

NORTH LANARKSHIRE COUNCIL

REPORT

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| To: Education Resources Sub Committee | Subject: Sports Facilities at Cleland Estate |
| From: Director of Education | |
| Date: April 2000 | |
| Ref: MM/NR | |

Summary

This report recommends acceptance of a formal user agreement between North Lanarkshire council and the Dalziel High School Sports Management Limited for the use of Cleland Estate.

Recommendations

The education committee is recommended to:

- (i) approve the formal user agreement attached as Appendix 1 between the education authority and the Dalziel High School Sports Management Limited for the use of the sports facilities at Cleland Estate.
- (ii) request the director of administration to complete the formal signing.

Christine Rallock

Members wishing further information should contact:

Michael O'Neill, Director of Education on 01236-812336
Murdo Maciver, Head of Educational Provision on 01236-812269

LEASE OF SPORT FACILITIES AT CLELAND ESTATE

Report by the director

1. BACKGROUND

- 1.1 There are no outside sports facilities on the campus of Dalziel High School, Motherwell.
- 1.2 Instead, the school have made use of the playing fields at Cleland Estate for many years.
- 1.3 The estate is owned by the Dalziel High School (Motherwell) Memorial Trust and was purchased in the late 1940's for playing fields as a memorial to the ex-pupils of the school lost in the war.
- 1.4 Until 1977 there was no formal agreement between the education authority and the Trust. Instead, grants were allocated on an annual basis.
- 1.5 In 1977 a formal 9 year user agreement was concluded by Strathclyde Region. This agreement was renegotiated in 1986, again for a 9 year period. Since 1995 the arrangement has continued on the basis of the existing agreement, with payments made annually.
- 1.6 The main elements of these agreements are detailed below.

1.6.1 Annual charges

The annual charges since 1977 have been as follows:

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| (a) | 1977 - 1986 | £7,000 per year |
| (b) | 1986 - 1989 | £17,000 per year |
| (c) | 1989 - 1992 | £20,000 per year |
| (d) | 1992 - 1995 | £24,000 per year |
| (e) | 1995 - 1998 | £24,000 per year |

In addition, the education authority has funded the transport costs for pupils travelling to Cleland during the school week. Currently, this totals £4,680 annually.

1.6.2 Availability

In the initial period the user agreement covered school session afternoons and Saturday mornings. Subsequently, there has been greater flexibility in the availability of the playing fields for educational use. In addition, since 1977 the facility has been available to all education authority pupils irrespective of sex and the school attended.

1.6.3 Maintenance

The Trust was obliged to maintain the facilities in good condition to ensure availability to the education authority.

- 1.7 Although the user agreement offered the facility to all other schools this did not materialise in practice. Non-Dalziel High School use was restricted to a very limited range of activities, for example individual school sports and Lanarkshire athletic activities.

2. RECENT DEVELOPMENTS

- 2.1 Currently, there is a major upgrade of Cleland Estate with financial support from land sales, National Lottery, Football Trust, Lanarkshire Development Agency and the Foundation for Sports and Arts. As a result the facilities will be among the best in Scotland and will be available to Dalziel High School and the wider North Lanarkshire Community. These will include:

- (a) 3 floodlit rugby and football fields
- (b) 1 tartan track
- (c) 2 astroturf hockey pitches
- (d) 3 5-a-side pitches
- (e) 1 indoor training barn
- (f) weight training room

Although this represents a substantial reduction in the number of facilities the quality of provision has been enhanced. As a result, Cleland Estate is able to meet not only the curricular and extra-curricular needs of Dalziel High School pupils but also the needs of North Lanarkshire schools and representative teams taking part in regional and national competitions.

- 2.2 There have been informal discussions with the company about the continuation of the arrangement. It is anticipated that a further long term user agreement could be agreed on the following terms:

- (a) a long term arrangement with an initial annual cost of £24,000 with an additional allocation for the transport of Dalziel High School pupils to Cleland for curricular activities.
- (b) the facility to be available to Dalziel High School pupils for school week curricular and Saturday morning/evening extra-curricular activities.
- (c) the facility to be freely available to North Lanarkshire primary and secondary pupils at the end of the school day and on Saturday mornings for athletic events, representative events and sports development activities.

3. **RECOMMENDATIONS**

The education committee is recommended to:

- (i) approve the formal user agreement attached as Appendix 1 between the education authority and the Dalziel High School Sports Management Limited for the use of the sports facilities at Cleland Estate.
- (ii) request the director of administration to complete the formal signing.

A G R E E M E N T

between

NORTH LANARKSHIRE COUNCIL

and

DALZIEL SPORTS MANAGEMENT LIMITED

1998

*Relative to Use of Playing Fields at
Dalziel Park, Motherwell.*

*Head of Legal Services
North Lanarkshire Council
Civic Centre
MOTHERWELL*

AGREEMENT

between

NORTH LANARKSHIRE COUNCIL, Civic Centre, Motherwell (hereinafter referred to as "the Council") of the first part

and

DALZIEL SPORTS MANAGEMENT LIMITED incorporated under the Companies Acts and having their registered office at Oakfield House, 378 Brandon Street, Motherwell (hereinafter referred to as "the Company")

WHEREAS the Company is the lessee of Dalziel Park, Motherwell from Dalziel High School War Memorial Trust and has offered to make facilities at the said Park available to the Council and the Council has agreed to accept this offer on the terms and conditions after specified NOW THEREFORE these presents witness that the parties have agreed and do hereby contract as follows, videlicet:-

FIRST *The Council will be permitted required use of the playing fields at Dalziel Park, Motherwell, together with all changing and other sporting facilities situated thereon and that as follows:-*

- (i) by pupils of Dalziel High School, for such curricular and extra curricular activities as shall be determined by the Council, on all weekday mornings, afternoons and evenings and on all Saturday mornings until 1.00 pm.*
- (ii) by the pupils of Dalziel High School and by all other pupils within the Council's jurisdiction for major sporting events and development activities (which events and activities may involve competing pupils from outwith the Council's jurisdiction) on all weekday evenings up to 6.30 pm and on all Saturday mornings until 1.00 pm during the school year.*

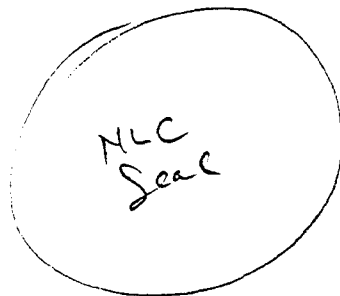
Use will be permitted by the Company at other times if requested but only if no other conflicting bookings have been made.

SECOND *This Agreement shall subsist for a period of Nine years commencing on First April Nineteen Hundred and Ninety Eight and then annually thereafter. After the ninth year the Agreement will be subject to termination on one full year's written notice given by either party.*

THIRD *The Council will pay to the Company by way of rent the sum of TWENTY FOUR THOUSAND POUNDS (£24,000) STERLING per annum (plus VAT) payable quarterly in advance on the First days of April, July, October and January in each year, commencing with the first quarterly payment on First April, Nineteen Hundred and Ninety Eight.*

FOURTH *The said annual sum of Twenty Four Thousand Pounds (£24,000) Sterling shall be subject to review by the parties hereto at the end of the Third year and of the Sixth year respectively of the aforesaid period of Nine years. The first review shall be made as at Thirty first March, Two Thousand and One and the second review shall be made as at Thirty first March, Two Thousand and Four.*

FIFTH *The Company will maintain the facilities in good condition at its own expense which facilities at all times shall be fit for the uses made of them by the Council: IN WITNESS WHEREOF*



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Deputy
Sports
Mgt Ltd

_____ Direct

_____ Director Secy