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16 June 2023

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Dear Councillor,

A meeting of **CABINET** will be held in the **COUNCIL CHAMBER** at these offices on **MONDAY, 26TH JUNE, 2023 at 1.00 pm** when your attendance is requested.

Yours sincerely,  
KATHRYN HALL  
Chief Executive

#### **A G E N D A**

	<b>Pages</b>
1. To receive Declarations of Interest from Members in respect of any matter on the Agenda.	
2. To receive apologies for absence.	
3. To be agreed by general affirmation the Minutes of the previous meeting held on 13 March 2023.	<b>3 - 6</b>
4. To consider any items that the Leader agrees to take as urgent business.	
5. Centre for Outdoor Sports (CfOS).	<b>7 - 16</b>
6. To consider whether to exclude the Press and Public from the meeting during consideration of the following items in accordance with Section 100A of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.	
7. CfOS Exempt Annexe.	<b>17 - 18</b>

To: **Members of Cabinet:** Councillors R Eggleston (Chairman), A Bennett (Vice-Chair), AM Cooke, I Gibson and C Hobbs

## **Minutes of a meeting of Cabinet held on Monday, 13th March, 2023 from 4.00 pm**

**Present:** J Ash-Edwards (Chair)

R Cromie  
R de Mierre

S Hillier  
R Salisbury

N Webster

**Also Present:** Councillor Dabell

**1. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.**

None.

**2. TO RECEIVE APOLOGIES FOR ABSENCE.**

No apologies were received as all Members were present.

**3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING HELD ON 6 FEBRUARY 2023.**

The minutes of the meeting held on 6 February 2023 were agreed as a correct record and were signed by the Leader.

**4. TO CONSIDER ANY ITEMS THAT THE LEADER AGREES TO TAKE AS URGENT BUSINESS.**

None.

**5. PERFORMANCE MONITORING FOR THE THIRD QUARTER OF 2022/23.**

Louise Duffield, Director Resources and Organisational Development introduced the report. She highlighted that the report had been well received last week at the scrutiny meeting for Leader, Deputy Leader and Housing and Customer Services. She advised that most indicators were positive, and the few amber or red indicators were due to external factors outside the Council's control.

Members discussed some indicators of the waste team, the number of households in temporary accommodation had reduced, the allocation of disability grants, and queried when the results of the waste surveys would be published. The Members welcomed the good provision of affordable housing in the District.

Judy Holmes, Deputy Chief Executive confirmed that 355 affordable homes had been provided to date.

The Director Resources and Organisational Development advised the report on the survey results would be received later in the year. In response to a question, she advised that during bad weather the waste collection of the landfill bins are prioritised and confirmed that wet cardboard cannot be recycled.

The Leader noted the positive performance and he moved to vote on the recommendations which were agreed unanimously.

## **RESOLVED**

That Cabinet noted the Council's performance in the third quarter of the year and identified any areas where further reporting or information was required.

### **6. CENTRE FOR OUTDOOR SPORT.**

The Leader noted there would be an exempt report.

Rob Anderton, Assistant Director Commercial Services and Contracts introduced the report. He highlighted the community engagement to date on the project and noted the recent successful public engagement held at The Triangle. The project is part of a wider provision across the District and a Statement of Community Involvement will support the reserved matters application in June 2023.

Members queried whether further changes would be made to the proposed facilities, expressed concern with drainage of the pitches and welcomed the partnership with Homes England to provide an exemplar development. at Brookleigh.

The Assistant Director Commercial Services and Contracts confirmed the drainage would ensure the predicted use of the pitches and the facilities were adequate for the intended use by the local clubs.

In response to a question the Deputy Chief Executive confirmed a condition in the planning permission for the secondary school at Brookleigh requires them to make their facilities available to the public; she summarised the proposed facilities for the school.

The Leader noted there were no further questions.

### **7. TO CONSIDER WHETHER TO EXCLUDE THE PRESS AND PUBLIC FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ACCORDANCE WITH SECTION 100A OF THE LOCAL GOVERNMENT ACT 1972 ON THE GROUNDS THAT IT INVOLVES THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 3 OF PART 1 OF SCHEDULE 12A OF THE SAID ACT.**

The Leader proposed that the Press and Public be excluded from the meeting during consideration of item 8 the Centre for Outdoor Sports exempt annexe and this was seconded by the Deputy Leader. This was agreed.

## **RESOLVED**

That the public and press be excluded from the meeting during consideration of the following item in accordance with Section 100A of the Local Government Act 1972, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

The Leader brought the meeting back into open session on the completion of exempt business.

## **8. CFOS EXEMPT ANNEXE.**

For the benefit of public the Leader highlighted that the exempt annexe contained commercially sensitive information.

Cabinet received a report on estimated costs modelling for parts of the project. A Cabinet Member asked about potential sources of funding and was advised that the main source of funding will be planning obligations which have already been secured for the project, or which are due to be secured.

The Leader took the Members to the recommendations which were agreed unanimously.

### **RESOLVED**

That Cabinet:

- (i) agreed the proposed project scope;
- (ii) approved the preparation and submission of a reserved matters planning application to align with the proposed project scope, and;
- (iii) noted that further reports will be brought forward in the new financial year to seek authority to progress the procurement of a delivery partner, and to secure agreement to the proposed approach to project implementation.

The Leader noted this was the last meeting in the current municipal year and thanked the Cabinet Members and the officers.

The meeting finished at 4.37 pm

Chairman

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## **CENTRE FOR OUTDOOR SPORT (CfOS)**

REPORT OF: DIRECTOR FOR PEOPLE AND COMMERCIAL SERVICES  
Contact Officer: Rob Anderton, Assistant Director Commercial Services and Contracts  
Email: [robert.anderton@midsussex.gov.uk](mailto:robert.anderton@midsussex.gov.uk) Tel: 01444 477374  
Wards Affected: All  
Key Decision: Yes  
Report to: Cabinet  
Monday 26 June 2023

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### **Purpose of Report**

1. The purpose of the report is to update Cabinet on:
  - a) the progress of the Centre for Outdoor Sport (CfOS) project;
  - b) the proposed delivery and target programme for the project;
  - c) the proposed operation of the CfOS site;
  - d) the land transfer of the CfOS site by Homes England; and
2. Seek approval to procure a delivery partner for the CfOS project via the UK Leisure Framework.

### **Recommendation**

3. **Cabinet is recommended to:**
  - i) **approve procurement of a delivery partner for the CfOS project via the UK Leisure Framework.**

### **Background**

4. Brookleigh (The Northern Arc) will deliver over 80 ha of new green space; 9 ha of which is specifically allocated for a new Centre for Outdoor Sports (CfOS).
5. This land will be transferred to the Council along with a Capital set-up sum and a commuted sum for maintenance, in line with the requirements specified in the s106 Agreement.
6. The achievement of this special facility as part of negotiations with Homes England, was a significant achievement for the Council. Of particular note was securing agreement for the land to be gifted to the Council for free and an ongoing revenue contribution.
7. The aim of the CfOS project, over the medium term, is to provide an appropriate quantity of publicly owned, high quality formal sports provisions to mitigate the impact of Brookleigh (8.6ha south of the A2300 and approximately 1ha at the Triangle Leisure Centre).
8. The CfOS project is a key part of the continued work the Council is doing to deliver on the recommendations of the Mid Sussex Playing Pitch Study 2018. The facility mix for the site should be viewed in the context of the Study, it identifies key priorities and areas for investment across the district, both on land owned and managed by MSDC and on sites provided by third parties, such as schools.

9. The scale of Brookleigh means the CfOS will be delivered over a number of years as the need for the facilities grows. The Centre will be an important resource for communities throughout Mid Sussex. the nature of planning agreements like this one means that developers (in this case Homes England) are only required to mitigate the impact of their developments, not address pre-existing need.
10. The CfOS presents a significant opportunity over the medium term to deliver an important new facility.
11. In March 2022, Cabinet agreed Phase 1 of the CfOS project (the Feasibility Study and Master Plan) as a foundation for the next steps; and authorised the commencement of the next phase of the project, to appoint consultants to deliver RIBA Stages 2, 3 and 4 of the project, including further engagement with National Governing Bodies (NGBs) and key stakeholders.
12. RIBA Stage 2 of the CfOS project was completed in February 2023. It built on the previous feasibility work with detailed site surveys, and extensive engagement with local sports clubs and other key stakeholders including further engagement and consultation with National Governing Bodies, which has informed the final proposed facility mix and site layout.
13. The outcome of this work was reported to Cabinet in March 2023. At that meeting, Cabinet:
  - (i) agreed the proposed project scope;
  - (ii) approved the preparation and submission of a reserved matters planning application to align with the proposed project scope, and;
  - (iii) noted that further reports will be brought forward in the new financial year to seek authority to progress the procurement of a delivery partner, and to secure agreement to the proposed approach to project implementation.
14. RIBA Stage 3 is now nearing completion, with key stakeholders continuing to be engaged and pre-application meetings held with Planning Officers, Highways and Ecological Officers ahead of preparation and submission of a reserved matters application.

### **Centre for Outdoor Sport Facility mix**

15. As agreed by Cabinet in March 2023, the facility mix for the CfOS site comprises:

<b>CfOS Facility Mix</b>	
Football	<ul style="list-style-type: none"> <li>○ 1 x floodlit 3G Football Turf Pitch</li> <li>○ 4 x grass football pitches (1 x U13&amp;14 (11x11), 1 x U18 (11x11), 2 x U9&amp;10 (7x7))</li> </ul>
Rugby	<ul style="list-style-type: none"> <li>○ 1 x Regulation 22 World Rugby compliant artificial turf pitch (106 x 68m)</li> <li>○ Floodlighting and pitch side viewing</li> </ul>
Cricket	<ul style="list-style-type: none"> <li>○ 1 x artificial wicket and cricket pitch</li> <li>○ No separate cricket pavilion / parking</li> </ul>
Athletics	<ul style="list-style-type: none"> <li>○ 60m running straight to align with Green Circle</li> </ul>



	<ul style="list-style-type: none"> <li>○ Starting point for Active Track using Green Circle through wider Northern Arc</li> </ul>
Other	<ul style="list-style-type: none"> <li>○ Use of natural turf pitch areas for archery</li> </ul>
Clubhouse	<ul style="list-style-type: none"> <li>○ 340m2 facility</li> <li>○ 4 x team changing rooms</li> </ul>
Site	<ul style="list-style-type: none"> <li>○ Car park</li> <li>○ LEAP</li> <li>○ Green Circle</li> </ul>

16. It is proposed that the facilities to be considered at The Triangle, including an additional padel court and hockey/ netball pitch, are progressed as separate projects. These facilities will be subject to a separate planning permission and will require their own funding strategy. Implementation of the hockey/ netball pitch requires significant works to amend the existing car park which requires careful consideration.

### Delivery of works

17. The Reserved Matters Application will consider all of the proposed facilities for the CfOS site, however, the implementation of the CfOS will ensure the priority facilities are delivered as soon as practical, with remaining works to follow on a prioritised basis as funding becomes available or the need is identified, as set out below:

Works	Summary	Notes
Priority works	<ul style="list-style-type: none"> <li>• 1 x 3G Football Turf Pitch (community standard)</li> <li>• Floodlighting</li> <li>• Pitch side viewing</li> </ul>	Proposed implementation Jan 2024 – Sep 2024.
Priority works	<ul style="list-style-type: none"> <li>• 1 x Regulation 22 World Rugby compliant artificial turf pitch (106 x 68m)</li> <li>• Floodlighting</li> <li>• Pitch side viewing</li> </ul>	
Priority works	<ul style="list-style-type: none"> <li>• Clubhouse and changing rooms</li> <li>• 340m2 facility</li> <li>• 4 x team changing rooms</li> <li>• Public toilets</li> <li>• Carbon neutral building with PV Panels</li> </ul>	
Priority works	<ul style="list-style-type: none"> <li>• Car parking (exact number of spaces TBC through transport assessment)</li> <li>• Cycle parking for 32 cycles</li> <li>• EV Charge points</li> </ul>	
Priority Works	<ul style="list-style-type: none"> <li>• Site access road</li> <li>• Pedestrian access</li> <li>• Tree planting and landscaping</li> </ul>	

<b>Natural turf</b>	<ul style="list-style-type: none"> <li>4 x grass football pitches: <ul style="list-style-type: none"> <li>1 x U13&amp;14 (11x11),</li> <li>1 x U18 (11x11),</li> <li>2 x U9&amp;10 (7x7)</li> <li>Artificial cricket wicket as separate phase.</li> </ul> </li> </ul> <p>(Note: natural turf pitches require 9 – 12 months to mature prior to initial use).</p>	Proposed implementation Jan 2024 – Sep 2024. Subject to funding.
<b>Public facilities</b>	<p><b>Green Circle, running straight &amp; LEAP</b></p> <p>The ancillary facilities could be provided to align with adjacent plots (Employment Zone &amp; further residential) becoming available, ensuring increased usage.</p> <p>The Employment Zone and nearest residential areas will be developed after the CfOS site, and demand for these facilities is likely to be very low until adjacent areas are completed.</p>	<p>Delivery to potentially align with development of adjacent plots (employment zone and residential parcel 1.4) both currently due to see first completions in spring 2025).</p> <p>These facilities can be delivered individually and are not dependant on each other.</p>
<b>Step 5 works</b>	<p><b>Clubhouse &amp; football AGP upgrade to Step 5</b></p> <p>Upgrading the facilities to Step 5 could be subject to a funding application to the Football Foundation once a clear need has been identified.</p>	Only required if/ when football is played at a sufficiently high standard.

18. The table below details the key activities and proposed programme dates:

<b>Activity</b>	<b>Period</b>
RIBA Stage 4	Commencing June 2023
Submission / validation planning applications	Summer 2023
Homes England – Site Handover Phase 1	To align with start on site
Target planning award(s)	December 2023
MSDC approval of Main Contract	Q4 2023
CfOS start on site	Q1 2024
CfOS Priority Facilities ready for use	Summer 2024

### Capital Costs

19. The Stage 3 Cost Plan is being developed and this will then be appraised against the Stage 2 Cost Plan. Potential cost risks regarding the extent of parking areas, ground conditions, landscaping proposals and cut & fill are being considered, as well as

amendments to the clubhouse facility in response to feedback from the Urban Design Officer. The Stage 2 budget estimates are summarised in the Exempt Annexe.

### **Operator Matters**

20. At this stage it is assumed that the new CfOS facilities will be managed by Places Leisure (PL). The rationale for this is that they currently operate the Triangle Centre, which is located very close to the new CfOS, so it would be more efficient to operate both facilities together.
21. This would ensure a coordinated management approach to facilities across the site while maximising operating efficiency through the use of shared staff, marketing, maintenance and other resources. It would also mean that the Council could manage a single contract, as opposed to two separate management contracts.
22. The exception to this, is the grounds maintenance of the natural turf pitches and wider open space, boundaries, and Green Circle (including LEAP), which would be maintained as part of the Council's Grounds Maintenance Contract, once constructed.
23. Places Leisure has been consulted during this stage of work to ensure the proposals would be acceptable, and negotiations have commenced for the operation of the CfOS site as a variation to the existing leisure management contract.
24. Key tasks now include drafting of procurement documentation ahead of a procurement process managed by The Sports Consultancy, to align with the proposed delivery strategy.

### **Communications**

25. Stage 2 saw detailed consultation take place with a range of strategic stakeholder organisations, to provide clarity on the facility mix for the site. This consultation focused on finalising the facility mix and agreeing the masterplan for the Centre for Outdoor Sport site and the Triangle Centre.
26. As well as consulting with Sport England and key National Governing Bodies of sport, a selection of sports clubs based in Burgess Hill were invited to attend face to face meetings with the consultant team, and over 100 clubs and organisations, involved in delivering community sport in across the district, were invited to take part in an email consultation.
27. Further consultation and engagement took place during RIBA Stage 3, to update stakeholders on the status of the project, to explain the proposals and rationale for a phased approach to delivery, and to ensure, so far as possible, that the project remains supported as it progresses towards the submission of a Reserved Matters Application. This consultation will help to demonstrate to Planning Committee that the consultation around this project has been robust, and that issues or concerns have been adequately addressed.
28. Specialist Communications Consultants, MPC, were engaged to support the team with the delivery of a coordinated communications and engagement programme ahead of the submission of the Reserved Matters Application, including a very well attended public exhibition event at The Triangle.

29. Feedback from the public exhibition will be used as the basis for a Statement of Community Involvement which will be part of the Reserved Matters Application, and a further period of consultation will be undertaken by Officers as part of the planning process, once the application is submitted.

### **Procurement of Delivery Partner**

30. The main contractor procurement strategy proposed at Stage 1 was to utilise the Football Foundation Artificial Grass Pitch (AGP) framework (Football Foundation AGP framework) for the delivery of the CfOS project.
31. The Football Foundation has since advised that it would not be possible to deliver all the proposed facilities via the framework, and therefore an alternative procurement route would be required for some of the facilities.
32. It is a priority that any procurement route needs to ensure access to contractors with suitable experience of delivering similar facilities whilst ensuring value for money for the Council.
33. Following a further procurement review, it is recommended that the UK Leisure Framework (UKLF) is utilised for the delivery of CfOS. The UKLF is a specialist sport and leisure framework delivered utilising a Development Agreement between Alliance Leisure (the Framework Delivery Partner) and the Council, with framework suppliers instructed under contract between Alliance Leisure and the supplier(s).
34. The UKLF provides excellent access to suitable suppliers for the delivery of the CfOS (and potentially Triangle) facilities, and a phased delivery would also be straightforward, which may not be the case via an open tender.
35. Cabinet are therefore asked to approve that the Assistant Director Commercial Services and Contracts and the professional team progress the procurement of a delivery partner for the CfOS project via the UK Leisure Framework.
36. Following approval, the project team will work with the UK Leisure Framework and Alliance Leisure (and their supply chain), to develop project proposals and contract details (and contract sum) for consideration prior to entering into a main contract for the delivery of the Centre for Outdoor Sport project. As part of this process, a risk profile will be agreed between all parties and a suitable contingency fund retained.

### **Land Transfer by Homes England**

37. Regular engagement meetings have been held with Homes England and the CfOS professional team during this stage of work.
38. Homes England are to hand over the CfOS site in phases in accordance with the Land Transfer Plan, with the intention to hand over the majority of the site, with a second phase to come forward approximately twelve months later including the attenuation basins.
39. Homes England are progressing with the disconnection and removal of UKPN and BT utilities which cross the CfOS site. An agreement in principle has been reached for these utilities to be removed by Homes England by August 2023.

### **Legislative / Policy Context**

40. The concept of a new, dedicated outdoor sports facility for Burgess Hill is supported by the following key strategic documents:
- The MSDC District Plan
  - The Burgess Hill Town Wide Strategy (2011)
  - The Burgess Hill Neighbourhood Plan (2015)
  - The MSDC Playing Pitch Study and Action Plan (2019)
  - The Mid Sussex Local Football Facility Plan (2021)

### **Financial Implications**

41. The financial implications are detailed in the main body of this report.
42. The proposals contained within this report will be the subject of a Capital bid once prices are known and a full funding strategy is agreed. This and future phases of the project will be funded by s106 funds specifically collected for this purpose.

### **Risk Management Implications**

43. A number of key risks have been identified and are being considered by the project team:
- a) Design Review Panel / Urban Designer feedback: there is a risk improved external materials or increased investment in the scheme is required to satisfy the requirements of Officers and the Design Review Panel, which would increase the capital costs.
  - b) Transport & Highways: there is a risk that proposed parking and highways elements are not considered sufficient which may impact the overall site layout and potential capital costs. Pre-application meetings are being held with West Sussex County Council Highways Officers to address this ahead of submission of the reserved matters application.
  - c) Ecology: work to conclude ecological requirements, including incorporating the mammal crossing, is ongoing and will be included within the Reserved Matters Application. A pre-application meeting was held with the Ecological Officer to agree a schedule of required ecology surveys ahead of a planning decision, which continues to progress. Any significant ecological requirements may impact programme and/or capital costs.
  - d) Ground conditions: it is currently assumed there are fair ground conditions. The initial phase of site investigations was undertaken in December 2022 and a second phase of site investigations during April 2023; the outputs of which are currently being addressed. This work will inform the sub-structure design.
  - e) Services: the development of the site wide services proposals may highlight works not currently allowed for.

### **Equality and Customer Service Implications**

44. Equality Impact Assessments will be undertaken, as required, at appropriate points during the development and implementation of the Centre for Outdoor Sport project.

### **Other Material Implications**

45. None

### **Sustainability Implications**

46. This project has been developed in line with the key actions identified in the Council's Sustainable Economy Strategy.
47. The proposed CfOS facility is an 'all electric' building with roof mounted photovoltaic panels with the aim of being net zero in operation. This will be developed further during the detailed design stages.

### **Background Papers**







48. None

### **Appendices**

Appendix A – CfOS site plan

Appendix B – CfOS clubhouse layout



- KEY:
-  Site Boundary
  -  Proposed route of Shared Path (pedestrian / cycle)
  -  Proposed route of Bridleway (forming part of Green Circle)
  -  Proposed route of Employment Zone surface water drainage corridor
  -  Cutting
  -  Embankment



REV.	DATE	DESCRIPTION	BY
A	24.02.23	Football pitch dims notes amended. South mini soccer pitch move to avoid flood zone.	MT
B	01.06.23	Updated in line with dwg nos. 022 & 023.	MT



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STATUS: Concept - Stage 2

CLIENT: Mid Sussex District Council

PROJECT: Burgess Hill Centre for Outdoor Sport

DRAWING: Proposed Site Plan

SCALE 1:1000 SHEET A1 DRAWN MT DATE 13.02.23

PROJECT NO. 1003 DRAWING NO. (03) 021 REVISION B

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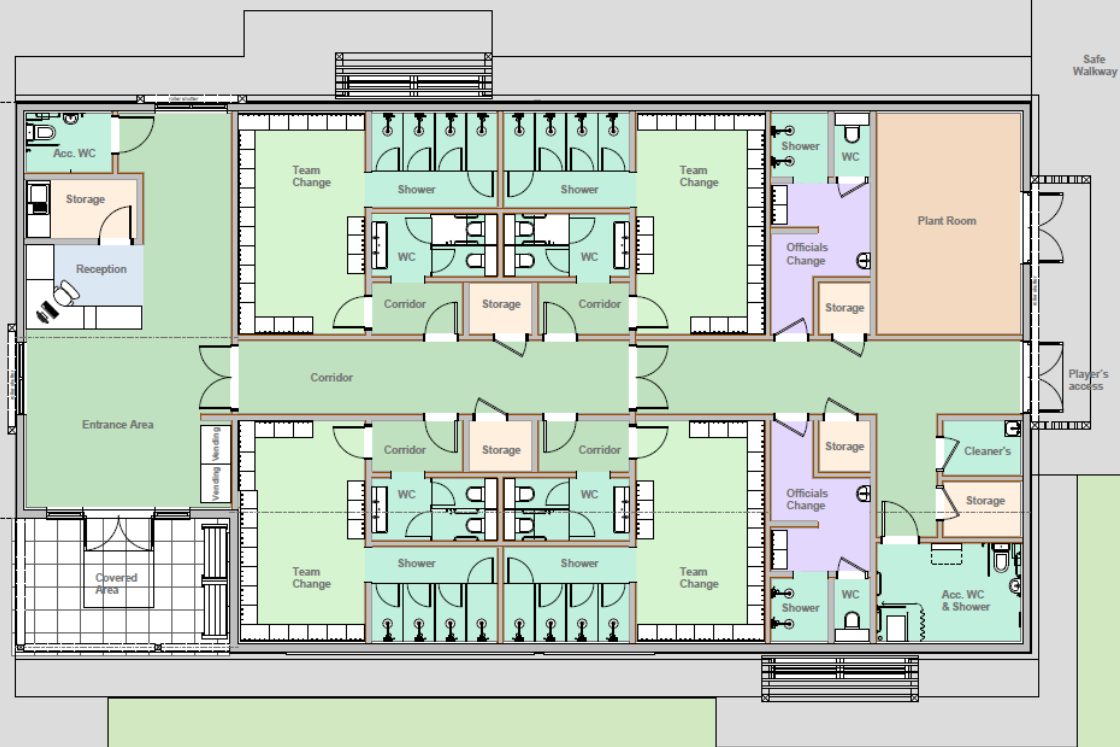




### Appendix B- CfOS clubhouse layout

Site conditions are indicative only.  
Indicative plan layout. Furniture shown for purposes of illustration.  
Internal ceiling height: 2600mm  
White render and brick slips.  
Aluminium window frames.  
Roof mounted solar PV.  
STA Category A during construction.  
Net Floor Area (including linings and partitions): 344.1sqm  
Gross Floor Area: 355.4sqm  
External Wall Area (excluding openings): 247.9sqm  
Internal Wall Area (excluding openings): 509.9sqm  
Sun pipes.

Potential future extension



Safe Walkway

Player's access



# Agenda Item 7

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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