

CENTRE FOR OUTDOOR SPORT

REPORT OF: DIRECTOR FOR PEOPLE AND COMMERCIAL SERVICES
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Wards Affected: All
Key Decision: No
Report to: Cabinet
Monday 13 March 2023

Purpose of Report

1. The purpose of this report is to update Cabinet on:
 - (a) the progress of the Centre for Outdoor Sport (CfOS) project;
 - (b) the land transfer of the site from Homes England to MSDC;
 - (c) capital / revenue assessments for the project;
 - (d) the proposed delivery of the project; and
2. Seek approval for the project scope, preparation and submission of a reserved matters planning application to align with the proposed scope;

Recommendation

3. Cabinet is recommended to:
 - (i) agree the proposed project scope;
 - (ii) approve the preparation and submission of a reserved matters planning application to align with the proposed project scope, and;
 - (iii) note 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.

Background

4. The Northern Arc (Brookleigh) will deliver over 80 ha of new green space; 8.6 ha of which is specifically allocated to accommodate 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 on-going 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 provision to mitigate the impact of Brookleigh (8.6ha south of the A2300 and approximately 1ha at the Triangle Leisure Centre).

8. The scale of Brookleigh means it will be delivered over many years, and the need for the CfOS will grow as more houses are built. Whilst the Centre will certainly 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.
9. The CfOS presents a significant opportunity over the medium term, to deliver an important new facility.
10. 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.
11. RIBA Stage 2 of the CfOS project is now completed. It builds on the previous feasibility work with detailed site surveys, and extensive engagement with local sports clubs and other key stakeholders. It also includes further engagement and consultation with National Governing Bodies, which has informed the final proposed facility mix and site layout.

Phase 2- Facility mix and proposed site layout

12. Following detailed NGB and stakeholder engagement during Stage 2, the facility mix for the CfOS site now comprises:

Facility	Stage 1	Stage 2 - Proposed
Football	<ul style="list-style-type: none"> ○ 1 x floodlit 3G Football Turf Pitch and Ground to FA Step 5 ○ 4 x grass youth football pitches 	<ul style="list-style-type: none"> ○ 1 x floodlit 3G Football Turf Pitch ○ 4 x grass football pitches (1 x U13&14 (11x11), 1 x U18 (11x11), 2 x U9&10 (7x7))
Rugby	<ul style="list-style-type: none"> ○ 1 x Regulation 22 World Rugby compliant artificial turf pitch ○ Floodlighting and viewing stand 	<ul style="list-style-type: none"> ○ 1 x Regulation 22 World Rugby compliant artificial turf pitch (106 x 68m) ○ Floodlighting and pitch side viewing
Cricket	<ul style="list-style-type: none"> ○ Optional artificial wicket and cricket pitch ○ Small cricket pavilion and parking. 	<ul style="list-style-type: none"> ○ 1 x artificial wicket and cricket pitch ○ No separate cricket pavilion / parking
Athletics	<ul style="list-style-type: none"> ○ N/A 	<ul style="list-style-type: none"> ○ 60m running straight to align with Green Circle ○ Starting point for Active Track using Green Circle through wider Northern Arc
Other	<ul style="list-style-type: none"> ○ N/A 	<ul style="list-style-type: none"> ○ Use of natural turf pitch areas for archery
Clubhouse	<ul style="list-style-type: none"> ○ 400m2 facility ○ 4 x team changing rooms 	<ul style="list-style-type: none"> ○ 340m2 facility ○ 4 x team changing rooms
Site	<ul style="list-style-type: none"> ○ Car park ○ LEAP ○ Green Circle 	<ul style="list-style-type: none"> ○ Car park ○ LEAP ○ Green Circle

13. The proposed 60m running straight is sited adjacent to the Green Circle which, it is proposed, will provide a starting point for an Active Track through the wider Northern Arc. The running straight will be provided on a slight incline due to the site constraints, it is therefore not 'fully-compliant' with the requirements of the National Governing Body, England Athletics. It will, however, provide a supporting facility to the Active Track which is considered beneficial.
14. It is proposed that the facilities to be considered at The Triangle, including an additional padel court and hockey pitch, are progressed as separate projects. These facilities will be subject to a separate planning permission. Implementation of the hockey pitch requires significant works to amend the existing car park which requires careful consideration.

Delivery of works

15. The reserved matters application will consider all the proposed facilities for the CfOS site.
16. The implementation plan for the CfOS facilities will ensure the delivery of the priority facilities as soon as practical, with remaining works to follow, as often happens on large projects of this type, on a prioritised basis as funding becomes available and/ or the need is identified, as set out below:

Works	Summary	Notes
Priority facilities	Clubhouse & all-weather pitches <ul style="list-style-type: none"> Clubhouse facility and changing rooms Football AGP (community standard) Rugby AGP Parking Site access 	Proposed implementation Sep 2023 – Jun 2024.
Step 5 works	Clubhouse & football AGP upgrade to Step 5 <p>Upgrading the football and clubhouse facilities to Step 5 could be subject to a funding application to the Football Foundation once a clear need has been identified.</p>	When required / when football is played at a sufficiently high standard.
Natural turf	Natural turf pitches <p>Natural turf pitches, including artificial cricket wicket delivered as a separate phase.</p> <p>Note: natural turf pitches require 9 – 12 months to mature prior to initial use.</p>	As funding becomes available.

Public facilities	Green Circle, running straight & LEAP The ancillary facilities (Green Circle, running straight and playground) should be provided to align with the delivery of adjacent development plots (Employment Zone and residential), ensuring increased usage. 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.	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). These facilities could be delivered as a single package or individually as they are not dependant on each other.
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17. The below table details the key activities and proposed programme dates:

Activity	Period
RIBA Stage 3 (Spatial Co-ordination) & planning	December 2022 – April 2023
Cabinet – approval to submit planning	13 March 2023
Submission / validation planning applications	April / May 2023
Homes England – Site Handover Phase 1	Target March 2023
Target planning award(s)	Summer 2023
MSDC approval of Main Contract	August 2023
CfOS site available for clearance activities	September 2023
CfOS start on site	September 2023
CfOS Priority Facilities ready for use	June 2024

Capital costs

18. Given current inflation rates, supply chain issues and related matters, there has been significant cost increases since the Stage 1 proposals were considered.
19. A comprehensive exercise has been undertaken to reduce costs and look at a range of alternative delivery approaches in response to this challenge.
20. Facilities associated with Step 5 requirements can be delivered as the need arises, and a separate funding bid to the Football Foundation would be made for these works at the appropriate time. This has resulted in a remodelled clubhouse facility at this stage, with consideration given to future-proofing works within the initial provision to facilitate expansion if/ when the need arises.
21. The latest estimated costs for the project are provided in the Exempt Annex.
22. There remain a number of risks associated with the capital costs which are under careful review, as set out in Paragraph 50 of this report.

Funding and affordability

23. The following s106 funding is available (or potentially available, depending on timing), to spend on CfOS:

Category	Funding available
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Total s106 monies received	£1.7m
Total s106 in pipeline (likely to be paid before construction starts)	£3.3m
Other s106 signed for but not yet received (no guarantee of timing)	£1m
Total	£6m

24. The MSDC Site Allocations SPD allocates housing sites in Burgess Hill which could potentially yield a further £1m of formal sport funding over the coming years. However, any s106 arising from those developments is unlikely to be received prior to work commencing on the first phase of the CfOS project and the Council is not in control of when the money will be received.
25. Similarly, the District Plan Review (DP) is at a very early stage in its preparation and therefore the sites/ housing numbers are very uncertain. Any s106 funding arising from either the Sites DPD or the DP Review will not be available for a number of years.
26. It has not been possible to identify any other viable sources of funding for the CfOS project.

Communications

27. Stage 2 of the project 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.
28. 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 Burgess Hill and the wider district, were invited to take part in an email consultation.
29. Further engagement is now required, to update stakeholders on the status of the project, to explain the proposals and rationale for the proposed 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. It is also necessary, of course, to demonstrate to Planning Committee that the consultation around this project has been robust, and that issues or concerns have been adequately addressed.
30. The services of specialist Communications Consultants, MPC, have been engaged to support the team with the delivery of a coordinated communications and engagement programme ahead of the submission of the Reserved Matters Application. Specifically, they have supported:
 - Member/ Town and Parish Council briefings
 - Further community group/ stakeholder engagement
 - Production of a community newsletter
 - Provision of a public engagement event
31. They will then use this feedback, and the outcome of previous consultation and engagement work to inform the preparation of a Statement of Community Involvement in support of the Reserved Matters Application

Reserved Matters application

32. The Project Team have engaged with Planning Officers to agree the following approach to the Reserved Matters Application:
 - (a) All facilities to be delivered on the CfOS site (with the exception of Step 5 improvements to the clubhouse) will be included within the Application to ensure permission is granted for the entirety of works envisaged.
 - (b) The approach to timing and delivery of the works is to be discussed further and agreed, and may be controlled via Planning Condition.
 - (c) Following Consultation (as above), it is intended to report the findings via a Statement of Community Involvement.
33. It is also necessary to present the CfOS scheme to the Northern Arc Design Review Panel (DRP). Upon approval to develop the Reserved Matters Application, design information will be prepared to present to the DRP. As noted below, there remains a risk that the DRP might propose changes to the scheme which may impact the capital costs or delivery programme.

Procurement of delivery partner

34. Any procurement route(s) needs to ensure access to contractors with suitable experience of delivering similar facilities while ensuring value for money for the Council. It is also desirable to ensure that the overall delivery programme is maintained. Therefore an easily accessible / deliverable procurement route(s) is desirable. This will enable facilities to be delivered as a single package under an alternative route.
35. Following a detailed procurement review, it is recommended that the UK Leisure Framework (UKLF) is used 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. Framework suppliers are instructed under contract between Alliance Leisure and the supplier(s).
36. 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.
37. A further report will be brought forward shortly to seek approval for the Director of People and Commercial Services and the professional team to progress the procurement of a delivery partner for the CfOS project via the UK Leisure Framework.

Operator matters

38. 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.
39. This would ensure a coordinated management approach to facilities across the site while maximising operating efficiency through 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.

40. 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.
41. Places Leisure have been engaged and consulted during this stage of work to ensure the proposals would be acceptable.
42. A report will be brought forward at the appropriate time to seek approval for the Director of People and Commercial Services and the professional team to negotiate with Places Leisure for the operation of the CfOS site as a variation to the existing leisure management contract.

Land Transfer by Homes England

43. Regular engagement meetings have been held with Homes England and the CfOS professional team during this stage of work.
44. Homes England are to hand over the CfOS site in phases, as shown in Appendix A (Land Transfer Plan), with the intention to hand over the majority of site in March 2023, with a second phase to come forward approximately twelve months later including the flood attenuation basins.
45. Homes England are progressing 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. These have been highlighted as a risk to the handover date.
46. Due to the initial phase of work to strip the CfOS site prior to further development, it is necessary to achieve approval for the reserved matters and for the nesting season to conclude. Therefore, the earliest effective start on site date for the delivery phase of the CfOS facilities is September 2023, which provides some float in the handover of Phase 1 by Homes England.

Legislative / Policy Context

47. 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

48. The financial implications are detailed in the exempt Annexe to this report.
49. 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. It is intended that this, and future phases of the project will be funded by s106 funds specifically collected for this purpose.

Risk Management Implications

50. A number of key risks have been identified. These have been set out in more detail, alongside proposed mitigation measures, in the Stage 2 report.
- (a) Design Review Panel / Urban Designer feedback: there is a risk that 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) Ecology: work to conclude ecological requirements, including incorporating the mammal crossing, is ongoing and will be included within the Reserved Matters Application. Any significant ecological requirements may impact programme and / or capital costs.
 - (c) Ground conditions: it is currently assumed there are fair ground conditions. The initial phase of site investigations were undertaken in December 2022. The second phase of site investigations is being planned for April 2023 following handover of the site by Homes England. This work will inform the sub-structure design.
 - (d) Services: the development of the site wide services proposals may highlight works not currently allowed for.

Equality and Customer Service Implications

51. 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

52. None

Sustainability Implications

53. This project has been developed in line with the key actions identified in the Council's Sustainable Economy Strategy.
54. 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

55. None

Appendices

- Appendix A – Land transfer plan
Appendix B – CfOS site plan graphic
Appendix C – CfOS clubhouse layout graphic