



## **RECREATION AND PROPERTIES** **COMMITTEE**

You are summonsed to attend a meeting of the Recreation & Properties Committee at the following, place and date.

Date: 31 March 2009

Time: Immediately following the Planning Committee Meeting

Venue: Council Chamber, Town Hall, Devizes

Enquiries: 01380 722160

Chairman: Councillor Parsons  
The Town Mayor (Councillor Mrs Burton)

Councillors: Beinhorn                      Callow                      Mrs S Evans  
Gudgeon                                  Leighton                  Smith  
A R Taylor                                C S Winchcombe

## **AGENDA**

### **1. MINUTES**

To approve as a correct record and authorise the Chairman to sign the minutes of the special meeting held on the 3 March 2009, which have been circulated with the agenda.

### **2. APOLOGIES FOR ABSENCE**

### **3. DISCLOSURES OF INTEREST**

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

### **4. PUBLIC PARTICIPATION**

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions, make a statement or address the Council upon a matter of concern to that person which is relevant to the Council.

## RECREATION & PROPERTIES COMMITTEE

31 MARCH 2009

A time limit of 5 minutes per person will be permitted, but this may be extended at the Chairman's discretion and a maximum period of 20 minutes has been allocated by the Council for this item of business.

### **5. REPORT FOR INFORMATION – VENUES INCOME FIGURES**

Income figures for the Council's venues for the period April 2009 to February 2009 are attached (doc 5/1-5/3). These figures indicate the monthly income and cumulative income against budget

### **6. REPORT FOR INFORMATION – VENUES – CUSTOMER SATISFACTION FEEDBACK**

Attached to this agenda (doc 6/1) is the Venues Customer Feedback information received up to the end of March 2009.

### **7. REPORT FOR INFORMATION – VENUES OCCUPANCY**

Following the Forward Planning Session in February, officers will be presenting venue occupancy figures from the commencement of the 2009/10 financial year. It is anticipated that at the meeting on the 23 June officers will be able to present the full out turn figures for the current year and April and May figures for the new year.

The purpose of the report will be to inform members on the performance of the venues, which will compliment the revenue currently provided.

### **8. REPORT FOR INFORMATION – BAR FRANCHISE**

Applications for the new Bar Franchise were invited last month. The closing date for completed proposals was 21 March and we have received two. These will be considered next week and interviews will be held shortly after.

### **9. REPORT FOR INFORMATION – LITTER ON THE GREEN**

Councillors, several members of the public and the local paper, have highlighted the issue of increased litter on The Green and in the new play area.

There are two litterbins in the play area itself. Additional bins have been provided around the edge of The Green – there are now 10 altogether. Additional seasonal staff have been taken on 2 weeks earlier than usual to assist the Parks Team with their tasks, including litter-picking 7 days a week.

Staff are collecting litter as a priority from the play area, reporting on the level of litter collected on a daily basis, and any evidence of glass in the play area is being advised to the police.

New signage has been installed advising of the alcohol free zone.

**10. REPORT FOR INFORMATION – LIGHTING ON THE GREEN**

At a meeting of the Community and Civic Resources Committee on 11 November 2008, it was agreed that a scheme to light the footpath between the school and Southbroom Road would be implemented.

Officers have delayed the start of this work, as there were concerned about the level of activity on the Green in other areas, at that time, which were causing considerable disruption.

With the dryer weather, officers have now placed an order with the Scottish & Southern's Street Lighting Unit to place three lamp columns along the access road pavement to the school entrance. The scheme, which was agreed by the Community and Civic Resources Committee, will be installed during the Easter break.

**11. REPORT FOR INFORMATION – CRAMMER WALL**

Following a site meeting between all parties it has been agreed that work can commence on the Town Council element of the Crammer wall from Monday 30 March 2009.

The work, which is to be undertaken by Rocket Masonry and overseen by Mark Lovell Engineers, should be completed by the end of April.

The contractors will require a site compound, which will be located on the edge of the Green, and the Crammer will be fenced off while a working area is drained.

**12. REPORT FOR DECISION – MARKET PLACE BUS SHELTER**

**Recommendation**

That the committee decides if they wish to replace the bus shelter in the Market Place following its destructions during the January storms.

**Purpose of the Report**

To guide officers about the replacement of the bus shelter in the Market Place.

**Background**

During high winds in late January the cantilever bus shelter in front of Hallmark Carpets in the Market Place was blown over. The damage caused was too great for repair and therefore the structure was removed. The supplier has now had an opportunity to inspect the structure and has concluded that there was no defect with its construction.

The Council's insurers have confirmed that the shelter was only insured for impact damage and therefore was not covered for the damage sustained.

The original design of the shelters in the Market Place were the subject of considerable discussion and consultation as part of the joint initiative to refurbish the Market Place with Kennet District Council and Wiltshire County Council. Given the level of input by consultees and the Conservation team at the district council, officers have only sought a quotation for an identical replacement.

The quote received for a replacement bus shelter is £8,740.00 plus VAT. Currently there is no budget for this expenditure; therefore the cost would need to be met from the General Reserve. Should the Committee agree the installation, officer will make an application to the Wiltshire Council for a grant of up to £2550 towards the cost.

#### **Options Considered**

The Committee needs to decide if they are going to replace the destroyed bus shelter. If members do decide on this action then officers will ask that the structure is reinforced to ensure that it is protected from freak gusts of wind.

#### **Implications & Risks**

##### **Financial and Resource Implications**

Currently there is no budget for this expenditure and therefore it will need to come from the General Reserves, which currently is approximately £104,000.

##### **Legal Implications and Legislative Powers**

The Local Government (Miscellaneous Provisions) Act 1953, s 4 provides the Council with the power to provide and maintain bus shelters.

##### **Environmental Implications**

Officers are not aware of any of any environmental implications.

##### **Risk Assessment**

Officers are not aware of any of any risk implications.

##### **Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

### **13. REPORT FOR DECISION – ADDITIONAL SEATING AT THE PLAY AREA ON THE GREEN**

#### **Recommendation**

That the Committee considers whether it wishes to provide additional seating in the vicinity of the new play area on the Green.

#### **Purpose of the Report**

To decide what additional seating might be required and where to position it.

### **Background**

Requests have been received for additional seating within the play area. The seating provided is in accordance with the specification for the works and the findings of the working party. The seating is part of the design and is in keeping with the health and safety requirements of the project.

Therefore it is not recommended to include further seating within the curtilage of the facility.

Complaints from local residents in the past regarding youths gathering resulted in the removal of several picnic benches some 3 years ago. The Council may wish to consider these issues when considering the installation of additional seating.

We have also received requests for additional seating on The Green facing the play area – notably from residents of Crammer Court, who want to see the children enjoying the new playground.

It might be possible to provide additional seating outside the curtilage of the facility, however, there are cost implications.

### **Options Considered**

To decide whether to provide additional seating in the vicinity of the new play area.

### **Implications & Risks**

#### **Financial and Resource Implications**

The cost of providing one new bench is in the region of £350 and there is no specific budget for this.

#### **Legal Implications and Legislative Powers**

Under the Local Government Act 1972 Section 111 the Council has ancillary powers to do anything calculated to facilitate or conducive or incidental to the discharge of any of its functions.

#### **Environmental Implications**

Officers are not aware of any environmental implications.

#### **Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

## **14. REPORT FOR DECISION – HILLWORTH PARK**

### **Recommendation**

To agree the submission of planning applications in respect of Hillworth Park based on the designs consulted upon.

**Purpose of the Report**

To agree the submission of planning applications in respect of Hillworth Park based on the designs consulted upon.

**Background**

Since the successful stage 1 pass through the Heritage Lottery Fund's Parks for People programme, officers have been progressing the stage 2 application to claim £1.2 million grant funding.

Landscape Designer, Claire Glasspoole and Architect, Digby Rowsell Associates have been working with officers to develop the detailed designs for the master plan, the park centre and operational training centre.

Architect, Colin Johns, who specialises in historic buildings, has developed the specification for the Garden Pavilion restoration for submission for listed planning consent.

Members have had the opportunity to discuss the master plan and park centre plan through the Forward Planning process, although unfortunately the timescale has not allowed the Hillworth Park Working Party to look at the detail. However, as the project progresses to the detailed stages the working party will have the opportunity to look at the policies and plans prior to committee stage

**Options Considered**

To agree the submission of planning applications in respect of Hillworth Park including the master plan, the park centre, garden pavilion and operational training centre docs 13/1–13/4.

**Implications & Risks**

**Financial and Resource Implications**

The financial and resource implications associated with the Hillworth Park project have been identified through previous reports.

**Legal Implications and Legislative Powers**

The council has the power to provide recreational facilities under The Public Health Act 1875 and the Local Government Act 1972

**Environmental Implications**

An ecological survey has recommended certain mitigation strategies that will be submitted as part of the planning applications.

The design of the master plan and all buildings are environmentally sustainable.

**Risk Assessment**

Failure to submit the planning applications could result in the deadline for submission of stage 2 Heritage Lottery Fund bid being missed.

**Crime and Disorder**

Officers and designers have consulted with the Police Architect Liaison Officer and incorporated recommendations.

**15. REPORT FOR DECISION – OLDER CHILDREN USING EQUIPMENT IN NEW PLAY AREA**

**Recommendation**

To consider the options for managing mixed age use of the new play facility on The Green.

**Purpose of the Report**

For members to decide how the new play facility will be managed.

**Background**

Several comments have been raised by members about older children using the new play equipment. The decision of the working party was to provide a multi-age facility for able bodied, disabled children and young people alike. Therefore there is no upper age limit to people using the equipment and no signs have been provided to indicate recommended ages. Older children from Devizes School congregate in the area before and after school and use the equipment. The school has been informed, but the children are not their responsibility out of school hours. The police are also aware. It is hoped that once the novelty of the new play area has worn off, the situation will resolve itself. The intention of the play area was to accommodate mixed age use. Attempting to restrict usage will be difficult to police and a failure to deliver services to older children.

**Options Considered**

For the committee to consider what options there are for managing the mixed age use of this multi-age designed facility.

**Implications & Risks**

**Financial and Resource Implications**

Until a decision is reached by members is not possible to determine the financial or resource implications.

**Legal Implications and Legislative Powers**

The Council has the power to provide recreational facilities under the Public Health Act 1875 and the Local Government Act 1972.

**Environmental Implications**

Officers are not aware of any environmental implications.

**Risk Assessment**

There is a risk of older children monopolising the play equipment, however it is expected that this may diminish once the novelty has worn off. Seeking to restrict the ages of those using the equipment will be difficult to police.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

**16. REPORT FOR DECISION – POTHoles ON THE GREEN**

**Recommendation**

That the committee consider the condition of the path across The Green from Nursteed Road to Devizes School and what if any action they wish to take.

**Purpose of the Report**

To advise officers on how they wish to priorities this work.

**Background**

The issues of damage to the path from potholes was raised by Councillor Mrs Evans at a meeting of this committee on the 24 February expressing her concerns that the path has some trip hazards. As a safety measure the potholes have been patched up as a temporary measure, but the material used is not adhering well as the surface needs to be properly prepared and this is difficult to do in patches.

**Options Considered**

It could be left as it is.

OR

It could continue to be patched on an ad hoc basis.

OR

Part of the path could be cleared and re-surfaced.

OR

The entire path could be cleared and re-surfaced.

Funds could be made available from reserves.

**Implications & Risks**

**Financial and Resource Implications**

Costs will be involved in the survey of the work as well as the implementation, depending on which option is chosen. There is no current budget for this, so members will need to decide how they wish to proceed.

**Legal Implications and Legislative Powers**

Officers are not aware of any legal implications. Legislative power: Highways Act 1980, ss 43,50, namely power to repair and maintain public footpaths and bridleways.

**Environmental Implications**

Officers are not aware of any environmental implications.

**Risk Assessment**

Should there be an accident as a result of poor maintenance the Council could be found to be negligent in its management of the area.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

17. **EXEMPT REPORT FOR DECISION – RELATING TO COMMERCIAL PROPERTY**
18. **EXEMPT REPORT FOR DECISION – RELATING TO COMMERCIAL PROPERTY**
19. **QUESTION TIME**

Members will be allowed a short period in which to put questions on matters within the remit of this Committee, which are not contained in the reports of matters formally, considered by the Committee at this meeting. The question may be answered at the meeting or may be referred back to the Committee at a later date. The question may not be the subject of any further details.

