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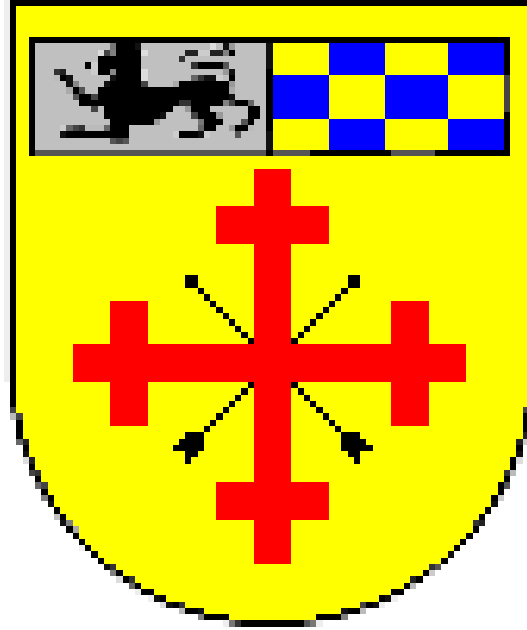
# PREFACE

**In December 2012 this independent investigation report was commissioned and paid for by the Parish Council to establish the findings of fact into the issues that existed between the members of Castle Bromwich Cricket and Sports Club. The report would be binding on both parties and issued publicly. The investigator was responsible for setting the parameters of the investigation and was supplied with copies of complaints that had been received by the Parish Council. The Cricket Pitch and Sports Pavilion are owned by the Parish Council. Castle Bromwich Cricket and Sports Club hire these facilities.**

**The report was considered by the Council on 24<sup>th</sup> April, 2013 and the Club invited to issue a joint statement with the Council on moving forward. Unfortunately on 26<sup>th</sup> June, 2013 the Club declined this invitation and it is hereby noted that the General Committee of the Club feel the report is sufficient in some respects but is limited in others. Having sought further advice, on 31<sup>st</sup> July, 2013 the Council instructed the release of the report.**

**However, there is a clear commitment by the Council to move forward and put the recent issues in the past and endeavours are being made in earnest by both parties to do so.**

**September 2013**



# **Castle Bromwich Parish Council**

## **Investigation Report For Castle Bromwich Parish Council and Castle Bromwich Cricket and Sports Club**

**Prepared by W.J.Robinson**

**Issued February 2013**

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### Statement of Intent

The author was invited to conduct an investigation into the breakdown in the relationship between Castle Bromwich Parish Council and the Castle Bromwich Cricket and Sports Club, comment on the causes of the breakdown, and to recommend a solution to the problem.

This investigation has been prepared solely for Castle Bromwich Parish Council and the Castle Bromwich Cricket and Sports Club. No responsibility to any other party is accepted as the report has not been prepared, nor is intended, for any other purpose.

The matters raised in this report are those which came to the author's attention during the course of 4 days of interviews with members of both organisations. The matters raised are not necessarily a comprehensive account of all that is wrong in the relationship between both bodies, but they are a comprehensive account of all matters raised at the interviews.

The responsibility for the implementation or not of the recommendations lies within the sole remit of Castle Bromwich Parish Council as the owner of the premises in question

# **Castle Bromwich Parish Council / Castle Bromwich Cricket Club**

## **Report into the relationship between the two bodies**

### **Areas of disagreement**

The author would like firstly to thank both bodies for the courtesy to which he was treated, although it became clear that there were major concerns on the part of both bodies, these concerns did not alter the courtesies extended to the author.

The main areas of disagreement in the case of the cricket club can be summarised by:-

1. The Parish Council acts improperly with regard to the Cricket Club
2. The 10 year rolling license promised in 2007 has still not been given
3. Without this license fund raising bodies will not grant fund projects
4. When a break in at the pavilion bar was reported by members the Parish Council took no action
5. Unhelpful behaviour by Parish Council staff
6. The Parish Council wants the Cricket Club to leave
7. The Parish Council discriminates against the Cricket Club in favour of Bromford Lions Football Club
8. Inaccurate statements made by Parish Council staff regarding the pavilion bar licensing arrangements
9. The double doors on the pavilion being kept locked.
10. This entails that the economic model for the Cricket Club to grow is unsustainable.
11. The Parish Council only talk to those members who they get on with.
12. In order to keep a more harmonious relationship with the Parish Council officers of the Cricket Club have felt it resigned to resign from office.
13. There have been instances when the dressing rooms could not be accessed, and matches finishing after the pavilion was due to be locked
14. Complaints when games were called off with less than an hours notice
15. Threats that the pavilion will be closed for health and safety violations

The main areas of disagreement in the case of the Parish Council can be summarised by:-

1. Cricket Club members are rude and aggressive to parish Council staff
2. Cricket Club members do not follow the hiring regulations regarding the pavilion use
3. The Cricket Club has carried out alterations to the pavilion without prior consent
4. The Cricket Club has rehired the pavilion when they had a set of pavilion keys.
5. The Cricket Club does not supply all information regarding members as other organisations who qualify for a hiring rebate

### **Investigation of complaints**

The author will now attempt to investigate each complaint as listed by the Cricket Club

There is no evidence found to support the accusation that the Parish Council acted improperly, in fact given that the Parish Clerk is an experienced and competent officer the Council acts within the law at all times.

It is agreed that the 10 year rolling licence has not yet been granted, the Parish Council maintains that this is with the advice of a solicitor as there are outstanding issues to be resolved in the matter of club information regarding hiring and disciplinary matters (the dressing room issue) to the Parish Council. The author finds that this is an unwarranted delay for the granting of the licence and the Parish Council should give the licence to the Cricket Club without further delay, the dressing room issue is a side issue, but the Cricket Club must take greater responsibility for the conduct of its members.

When the “break in” at the pavilion bar was discovered and reported to the Parish Council, although there was no direct evidence of such, the Parish Council should have immediately informed the Police if only to avoid suspicion falling on Parish Council staff

There is no evidence that Parish Council staff are deliberately being unhelpful to Cricket Club members, the only feeling that the author was aware of in one of exasperation that the club are obstructive and rude to staff.

There is no evidence that the Parish Council wants the Cricket Club to leave or indeed that it discriminates in favour of Bromford Lions Football Club. The Parish Clerk and Council are aware that a staff member is married to an officer of BLFC, but the way that bookings are taken mitigates against any possible discrimination. During conversations with all booking staff, ground staff, and Councillors it is clear that they do not want the Cricket Club to leave, and this is the unanimous view of all. It could be argued that what was said to the author is not what actually happens in practice, but this author is convinced that Parish Council members and staff wish the Cricket Club to remain.

Statements regarding the effect of the pavilion bar licence upon the Arden Hall bar licence were made inaccurately (there is no causal link between the two licenses), this was in this authors view a genuine mistake, however when it was found to be inaccurate by Council staff, then this information was not promptly made known to the Cricket Club. Should this sort of mistake be made again, then the Parish Council must send the information in a timely manner.

Double doors being locked is a commonly heard complaint, and the reasons for so doing are said to conform to the hirers rules. This causes hardship to the finances of the Cricket Club as their economic model is predicated on a free usage of the pavilion and surrounding area especially at the front of the pavilion. Although the economics of the Cricket Club is not a material consideration of the Parish Council, the Council would be in this authors view well advised to take note of the financial position of the club given that it provides support and recreation to an important section of the community including the youth, together with the potential of providing further support to the wider community.

There is a complaint that the Parish Council will not talk to some elected officers of the Cricket Club. It is noted that some officers have resigned stating that a new set of officers would find it easier to communicate with the Council over the contentious issues, although this new communication does not seem to be happening

Regarding the issue with unopened dressing rooms for the away teams, it must be remembered that the Club is responsible for hiring the pavilion and therefore if matches start at 1.30pm it would be reasonable to hire from 12.30 at the latest. The Council must also be aware that it is common for away teams to turn up for fixtures over an hour early, and it would give an enhanced impression of Castle Bromwich were they able to access changing facilities on arrival. Regarding the finishing

time of cricket matches, the Parish Council should be aware that unlike football, cricket does not have a defined finishing time, there are too many variables occurring for that to happen, therefore the Parish Council should allow a certain leeway on this occasion.

Regarding games being called off, the Parish Council needs to be aware that the final arbiter of a game being played is the independent cricket umpire, whose decision is final, so therefore the Cricket Club cannot be held responsible when this occurs. With other cancellations it must be remembered that the weather is the main factor and cannot be foreseen

It was reported and confirmed that a Council member threatened to close an event down for a perceived Health and Safety violation. It must be stated that Health and safety assessments by non professional practitioners are subjective and the head of the HSE has advised that a careful approach towards the regulations be applied. To that end it would have been better if a more conciliatory tone was undertaken whilst still pointing out the perceived infringement.

It has also been noted that the Cricket Club has been granted a Club mark. This award goes only to those clubs who can meet certain criteria and community action is a large part of that mark. The Parish Council should be aware of this and the club is rightly proud of it. The Parish Council should also consider whether this club mark could be utilised in other community ventures e.g. utilisation of the club minibus, and how this might be facilitated

We now come to complaints as listed by the Parish Council members and staff

Cricket Club members are rude to staff and intimidate booking staff. This complaint is common throughout all conversations and would appear to be valid (the Parish Clerk was referred to as a \*\*\*\* old cow within earshot). This **MUST** stop, the Cricket Club must take greater control of member's behaviour when dealing with staff and reinforce the necessary behaviours on a regular basis. What may be permissible attitudes on the sports field are not generally acceptable away from that environment. Parish Council staff deserves to be treated with courtesy, and the Club must re-inforce this with its members.

The Cricket Club flaunts the hirer's regulations. Given that the Cricket Club does not own the building it must follow the rules for hiring as laid down by the Parish Council.

Alterations were made to the pavilion without authorisation. If the Cricket Club wants to make an alteration then permission must be sought from the Parish Council in time for meetings to be held to discuss the matter by Councillors. The Club must accept that the Parish Council has a duty to look at all its hirers and how any alterations will affect them, therefore request must be made in plenty of time to let this process happen, as the Parish Council meets monthly, then a minimum of four to six weeks would be necessary for discussion.

Re-hiring of the pavilion by the Club, it is accepted that this happened and must not happen again, all hiring's to be through the Parish Council

Non provision of information to allow hire rebate to occur., the cricket club to give this information as soon as possible before the season starts.

Bookings made, cancelled, and remade often on the same day by different club members. The Cricket Club should set a bookings officer from within the club, and all bookings to be made by this person alone, and all club members to be aware of the new system thus avoiding multiple books.

As far as this author is aware the above is a condensed set of complaints and where necessary possible remedial action has been added for both the Parish Council and Cricket Club to reflect upon.

It is also worth remarking that the Parish Council as a body has relatively few complaints against the Cricket Club and most of these are regarding attitudes towards staff, and not following the laid down regulations. This could be interpreted as supporting the view that there is no hidden agenda within the Council to have the Cricket Club leave, this is the view that this author holds.

## **The future of the relationship between the two bodies**

It has been noted that the Cricket Club has been in existence now for sixty years, and that it was set up in conjunction with the Parish Council at the time. This longevity suggests that until recently relations between Club and Council were harmonious – so what has gone wrong?

The Club and Council have no formal (or indeed informal) mechanisms for communication, although a liaison group was set up it didn't meet and was soon irrelevant. The composition of that group was in the authors view wrong and therefore even if it had met there is no guarantee that it would have been effective.

So at this moment and for some time past there has no been effective communication between the two bodies, rather it is just a series of individuals shouting at each other “the dialogue of the deaf”.

The Cricket Club should be aware that theirs is not a unique arrangement whereby the Club leases a pavilion for each game and the pavilion is community owned. Whilst it is not exactly common there are clubs who make this sort of arrangement work (e.g. at Stone in Kent) and seem to prosper.

In an effort to overcome this non communication, the author will set out two possibilities for future action. There may be other possibilities that occur to others but these two are those that the author is aware of.

## **Recommendations for actions**

### **1. No change**

This is a possible future action whereby the Parish Council and Cricket Club relationship doesn't change, and the Club members, and Council members and staff, are constantly at loggerheads with each other. This is not sustainable in the long term, it has the promise of poisoning all relationships, and bringing the reputation of both the Cricket Club and the Parish Council into question. In this event the Cricket Club may be unable to prosper and any future grant aiding bodies could well consider that granting funds to either the Club or the Council to upgrade facilities is not a viable proposition.

This option, for the above reasons, in the view of the author is not one that the Council should be in disposed to accept.

### **2. Change**

This option is the one that the Parish Council should seriously consider

The author believes that the time has arrived for a new relationship between the Cricket Club and Parish Council that is based on a “no blame culture”, with regular communication between the Club officers, and Council officers. This committee being closest to the day to day running of the club and facility, will be the first people to be aware of any problems, and therefore will be best placed to resolve them before they become contentious. Ideally the membership of the committee will consist of the Cricket Secretary, bar licence holder, and club captain on the Cricket Club side, and the Parish Clerk, bookings secretary, and a grounds warden., and will meet at least monthly, but also have the ability to meet as necessary when issues arise. It has been noted that the bar licence holder Mr.D.Miller will be in charge of the bar on match days, and given that he is highly experienced in the management of bar facilities, it seems that this will be managed properly.

The Cricket Club would be well advised to have all communications between the Club and the Council dealt with by the Club Secretary and the Parish Clerk only, that will give a commonality of approach, lessen the workload of the Parish Clerk in that she doesn't have to spend time dealing with more than one club member, and will build a relationship between officers of both bodies that can only be of benefit to both. The Cricket Club should also ensure that there is a club booking secretary in order that multiple booking and cancellations be avoided and that the Club booking secretary liaises directly with the Council booking manager for the same reasons as above. Once officers of both bodies get used to talking with one another, then a change in should occur leading to a more harmonious relationship which can only benefit both bodies and the wider community

The Cricket Club must take note that the ownership of the facility rests with the community, and the Parish Council manages it on behalf of the whole community and has a mandate so to do. This does not mean that the Cricket Club cannot play a meaningful role in the management of the facility; it just means that it cannot act as if it was in ownership

Midweek Cricket: there should be no change to the current arrangements for opening and closing the pavilion, this has been previously done by the wardens and with no adverse comments made by club members it should therefore continue

Weekend league cricket: this is where the author believes that a beneficial change can be made. The Cricket Club should be given the keys to open and shut the pavilion and park, and should be allowed to have the double doors open during matches.. This must work by the bar licence holder taking charge of the keys on a Saturday, and when there is a Sunday game returning them through the Parish Council letterbox after the game on Sunday (where there is no Sunday game, the keys will be returned on Saturday).

Where there are other hirers on Saturday morning then the Club cannot access the main pavilion until the hire period has ended.

This change is predicated on the Cricket Club taking responsibility for locking the pavilion securely, ensuring that the bar premises and other facilities where alcohol is stored are adequately locked in order that other hirers cannot access them. To that end there will be a need for a formal protocol (it can be just a simple tick box sheet), that the Parish Council Clerk can approve and a copy of this protocol be held in the bar area and signed at each closing time.



Parish Council wardens will still be responsible for locking the park gates at the designated closing time, the warden will then inform the bar licensee that the park is locked, the Cricket Club must then have its members and guests bring their children away from any play equipment and have them in the building. It is important that this is carried out because as stated previously the Parish Council manages that park on behalf of the community, and to allow cricket members children to use the facility whilst children of the community cannot use it would be manifestly unfair and bring the Parish Council into disrepute. This is non negotiable and therefore the warden must not be abused when bring the park closing time to the notice of the club.

The Cricket Club is reminded by the author that along with rights and benefits comes responsibility, therefore the Club must take responsibility for its members conduct and must meet the conditions laid down for future use of the pavilion. If the Club feels it cannot take that responsibility, then the situation must carry on as at present. Also if the Club flaunts these conditions in any meaningful way then the Parish Council will feel obliged to withdraw the key concessions, and the situation revert back to the current arrangements.

This author believes that the change option is the only viable for both groups, without it the war of words is likely to continue to the detriment of all. Compromise is the key to successful relationships in all spheres of life and the above compromises are essential for the Club and Council to peacefully co-exist.

If both groups communicate regularly then the future is brighter than it will be otherwise, and given the longevity of the Cricket Club and its previously harmonious relationship with the Parish Council, it would be a pity not only for the Cricket Club but also for the community at large were this relationship to founder.

Respect seems to be the key word coming from all the interviews,

Respect for each other

Respect for the regulations

And finally

Respect for the community at large

The author would like to end on a personal note, in that I hope that the difficulties can be resolved to the satisfaction of all, and that the forthcoming 60<sup>th</sup> year anniversary of the Club is seen as the triumph that it is, and that the Council can play a full part in the celebrations, and that both groups can go forward in harmony towards the second 60 year anniversary.

W.J.Robinson  
19<sup>th</sup> February 2012