

## POLICY AND RESOURCES COMMITTEE - 2 SEPTEMBER 2019

### 1. LOCAL PLAN (DCES)

#### 1 Summary

- 1.1 This report sets out the exceptional and site specific circumstances relating to land at Oxhey Jets F.C.

#### 2 Background

- 2.1 Members are aware that officers are undertaking site assessments as part of the Strategic Housing and Employment Land Availability Assessment (SHELAA) the purpose of which is to assess sites' development potential, suitability for development, availability for development and the likelihood for development coming forward, as part of the Local Plan process.
- 2.2 Progress on the site assessments are reported to the Local Plan Sub Committee which has no decision making powers. These assessments are reported and discussed in Part 2 of the meeting and remain confidential until the Local Plan is published. Officer recommendations on Local Plan allocations will be made at the stage when all the evidence based studies and site assessments have been completed and presented to Members as a coherent whole to enable decisions to be made on which sites are to be allocated in a Draft Local Plan for Publication. This will be considered and agreed by the Policy & Resources Committee.

#### 3 Details

- 3.1 As part of the Call for Sites<sup>1</sup> exercise undertaken in 2017, a site that included the Oxhey Jets Football Club House<sup>2</sup> and pitches was put forward by the landowners. It is the only site put forward that contains a community and sports facility.
- 3.2 Three Rivers District Council leases the land from HCC and sub-leases to Oxhey Jets FC. The lease is due to expire in 2025.
- 3.3 The Oxhey Jets clubhouse is used for a range of community and charity events and is considered an important community facility in an area of deprivation in the District. The Oxhey Jets also host a number of fundraising football charity events throughout the year including matches and events for the RAF.
- 3.4 Officers have received anecdotal evidence that the clubhouse is in need of modernisation to include repairs to the roof, the installation of changing facilities for female officials and improved disabled access. Funding for such work is sought from charities and grant giving bodies such as the Football Association who will require some certainty about the Oxhey Jets future.
- 3.5 The National Planning Policy Framework<sup>3</sup> (NPPF) is clear that sports facilities and land, including playing fields should not be built on unless:

---

<sup>1</sup> Call for Sites exercise undertaken between July – September 2017.

<sup>2</sup> Oxhey Jets F.C. is semi-professional football club affiliated to the Hertfordshire Football Association.

<sup>3</sup> National Planning Policy Framework Paragraph 97.

- they are surplus to requirements, or
- would be replaced by equivalent or better provision, or
- the proposed development is for an alternative sports/recreation provision which would clearly outweigh the loss of the current use.

3.6 The NPPF<sup>4</sup> also states that planning policies should guard against the unnecessary loss of valued facilities and that such established facilities retained for the benefit of the community.

3.7 Officers are satisfied that none of the above exceptions apply and it is the Officers' opinion that the Oxhey Jets FC and associated pitches should not be allocated for housing in the new Local Plan.

#### **4 Options and Reasons for Recommendations**

4.1 An alternative option would be not to make a decision on whether the land is allocated at this stage but to delay the decision until the Policy & Resources Committee consider the Draft Local Plan for Publication. A possible consequence is that there will be a delay in the re-negotiation of the lease and the Oxhey Jets F.C. would not be able to provide assurance for grant funding opportunities to make modifications to the club house to secure its future as a community/sports facility.

#### **5 Policy/Budget Reference and Implications**

5.1 The recommendations in this report are within the Council's agreed policy and budgets to prepare a Local Plan.

#### **6 Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

6.1 None specific.

#### **7 Legal Implications**

7.1 Members are advised that the decision is coming prior to the Draft Local Plan for Publication on exceptional and site specific grounds as set out in paragraphs 3.1 to 3.7 of this report.

7.2 Members are advised and reminded that all other sites being considered as part of the Strategic Housing and Employment Land Availability Assessment remain confidential and no decisions will be in the public domain until the Draft Local Plan for Publication is agreed by the Policy & Resources Committee.

#### **8 Equal Opportunities Implications**

8.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No
--	----

---

<sup>4</sup> National Planning Policy Framework Paragraph 92

Did the relevance test conclude a full impact assessment was required?	N/A
--	-----

8.2 Impact Assessment

Not applicable.

**9 Risk and Health & Safety Implications**

9.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

9.2 The subject of this report is covered by the Economic & Sustainable Development Service Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

<b>Nature of Risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> <i>(tolerate, treat, terminate, transfer)</i>	<b>Risk Rating</b> <i>(combination of likelihood and impact)</i>
Possible objection on the decision to rule out a site before the evidence base is complete	Objections or Legal Challenge to the Draft Local Plan for Publication	None	Tolerate	Medium

9.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> <b>Remote</b> ----- <b>Likelihood</b>	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8

