

From Paul Gough/DVD/LCC  
Date 29/02/2008 09:54  
To Penny Ewens/MEM/LCC  
cc Phil Staniforth/LLD/LCC@Leeds\_City\_Council  
Subject Woodhouse Moor MUGA

Dear Councillor Ewens

Further to our telephone conversation, I thought I would drop you a line to let you know my thoughts on the suggestion that the proposed MUGA should be subject to further public consultation. Basically my view is that further consultation is unnecessary and would delay what is a very worthwhile project on a site which is in need of upgrading. The key issue is that the proposal to put a MUGA on the tennis courts is a specific requirement in the legal agreement that relates to the planning approval for the former Grammar School. The principal of doing this work is therefore established and if the works named in the s.106 Agreement are not carried out, this could result in a challenge from Sport England who agreed to the development on the Grammar School site subject to this work (and related recreation facilities) being implemented on Woodhouse Moor. For clarity, I set out below the key facts relating to the relevant planning permission on the former School site and the associated legal agreement. An outline application for 4 buildings arranged around a central public space was submitted in February 2001 by Leeds University on the former playing field area. The application was agreed in February 2002 at West Panel subject to completion of a legal agreement for securing sports facility enhancements on the nearby Woodhouse Moor to compensate for the loss of the playing field facility. The enhancement was specifically for a contribution of £228,100 to be spent on upgrading tennis courts, the upgrading of tennis courts off Woodhouse Lane to form a multi Court area, upgrading the bowling pavilion and providing mini-soccer pitches. The agreement specifically addresses national and local planning policies to protect sporting facilities for local communities. The legal agreement was completed in February 2004. In August 2005 Leeds University submitted revised proposals for the first building to be built on the site (revisions were to the design, access and exact location of the building only). These proposals were agreed at City Centre Panel in November 2005 on the basis that they would respect the existing obligation for off-site sports facility enhancements. A further revision to building design was agreed at City Centre Plans Panel In May 2006 again subject to the same off site sport facilities provision. The 2004 legal agreement was amended to refer to the latest planning application reference (design approved In May 2006) so that the agreement would remain enforceable. At the same time the opportunity was taken to negotiate an increase in the financial contribution to allow for inflation costs. The revised sum is £255,697 to be spent on the same sports facility enhancements. The revised legal agreement was completed in January 2007. I think that if we start a debate on the principle of the development it could seriously embarrass the Council, mislead the local community and get us into a legal minefield. If we do not carry out this project, all it would take is one person to make a legal challenge and we would be in trouble. The alternative is to go through a long legal process at a significant cost to alter the terms of the agreement but even then, such a variation is very likely to be the subject of an objection from Sport England. This project is a very important part of a package of measures which the planning approval for the Grammar School site was based on. The project is needed, it's in the right location and it concentrates youth provision in a relatively small part of the Moor. I think that we should consult on the design & range of facilities (as part of any planning application) but not on the principle which I believe is established. There is no need to prevaricate over this and, in my view, we should proceed to the implementation stage. I hope this is helpful advice.

Best wishes

Paul Gough  
Team Leader (Local Plans West)  
Planning & Economic Policy Development Department