

MINUTES of a Meeting of Bowerhill Jubilee Sports Field Working Party held on Monday 30th September 2013 at Crown Chambers, Melksham at 8.20 p.m.

Present: Cllr Richard Wood (Chairman); Cllrs John Glover, Alan Baines, Rolf Brindle, Mike Mills and Mike Sankey

Apologies: Cllrs. Pat Nicol and Paul Carter

241/13 **Declarations of Interest:** Cllr Glover declared an interest as his grandson played football for Melksham United youth football club.

242/13 **Minutes of last Forum meetings, 10th June and 8th July:** These Minutes were noted.

243/13 **Condition of pitches**

a) **Additional Works to date:** The Clerk reported that additional work had taken place on the football pitches since the start of the contract with GreenSward and the football season. This work had been charged on top of the original contract:

July Extra mow & selective weedkiller	£ 775
Aug Additional line marking	£ 55
Aug Soiling works for cracked pitch	£ 255
Sept Chain harrow	<u>£ 150</u>
	£1,235 + VAT

In addition, supplies of top soil had been delivered to the football pitches for filling in cracks on the football pitches. It was noted that one match was called off as the pitch was unplayable due to rabbit holes. The Clerk had arranged for a bag of top soil to be stored in the changing rooms, at Mike Rogers request, so that on a match day a small hole could be filled straight away by the players.

Aug 2 tonnes of top soil for cracked pitch	£ 82.30
Sept 2 tonnes of top soil for cracked pitch	<u>£ 82.30</u>
	£164.60 + VAT

It was noted that the Council was expecting that additional work would need to be done on the football pitches at least for the first year, as it seemed the pitches had been poorly maintained in the past by Wiltshire Council's contractors.

b) **Delegated powers to authorise additional works:** The Clerk requested delegated powers for the Chair, Clerk and Finance Officer to authorise additional works for the Bowerhill Jubilee Sports Field and for a maximum amount for expenditure to be stipulated. It was noted that a quick response had to be made to requests for additional works to ensure that the football pitches remained in a playable condition,. However this did not strictly meet the current Financial Regulation 3.4 which stated "work which is of such extreme urgency that it must be done at once".

The Finance Officer reported that £12,500 had been budgeted for the Bowerhill Jubilee Sports Field maintenance for 2013/14. The contract with GreenSward was for £5,441 with an additional £1,235 spent on additional works and £164.60 on top soil to date. Total £6,840.60 with £5,659.40 remaining. The costs for the Pavilion (cleaning, water charges, electricity) were under separate budget headings.

Recommendation: *The Council delegate powers to the Clerk, Finance Officer and Chairman to authorise additional works for the Bowerhill Jubilee Sports Field football pitches to mitigate adverse playing conditions, to a cumulative value of*

£1,000, excluding the sums above, with effect from 1st October. The Council's Financial Regulations be updated to include this new clause.

- c) **Additional Works still required:** The Clerk reported that the site had been cut and marked again under the contract, on 26th September but that Andy Boyce of GreenSward had emailed to say that the junior pitch that between the two adult pitch was still an area of concern. Despite being cut three ways, there was still loose grass sitting on the surface that could cause problems to the players, depending on the weather. One option was to chain harrow the junior pitch again at a cost of £150; or to mow the centre area and collect the clippings (which would be left on site) at a cost of £220. If this option was chosen, it was agreed that the best place to leave the clippings would be in the far side of the Sports Field, near Knorr Bremse. Cllr Brindle had made a site inspection earlier in the day and felt that the grass was fine and no further works were needed. It was agreed that in light of Cllr Brindle's comments that this needed further discussion with Andy Boyce.

There had also been an issue with the junior pitch, as the metal sockets for the original adult goal posts had fallen within the original junior pitch line marking; and Rob Bridges had contacted Andy Boyce direct about this several times. The pitch had now been re-marked with the metal sockets outside of the pitch. The price quoted by GreenSward to remove the 2 metal sockets and concrete footings and fill with soil was £120 but a much cheaper alternative would be to just cap the sockets. It was noted that the mowers had not scraped on the sockets, so they did not appear to be protruding above the surface. It was agreed that capping the sockets would be the way forward and would allow them to be used again in the future, if appropriate.

***Recommended:** The Clerk and Finance Officer discuss with Andy Boyce the best option to proceed with the additional works outlined above and instruct the work to take place under their delegated powers (See Min. 243/13(b) above)*

- d) **VAT treatment of additional works:** The Finance Officer advised the Councillors that the Grass-cutting contract was attributable to the whole of the open space at the Sports Field and benefited residents all the time (not just for specific bookings) and therefore the VAT was able to be reclaimed. However, for some of the additional items carried out and proposed, if works clearly were only applied to the Football Pitches, the VAT would not be able to be reclaimed as hiring out of the Football pitches was deemed a business use. A clear record of the costs, and whether the VAT was recoverable, was being made.

- e) **Contract Management:**

- i) **Contact with Contractors:** Andy Boyce had again asked the Council to ensure that all communication with GreenSward came via the Council Office and not from the football team managers direct; to avoid confusion and duplication. It was noted that a new Council email address had been published sport@melkshamwithout.co.uk to facilitate bookings.

***Recommendation:** The Council write to the football clubs asking that they make all contact with regards to the Bowerhill Jubilee Sports Field to the Council direct, and not to the contractors.*

- ii) **Supply of Contract to Football Teams:** The Clerk reported that Rob Bridges had asked several times for a copy of the contract between the Council and

GreenSward.

Recommendation: *The Council supply Rob Bridges of Melksham United a précis of the schedule of works, but not a copy of the full contract.*

244/13

Football Pitch Pricing:

- a) **Cost to hire pitch without use of Pavilion:** The Finance Officer reported that when the pricing had previously been considered at the last Full Council meeting it only covered the use of the pitches and Pavilion. Rob Bridges of Melksham United (youth football club) had contacted her to ask for the pricing for the use of the pitches without the Pavilion.

It was noted that there were a lot of keys for the Pavilion in circulation, and the Pavilion toilets were used on occasion by the children, although not the showers and changing rooms. Cllr Mills commented that the Pavilion facilities weren't used as they had been in such a poor state under Wiltshire Council's control. It was imperative when the new Pavilion was up and running, a firm control on the keys would need to be kept. Investigation would be needed to source keys that could not be copied and passed around.

The Finance Officer reported the prices being charged by Wiltshire Council for the use of football pitches without Pavilion in other parts of Melksham (Awdry Avenue, Spring Meadows) as well as in Trowbridge and Bradford on Avon. She also advised that Andy Cadwallader had contacted the Council to find out their pricing structure, as he was trying to ensure harmonisation of the rates across the County based on the facilities provided, as they were all on different pricing structures due to the previous historic ownership under different District Councils.

Wiltshire Council pricing structure:

Football pitch (excluding Pavilion)

Club – per season – adult £363.25

Club – per season – junior £302.50

Additional teams per club were charged 50% of normal rate

Recommendation: *The Council set the price of hiring the football pitches without the use of the Pavilion as per that of Wiltshire Council (detailed above). The Club per season price excluded VAT if under the 10 week booking rule.*

- b) **Discount for reduced matches in Season:** The Finance Officer reported that Mike Rogers of AFC Melksham (Sunday league footballers) had contacted the Council to request a discount from the Club per season adult price of £725.40 as AFC Melksham only had 8-10 home matches that season. She had been unable to ascertain how many home games are usually played per season, but with 43 weeks from beginning Sept to end of May, would assume approx. 20 home games. It was noted that AFC Melksham needed to book at least 10 sessions to fulfil the Inland Revenue criteria for the "10 session booking rule". There was concern that if the club subsequently wanted to book the pitch for more sessions, they would be liable for VAT as outside the 10 session rule. The Finance Officer confirmed that Mike Rogers had previously asked to pay in instalments, and so suggested that an initial invoice was raised for £250 and then at the next staged payment the club were asked if they would like to book more matches or not, thus ensuring that any

additional matches would be under the original set of invoices for “at least 10 sessions”. The price for any additional matches would be considered by the Council based on the number requested.

Recommendation: *The Council offer AFC Melksham a discounted price of £500 for the season for 10 matches only, on the understanding that the Council will try to re-let the pitch and Pavilion on the Sundays that AFC have not booked.*

- 245/13 **Cleaning Contractor update:** The Finance Officer reported that the original cleaning contract had been let to Marc Adams who had subsequently advised that he was unable to fulfil personally and so Jennifer Beaven would be carrying out the cleaning at the Pavilion. Jennifer had offered to invoice the Council direct, and list any cleaning materials used as well as hours worked.

There was discussion re amending the contract. Councillors felt the contract should remain with Marc Adams, as the original contract was with him and under that contract he would be able to supply the necessary public liability insurance documentation cover.

The Clerk reported that Mike Rogers had contacted the Council to say what a good job the cleaner had been doing, and that a real difference had been seen in the changing rooms and showers.

Recommendation: *The Council contact Mr Adams re the contract and request a copy of public liability insurance to cover Ms Beaven.*

- 246/13 **Use of Sports Field by Wiltshire Air Ambulance:** Cllr Mike Mills reported that the Air Ambulance was on the Sports Field on Sunday morning, as well as a vehicle ambulance. He queried if the Council had an agreement with the Air Ambulance. The Clerk informed that when Wiltshire Council owned the Sports Field, it had been agreed the field could be used for landing helicopters, but she was unaware of written agreement.

- 247/13 **Legislation Changes regarding Village Greens:** The Clerk reported that the Growth and Infrastructure Act 2013 contained a clause to prevent an application to register land as a Green being possible where a "trigger event" had occurred in relation to the land. The exclusion could then only be lifted after a "terminating event" occurred i.e. as to whether or not the land had been identified for potential development in the planning system. However communities could still protect land under a new Local Green Space designation through their local Neighbourhood Plan. The new designation gave protection equivalent to Green Belt and excluded new development other than in very special circumstances.

Meeting closed at 9.12 pm

Chairman, 14th October 2013