



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
30 March 2021
Agenda Item 10

Key Decision - No

Ward(s) Southwick

Use of s106 Funding to Undertake Essential Repairs to Southwick Football Ground.

Report by the Director for the Economy

Executive Summary

1.0 Purpose

- 1.1 This report recommends allocating £50,000 of the remaining 106 funding secured in connection with the Brighton and Hove Albion Training Ground to undertake essential maintenance and repairs to Southwick FC, Football Ground.
- 1.2 Adur Council has recently taken back the lease for the ground and after carrying out a condition survey identified a number of serious building defects which need to be urgently addressed. Following a marketing process a new tenant has been identified, The Russell Martin Foundation and negotiations are proceeding regarding a new lease for the site.
- 1.3 The report considers the benefits of using s106 to facilitate the early occupation of the site and the scope to pump prime further investment into the site to benefit the local community. The report also highlights the significant benefits to local sport provision with an enhanced facility and the intended use of the site by the Russell Martin Foundation.
- 1.4 The report also provides an update on other projects which have secured funding and the possible use of the remaining funding still available to be allocated to worthwhile projects that enhance sport and leisure activities across the District.

2.0 Recommendations

- 2.1 The Committee agrees to the use of £50,000 towards urgent repairs to the football ground to ensure that it can provide an enhanced sport and community facility and agrees to amend the Capital Investment Programme accordingly; and,
- 2.2 That the decision to enter into the relevant grant funding agreements be delegated to the Head of Planning and Development in consultation with the Executive Member for Regeneration.

3.0 Background

- 3.1 In 2013 planning permission was granted for Brighton and Hove Albion FC (B&HAFC) to build a new First Team Training and Academy Facility on land originally passed to Adur District Council for use as sports pitches. This land was originally transferred to Adur's ownership in connection with the granting of planning permission for an 18 hole golf course on adjoining land. To compensate for the loss of formal open space a s106 agreement was entered into with the Club requiring community use of the new Training Facility and a financial contribution of £1.35 million towards improving sports facilities across the District.
- 3.2 The s106 agreement entered into with the Club provides £700,000 towards the provision of a 3G pitch (Third Generation Artificial Grass Pitch) to include fencing, floodlighting and changing rooms and £650,000 towards the cost of provision/enhancement of other off site leisure facilities in Adur.
- 3.3 Since the grant of planning permission the Club has obtained permission for an additional 3 pitches on land to the east of the training facility (two AGP's and one grass pitch). One of the AGP's is used predominantly as a community pitch and obtained permission for floodlighting. The Community Use Agreement required by the original s106 secures 86 hours of community use of the extended training facility.
- 3.4 A Working Group consisting of the Leader and Executive Members for Regeneration and the Environment was set up following the grant of permission for the training facility to discuss the optimum location of the

off-site AGP and to assess other projects to benefit sport and leisure facilities across the District.

3.5 The Committee, following the recommendations of the Working Group, has subsequently agreed to spend the s106 on the following schemes:

- ❑ Sir Robert Woodard Academy - £705,000 towards the provision of a 3G pitch and CCTV cameras. The pitch has been built and in use but the cameras have not yet been installed.
- ❑ Croshaw Recreation ground changing rooms - £25,000. Clubhouse built.
- ❑ Buckingham Park Pavilion - £150,000. Match funding proposal with Shoreham Rugby Club - funds still being raised for new Clubhouse.
- ❑ Wadurs changing rooms - £100,000 to secure improvements. Works completed.
- ❑ Southwick Tennis Courts £150,000 towards improvements of courts and possible floodlighting. Works completed.
- ❑ Southwick Cricket Club - £10,000 towards the provision of new cricket nets. Completed.
- ❑ Lancing Parish Council for provision of skateboard park - £100,000. Skateboard Park completed.
- ❑ The Globe school contribution to the provision of a covered swimming pool cover - £45,000. Works completed.

3.6 Following the above awards there is **£65,029** unallocated. This has not been allocated up to now pending confirmation of the final costs of the schemes in progress.

4.0 Proposals

4.1 Following the surrender of the lease for Southwick Football Ground last year a condition survey of the ground has revealed some serious defects with the buildings, floodlighting and boundary walling. The defects have caused serious health and safety issues which has resulted in many parts of the ground not being safe for occupation. Since taking back the site the Council has had to undertake some emergency repairs including the removal of one of the floodlights, removal of the roof on the main stand and provide shutters to close off sections of the site. There have been a number of security issues with the site and ongoing vandalism. As a result there is an urgent need for the site to be re-occupied.

4.2 The lease opportunity has been marketed and following a tender process a occupier has been identified - The Russell Martin Foundation a registered local charity. The Foundation have significant experience of delivering football academies and would be an ideal occupier of the site, ensuring that the site continues to provide a first team pitch for Southwick FC but also provides a wide range of community and health and wellbeing programmes. In particular the Foundation has indicated that it wishes to deliver the following programmes:

- ❑ Deliver initiatives within the community designed to lessen social exclusion caused by the effects of poverty, old age, disablement, health inequalities and economic deprivation;
- ❑ Advance education within communities, including social, physical and vocational training, the provision of training for those unemployed, and adult education;
- ❑ Provide or assist in provisions that are in the interests of social welfare, of facilities for recreation and other leisure-time occupations for those in the community who have special need for them;
- ❑ Promote the health of the community by the provision of facilities for playing football and other healthy sports;
- ❑ Promote good citizenship within the community;
- ❑ Promote harmony between people of different ethnic and cultural backgrounds in the community.

4.3 Recently a tenancy at will has been entered into with the Foundation to allow access to the site and some initial works are underway to improve the pitch but it is clear that a significant investment is required to facilitate the full occupation of the site to enable the above programme of health and wellbeing activities to be offered to the local economy. The use of £50,000 would enable some of the essential repair works such as repairing the leaking roof and removing materials containing asbestos.

5.0 Issues for consideration

5.1 The Working Group has been keen to ensure that a range of projects are supported across the District and that the funding where possible is used as match funding to increase the overall level of investment to support sport and leisure activities. The allocation of £50,000 to improve the Southwick Football Ground would help ensure full occupation of the site and with a lease for the premises the Foundation can apply for external funding from a variety of sources such as the Football Foundation and Sport England as well as pursue other other education and health and wellbeing funding opportunities. The Council's external funding Officer is already working with the Foundation to explore these funding opportunities.

5.2 The earlier the site can be occupied the sooner the Council can reduce its costs in dealing with security issues, paying non domestic rates and the community can start benefiting from the facility. It is therefore considered that the proposal to use s106 for this project would pump prime investment

into the site and help deliver the Foundations proposed programme of sporting, health and wellbeing activities.

- 5.3 If it is agreed to use £50,000 for Southwick Football Ground it would leave £15,029 unallocated. Whilst, there is no need to allocate this remaining amount, it may be beneficial to keep this funding available for the Meads Recreation Ground as a recent consultation with residents highlighted the need for enhancement of the recreational ground, regardless of what improvements are made to the area used by Swiss Gardens school.

6.0 Engagement and Communication

- 6.1 The Working Group has considered the proposal and the Executive Member for Resources has agreed to the granting of a lease to the Russell Martin Foundation.

7.0 Financial Implications

- 7.1 There are no ongoing financial implications for the Council as all ongoing maintenance costs for the Ground would fall to the new tenant.
- 7.2 The Council has £65,000 of S106 receipts from the Training Ground development which remains unallocated. This grant would reduce the remaining total held to £15,000.

8.0 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 A grant is a gift of funds for specific purposes. The use of the s.106 monies as proposed in this report is not prohibited by any pre-existing legislation and is in accordance with the provisions of the s.106 Agreement entered into with the Club.
- 8.3 The Council may approve an award of grant funding for specific purposes as recommended in this report, although the Council must ensure that the provisions of the grant funding agreement do not create a public contract as defined by the Public Contract Regulations 2015.

8.4 The Council must ensure that the arrangement with the grant recipients does not offend the rules against state aids, which prohibit public bodies from favouring certain undertakings and distorting competition and ought to reasonably enquire into any previous aid received by the intended grant recipients and assess each recipients previous grand aid on an individual basis.

Background Papers

s106 Agreement signed with Brighton and Hove Albion FC (AWDM/0205/12).

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Sustainability & Risk Assessment

1. Economic

- 1.1 The financial contribution together with other local fundraising will provide investment into school facilities and help generate funds to maintain the pool in the future.

2. Social

- 2.1 **Social Value** - the provision of improved leisure facilities will enhance educational provision, help develop new skills and promote healthy living.
- 2.2 **Equality Issues** - These have been taken into account by the school and the proposal would include facilities to enable access by all.
- 2.3 **Community Safety Issues (Section 17)** - the proposed has been designed to take into account crime issues and the school has ensured that public access to the school grounds are restricted.
- 2.4 **Human Rights Issues** - any impacts on human rights for those living near the pool were covered through the planning process.proposed

3. Environmental

- 3.1 The covering of the pool would reduce the costs of maintaining the facility and help to retain heat

4. Governance

- 4.1 There are no Governance issues with the proposed funding requests.