

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
6 November 2018

Subject: **SOWERBY SPORTS VILLAGE**

Sowerby and Topcliffe Ward
Portfolio Holder for Leisure: Councillor Mrs B S Fortune

1.0 PURPOSE AND BACKGROUND:

- 1.1 This purpose of this report is to recommend that elements of Phase 2 of the Sowerby Sports Village development, as outlined in the 7 November 2017 Cabinet report, are brought forward for completion earlier than originally planned. It is also requested that additional 'seed funding' is provided to local organisations to help improve sports facilities in the Sowerby area.
- 1.2 The Cabinet report of 7 November 2017 highlighted the history and background to the project. The master plan (Appendix 1) incorporates 11 football and rugby grass pitches, a full size all-weather 3G pitch, a sports pavilion including changing facilities and provision for young people, a 1km fitness trail, allotments, BMX track and an extension to the existing all-weather pitch (on the school site); as well as car parking and other infrastructural amenities. The aspiration is that the Sports Village, along with the facilities at Thirsk School and Sixth Form College, provide a hub for sport and recreation for all sectors of the community in the area.
- 1.3 The Section 106 Agreement for Sowerby Gateway supplied the land as well as a £1.5 million contribution to develop the site which will be paid to the Council when 250 dwellings have been occupied (to date 216 are occupied). These funds enabled match-funding of the European Regional Development Fund grant of £643,000 to deliver Phase 1.
- 1.4 Since August 2018 onsite works have progressed with the delivery of Phase 1 (land remediation; drainage; allotments; small car park; fitness trail and landscaping). As these works have progressed an opportunity has arisen to undertake elements of Phase 2 of the scheme which were planned for delivery at a later stage. These include the creation and preparation of 8 of the 11 grass pitches which are located within the boundary of the 1km fitness trail. The advantages of doing this now are both economic and efficient, being cheaper to undertake; optimising the use of topsoil and subsoil on the site; resulting in less disruption to areas of land within the fitness trail at a future date and bringing the pitches into use for the community at an earlier date. The works will be undertaken under a separate contract through the Football Association procurement framework.
- 1.5 The broad sporting nature of this project and its reliance upon external funding means that other considerations can arise during delivery of the main site as funding opportunities or partner priorities change. At present the Council is liaising with the Thirsk Hockey Club and school with regards to the potential of an extended warm-up area adjoining the artificial pitch which the club believes to be vital in order to sustain its growth (the club now has 30+ teams, as opposed to the 3 that it had when the pitch was first built by the Council). In order to assist this it is highly likely that the club will request some funding from the Council to help 'lever in' other funds. Likewise discussions are taking place between netball and cricket clubs, the school and the Council to deliver improvements on the school site. These improvements share the same aims as the main site of the sports village, to increase sports participation and improve the health and well-being of the Sowerby and Thirsk community. Once again it is likely that these organisations will approach the Council to assist in the

purchase of these improvements (improved netball courts and cricket nets). The Council could direct these applicants to other funding schemes or it could allocate a relatively small amount, £25,000, from the Section 106 funds for the sports village to act as seed monies for these organisations. It may be prudent and flexible to do this, knowing that these funds could not be spent for any other purposes. Should Cabinet agree to this approach then the permission of the owners and developers would need to be obtained as the existing S106 agreement does not include such provision.

- 1.6 Table 1 below provides revised phases for the scheme, the outcomes that each phase will achieve and the approximate timescales which are subject to change as they will be determined by external funding availability:

Table 1

Phase	Development details	Outcome	Approximate Timescale
1	Land remediation, sustainable drainage, allotments, small car park, fitness trail and soft landscaping	Improved health through access to public open space for informal sport and recreation	2018/19 – in progress
2	Grass pitches (8 within the boundary of the fitness trail). Hockey pitch extension, indoor cricket nets and netball court provision – all on school site)	Improved health through access to formal sport and recreation. Grass pitches will require a year, or so, to bed in.	Spring 2019 (pitches). Others – 2019/20 subject to funding
3	Pitches (3 remaining grass and the artificial), access road, utilities, pavilion (potentially including provision for young people), main car park, pedestrian entrance and square	Improved health through access to formal sport and facilities	2019 - 2021 – subject to funding
4	BMX pump track	Individual project to enhance sport and recreation provision	To be determined

- 1.7 Phase 3 is the major stage, turning the remainder of the site from informal open space into formalised leisure provision. This is also the most expensive phase as external funders will only provide grants if the pitches are serviced by suitable infrastructure such as changing rooms and car parking. Similarly the income generated by a pavilion equipped with bar and social facilities will be necessary to attract a viable community operator. The provision of potential external grants for this phase is most likely to come from the key sport's National Governing Bodies (NGB's), however the commitment and scale of their contribution is by no means certain. Should significant funds be made available, co-ordination of these across NGB's would need to take place. It is feasible that, once the Council knows of the position with external funding, the delivery of elements of phase 3 may need to be sequenced at different times.
- 1.8 Phase 4 represents a discrete enhancement of the scheme, which could be undertaken at any stage should funding be available. Other opportunities may also arise.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The sports village is a key component part of the Sowerby Gateway scheme in enhancing the quality of lives of the residents of the locality, as well as within the wider Thirsk area. This project will make a significant contribution to the 'Enhancing Health and Wellbeing' and 'Providing a Special Place to Live' priorities and has been identified as a key project in the Council Plan 2015-19.
- 2.2 Outcomes from the project will include an increase in the number of people participating in physical activity, formal and informal, which will contribute to improved health and wellbeing, as well as a reduction in health threatening conditions.

3.0 RISK ASSESSMENT:

- 3.1 The key risk in approving the recommendations is:

Risk	Implication	Prob*	Imp*	Total	Preventative action
The commuted sum thresholds are not met by the developers in a timely fashion	A shortfall in the funding strategy could delay the project and result in external funding opportunities being missed due to lack of match funding.	4	3	12	Budgets are managed through the Council's capital programme so that funds are released and returned when grant claims are processed. Appropriate legal agreements are upheld with the developers
The owners &/or developers do not give permission for the £25,000 funds to be used as proposed	The proposed wider scheme improvements take longer to deliver or are not delivered	4	3	12	Other potential funds are pursued by partners

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

- 3.2 There are no high scoring key risks in not approving the recommendations.

4.0 FINANCIAL IMPLICATIONS:

- 4.1 The intention is to deliver a scheme that is funded through developer and external funding contributions. The scale and reliance upon external funding means that it is difficult to predict the exact times when such funding might be available and therefore flexibility with our financial planning and delivery phases is essential.
- 4.2 The £207,260 cost for the preparation of the grass pitches is already budgeted for within the Section 106 funds aligned to this project and previously approved by Cabinet on 7 November 2017, however £20,000 of this will need to be brought forward from 2019/20 to 2018/19. The £25,000 "seed monies", should they be approved for the proposed purpose by developers and land owners, would also be financed from the Section 106 funds.

5.0 LEGAL IMPLICATIONS:

- 5.1 There is an extensive range of issues with this project that will have legal implications. At this stage these include:
- 5.1.1 Advice and guidance to ensure that the terms and conditions of the Section 106 agreement are adhered to.
 - 5.1.2 Advice, guidance and support to ensure that Council procurement policies and procurement regulations are adhered to.
 - 5.1.3 Advice and guidance to ensure all planning conditions in the Reserved Matters application ref 14/01945/REM are met and duly discharged.
 - 5.1.4 Advice, guidance and support to ensure all external funding terms and conditions are attainable and met.
 - 5.1.5 Advice and guidance related to land ownership to ensure all legal requirements are adhered to.
- 5.2 As the scheme progresses further legal issues will require consideration, for example, the operation of the site by an organisation once the facilities are developed.

6.0 EQUALITY/DIVERSITY ISSUES

- 6.1 Equality and diversity issues have been considered and an Equality Impact Assessment has been completed to ensure that the facility will be fully inclusive for all sections of the community regardless of their protected characteristic.

7.0 HEALTH AND SAFETY ISSUES

- 7.1 There are health and safety issues related to the works being undertaken to develop the site. All of these are detailed within the contract management documents and managed by the project manager.

8.0 RECOMMENDATIONS:

- 8.1 That Cabinet approves:
- (1) the delivery of Phase 2 of Sowerby Sports Village, as highlighted in paragraph 4.2, to be financed from Section 106 funds allocated to this project subject to agreement from the owners and developers to vary the terms of use of the communities facilities contribution under the Section 106 Agreement;
 - (2) the pitch works included within Phase 2 to be delivered under a contract that has been awarded through the Football Association procurement framework; and
 - (3) inclusion of Phase 2 of Sowerby Sports Village, as highlighted in paragraph 4.2, in the capital programme to meet costs should the developer contribution thresholds not be met in a timely fashion.

PAUL STAINES
DIRECTOR OF LEISURE AND ENVIRONMENT

Background papers: Sports Facility Strategy; Playing Pitch Strategy; Open Space Plan; Cabinet Report 7 November 2017 Sowerby Sports Village
Author ref: SL/LW
Contact: Steven Lister
Head of Service for Leisure and Environment
01609 767033

