

# **WAVERLEY BOROUGH COUNCIL**

## **EXECUTIVE**

**5<sup>TH</sup> JULY 2022**

**Title:**

**Woolmer Hill 3G project update**

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**Portfolio Holder:** Cllr Kika Mirylees, Portfolio Holder for Health, Wellbeing, Parks and Leisure

**Head of Service:** Kelvin Mills, Head of Commercial Services

**Key decision:** Yes

**Access:** N/A

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### **1. Purpose and summary**

- 1.1 To update the Executive on the progress made on obtaining funding, to the sum of £672,947 for a new 3G artificial pitch at Woolmer Hill Sports ground.
- 1.2 To authorise the Head of Commercial Services to enter into such agreements as are necessary with the Football Foundation to secure the grant funding.
- 1.3 To authorise a budget of up to £10,000 for external legal support.

### **2. Recommendation**

- The Executive approve the entering into of a restriction against title and deed of dedication as requested by the Football Foundation to secure the grant allocation of £672,947 to build the 3G pitch.
- The Executive approve the budget of £10,000 for external legal support to complete the necessary checks and documentation stipulated by the Football Foundation and progress the project.

### **3. Reason for the recommendation**

To allow the 3G artificial pitch to be built at Woolmer Hill sports ground, adding a significant and much needed sports resource to the Haslemere area.

#### **4. Background**

This project will deliver a 3rd Generation Artificial Turf Pitch (3G ATP), primarily for football use, at Woolmer Hill Recreation Ground in Haslemere. It will substantially increase recreational infrastructure in the area with 3G playing surfaces increasing levels of use by 20 times due to their durability over grass pitches.

The project delivery is predicated on receiving a substantial grant from the Football Foundation (the grass-roots grant giving body funded by The Football Association, Premier League and Sport England). To be eligible to receive a grant, Officers were required to achieve Planning Permission, secure match-funding, establish a programme of use and produce a sustainable business case for its operation.

- The scheme received Planning Permission on 4<sup>th</sup> April 2022
- Officers secured £206,500 in match funding
- A programme of use demonstrates the pitch will be used at full capacity.

Therefore, the Football Foundation agreed to fund the project and make a grant of £672,947 (letter attached at Annexe 1).

The match-funding has been met by £155,000 Community Infrastructure Levy from the Council together with capital contributions from local football clubs.

As well as allowing local junior football clubs to cater for the unmet need for youth football (as demonstrated by the Council's Paying Pitch Strategy and local clubs turning down players due to lack of capacity), it will allow for wider community use including disability football and recreational use by community groups.

To secure the Football Foundation funding, the Council is required to accept a restriction on the freehold Title for 21 years. This protects the Football Foundation's investment by ensuring it continues to be used for the intended purpose of the grant – football.

The Council will also contract the construction partner (procured under the Football Foundation framework via a tender exercise compliant with the Council's CPRs). It will then claim the construction costs from the Football Foundation in stages as part of the grant agreement.

If there are no delays, the project could start construction in summer 2022 and complete in autumn 2022.

The grant offer must be accepted on the Football Foundation on-line portal within 2 months of the offer letter. This means that the deadline to accept the offer is 12 July 2022. This is a simple process of logging in and clicking a button and does not mean that the legal work is due by this date. It does however mean that the Exec authority requested in this report to accept the grant should not be delayed.

## **5. Relationship to the Corporate Strategy and Service Plan**

5.1 This project supports many of the Council's aspirations contained within the [Corporate Strategy 2020-25](#). The project promotes health & well being for the residents of Waverley.

5.2 This project will deliver on the following priorities:

- Effective strategic planning and development management to meet the needs of our communities
- Improving the health and wellbeing of our residents and communities

## **6. Implications of decision**

### **6.1 Resource (Finance, procurement, staffing, IT)**

A procurement exercise took place at the beginning of the process in line with both the Football Foundation and the Council's procurement procedures. A contractor was appointed from a framework on a fixed cost basis – Fieldturf Tarkett / S&C Slatter.

The Council will pay for the construction of the 3G pitch and claim back the grant from the Football Foundation in stages in arrears. The grant includes the costs incurred to date in achieving Planning Permission.

The Council obtained £155,000 from Community Infrastructure Levy which is already secured.

A further £51,500 in capital contributions have been committed by Beacon Hill Football Club and Haslemere Town Junior Football Club. Agreements for these have been secured by service level agreements that guarantee their usage of the facility. The Council will invoice for these.

The management of the facility will be added to Places Leisure's responsibilities at the site as they currently manage the existing hockey pitches at the site. The business case allows for this to be resourced from the hire income of the pitch.

### **6.2 Risk management**

Risk will be assessed in line with the Council's [Risk Management Framework](#) and [Risk Appetite Statement](#) and in accordance with the [Property Investment Strategy](#)'s requirements with regard to risk.

A risk register is in place and is being monitored by the Project Manager and Project Board. The Project Sponsor and Project Manager received informal feedback from the Audit Committee on the risk management framework in place on the project in December 2021 and comments have been taken on board.

### **6.3 Legal**

The Football Foundation are requesting that a restriction is placed on the title instead of taking a charge to protect their interest and have also indicated that a Deed of Dedication may be required. The specific terms have not yet been confirmed and will be subject to agreement.

The freehold title for Woolmer Hill Recreation Ground (SY390716) is owned by the Council and is already subject to a restriction on disposition to the National Playing Fields Association (also known as Fields in Trust). This protects Field in Trusts interest created by a Deed of Dedication dated 17 April 2015 that the land shall be used as a public playing field and recreation ground including ancillary buildings and facilities. The land therefore cannot be disposed of without the consent of Fields in Trust in accordance with that deed.

A restriction in favour of the Football Foundation to secure the grant funding will not have any impact on the existing restriction.

Legal advice will be required to prepare and execute the necessary documentation and then to prepare the construction contracts to progress the project. The requested approval for legal support includes a contingency figure in case any further advice is required as the project progresses

### **6.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out, when necessary, across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

The new facility's programme of activity includes diversifying the use of the pitch to cater for girls' football, disability football and underrepresented community groups.

### **6.5 Climate emergency declaration**

The project will seek to achieve a development that supports the new environmental and sustainability objectives arising from the [Climate Change and Sustainability Strategy 2020-2030](#) and [Carbon Neutrality Action Plan 2020-2030](#).

Floodlights are LED and it is hoped that by providing the facility in Haslemere it may reduce journey times by car as local people will be travelling shorter distances for this type of facility.

## **7. Consultation and engagement**

7.1 The project has been discussed with its intended users who support it fully and represent a wide range of users.

- 7.2 Neighbours to the project are the other sports clubs that use the wider site; Places Leisure who operate The Edge Leisure Centre; and Woolmer Hill School. These parties have been appraised of the project and support its delivery.
- 7.3 The CIL Board have endorsed the project with a funding contribution. The Planning Permission covered wider community and statutory consultation and resulted in 0 objections and over 200 letters of support.
- 7.4 Wider promotion of the project will be later in the summer, as per the communication strategy, closer to the start of construction.

## **8. Other options considered**

- 8.1 Not accepting the grant is an option, however this would result in the loss of substantial external funding, loss of opportunity to increase community sporting facilities and some reputational damage to the Council.
- 8.2 Doing nothing is not considered an option as it is effectively refusing the grant and choosing to not deliver the facility.

## **9. Governance journey**

- 9.1 This report will go to Executive Briefing on 21<sup>st</sup> June and Executive on 5<sup>th</sup> July 2022.

## **Annexes:**

Annexe 1 – Football Foundation Award of Grant Letter

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## **Background Papers**

There are / are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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Agreed and signed off by:

Legal Services: 1<sup>st</sup> July 2022

Head of Finance: N/A

Strategic Director: 21<sup>st</sup> June 2022

Portfolio Holder: circulated to P/Holder 14<sup>th</sup> June 2022