

## UXBRIDGE GOLF COURSE, THE DRIVE, ICKENHAM

<b>Cabinet Member</b>	Councillor Jonathan Bianco
<b>Cabinet Portfolio</b>	Finance, Property and Business Services
<b>Officer Contact</b>	Mike Paterson / Paul Richards Planning, Environment, Education and Community Services
<b>Papers with report</b>	N/A

### HEADLINE INFORMATION

<b>Purpose of report</b>	To inform the Cabinet Member that a petition was received on 16 <sup>th</sup> July from Mr Steven Browne with 19 valid signatories (out of 22) requesting the reinstatement of Uxbridge Golf Course. On 30 <sup>th</sup> July 2012, a further petition was received with an additional 82 signatories (71 of which were valid) supporting the petition which then made it eligible for consideration at a Petition Hearing with the Cabinet Member for Finance, Property and Business Services.
<b>Contribution to our plans and strategies</b>	None
<b>Financial Cost</b>	Any reinstatement costs would be funded from Council resources, however the Council does not currently have an approved scheme for works at Uxbridge Golf Course for which costs can be quoted.
<b>Relevant Policy Overview Committee</b>	Residents' and Environmental Services
<b>Ward affected</b>	Ickenham

### RECOMMENDATIONS

That the Cabinet Member:

- 1. Meets the petitioners and considers their requirements for the reinstatement of Uxbridge Golf Course**
- 2. Decides on the appropriate course of action having met with the petitioners**

### INFORMATION

#### Reasons for recommendation

To allow the Cabinet Member to consider the petition with the petitioners

## Alternative options considered

These can be identified from the discussions with the petitioners

## Comments of Policy Overview Committee(s)

None at this stage

## Supporting Information

1. A petition was received on 16<sup>th</sup> July from Mr Steven Browne with 19 valid signatories (out of 22) and a further petition was received on 30<sup>th</sup> July 2012 with an additional 82 signatories (71 of which were valid) supporting the earlier petition which then made it eligible for consideration at a Petition Hearing.
2. The residents have signed the following statement :-

*“We wish to arrange a meeting with the Council to agree a plan for the reinstatement of Uxbridge Golf Course”*

## Background

3. Uxbridge Golf Course was occupied by Mack Trading under a lease which commenced on 1<sup>st</sup> August 2008. Under that lease Mack Trading was responsible for the repair and maintenance of the course until the lease was forfeited by the Council and possession of the course was taken back in December 2011. The Council was left with no alternative but to forfeit the lease as Mack Trading had not paid rent due under the lease from 25<sup>th</sup> December 2010 to the Court Hearing on 20<sup>th</sup> October 2011 and the Council had a substantial claim for rent arrears against Mack Trading.
4. National Grid (NGG) installed a 1220mm gas pipeline running from Harefield to Southall with part of the installation running through Uxbridge Golf Course. The construction works started in August 2008 and were completed in October 2008 with full and final settlement completed in February 2009. The construction works affected the 9<sup>th</sup>, 10<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> holes and they also caused considerable disruption and damage to the grass sward, top and subsoil, drainage, irrigation system, greens, tees and bunkers of these holes.
5. National Grid entered into a legal agreement with Mack Trading in relation to the reinstatement works and gave Mack Trading the necessary funding to undertake them. The Council never had sight of this agreement and was not party to it. The reinstatement itself was much delayed by Mack Trading seeking planning consent to carry out works substantially in excess of reinstatement and works had still not commenced by the summer of 2010. The Council therefore felt compelled to serve a Repair Notice on Mack Trading on 16th July 2010 pursuant to the lease, requiring the works be undertaken. The Notice stipulated that if Mack Trading had not commenced the works within one month of the date of the Notice or failed to complete them within a reasonable period not exceeding three months, Mack Trading would be obliged to permit the Council to undertake the works itself and then recover the costs of doing so directly from this company.
6. Although Mack Trading started to undertake the works following the service of the Notice, it had not made satisfactory progress towards completing them when the lease was forfeited by the Council. The outstanding reinstatement and poor

maintenance of the course by Mack Trading had rendered certain parts of the course unplayable to a point where only 12 holes out of the 18 were playable.

7. Since the forfeiture of the Mack Trading lease in December 2011, the course has been maintained by the Council's Green Spaces Team. Whilst it has been a challenging first summer, a programme of improvements has been implemented to the 12 holes currently playable including a renovation programme for the greens and tees.
8. The options for the long term future of the course are being investigated currently and, once all the necessary information has been collected and assessed, the findings will be the subject of a report to Cabinet so that these can be fully considered in due course.

## **Financial Implications**

Any reinstatement costs would be funded from Council resources, subject to the relevant expenditure approval limits set out in the Council's Constitution, including approval by Cabinet for works expenditure over £250k, or by the relevant Cabinet Member(s) for works between £50k and £250k.

## **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

### **What will be the effect of the recommendation?**

The recommendation will enable the Cabinet Member to discuss with the petitioners their concerns, and allow him to consider whether or not to agree to their requests.

### **Consultation Carried Out or Required**

This Petition Hearing is part of the Council's consultation.

## **CORPORATE IMPLICATIONS**

### **Corporate Finance**

As noted within this report, officers are currently investigating options for the long term future of Uxbridge Golf Course which will be reported to Cabinet in due course, along with an assessment of the financial implications associated with any options considered. There is currently no specific budgetary provision for reinstatement works and officers will appraise options for funding for any such works being considered when proposals are presented to Cabinet.

### **Legal**

The Cabinet Member has before them Recommendations that:

- (a) the Cabinet Member meets the petitioners and considers their requirements for the reinstatement of Uxbridge Golf Course; and
- (b) the Cabinet Member decides the appropriate course of action having met with the petitioners.

Under Article 7.08(d) (24) of the Council's Constitution there is a general Cabinet Member delegation for the Cabinet Member to deal with petitions in their portfolio area in accordance with Council procedure.

The Recommendation therefore falls within Cabinet's delegations.

Article 13 of the Council Constitution requires that all key decisions follow the seven principles set out therein. This would minimise the risk of legal challenge/judicial review of the decision made by the Cabinet Member.

## **BACKGROUND PAPERS**

NIL