



ADUR DISTRICT COUNCIL

Adur Joint Strategic Committee
12 March 2024

Key Decision [Yes/No]

Ward(s) Affected:

Development of a Community Hub at the site of the Southwick FC football ground

Report by the Director for Place

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Executive Summary

1. Purpose

- 1.1. The strategic objective of this report is to highlight the Council's support for a project to provide a community football hub to promote health, wellbeing and education in the area; and to maximise the prospect of securing Football Foundation funding to help ensure this vital project can happen.
- 1.2. The report seeks authority to bid in partnership with the Russell Martin Foundation and to enter into a Football Foundation funding agreement for the redevelopment of Southwick Football Club.
- 1.3. The report sets out the contractual arrangements and financial commitments of the Council and seeks appropriate authorisation from members of the Sub-Committee to ensure the project can be delivered.

2. Recommendations

That members of the Sub-Committee agree that:

- 2.1. That the Council is authorised (if required) to enter into the Football Foundation Grant Funding Agreement jointly with the Russell Martin Foundation to receive and allocate any funding from the Football Foundation under the terms of the grant for the purpose of delivering a new development and soccer pitch at the Southwick Football Club site to be operated by the Russell Martin Foundation under a lease arrangement as a community football hub to promote health, wellbeing and education in the area;
- 2.2. That the Director for Place or Assistant Director for Regenerative Development, may exercise delegated authority to enter into a build contract on behalf of the Council (providing always that the build contract is within available budget) to secure the development referred to in 2.1 above, following the outcome of a compliant procurement exercise;
- 2.3. To note that the Director for Place or Assistant Director for Regenerative Development will ensure that the Lease or other contractual arrangements requires the Russell Martin Foundation to create a sinking fund for ongoing repair and maintenance of the development and soccer pitch and ensures a commitment to the Council for the Foundations' ongoing compliance with the terms of the Grant Funding agreement with the Football Foundation.
- 2.4. To note that the Football Foundation grant funding terms and conditions may require the Council to agree a restriction on the title to the property to protect the Football Foundation's investment over the term of the grant funding agreement.
- 2.5. To note the financial implications in this report and authorise the sum of £300,000 from the 2024/25 capital programme to be allocated to works and for this budget to be used to meet the Council's contribution to the match funding required for the project.
- 2.6. To delegate to the Director for Place or the Assistant Director for Regenerative Development, the authority to procure and deliver the required outcomes as set out in this report within approved budgets.

3. Context

- 3.1 In 2021 Adur District Council granted a new 25 year lease for Southwick Football ground to the Russell Martin Foundation (RMF), a Southwick based not-for-profit charity organisation founded by locally born former professional footballer Russell Martin. The intention being for RMF to work with the local authority to refurbish the entire site, transforming it into a community football hub to promote health, wellbeing and education in the area.
- 3.2 To help kick-start the project and as owner of the site, Adur District Council released £50,000 of Section 106 funding to carry out urgent safety works to the facility. This funding supported vital work to bring the Old Barn Way site back into use for youth and community football in the short term.
- 3.3 In the longer term the plan was to transform the site and build a new community clubhouse. RMF requested permission to demolish the existing derelict building which had been used by Southwick Football Club. The site needed to become operational again before the charity could submit a planning application to redevelop the facility.
- 3.4 A planning application for redevelopment of the former Southwick Football Club site was submitted to Adur District Council's Planning Committee. The application included demolition of the existing clubhouse with a replacement sports hub building, full size 3G football pitch, floodlights and spectator stand. The application was approved at ADC's December Planning Committee meeting, pending confirmation of drainage details.

4. Issues for consideration

- 4.1 The Council has worked hard to support RMF, in particular since they learnt that the Football Foundation requires additional funding to be found to support the overall project cost of £2.4m.
- 4.2 Previously, the Football Foundation had indicated a £600k commitment was needed. In November 2023 this became £1m as a result of construction price inflation. The split would be 50/50 between RMF and the Council, underwriting £200k of RMF's £500k should it be needed.
- 4.3 The Council's financial commitments to this project are as follows:

- £300k from the Council's Resources Funding has been confirmed in ADC's 2024/2025 Capital Programme to support the project. The RMF will match fund the Council's £300k contribution.
- The ADC Cabinet Report of 1 February 2024 highlights that the Council will likely need to commit a further £200k from a blend of next year's Capital Programme 2025/2026 and/or Section 106 monies identified as part of the development at the nearby Western Harbour Arm.
- RMF will fundraise for their match contribution of £200k. Support for underwriting any gap in RMF's fundraising up to £200k is proposed. This would be in the form of a loan to RMF, should it be required, at market interest rates.
- RMF will submit the application/bid to the Football Foundation on 12 April 2024 for the remainder and majority of the funding needed to support the overall project cost of approximately £2.4m.

- 4.4 A new lease is currently being drafted that will clearly set out the Council's contractual obligations with RMF to ensure that they comply with the ongoing requirements of the funding agreement. Those obligations, the funding agreement and all the terms and conditions for compliance with the requirements of the Football Foundation will be incorporated into the agreement for lease.
- 4.5 A separate contractual agreement between the Council and RMF will be made regarding the repairing covenant in the lease, so that any snagging issues following completion of the build will be dealt with by RMF and not the Council.
- 4.6 RMF will need to create a sinking fund from the income for the pitch so that they can carry out ongoing and future maintenance over a period of 20 years.
- 4.7 The application to the Football Foundation needs to be submitted with up-to-date indicative costs from a tender exercise to support the bid. In order to meet this requirement and the submission deadline of 12 April 2024, contractors have been invited to tender for the contract to redevelop the Football Club. The tender prices received from contractors as a result of the tendering exercise, will help to inform and substantiate the figures being given in the funding application to the Football Foundation.

5. Engagement and Communication

- 5.1 There has been regular engagement and communication with stakeholders and the Russell Martin Foundation from inception and throughout the planning, design and development stages of the project.
- 5.2 Adur District Council were pleased to award the lease to RMF for the football ground at Old Barn Way, the ex-home of Southwick Football Club. It was an opportunity for the Council and RMF to develop a facility that will be used by people of all ages. The new clubhouse which forms part of the redevelopment, will be used throughout the week for a variety of education and health improvement programmes.
- 5.3 Adur District Council together with RMF, local businesses and the community share the same ambition to work together to develop a facility that the local community can be proud of.

6. Financial Implications

- 6.1 The capital programme for 2024/25 includes a £300,000 budget for the scheme set out in the report. Members are recommended to approve the use of this budget to meet the Council's contribution to the match funding for the project.
- 6.2 There is a further £200,000 included indicatively in the programme for 2025/26 for consideration and approval in the 2025/26 budget process. If approved this will be available to meet the additional council contribution indicated at section 4.3 of the report.
- 6.3 The Russell Martin Foundation have indicated that they have in place their £300,000 match funding contribution for 2024/25. RMF will fundraise for their further match contribution of £200k in 2025/26. In the event that they cannot raise sufficient funds, it is proposed that the council is recommended to support underwriting any gap up to £200k. This support, if required, would be in the form of a loan to RMF at market interest rates.

7. Legal Implications

- 7.1 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.

- 7.2 Section 3(1) of the Local Government Act 1999 (LGA1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.3 s1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available of assets or services for the purpose of, or in connection with, the discharge of the function by the local authority.
- 7.4 In procuring for a preferred developer, the Council is required to follow a lawful process as required by its Contract Standing Orders and have regard to the Public Contract Regulations 2015 and the Concession Contracts Regulations 2016. All the terms of the proposed arrangement are to be set out in a fair and transparent manner to all potential bidders.

Background Papers

- Adur Cabinet Report of 1 February 2024

Sustainability & Risk Assessment

1. Economic

The proposed development aims to deliver a single-storey Community Sports Hub building providing a range of accessible facilities, a new all-weather floodlit 3G full size football pitch, turnstiles and spectator stands. The scheme will be strategically important for Southwick and will benefit the economic participation of our communities in the local area.

2. Social

2.1 Social Value

2.1.1 Consideration has been given to all areas of the proposed redevelopment to create a sustainable, accessible, attractive and high-quality Community and Sports Hub which will be a benefit to people of all ages and to the local Southwick area.

2.1.2 The Russell Martin Foundation is a registered charity that works to impact positively upon the lives of children, young people and communities through football, education, health and improvement.

2.2 Equality Issues

2.2.1 The Council is subject to the general equality duty set out in Section 149 of the Equality Act 2010. This duty covers the following protected characteristics: age, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

2.2.2 In delivering the redevelopment of Southwick Football Club, the Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups.

2.3 Community Safety Issues (Section 17)

2.3.1 The Council is committed to the promotion of communities as safe places. Our Plan seeks to progress delivery of the Council's community safety commitments by strengthening working partnerships with the Police, communities, businesses and multidisciplinary teams across the Council.

2.3.2 The overall design of the site, including the clubhouse building and external spaces, have been carefully considered to comply with the general principles of Secured By Design (the national police crime prevention initiative) in order to prevent the opportunity for criminal activity and disorder in and around the development.

2.4 Human Rights Issues

The proposal in this report does not impinge on anyone's human rights and conforms with the Human Rights Act 1998, to treat everyone equally, with fairness, dignity and respect.

3. Environmental

Detailed consideration has been given to all elements of the design and their potential impact on the surrounding context. The proposed redevelopment scheme includes new landscape planting and a sustainable urban drainage system (SUDS) throughout the site.

4. Governance

In line with the constitution, this report is being taken to the Adur Informal Cabinet and the Adur Joint Strategic Sub-Committee for consideration.