Publication Draft has a specific proposed policy for St Mary's Lands as follows:

"3.142 The Council will therefore work with the operators of the Racecourse to bring forward a Masterplan for the area which;

- *ensures the ongoing vitality and viability of the Racecourse;*
- *protects and enhances the significance of the Listed Building and Conservation Area and their setting;*
- *retains the land for public recreation;*
- *protects and enhances biodiversity within the Racecourse as well as links to the open countryside and other areas; and*
- *restricts uses to those associated with visitor accommodation, recreation, leisure and horse racing"*

This requirement picks up the non-Local Plan overall strategy for SML adopted in 1998 and the regeneration master plan agreed in 2004 which both are proposed to be reviewed as per recommendation 2.1.

4.4 The Playing Pitch and Outdoor Sports Strategy

4.4.1 The Strategy highlights the need to support community football pyramid teams such as RCWFC with adjustments to facility provision where required. This is underpinned by a priority across the district to retain the number of grass pitches, improve the quality of these pitches, and provide more mini and junior pitches to meet demand now and in the future.

4.5 Code of Financial Practice

4.5.1 In accordance with the Council's Code, the £125,000 contribution towards the Capital works discussed in paragraph 2.5 requires the approval of Council, as well as approval of the use of the funding from the Castle Farm scheme.

5. BUDGETARY FRAMEWORK

5.1 In order to progress the work on an overall master plan for the SML area, it is suggested that £20,000 be provided from the Service Transformation Reserve which currently has £589,000 available. The purpose of this reserve is to enable the Council to take forward its key projects as set out in the FFF Programme, of which SML is one.

5.2 The emergency funding requested of £20,000 in recommendation 2.3 and the works envisaged in recommendation 2.4 (£55,000) are proposed to be funded from the Council's Contingency Budget which currently has an unallocated balance of £201,300.

5.3 Members will be aware of the financial pressure that the Council is experiencing generally and of the outstanding issue around funding for maintenance and improvement of its assets and will want to consider this wider context in making its decisions. As detailed in the FFF report elsewhere on the Executive agenda, the Council needs to secure significant savings if it is to continue to provide the same levels of service. In addition, further sums need to be secured to ensure the Council is able to invest in its own assets for the future provision of services. The Council has flexibility to choose how it uses its reserves, which may be towards the continued provision of its own services, or alternate schemes such as this. However, in respect of recommendation 2.4 there is a wider reputational risk of not dealing with an issue that is on Council owned land and for which in part (the portacabin) its tenant has no clear legal responsibility. In respect of Recommendation 2.5 this represents an opportunity to attract, significant sums as an investment into council owned premises from other sources which it would be unlikely to do be able on its own.

5.4 The various tenancies that the Council has on SML generate a significant rent roll of which the Racecourse rent is a significant proportion. In addition, SML is also the location for a number of Council car parks which help to generate a reasonable amount of income for the Council. Actions which therefore help to increase the attractiveness and therefore use of the area will help to both maintain the income the Council receives but may also hold the opportunity to the Council being able to raise further income via future rent reviews, increased car park usage and/or more economic use of its physical assets. Decisions to the contrary may have the opposite effect on the Council's revenue resources and may indeed add to the Council's asset liabilities if it had to take on the racecourse buildings, RCWFC and Corps of Drums.

5.5 Improvements to the two pitches in the centre of SML have been needed for quite a while. Officers will need to investigate in depth the cost of putting right the poor drainage and present this to members to see if they wish it to be part of the Council's capital programme for the next financial year (2016/17), subject to available funding.

5.6 The cost of a children's play area (circa £60,000) if agreed as part of the master plan would be funded from S106 monies or similar so should not represent an additional budget cost to the Council.

5.7 It should be noted that in another report on this agenda, the Executive is also asked to consider helping RCWFC in another way regarding its current rent. This is a not an additional cost but represents a small amount of future income to be foregone until the next rent review in 2018.

5.8 Until the overall masterplan is prepared it will be impossible to identify any other opportunity for generating revenue or capital receipts or costs other than those specified in this report.

6 RISKS

6.1 The table below intends to summarise the key risks and mitigations relating to the proposals set out in this report.

Risks	Mitigations
1. That a masterplan cannot be agreed because of the relations between various parties on the SML Working Party deteriorate further and agreement cannot be reached.	1. The proposed approach seeks a facilitated approach to resolving the different views and priorities of various participants so this should minimise this risk but should it still remain then as landowner the Council will have to take the determining role.
2. That the Council and club cannot agree an action plan or timetable for the improvement works before for the FA Inspection, leading to relegation or closure of club.	1. Works to be agreed as per report and as per project plan.
3. That the project management of the works to RCWFC ground are not sufficient leading to cost over runs and/or poor quality/ineffective work.	1. Proper project management resource and processes administered by the Council, including project plan and joint project team meetings will be in place.
4. Planning permission or other statutory consents are not forthcoming for RCWFC meaning the club fails its forthcoming FA Inspection leading to relegation or closure of club.	1. Pre application advice has been sought to ensure any applications conform to requirements.
5. RCWFC cannot raise grants to cover the cost of the rest of the works necessary meaning the club fails its forthcoming FA Inspection leading to relegation or closure of club.	1. Council Officers will assist RCWFC in making its grant applications. 2. The Council does not release its funds until the other applications are submitted leading to the award of funds. 3. Some works could be deferred (though this is difficult).

6. RCWFC cannot raise grants to cover the cost of the rest of the works necessary in time, meaning the club fails its forthcoming FA Inspection leading to relegation or closure of club.	1. Council Officers will assist RCWFC in making its grant applications. 2. Some works could be deferred (though this is difficult). 3. The Council could consider forward funding against expected grant aid.
7. RCWFC Governance including its business plan are not sufficient to help it to continue to run the club properly and so Council investment may not secure the club's future.	1. Council Officers will provide support and advice to RCWFC's officials.
8. The Warwick Corps of Drums cannot raise grants to cover the rest of the costs of their proposed works.	1. Council Officers will assist the Corps of Drums in making grant applications. 2. The Council does not release its funds until the other applications are submitted leading to the award of funds. 3. The proposed works are phased.
9. Planning permission or other statutory consents are not forthcoming for the Warwick Corps of Drums leading to the closure of the organisation	1. Pre application advice has been sought to ensure any applications conform to requirements.
10. Planning permission or other statutory consents or landlords consents are not forthcoming for the Warwick Racecourse Company resulting in closure of racecourse	1. Pre application advice has been sought to ensure any applications conform to requirements. 2. Recommendations of this report re landlords consent are acted upon.

6.2 It is clear that there are a number of significant risks which if realised will have a very significant and adverse impact on St Mary's Lands, the town's economy and social facilities and upon the Council.

6.3 The development of a master plan for SML will be accompanied by a more detailed risk register as will each of the individual projects referred to within this report where the Council is to take the lead operationally.

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7. ALTERNATIVE OPTIONS CONSIDERED

7.1 The Council could decide not to pursue any or only a selection of the proposals referred to in this report, or defer them until the masterplan is prepared and agreed.

7.2 The Council could decide not to appoint consultants but it is clear that to take the masterplan scheme forward by a facilitated approach needs an additional resource input to the work that the Council does not possess internally. The Council could decide to tender for the consultancy work but the procurement timescale involved would delay the masterplan timetable much further into 2016.

7.3 The consequences of not taking those forward for RCWFC, the Corps of Drums and Warwick Racecourse or of delaying a decision is that it would place each of those organisations in jeopardy for their continued operation with far more risk and financial consequence to the Council. There could also be a harmful impact

on the local economy especially in respect of the rejection of Warwick Racecourse proposals if it then lead to its closure. The impact on the Council of the loss of all or any of these organisations would mean that the Council having to take on the responsibility for the properties without at this time having any clear alternative plan of action for them.

7.4 The Council could decide not to pursue the proposals for improvements to the two football pitches nor to identify the location for a play area but in respect of the former – the proposal in effect is simply to investigate further and bring a more detailed and costed project forward for consideration for the next financial year. In respect of the children's play area, officers have been seeking a site in the vicinity of the Forbes Estate without success and the timing of its identification is helpful coinciding with the development of a masterplan for the area. Neither are outright commitments at this point in time.

7.6 The other option was to consider inviting the Cadets to return to their original premises on RCWFC ground and using the £400,000 allocated to their new scheme on the works set out in this report. However, an early investigation by officers has ruled out this option owing to the irreparable damage incurred to relations between the Cadets and RCWFC.

List of Appendices:

1. Decision taken at October 2014 Executive
2. Brief to review the Strategy, Regeneration Masterplan and Management Plan for SML
3. Letter from RCWFC
4. Plan of RCWFC ground (Existing and as Proposed)
5. Plans showing works to Corps of Drums
6. Plan showing location of works to racecourse

Appendix 1 – Most Recent Decision of the Council on St Mary's Lands

At its meeting on 1st October 2014, the Executive of the then Council decided that:

2.1 That Executive notes the final GVA report and associated spatial masterplan at Appendix A and the draft consultation document from the work of the St Mary's Lands Stakeholder Group at Appendix B but determines that the previously agreed public consultation should not take place as envisaged.

2.2 That Executive notes the position of The Jockey Club in respect of the proposed hotel development at Warwick Racecourse following its decision to end flat racing at Warwick racecourse (see Appendix C).

2.3 That Executive notes the position in respect of the following matters relating to St Mary's Lands:

a) The legal ownership of St Mary's Lands, other land interests and the rights of third parties;
b) The Management Plan for St Mary's Lands;
c) The implications of the Warwick District Council Act 1984 on St Mary's Lands development;
d) The rejection of a proposed partnership agreement between Warwick District Council and The Jockey Club;
e) Warwick District Council's estimated annual investment in maintaining and managing St Mary's Lands;
f) Changes that have been made to St Mary's Lands over the previous 10 years.

2.4 That subject to agreeing recommendation 2.1, Executive agrees that officers continue to work closely with the stakeholders operating on St Mary's Lands and specifically bring forward detailed business cases to Executive in respect of:

a) The development of Warwick Golf Centre;
b) The development and expansion of the caravan park in the centre of the Racecourse;
c) Environmental improvements to various parts of St Mary's Lands,

thereby enabling work which would in due course inform the development of a masterplan in accordance with policy CT7 of the draft Local Plan.

2.5 That Executive notes the latest position in respect of the West Midlands Reserve Force & Cadets Association's (hereafter referred to as the Cadets) relocation from Racing Club Warwick football ground to the land under the lease of Warwick Corps of Drums.

2.6 That Executive agrees to make available £50,000 from the Capital Investment Reserve to be administered by Deputy Chief Executive (AJ) in consultation with the Portfolio Holder for Development Services, as a pump-primer to help facilitate much needed investment in the Warwick Corps of Drums building.

2.7 That Executive agrees that officers work with Racing Club Warwick should they wish to bring forward proposals to access funding from the Football Foundation and/ or other charitable bodies."

Appendix 2 – Brief for Review of Strategy, Regeneration Masterplan and Management Plan for SML

Stage 1. Review

- Undertake a site visit to review the delivery of the Management and Maintenance Plan, including the status of the individual tasks and objectives
- Compile an updated assessment of the Common's ecological value, including a biological records search and a preliminary assessment of habitat groups and current status. Where required, make recommendations for any further more detailed habitat surveys
- Meet with WDC maintenance team to finalise the review of the MMP and discuss the constraints and opportunities of management going forward
- Compile the current strategic documents including the regeneration masterplan and Council's strategic vision for the site
- Liaise with the key stakeholder groups via a presentation and discussion at a St. Marys Lands Stakeholder Group meeting. The purpose of the meeting would be to explain the outcomes of the MMP review and agree the next stages.

Stage 2. Understanding the Issues

- Undertake a consultation process with key stakeholders to understand their specific aims and aspirations for the open space. I would propose that the stakeholders are consulted individually via a series of meetings / workshops to build up a detailed picture of the different agendas for the Common, including the racecourse, golf course, caravan club, and landscape / amenity groups. Allowance for up to 10-workshops of approximately 2.5 – hours each
- Prepare a summary report and SWOT analysis identifying the key areas of conflict, tension and agreement between the multiple stakeholder groups
- Benchmark the Council's current strategy and objectives of regeneration masterplan with the outcomes of the consultation responses
- Summarise a series of potential action points that could be taken to mitigate the areas of conflict / tension. Where the action points have a potential revenue or capital cost implication, provide an indicative cost estimate
- Issue the summary report for initial WDC officer comment.

Stage 3. Building Consensus

- Meet with WDC officers to review the outcome of the SWOT analysis and action points. Agree which recommendations can be developed in more detail
- Prepare any initial amendments to the regeneration masterplan and forward to WDC officers for comment
- Advise upon any sources of external funding or potential partnership arrangements that may help build capacity to respond to the identified issues and opportunities
- Attend a presentation to Council Members setting out a way forward including a more developed costed action plan, updated regeneration masterplan and outline programme
- Make any adjustments to the above following Councillors' review
- Circulate the action plan to the stakeholder groups as a proposed 'way forward' document and seek their comments / input
- Meet with WDC officers to report back on the consultees responses to the way forward action plan and agree revisions
- Prepare a final way forward action plan document and undertake a presentation to the stakeholder group to discuss the next stages and programme.
- Once stakeholder support is agreed, undertake a general consultation exercise to members of the wider community to build awareness of the masterplan and proposed action plan
- Finalise any further changes to the regeneration masterplan including the identification of potential works and sequencing to achieve the action plan outcomes based upon the outputs from all consultees.