

ANGUS COUNCIL

POLICY & RESOURCES COMMITTEE – 10 DECEMBER 2002

APPLICATION FOR COMMON GOOD FINANCIAL ASSISTANCE – ARBROATH UNITED CRICKET CLUB

REPORT BY THE DIRECTOR OF LEISURE SERVICES

ABSTRACT

This report advises elected members of an approach made by Arbroath United Cricket Club for financial assistance from the Arbroath Common Good Fund.

1. RECOMMENDATION(S)

It is recommended that the Committee agree in principle to award a grant to Arbroath United Cricket Club for replacement boundary treatment and:-

- a) remit the Director of Leisure Services in consultation with the Directors of Finance, Law and Administration and Property Services to draft a suitable legal agreement with the club to establish additional coaching development programmes to the community and subject to this being concluded and being brought back to the Committee for approval to thereafter:-
- b) seek tenders for replacement fencing
- c) to bring forward a further report for approval outlining the finalised costs and agreement for coaching development to the community.

2. BACKGROUND

Angus Council is responsible for the administration of the various Common Good Funds of the Angus burgh towns and Report 1018/96 approved by the Policy & Resources Committee of 26 November 1996 agreed certain policy guidelines for the use of such Funds. The guidelines include the right to grant donations to institutions that act in the interest of the community or the inhabitants of the area. Members should also note that expenditure from the Arbroath Common Good Fund (ACGF) is restricted to those projects which either benefit the Arbroath area or which benefit a group of people which includes inhabitants of the Arbroath area. The Common Good is a corporate property of the Council and is administered and applied by the Council for the benefit of the community in such a manner, and using reasonable judgement as, the Council thinks is appropriate.

Arbroath United Cricket Club has requested financial assistance from the Council to repair or replace the existing boundary wall adjacent to Keptie Road, which extends for approximately 164m (A copy of the plan has been placed in the Members' Lounge).

Leisure Services in conjunction with Property Services has investigated this request and it is their view that the most cost effective solution would be to remove the existing wall and replace it with a 3metre high weld mesh style fence.

It should be noted that the existing wall is showing signs of distress and will need remedial work and complete rebuilding of some sections in the not too distant future.

The cost of removal and replacing with a fence is approximately £30,000 and the Club has asked the Council to consider an application for financial assistance in the form of £30,000 grant from the Arbroath Common Good Fund.

The Trustees own the ground occupied by the Cricket Club. The Trustees are (1) the President, and other office bearers of AUCC; (2) the Provost and Town Clerk of Arbroath (and their successors) and (3) Frederick Fotheringham MacDonald and any of his descendants as proprietors of the lands of Lochlands.

It is thought unlikely that any descendents of Frederick Fotheringham MacDonald will have an interest in this matter.

Therefore the office bearers of AUCC and the Council own the ground as Trustees for the purposes in terms of the title deeds.

The purposes of the deeds state that the AUCC are to have management and control of the land and that the land is only to be used for the purposes of a cricket ground. There are other restrictions regarding buildings etc and the ground is not allowed to be sold.

The Trust deed also states that the land is not to be affected by debt.

If the AUCC ceases to exist, the Trustees must transfer the land to the Council for use as a cricket ground or public park for recreational purposes.

Subject to being able to agree the terms of a legal agreement with the Club regarding community use of the clubs coaching, etc. resources it is proposed that the Council, as a joint trustee, use its professional services to obtain tenders for the required works. No contract would however be placed until the legal agreement has been finalised and brought back to this Committee for final approval.

3. APPLICATION FOR COMMON GOOD FUND GRANT

The Club's application seeks a grant of £30,000 from the ACGF. In return AUCC is offering to make available their facilities and staff in order to provide a benefit to the wider Arbroath community. Initial discussions have been held between AUCC and the Director of Leisure Services with a view to establishing the level of such community use.

Approval is sought to formally enter into negotiations to develop a formal legal an agreement regarding the proposed community use so that the justification for any grant from the ACGF can be assessed. The community use would be based around the use of the AUCC's facilities and qualified coaches to develop and deliver quality additional coaching services to young people in the community.

4. FINANCIAL IMPLICATIONS

There are no additional financial implications to the Council at this time other than staff costs regarding the drafting of a suitable agreement with the Club.

If the Council wish to proceed with the grant to AUCC, after all of the relevant information has been received regarding costs and suitable use of the facilities and coaching services have been agreed, the amount of grant will be requested from the Arbroath Common Good Fund.

5. HUMAN RIGHTS IMPLICATIONS

There are no human rights implications associated with this report.

6. CONSULTATION

The Chief Executive, the Director of Law and Administration, the Director of Finance, the Director of Property and the Director of Education have been consulted in the preparation of this report.

JOHN R ZIMNY
DIRECTOR OF LEISURE SERVICES
BACKGROUND PAPERS

NOTE: The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to a material extent in preparing this report.

Report 1018/96 approved by the Policy & Resources Committee of 26 November 1996.