

<b>Committee(s):</b> Policy, Resources and Economic Development	<b>Date:</b> 12 <sup>th</sup> February 2020
<b>Subject:</b> King George's Playing Fields – Development Management Agreement	<b>Wards Affected:</b> All
<b>Report of:</b> Kim Anderson, Partnership, Leisure and Funding Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Kim Anderson – Partnership, Leisure and Funding Manager Telephone: 01277 312500 E-mail: kim.anderson@brentwood.gov.uk	<b>For Decision</b>

### Summary

On the 30<sup>th</sup> January 2020 Planning & Licensing Committee Members approved the planning application for the proposed development of the new facilities in King George's Playing Fields.

In tandem with the planning submission is the work to ensure Cost Certainty Design and Costings through RIBA Stage 4 process. Following planning permission being granted, the Council needs to procure a building contractor to deliver the project. It is proposed that the Council utilises the UK Leisure Framework Agreement to do this. The Council has already used the framework to undertake the feasibility works and to gain the Council Cost Certainty for the project.

### Recommendation(s)

**Members are asked to:**

- R1. Approves that the Council enters into a Development Management Agreement with Alliance Leisure Services, through the UK Leisure Framework, and delegates to the Chief Executive, in consultation with the Chair of Community & Health Committee and the Leader of the Council, to conclude all arrangements, for the construction of the King George's Playing Fields development.**

## **Main Report**

### **Introduction and Background**

1. On the 18<sup>th</sup> September Policy, Projects and Resources Committee approved the Leisure Strategy and Action Plan.
2. On the 12<sup>th</sup> March 2018 Policy, Projects and Resources Committee approved the budget, and delegated authority was given to the Chief Executive in consultation with the Chair of Community Health and Housing Committee and the Leader of the Council to appoint a Leisure Development Partner to develop a sustainable business plan for the improvements to King George's Playing Fields.
3. Alliance Leisure Services (ALS) were appointed through the UK Leisure Framework to develop the sustainable business plan with a facility mix of community and commercial activity that will be financially viable for the Council and which supports the needs of the community both now and in the future.
4. On the 30<sup>th</sup> July 2019 Extraordinary Council (min.ref. 153) Members approved the Business Case for the proposed development of new facilities in King George's Playing Fields and Members approved the drawdown of finances to deliver the project.
5. ALS were appointed through the UK Leisure Framework in August 2019 to get the Council to a Cost Certainty position through the RIBA Stage 4 process in tandem with the planning process.
6. The Council submitted the planning application in September 2019 and on 30<sup>th</sup> January 2020 Planning & Licensing Committee Members approved the planning application.
7. The Council now needs to enter into a delivery agreement and building contract. It is proposed that this is again done through the UK Leisure Framework with Alliance Leisure Services. The Contract would be between the Council and Alliance Leisure Services, and they in turn will enter into contract with the main contractor and any sub-contractors.

### **Issue, Options and Analysis of Options**

8. One of the key workstreams under the Leisure Strategy is the Council's built leisure facilities and it was agreed by Members on the 12<sup>th</sup> March 2018 Policy,

Projects and Resources Committee to focus on King George's Playing Fields and work with a Leisure Development Partner to develop a sustainable business plan for the park.

9. ALS were appointed to develop a sustainable business plan which was agreed at Extraordinary Council on the 30<sup>th</sup> July 2019.
10. In order to get the Council to Cost Certainty, ALS through the Leisure Framework undertook a tender exercise to agree the main contractor for the works. The winning contractor was ISG with Ustigate the sub-contractor for the splash pad and Kompan the sub-contractor for the outdoor adventure play.

### **Reasons for Recommendation**

11. As part of the Council's due diligence in delivery a successful Leisure Strategy, Members and officers need to have a complete picture of the current associated costs, risk profiles of the Borough's Leisure facilities and identify opportunities for income generation.
12. Comments from Sport England as part of the Local development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities to then inform what will be included in the Council's Infrastructure Delivery Plan. Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.
13. The Council's Asset Management Strategy 2014/15 also sets out the need to obtain and maximise income where possible from its asset portfolio.
14. The KGPF improvements support all six workstreams of the Leisure Strategy Built Facilities, Play Areas, Sport. Open Spaces, Health and Wellbeing and Governance Arrangements.

15. Both sites will provide a much improved fully inclusive offer of activities and facilities for residents and families.
16. The new pavilion will provide a more energy efficient and effective building.
17. Any delay in the decision-making process may impact on build timelines for the project and therefore impact on the build costs as a result and the financial allocation for the project.

### **References to Corporate Plan**

18. The Leisure Strategy sits under the Developing our Communities strand of the Council's Brentwood 2025 – Corporate Strategy for the next 5 years. To enhance and develop new sustainable leisure facilities. There are also strong links for the priorities of the Council's Health and Wellbeing Strategy, the Local Development Plan, Active Brentwood/Essex and the Council's Asset Management Strategy.

### **Implications**

#### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources**  
**Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk**

19. The Business Plan for the proposed development was agreed by Members on the 30<sup>th</sup> July 2019 Extraordinary Council which sets out the financial modelling for the development.
20. The Council as part of the compliant procurement process the Council will look at entering into a contract with Alliance Leisure Services (ALS) through the UK Leisure Framework. The contract is a Delivery Management Agreement between the Council and ALS. ALS will then in turn formerly enter into contract with the main constructor and sub-contractors to build the proposed facilities.

## **Legal Implications**

**Name & Title: Steve Summers, Chief Operating Officer & Deputy Monitoring Officer**

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21. The recommendations set out within this report are within the Council's powers and duties. The Council has power under s1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to public law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. In addition, s111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.
22. The Delivery Management Agreement documents have been reviewed by the Council's legal department and provided any relevant comments.

## **Economic Implications**

**Name/Title: Phil Drane, Director of Strategic Planning**

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23. The proposed development at King George's Playing Fields will provide new improved facilities that will meet the future demand for residents. There is significant economic value to sport and leisure either through direct employment, volunteering and general improvement to the health of our residents using these proposed enhanced facilities.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

24. None

## **Background Papers**

Feasibility study – King George's Playing Fields  
Face to face and online consultation with park users  
Leisure Strategy  
Play Pitch Strategy  
Local Football Feasibility Plan

## **Appendices to this report**

25. None