

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3607

Author:

Adrienne Kelly

Department:

Commercial and Operations

Contact:

Adrienne Kelly

(Job Title: Business Development Manager, Email: [adrienne.kelly@nottinghamcity.gov.uk](mailto:adrienne.kelly@nottinghamcity.gov.uk), Phone: 01158764970)

Subject:

Southglade Outdoor Pitches

Total Value:

Exempt (Type: Revenue)

Decision Being Taken:

To agree to a new partnership arrangement for the operation and management of the outdoor pitches at Southglade Park. The amount of savings and future income is dependent on the length of lease agreed and the amount the future partner/s require to invest into the site to enable it to be viable.

To agree to use the sinking fund as a match contribution to replace the surfaces in order to keep within the Football Foundation grant terms and conditions (see attached).

To agree to the development of a management contract with a suitable partner in order to develop, manage and maintain the outdoor pitches and facilities at Southglade Park.

To agree to delegate authority to the Director of Neighbourhood Services to carry out the necessary processes to develop a partnership agreement / contract in relation to the above proposal.

**Reasons for the Decision(s)**

**Nottingham City Council is seeking to lease Southglade outdoor pitches to an organisation who will manage and maintain the site for an agreed period. The organisation will have the opportunity to develop the site in order to improve the offer and increase income opportunities at the site. The organisation will then manage and operate the agreed area independently for the approved period. The successful organisation will be able to demonstrate its ability to carry out such a service, together with a willingness to invest in the long-term success of the outdoor pitches, making it an exciting community outdoor sports hub in the north of the City.**

**Southglade artificial pitches were built in 2008 and were built with grants received from the Football Foundation. There are conditions of the funding that still need to be met to ensure there are no breaches of the funding agreements resulting in clawback regulations being triggered. These conditions include the requirement to create and maintain a sinking fund to replace the surfaces and this will be transferred as part of the lease and used as a match contribution to improve the facilities. The AGP's are an integral part of the facilities offered at Southglade, but due to a variety of issues they currently provide a restricted and poor sporting provision. The aim is to develop the provision of sporting opportunity at the site and to encourage community and school usage plus developing a strong club environment. The pitches require the surface replacement upgrades immediately in order to keep the pitches open.**

**The lease area currently comprises of the following elements:**

**A full size (100 x 65m playing surface) third generation artificial grass pitch (AGP) (3G pitch)**

**A full size (100 x 65m playing surface) sand based artificial pitch**

**A grass area where grass pitches can be marked out**

**A changing pavilion containing 8 modern changing facilities to EHA / Football Foundation standards**

**NCC are keen to consider any development proposals from the successful organisation with regard to their requirements for progressing the site to a point where it can be operated as a viable business. Other than for the surface replacement any monies required for investment on the site will be the sole responsibility of the organisation alongside obtaining all the necessary consents and permissions needed to undertake development works.**

**With regard to the current AGP pitches, the Council considers that these provide the best opportunity for income generation. The Council does not envisage the AGP's being split into permanent cage arrangements but would consider non-permanent arrangements to allow the maximum flexibility for usage on the pitches preferably to encourage community use.**

**The Council will also be looking for the successful organisation to set out how it will continue to invest in the Sports Zone during the contract term. Upon the commencement of the management arrangement the successful organisation will be operating the site on a concession basis and therefore entirely at their own risk. As such the ongoing success of the outdoor pitches will be reliant on the successful operation and management of the site.**

**Briefing notes documents:**

**Football Foundation terms & Conditions - Southglade.docx**

**Other Options Considered:**

**Keep in-house; The pitches are currently operated remotely from Southglade Leisure Centre and are difficult to manage day to day. They are also currently in need of surface replacement. The funders of the original construction of the pitches are unhappy with the lack of direct management and maintenance, which need to improve significantly. This option was rejected because to undertake these improvements to the funders requirements would incur great cost to the service plus the necessary site changes to improve the day to day management make this option unviable.**

**Background Papers:** **None**

**Published Works:** **None**

**Affected Wards:** **Bestwood**

**Colleague / Councillor Interests:** **None**

**Any Information Exempt from publication:** **Yes**

**Exempt Information:**

**Description of what is exempt:** **Revenue impact information**

**An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972**

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

**The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it is a competitive procurement process and requires the transfer of a sinking fund. Disclosure of this commercially sensitive information could prejudice the outcome of the procurement process.**

**Documents exempt from publication:**

**Southglade Outdoor Pitches (REVENUE IMPACT).pdf**

**Consultations:**

**Those not consulted are not affected by the decision.**

**Crime and Disorder Implications:**

**By offering a better managed facility, there should be a decrease in low level crime that occurs at the site.**

<b>Equality:</b>	EIA not required. Reasons: No change in service delivery.
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	09/08/2019
<b>Advice Sought:</b>	Legal, Finance, Procurement
<b>Legal Advice:</b>	<p>There are no significant legal concerns arising from this proposal. The proposal is to award a concession arrangement to a provider to run the football facilities at the site. A process in accordance with the Concession Contracts Regulations 2016 will be followed.</p> <p>Legal Services will provide support with both the procurement requirements and the subsequent land arrangements for any lease granted.</p> <p>Advice provided by Naomi Vass (Senior Solicitor) on 15/02/2019 and confirmed on 29/07/2019</p>
<b>Finance Advice:</b>	<p>This decision seeks approval to procure a new arrangement for the operation and management of the outdoor pitches at Southglade Park, following selection of a suitable operator. The Medium term financial plan includes an income target from the hire of the pitches. The project manager for this new arrangement must ensure that the operator will be contractually required to achieve this income target; otherwise there will be a budget pressure.</p> <p>This decision seeks approval to use earmarked sinking fund resources held by the Council to make improvements. The sinking fund (reserve) was established to comply with grant conditions following Football Foundation investment, to ensure that the pitches remain fit for purpose during the clawback period. Subject to this decision the capital programme will need to be amended to include the pitch surface replacement upgrades, funded from these earmarked resources</p> <p>Advice provided by Maria Balchin (Finance Analyst) on 27/03/2019 and updated on 26/07/2019</p>
<b>Procurement Advice:</b>	<p>The report author has already engaged with procurement to ensure compliance with the Council's financial regulations and contract procedure rules. A tender will be conducted in order to secure best value for the Council and the citizens it represents. On this basis there are no procurement concerns with the approach.</p> <p>Advice provided by Lauren Wheatcroft (Procurement Officer) on 13/02/2019 and confirmed on 29/07/2019</p>

**Other Advice:**

The facility currently has an agreement with the original funder which has outcomes stipulated which must be delivered as part of any agreement. The current mixed operation for the sand base, 3G and grassed pitches would benefit from a single focused operator and this is supported from a sport and leisure perspective as the concession should increase activity by local residents and clubs. Advice provided by John Wileman (Head of Sport, Community and Leisure) on 19/02/2019.

**Signatures**

<b>David Trimble (Portfolio Holder for Leisure, Culture and IT)</b>
<b>SIGNED and Dated: 01/08/2019</b>
<b>Andy Vaughan (Corporate Director Commercial and</b>
<b>Operations) SIGNED and Dated: 01/08/2019</b>