



Joint Strategic Committee
5 March 2019
Agenda Item 13

ADUR & WORTHING COUNCILS

Key Decision [Yes/~~No~~]

Ward(s) Affected

Delivering our Sports and Activity Strategy - Opportunities for Worthing Leisure Site

Report by the Director for the Economy & the Director for Communities

Executive Summary

1. Purpose

1.1 The purpose of this report is to

- Update the Committee on progress to develop a Sports and Activity Strategy for Adur and Worthing.
- Set out the Strategic Case for investment in the development of a detailed feasibility study and accompanying business case for the redevelopment of the Worthing Leisure Centre site.

1.2 The report contains a number of recommendations which support the development of an overarching Sports and Activity Strategy that,

- Helps to inform the emerging Worthing Local Plan
- Will help to inform a Sport and Leisure Asset and Capital Strategy to ensure the best long term plans for Council owned sites reviewing capital investment and an options appraisal of funding strategies;
- Enables the Councils to apply for Sport and Leisure related grants e.g. from Sport England, Football Foundation and the Football Association and
- Develops a site specific proposal for Worthing Leisure Centre.

2. Recommendations

- 2.1. To note that the Director for Communities will lead the development of a Sport and Activity Strategy. This work will be coordinated by an officer group called the Sports and Activity Panel with representation from both Adur and Worthing including the two Leisure Trusts, led by the Director.
- 2.2. To agree to appoint a master-planner for the Worthing Leisure centre site to develop a range of options for consultation as to how the site could be developed, to include leisure use, public open space and housing.
- 2.3. To agree to the preparation of a detailed feasibility study and business case for the redevelopment of the Worthing Leisure Centre, informed by those options developed by the masterplan.
- 2.4. To note the allocation of up to £150,000 from the Major Projects revenue budget in the 2019/20 financial year for the preparation of the detailed feasibility study and accompanying business case to support the proposal outlined in recommendation 2.3.
- 2.5. To delegate to the Director for Communities the ability to award any contract required to carry out the above recommendations in consultation with procurement and legal services.
- 2.6. To request a report back on the feasibility study and business case for the Worthing Leisure site which details the options available and releases any associated funding.

3. Context

- 3.1. The Council's strategic direction outlined in Platforms for our Places, aims to unlock the power of people, communities and, local geographies for both Adur and Worthing. The ambition described is that our Councils enable people, communities and businesses to achieve their aspirations.
- 3.2. The Sport and Activity Strategy and the redevelopment of the Worthing Leisure Centre site in particular, will contribute to these ambitions by providing a long term approach for our leisure facilities and assets. This will also take into account the needs and demands of our communities, that will deliver economic and social benefits for our residents, delivered in ways that support our ambitions to be sustainable.
- 3.3. Across Adur and Worthing we have a number of sporting facilities which have been in use for many years and some are now reaching the end of their design life. Replacement will be required within the coming years in order to avoid having to close facilities for expensive maintenance and patching.

- 3.4. In particular this report refers to Worthing Leisure Centre, which was built 47 years ago, and is now nearing the end of its useful economic life. Therefore, it is proposed to develop a feasibility assessment and business case for the redevelopment of the whole site, and re-provision of the leisure centre. This will mitigate escalating revenue and capital costs and provide for the long term needs of our communities. Any new facilities would need to be built on another part of the site, to allow the continuation of services throughout any development phase. Doing nothing would ultimately cost more than taking action.
- 3.5. Given the range of facilities across our places and ambition to develop not only a strategy for our leisure facilities, but also a wide ranging strategy that improves the health and wellbeing of our communities by promoting activity of all types, there is a need to coordinate and align this work. Clearly it is in the interests of both Councils to operate as efficiently and commercially as possible; and, must coordinate all community and partner engagements.
- 3.6. Across Adur and Worthing our demography is changing and there is a need to ensure that the Councils adapt to changing sport and recreational needs. There is a need to have up to date evidence to inform our provision and support our future investment in our sports and leisure facilities. The National Planning Policy Framework (NPPF) states that,

'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.'

- 3.7. Sport England recommends that for these assessments to be considered up to date they should be renewed every 3 years. The Councils current Open Space, Sport and Recreation Strategy is now out of date (published in March 2014). To inform the emerging Worthing Local Plan and to provide the basis for both Councils to have a robust Strategy for our sport and recreation provision, the Council has commissioned Consultants, Ethos to undertake a thorough review of all sport, open space and recreation facilities across both Councils. This will involve engagement with all sporting National Governing Bodies (NGB's), local clubs and organisations and public consultation. The work will be take 9 months and involve both qualitative and quantitative assessments of all facilities. To help inform this work the Council is also in the process of commissioning condition surveys of all our built facilities.
- 3.8. This will provide an audit of existing sites and accommodation and make recommendations for future requirements, which will enable us to create a

framework to guide future planning decisions across Adur and Worthing, particularly in relation to sports pitches, playing fields and built facilities.

- 3.9. In order to follow best practise guidance from Sport England the work currently underway to develop a new sport and recreation strategy, the Council is required to adopt very specific governance arrangements (particularly the Playing Pitch Strategy) and there is a requirement for a Steering Group. Whilst, there are specific requirements for National Governing Bodies to attend this Steering Group, it is considered that the different work streams of the sport and recreation studies should report to an overarching Sport and Activity Panel. The Panel would include key stakeholders including the two Trusts delivering sport and leisure provision across both Councils (South Downs Leisure in Worthing and Impulse Leisure in Adur).
- 3.10. The Council have also commenced work on a new Activity Strategy, led within the Communities and Wellbeing Team, building upon a range of activity to improve the health and wellbeing of our communities, and this project will fall within this programme of work. This strategy will focus on getting inactive people active and Intelligent Health are supporting its development

4. Developing Proposals for Worthing Leisure Centre

- 4.1. Given the age of the Leisure Centre, the changing needs of our communities and the timescales it will take to deliver any new facilities from inception to completion, action is required now to understand the potential for the Worthing Leisure Centre site and position Worthing Borough Council in the strongest possible place to secure funding from all sources for any redevelopment. It will be important that this work runs in parallel with the development of our Sports Strategy and can help inform the work being undertaken by our Consultants, Ethos.

5. Issues for Consideration

- 5.1. The issues for consideration are set out below in relation to each recommendation.
- 5.2. **Recommendation 2.1:** To note that the Director for Communities will lead the development of a formally approved Sports and Activity strategy in order to provide a clear and consistently applied strategic framework across Adur and Worthing. This will inform asset and capital planning for our sports and leisure facilities across Council departments.
- 5.3. The proposed strategy will be informed by a single and coordinated evidence base, that will in large be provided by review of our Open Space, Sports and Recreation Strategy that is in train. In addition the Councils will seek to

engage with key stakeholder and communities as required, when developing and delivering aspects of this Strategy. The Sport and Activity panel will oversee this work.

- 5.4. One of the deliverables of this Strategy is a masterplan for the Worthing Leisure Centre site that includes a new replacement leisure centre and considers options for housing and open spaces. This site has been prioritised given the age of the centre and the opportunities presented at the site for redevelopment. The development of the Worthing Local Plan and the Sports and Leisure Strategy, provide the ideal context and timing in which to develop options for evaluation.
- 5.5. Further to the recommendations being approved, Officers will commence with developing the feasibility study, full business case and options for the site, informed by relevant engagement. It is currently an ambition, to begin early construction potentially by the end of 2020 and a new Worthing Leisure Centre opening in the second half of 2021. These timescales however are indicative only and will be reviewed as the feasibility study is developed.
- 5.6. **Recommendation 2.2** to procure a master-planner for the Worthing Leisure centre site with urban design experience. To develop a range of options for consultation as to how the site could be developed, to include leisure use, public open space and housing.
 - 5.6.1. The current Worthing Leisure Centre site includes a local park, some allotments, a works depot and a range of sporting facilities, car parking and is bounded by the train line to the North, a highway bridge to the West and housing to the South and East. This urban green open space setting bounded by buildings of various heights and shapes, requires careful consideration as has potential for development and improvement as an amenity, as well as an opportunity to meet other economic growth outcomes such as housing.
 - 5.6.2. The Local Plan consultation at the end of last year acknowledges the need for a replacement leisure centre and stated that, *'The existing leisure centre needs significant investment and ideally replacement. The redevelopment of this site, which could include a level of enabling development, will be informed by a review of the borough's playing pitches and built facilities.'*
- 5.7. In terms of development requirements the Consultation Draft of the Local Plan stated that any development should,
 - ❑ provide for a mixed development of leisure and residential uses to include the provision of a new and enhanced leisure centre, swimming pools, fitness studio, sports hall, crèche, café and community uses;

- ❑ consider the comprehensive redevelopment of the whole site rather than a piecemeal development approach;
- ❑ address provision for suitable access/egress Shaftesbury Avenue;
- ❑ mitigate any impacts of noise and vibration resulting from the presence of the railway line to the north of the site;
- ❑ ensure that any contaminated land issues are appropriately assessed and managed;
- ❑ consider the opportunity to provide alternative access connections into the site;
- ❑ consider the opportunity to improve West Park Recreation Ground.

5.8. In response to the Local Plan consultation six representations were submitted that were generally supportive of the redevelopment of the site and the delivery of a new leisure centre (some supported provision of a new pool). However, several representations raised concerns relating to: the impact on local congestion; access arrangements; provision of infrastructure; loss of open space / playing fields / running track; and ensuring adequate parking provision. Comments were also received suggesting that there should be a cohesive plan for all sites in this area and that development should not have a negative impact on neighbouring occupiers.

5.9. In parallel with the current review of sports provision and recreational space the appointment of a Consultant to prepare a master plan would enable a more detailed assessment of the development options and help to inform the next version of the Local Plan. The estimated cost is circa £20k and appointment will be in accordance with the Council's Standing Orders.

5.10. **Recommendation 2.3:** To support the development of a full feasibility assessment, options appraisal and business case for the development of the Worthing Leisure Centre site, informed by those options developed by the masterplanner.

5.10.1. Developing a full feasibility assessment, options appraisal and business case will be led by the Major Projects team, in conjunction with consultants to review site feasibility and potential construction methodologies and cost, planning colleagues to develop a planning brief, and finance, to review options for funding and cross financing. The overarching aim will be to develop options that provide the new facilities required by our communities, as well as assessing the value and capacity of the whole site to support this ambition.

5.10.2. The process to be followed is to explore a wide range of options for the site and then consult on options that meet the threshold criteria.

5.10.3. A further benefit of this approach is that it can speed up delivery considerably, as a result of the work completed up front as part of the

development of the brief e.g. the master planning is saved from later stages.

5.10.4. The Council has previously sought legal advice on any title issues associated with the Worthing Leisure Centre site, as a result of the land having a historic covenant for public and recreational use. This business case will test out the nature and impact of any title issues.

5.10.5. Early survey work such as the preparation of an Environmental Statement to meet the requirements of the Environmental Impact Assessment Regulations 2010 and seasonal biodiversity studies must be undertaken over several years, so in order to be able to progress proposals at pace in the future, these must be started early. It is also important that the Council's natural resources and quality of setting are enhanced through any proposals, so establishing the current quality and characteristics of the environment sets a baseline from which to measure enhancement.

5.11. **Recommendation 2.4:** to agree to allocate £150,000 (including a £14,000 contingency) revenue from the Major Projects budget to fund the initial works associated with the feasibility study and development of a business case, for the replacement to the Worthing Leisure Centre, and wider development of the site. This will include a masterplanner to develop and test options for the Worthing Leisure Centre site.

5.11.1. The table below sets out the costs associated with the delivery of the feasibility study and business case in the first calendar year of the project up until December 2019.

Item for initial costing	Budget estimate
	£'000
Latent demand modelling contributions	6
Master-planner for site	20
Consultants for development of outline business case for housing site disposal/development	30
Surveys of potential sites for the running track to move to	5
Consultation costs	15
Site surveys	30
Environmental Impact Assessment screening opinion	10
Cost of Sports Consultancy to plug gaps found in data and evidence base	20
Contingency	14
Total	150

In addition to the costs associated with developing the options for the West Durrington site and developing the the Sport and Activity Strategy, staff are committing time to the project.

5.11.2. Whilst clearly there is a cost to investing in these activities, the benefits to our communities cannot be underestimated. Adur and Worthing are growing and developing communities for whom sports, leisure and other opportunities to be active are important, without this investment, it will not be possible to develop the project within existing resources. Overall the opportunities presented by this project such as a wide ranging strategy for the future for our leisure facilities, a new leisure centre and the potential for new housing makes this investment value for money.

5.12. **Recommendation 2.5:** To delegate to the Director for the Communities to award contract in relation to the feasibility work and development of the full business case, for any contracts in collaboration with legal and procurement colleagues

6. Engagement and Communication

6.1. Engagement is already part of the work being undertaken by Ethos and will continue as the Strategy develops and the plans for the Worthing leisure Centre site emerge. The Sports and Activity Panel will coordinate this activity across the various work streams allowing a coherent engagement and communications plan to be developed.

6.2. Ward members for the wards affected by the plans for the Worthing Leisure Centre have been advised of these proposals.

6.3. The local Leisure providers have been involved in the development of these proposals are members of the Sports and Activity panel.

7. Financial Implications

7.1. The majority of the costs identified above relate to the development of a strategy to replace the West Durrington Leisure facility. Worthing Borough Council has an annual budgets for Major Projects of £300,570 in 2019/20 which can be used to fund these costs.

8. Legal Implications

- 8.1. S1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.
- 8.2. S1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available assets or services for the purposes of, or in connection with, the discharge of the function by the local authority.
- 8.3. Under the Public Contract Regulations 2015 where a Public Authority is to enter into a contract for the supply of goods & services, and the value of those goods and services exceeds a financial limit of £181,302 (or for works contracts £4,551,413 any procurement exercise to contract for those goods and services must be conducted in accordance with the Regulations and a failure to do so may be declared upon receipt of a procurement challenge, anti-competitive and in breach of the Regulations.
- 8.4. In addition to the Public Contract Regulations 2015 the Council must have regard to the procedures set out in its Contract Standing Orders found at Part 4 of the Constitution.
- 8.5. Section 123 Local Government Act 1972 places an obligation on local authorities to dispose of land for best consideration, which is not limited to the monetary purchase price, but may include other elements in the transaction, provided those have a quantifiable commercial or monetary value.
- 8.6. Part of the Worthing Leisure Centre site comprises of allotments. Consent is required from the Secretary of State if allotment land is no longer to be used for that purpose. Alternative sites may need to be provided before consent is granted.
- 8.7. It is possible to obtain covenant indemnity insurance to protect the council against any claims relating to covenants on the land if necessary.

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Sustainability & Risk Assessment

1. Economic

The development of the Worthing Leisure Centre Site presents a unique opportunity to bring together economic, social and environmental benefit as the town grows and demographic change. The economies of doing nothing are that a leisure centre at the end of its useful life will ultimately affect the council financially and reputationally.

2. Social

2.1 Social Value

- The Sports and Activity is focused on improving outcomes for residents in Adur and Worthing.
- The extensive engagement and clear metrics to measure performance as set out in section 3.1.1 proposed will support an ongoing audit of Social Value that the Sports and Activity Strategy and the Worthing Leisure Centre site can offer.
- There is the potential to have significant impact to the users of the Worthing Leisure Centre site. Even though final proposals may be result in an enhanced environment, the impact of construction will need to be managed with existing site users.
- Local business will be engaged in the delivery of the construction and part of the tender exercise for that process will include Social Value.

2.2 Equality Issues

No impact assessments have yet been completed.

2.3 Community Safety Issues (Section 17)

Engagement with and Activities for our communities of all ages, is shown to improve perceptions of public safety.

2.4 Human Rights Issues

Issue explored no impact

3. Environmental

The development of the Worthing leisure centre sites offers the Council the opportunity to link to the developing sustainability agenda within the Councils and ensure that this is also a central part of our overarching Sports and Activity Strategy.

4. Governance

The purpose of this report is to outline a programme of governance for the development of the Strategy and the Worthing Leisure Centre site project. Throughout the development of this project appropriate governance checks will be made and authority sought as required.