



## Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

### 1. Cabinet date and copy resolution this key decision relates to

On 1 December 2021 Cabinet approved to progress the Clee Fields playing pitch development on a phased basis and proceed with procurement processes. The project will deliver the reprovisioning of playing pitches that are currently being built upon by the Council's housing delivery programme.

Cabinet approved:

1. That authority be delegated to the Executive Director of Environment, Economy and Resources in consultation with both the Leader of the Council and the Portfolio Holder for Economic Development, Housing and Tourism to ensure that all necessary actions are carried out to phase the delivery of the proposed scheme, to commence with phase 1 works at Clee Fields, and only progress works at the KGV Stadium Site subject to the development of an acceptable business case and the identification of available necessary funds.
2. That authority be delegated to the Executive Director of Environment, Economy and Resources in consultation with both the Leader of the Council and the Portfolio Holder for Economic Development, Housing and Tourism to commence, conduct and award contracts following appropriate procurement exercises for the development of the Clee Fields site in readiness for implementation of the anticipated scheme of works and to carry out all actions arising or ancillary to such exercise and ultimate implementation.

3. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be authorised to complete all requisite legal documentation in relation to the matters outlined in the above recommendation

## **2. Subject and details of the matter** (to include reasons for the decision)

### **Approval to:**

- **Award the contracts for Clee Fields Playing Pitch construction for the following elements: New Changing Room Pavilion, Car Park Extension, and two Artificial Grass Pitch.**
- **Accept the grant offer of £1,526,738 secured from the Football Foundation.**

### **Construction Contract Awards:**

The procurement strategy for the project was reviewed with the EQUANS procurement team and it was agreed that the works will be separated into three packages for tendering to achieve best value for money.

#### **1. New Changing Room Pavilion:**

In advance of progressing to tender in July 2022, a redesign of the new changing room pavilion was undertaken in consultation with the Football Foundation to reduce escalating costs due to the impact of inflation. The size of the pavilion has been reduced from 614m<sup>2</sup> to 519m<sup>2</sup> to control costs as part of the redesign exercise, this has been approved by the Football Foundation to meet their requirements and secured planning approval.

The tender was run through EQUANS procurement with three tender submissions received. Approval to award the contract for the construction of new changing pavilion and associated external paving and fencing areas to Topcon Building Limited at £1,448,574.74 the lowest cost bid. The contract period is scheduled for 44 weeks and expected to run from January 2023 to November 2023.

#### **2. Car Park Extension:**

The tender was run through EQUANS procurement with four tender submissions received. Approval to award the contract for the extension to car park including drainage improvements to EC Surfacing at £492,817.86 the lowest cost bid. The

contract period is scheduled for 22 weeks and expected to run from January 2023 to June 2023.

### **3. Artificial Grass Pitch x2:**

In line with the Cabinet report to maximise the project's chance of securing grant funding the Council utilised the Football Foundation's framework to carry out the procurement for the artificial grass pitches, the tender received four submissions. Approval to award the contract for the construction of two artificial grass pitches to Lano at £1,808,017.72 the lowest cost bid.

#### **Accept Football Foundation Grant:**

The Council have been successful in the application for a grant to the Football Foundation to support the development of Clee Fields and address priorities identified in the Council Playing Pitch Strategy. The Football Foundation have offered the Council a grant with a maximum payment of £1,526,738 with appropriate conditions.

The anticipated total project cost is £4,948,585 that is deliverable within the existing Playing Pitch capital budget plus the grant referred to above. The final cost of the project (the exact amount which will be known post-completion) to the council will decrease by £1,526,738 once the full grant is claimed.

### **3. Decision being taken**

That the Executive Director for Environment, Economy and Resources in consultation with the Portfolio Holder for Culture, Heritage and the Visitor Economy approves:

- The award of the contract for the construction of new changing pavilion and associated external paving and fencing areas to Topcon Building Limited.
- The award of the contract for the extension to car park including drainage improvements to EC Surfacing.
- The award of the contract for the construction of two artificial grass pitches to Lano.
- Accept the Football Foundation grant offer of £1,526,738.

**4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.**

No

**5. Anticipated outcome(s)/benefits**

To accept Football Foundation grant funding and award tenders to progress the construction of the Clee Fields project. The development of Clee Fields will deliver the reprovisioning of playing pitches which are currently being built upon by the Council's housing delivery programme.

**6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)**

The Council, in partnership with other stakeholders, have considered the "Stop" option before proceeding with this project. This option limits the Council in achieving its objectives under the Local Plan and Playing Pitch Strategy and would not allow the Council to unlock housing sites for development. Taking this option could result in reduced confidence in the Local Plan and Playing Pitch Strategy, which could see Government agencies such as Homes England and Sport England withdrawing funding and support. This could further exacerbate the local Housing demand.

**7. Background documents considered (web links to be included and copies of documents provided for publishing)**

Cabinet Reports on 4 November 2020 and 1 December 2021.

**8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons**

No

**9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)**

N/A

**10. Monitoring Officer Comments (Monitoring Officer or nominee)**

The decision is consistent with the will of Cabinet, clearly in line with the recommendations and delegations dated 1<sup>st</sup> December 2021.

The procurement exercise has been conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 and supported by relevant officers. Legal Services will support the completion of the contractual documentation on award.

Procurement and legal colleagues are supporting the project and will provide additional support around completion of contractual documentation on award and grant funding conditions.

Funding conditions need to be appreciated, understood and closely monitored.

#### **11. Section 151 Officer Comments (Deputy S151 Officer or nominee)**

The development of the Clee Fields site addresses the priorities identified in the Playing Pitch Strategy and delivers the reprovisioning of playing pitches that are currently being built upon by the Council's housing delivery programme.

Due to the current economic climate, the total forecast cost of works exceeds the existing approved capital programme budget by £991,585 – this will require the approved budget to be increased to ensure that there is adequate budget to cover expenditure incurred. However, Football Foundation grant funding totalling £1,526,738 has also now been secured which both aids in bridging this funding gap and reducing the Council's total borrowing requirement for this scheme.

It is essential that all grant funding conditions are complied with to guard against potential claw back.

#### **12. Human Resource Comments (Head of People and Culture or nominee)**

There are no direct HR implications

#### **13. Risk Assessment (in accordance with the Report Writing Guide)**

If unexpected costs are encountered this may impact the proposed capital spend or delay the programme of works. If the construction programme to deliver the scheme

is delayed and does not achieve completion on schedule for November 2023, this may impact the Council's housing delivery programme.

The Football Foundation funding conditions will need to be satisfied as part of the ongoing project delivery and future operation of the site. The risk of grant clawback is considered low.

**14. Has the Cabinet Tracker been updated with details of this decision?**

Yes

**15. Decision Maker(s):**

Name: Sharon Wroot

Title: Executive Director for  
Environment, Economy & Resources

Signed: REDACTED

Dated:29.11.22

**16. Consultation carried out with  
Portfolio Holder(s):**

Name: Cllr Tom Furneaux

Title: Portfolio Holder for Culture,  
Heritage & the Visitor Economy

Signed: REDACTED

Dated:

29/11/22