



ADUR & WORTHING  
COUNCILS

Key Decision [No]

Ward(s) Affected:  
Castle Ward

**Investing in sports and recreation - Football pitches at Palatine Park**

**Report by the Head of Environmental Services**

**Executive Summary**

**1. Purpose**

- 1.1. Approval is sought for the commencement of a project comprising of: The design, manufacture and installation of a single 106m x 70m 3G football pitch on an existing natural turf pitch site at Palatine Park including new fencing, associated hardstanding, access for players and maintenance equipment, extended car parking and forming a new natural 7 v 7 grass pitch.
- 1.2. Planning permission has been granted subject to conditions.
- 1.3. The construction tender phase is complete, and award has been made to Lano. Their tender cost is £842,301.86 (exclusive of contingency and VAT).
- 1.4. A 62% Football Foundation capital grant has been approved against a total project cost of £916,543 which equates to a maximum payment of £569,043 to cover the costs of installation.
- 1.5. Management of the facility will be via South Downs Leisure who would implement a community management plan to ensure the facility is correctly operated.
- 1.6. S106 receipt funding from Worthing Borough Council of £340,000 has previously been committed as part of the capital programme.
- 1.7. Worthing Town FC funding equates to £7,500.

**2. Recommendations**

- 2.1 The Joint Strategic Committee is recommended to:

- i. Approve an increase in the capital budget of £76,540 funded by external funding as set out in paragraph 6.2 below;
- ii. Authorise the use of £340,000 of s106 monies to deliver the build;
- iii. Authorise the letting of a contract for construction of the facility to Lano, the preferred bidder for the build phase;
- iv. Approve the creation of a Project Steering Group to manage the build;
- v. Approve the appointment of South Downs Leisure to manage the asset in future years on the terms set out in the Football Foundation Funding Agreement and authorise the amendment of the existing Funding and Management Agreement between the Council and the Trust to include the new facility.
- vi. Authorise the Head of Environmental Services to execute and return the Grant Acceptance Form on the terms set out in the Award Letter dated 24th July 2020 by 24th September 2020 incorporating the general terms and conditions of the grant funding agreement.

### **3. Context**

- 3.1. Worthing Town FC is a large, successful Club based at Palatine Park. The Club currently has 41 teams and is in the Sussex County League (Step 6 of the Football Pyramid). The Club is Worthing's only FA Charter Standard Community Club and has boys and girls teams across all ranges. The Club currently has nearly 500 players and over 90 volunteers.
- 3.2. In 2012, the Club moved into a new Clubhouse on Palatine Park. The Clubhouse was secured with a £1.1 million funding award from the Football Foundation (FF). The Club has a 25 year lease (commencing in 2012) with the Council and this lease allows the Club to have first use of the various adult and junior pitches on Palatine Park.
- 3.3. The Club has been keen to have a 3G facility on Palatine Park for some years. The current grass pitches are prone to flooding and as the number of teams have increased, the level of wear and tear on the existing pitches has increased. The FF has been keen to assist the development of the Club given its size and its FA Charter status and its commitment to the development of the game in the local community. The FF also recognises that Worthing has a lack of 3G pitches in the Town.
- 3.4. The proposal here is for the creation of an artificial 3G grass pitch with 8 LED floodlight columns at 16m high, plus two 6m pathway lighting columns. The natural pitches will be heightened by 500mm and bunded to the South. There will also be 1.2m and 4.5m high fences installed with associated gates. Container storage will

be provided, and there will be erection of an acoustic barrier and hard surfacing of existing 'overspill' car park. (SEE APPENDIX 1 for general site plan).

- 3.5. The installation, as outlined in 3.4, supports the commitments contained within the Councils strategy 'Platforms for Our Places' to support the development of a Sports and Activity Strategy, whilst promoting and enabling the health and wellbeing of our populations.
- 3.6. Worthing Town FC invested in preparing plans for the site, and Adur and Worthing Councils, along with the FF and South Downs Leisure, prepared a bid for the FA Facilities Fund. Planning permission was granted on the 7th of February 2020, a tender process was undertaken for the proposed construction works, and a grant application to the Football Foundation was approved on the 9th July 2020.
- 3.7. Palatine Park Palatine Road Worthing West Sussex. In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under Regulation 3 of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 24th July 2019.
- 3.8. The proposal is to build a 3G pitch on land directly to the north of the existing Clubhouse. Although, the 3G pitch would result in the loss of a grass pitch, it would allow for greater use and provide a better training and match facility for the Club and local community. The Club lack winter training facilities and currently book 3G facilities outside of the Borough.
- 3.9. The Councils' Open Space, Sport and Recreation Study identifies the lack of 3G facilities in the Borough. Whilst a new facility was provided at Durrington High School, this is a sand based surface more suited to hockey. The only 3G facility in the Town is at Worthing Football Club but this has more limited community use. The provision of a number of smaller 5-a-side pitches at the Leisure Centre has been very successful.
- 3.10. It is intended that the proposed 3G AGP facility will be managed and operated by South Downs Leisure who would implement a community management plan to ensure the facility is correctly operated, providing a structure for day to day management, overall responsibilities, direct reporting systems, maintenance and security, community use of the facilities, community booking procedures, training, staffing and staff development and local resident communication.
- 3.11. It is anticipated usage of the facility will change as a result of market forces, but initially Monday and Tuesday evenings will be reserved for community usage through pre-arranged bookings, with Wednesday to Friday evenings reserved

for the various age groups of Worthing Town FC. Saturdays and Sundays until 16.00hrs will be used for matches and training for the various age groups of Worthing Town FC with afternoon and evening time-slots for community pre-arranged bookings. The facility will not be open access with usage only through pre-arranged bookings. Weekday evening matches are not planned to take place regularly as there are currently no leagues with that 'kick-off' time. However, towards the end of the football season occasional weekday evening matches may be required to alleviate fixture congestion and cancelled matches during the season.

### 3.12. **Procurement of construction company:**

- Following the 2020 framework protocols this is a transitional project and subject to a single stage tender process. Tenders were issued to six framework suppliers on the 23 April 2020 via the e-tendering portal.
- Robinson Low Francis (RLF) reviewed the tender documentation on our behalf based on the framework quality scoring system. Each supplier was given a quality score, and a commercial score.
- RLF recommended Lano as the preferred AGP supplier based on their tender at a cost of £842,301.86 (exclusive of contingency and VAT). Their construction programme is 14 weeks.

### 3.13. **Grant Status:**

- The Football Foundation (Foundation) has approved a capital grant offer of **62%** of a total project cost of **£916,543**, subject to a maximum payment of **£569,043**, to Worthing Borough Council and Worthing Town Football Club Limited
- The FF has approved additional funding to a value of £16,869 for consultant services. These fees will be paid by the FF directly to the Framework Management Consultant (Robinson Low Francis), and to the Specialist Testing Consultant (Sports Labs).

## **4. Issues for consideration**

- 4.1. A Project Steering Group must be created to take responsibility for delivering the Football Development Plan. The named partners in the plan are responsible for delivery as participants, with each partner responsible for their own targets, while also collaborating on joint initiatives such as girls' development, disability football, coach education and recreational football. The Steering Group also will act as a

forum for the main users of the funded facilities to provide feedback and constructive suggestions to the South Downs management.

4.2. The membership will consist of representatives from the partners involved in the development of the Football Foundation application and listed below:

- Adur & Worthing Councils - Head of Environmental Services Ben Milligan
- South Downs Leisure - Chief Executive Duncan Anderson
- South Downs Leisure - Worthing Leisure Centre Manager Mike McGinley
- Worthing Town FC - Chief Executive Pauline Fox
- Worthing Town FC - Chairman Richard Willis
- Worthing Town FC – Facilities Manager Mark Deacon
- Worthing Town FC - Club Secretary Paul Woodley
- Worthing Town FC – Girls Team Co-ordinator Sarah Poyntz
- Worthing Town FC Worthing Town FC - Vets Manager Mark Christie
- Albion in the Community - Chief Executive Matt Dorn
- Sussex FA – Development Manager Paul Saunders

In addition, the following individuals and organisations will be invited to attend meetings:

- Worthing Borough Council Parks Service
- The Football Foundation

## **5. Engagement and Communication**

5.1. Worthing Town FC consulted widely among the club membership and the community. A petition was undertaken, and the signatures of 150 parents and local residents who support the proposals were collected. Over 200 letters of support have also been received and were uploaded as supporting evidence in the FF grant bid.

5.2. A wide range of responses were gathered during the planning process.

## **6. Financial Implications**

6.1. The overall approved budget for this project is currently £840,000 funded from a combination of external funding (£500,000) and S106 receipts (£340,000). Subsequently, the amount of funding generated from external bodies has increased as follows:

- A 62% Football Foundation capital grant has been approved against a total revised project cost of £916,543 which equates to a maximum payment of £569,043 to cover the costs of installation.
- Worthing Town FC funding for the project of £7,500.

6.2. The revised budget for the scheme is £916,540 which is funded as follows:

	£
Contract sum	842,300
Professional fees and contingency sums	74,240
Revised scheme cost	<u>916,540</u>
Funded as follows:	
S106 receipt	340,000
Football Foundation Grant	569,040
Worthing Football Club	7,500
Total funding	<u>916,540</u>

6.3. The construction tender phase is complete, and award is recommended to be made to Lano. Their tender cost is £842,301.86 (exclusive of contingency and VAT).

6.4. If the Project was delayed post Grant Award, and the recommended supplier was not given a Letter of Intent / Works order before 18th November 2020, then there is a risk of cost increases due to material prices increasing. It would be advisable, by recommendation of RLF, to budget an additional £25,000 + VAT for material cost increases if there is a risk that this may occur.

6.5. Surplus income generated by South Downs Leisure, a non-profit organisation, from the 3G pitches at Palatine Park after allowing for reasonable operational and maintenance costs from SDLT will be reinvested in Football Development within the Borough in compliance with the funding agreement. Of this, at least £25,000 per year of any surplus income will need to be set aside into a reserve to cover the full replacement cost of the 3G carpet at the end of its useful life (within a reasonable cycle of 10-12 years), as determined by an independent pitch specialist and in consultation with the Football Foundation. These financial arrangements will need to be included within any agreement with South Downs Leisure Trust governing the management of the pitch.

Finance Officer: Sarah Gobey

Date: 25/08/2020

## 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. 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
- 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 assets or services for the purposes of, or in connection with, the discharge of the function by the local authority
- 7.4 The Council is required to grant a charge over the property on which the facility is being developed, and enter into a restriction over the Land at Palatine Park to protect the Football Foundation's grant funding investment during the delivery period. The Football Foundation has met the legal costs of its own Solicitor in registering the restriction.
- 7.5 The Grant Award Letter dated 24th July 2020 contains terms and conditions in addition to the general terms and conditions for the Grant Funding Agreement that the Council must comply with to avoid a potential claw back of funding.
- 7.6 The Council has until 24th September to accept the terms and conditions of the Grant Award by completing and sending a Grant Acceptance Form after this date unless extended in writing the offer will lapse. Prior to this date, the Council ought reasonably to have finalised and agreed its terms of service delivery with South Downs Leisure and have incorporated those terms into the existing Funding and Management Agreement between South Downs Leisure and Worthing Borough Council dated 1st May 2015. This Agreement does allow for the transfer of additional services and assets to the Trust. The Council will be required to incorporate the new soccer pitch into the Agreement and also ensure that SDL are bound to comply with the terms of the Grant Funding Agreement in managing and maintaining the facility on behalf of the Council.
- 7.7 To avoid any potential claw back of the grant funding, it is important that the members of the Project Steering Group (to be set up and referred to in the recommendations) read and comply with the terms and conditions of the Award Letter and the Grant Funding Agreement and do all reasonable matters to ensure that South Downs Leisure is able to comply with its contractual arrangements for delivery and maintenance of the soccer pitch with the Council, which is to be recorded in the existing Funding and Management Agreement.

**Officer Contact Details:-**

Ben Milligan

Head of Environmental Services

Project Manager

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## **Sustainability & Risk Assessment**

### **1. Economic**

- The proposal will create an economic opportunity that will see a facility be used all year round, not just when the weather is suitable. Surplus generated will be used to fund football development within the Borough.

### **2. Social**

#### **2.1 Social Value**

- Palatine Park has a catchment area that predominantly caters for the west of Worthing but also the whole of the Borough as it is easily accessible for users who travel by car. This is a densely populated area and there is significant demand for a 3G pitch at this location as evidenced by the consultation with the club membership and South Downs Leisure. The site is well served by public transport with good bus services which is important in an area where car ownership is low. The Index of Multiple Deprivation data shows that within a 2 mile catchment area there are wards ranked as in the top 10% and 20 most deprived in the country. The majority of Worthing Town FC players come from a catchment area within two or three miles of Palatine Park which includes a number of neighbourhoods which have social and economic challenges. Castle, Durrington and Northbrook wards all have communities which are ranked in the top 20% most deprived areas in the country.

#### **2.2 Equality Issues**

##### **2.2.1 Provision of Disability Football.**

- There will be provision of day time football coaching sessions for two special schools and provision for a pathway for children to play in the club disability team.
- There will be provision of junior boys disability football team training sessions.
- There will be retention of one existing junior boys disability team and development of one new team.
- Teams will be entered in the Sussex FA Disability League.
- Disability football matches and tournaments will be hosted

##### **2.2.2 Provision for Female Football**

- A Wildcats Centre will be hosted on the 3G with a pathway to club teams
- Provision of Girls Night training match play.
- Provision of Worthing Town FC Ladies training match play.
- Growth of four new female teams over five years from the current eight teams to twelve teams.
- Hosting of an annual Girls Football Week Festival linked to club recruitment to girls' teams

##### **2.2.3 Provision of Veterans Football**

- Retention of players in the existing Worthing Town vets teams and enter a veteran leagues
- Provision of a Vets recreational “Turn Up and Play” football session.
- Provision of Walking Football tasters and coaching sessions on 3G.
- Develop Palatine Park 3G as a centre for Sussex FA Walking Football League 50+ and 60+ games every month.

### **2.3 Community Safety Issues (Section 17)**

- Not applicable

### **2.4 Human Rights Issues**

- Not applicable

### **3. Environmental**

- Palatine Park has areas that are at risk of surface water flooding and has had historical issues with waterlogged pitches. The new artificial pitch is designed to reduce the risk of surface water flooding by means of a formal drainage system connected to adjacent surface water sewers with restricted flows to ensure no increase in flood risk downstream and included allowance for climate change.

### **4. Governance**

- Are there any implications for or alignment with the Councils’ priorities, specific action plans, strategies or policies?
- Are there any implications to the Councils’ reputation or relationship with our partners or community?
- Any implications for resourcing, risk management (including health and safety), the governance of the either Council?

Appendix 1: General site plan and floodlight locations.

