



Officer Decision Record – Key Decision

Open Report. Appendix **NOT FOR PUBLICATION**

Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)

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 decided 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 decided:

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 contract to operate Clee Fields Playing Pitches for the following elements: New Changing Room Pavilion, two new Artificial Grass Pitches, and upgrades to existing Grass Pitches.

The construction for Clee Fields commenced in January 2023, and the appropriate time was taken to explore the options available for operating the site. The procurement strategy for the project was finalised in Autumn 2023 with the Council's legal and procurement team, and it was agreed that the operator procurement would follow an open competitive tender process to achieve best value.

The tender for a five-year concession contract to operate Clee Fields pavilion and pitches was published on 12th February 2024 and closed on 11th March 2024, there were three tender submissions received.

3. Decision being taken

That the Director of Economy, Environment & Infrastructure in consultation with the Leader of the Council do award the successful tenderer Grimsby Cleethorpes and Humber Region YMCA, the contract for the operation of Clee Fields changing pavilion and pitches for 60 months that is expected to run from May 2024 to May 2029 and proceed to contract mobilisation (as detailed in the attached (closed) appendix).

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 appoint an operator for Clee Fields to open the new facility and progress its operation as a venue for grass roots football and wider sporting activities for the community. 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 above procurement and award is consistent with the will and expectation of Cabinet.

Since the decision of 1st December 2021 Cabinet responsibilities and the scheme of officer delegation have been recalibrated and the decision makers named are appropriate for this exercise.

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

It is anticipated that the contract award recommendation will contribute a positive net income for the Council which will be directed to support future investment into the asset. Financial risks associated with income and expenditure forecasts are acknowledged but are not expected to be material over the life of the contract.

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)

The risks associated with the contract award:

- The operator may not meet its business plan for delivering services from Clee Fields.
- The operation and delivery of services from Clee Fields may not meet the Football Foundation grant funding conditions that have supported this projects development.

Clee Fields is a new facility, therefore, the operator for Clee Fields may take time to develop the programme of use and build its financial model for the operation of the facility. The operator's business case and financial stability has been reviewed as part of tender evaluation process and the risk of contract default is considered low.

The Football Foundation funding conditions are clearly outlined as requirements within the operator service specification. The Authority will have robust reporting and monitoring arrangements in place to check that grant conditions are being delivered and therefore 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: Carolina Borgstrom

Title: Director of Economy,
Environment and Infrastructure

Signed: REDACTED

Dated: 10th April 2024

**16. Consultation carried out with
Leader of the Council:**

Name: Cllr Philip Jackson

Signed: REDACTED

Dated: 10th April 2024