

Report to: Cabinet
Date of Meeting: 27 November 2019
Public Document: Yes
Exemption: None



Review date for release None

Subject: Cranbrook Sports Pavilion

Purpose of report: To seek authority for the project management of the Cranbrook sports pavilion

Recommendation: That Cabinet agree to:

1. **East Devon District Council taking the transfer of a plot of serviced land at the Ingram's sports hub in Cranbrook and procuring and project managing the delivery of a sports pavilion at the sports hub (to a design to be agreed with Cranbrook Town Council) using identified Section 106 monies and external funding.**
2. **Delegated authority being given to the Deputy Chief Executive, in consultation with the Strategic Leads for Governance and Licensing and Finance, to carry out appropriate due diligence, agree satisfactory heads of terms with relevant parties, secure external funding and thereafter to progress the transfer of the land, delivery of the project and transfer of the completed sports pavilion to Cranbrook Town Council upon practical completion of the building.**

Reason for recommendation: East Devon District Council is best placed to bring together a number of different funding streams and to coordinate and manage the final design, procurement and delivery of an important asset for the town of Cranbrook

To ensure that the asset is managed by and for the town, it needs to be subsequently transferred to the Town Council upon practical completion.

Whilst facilitating the delivery of the Pavilion, East Devon District Council do not wish to incur liabilities beyond the practical completion stage.

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Financial implications:	Risks have been highlighted within the report along with mitigating actions and funding streams identified. Previous examples of transferring assets to Town Councils shows this can be complex and time consuming with no budget provision available.
Legal implications:	The approach of taking land, obtaining funding, procuring the construction of the sports pavilion and transferring the building to the Town Council upon completion is permissible legally. The project when broken down into constituent parts – conveying land, securing external funding and procuring construction and project management of the build - will have legal implications which cannot be addressed in this report. Each individual item will be subject to legal input to ensure a lawful approach to the various transactions / activities. However, there is a need to ensure that the Council's interests are appropriately protected through due diligence and agreements with other parties and the delegation to the Deputy Chief Executive facilitates this occurring and for the project to then progress
Equalities impact:	Low Impact To meet the FA, ECB and Sport England requirements adequate provision must be given to accessibility to the new building (and rooms inside) as well as in making suitable provision and separate changing and toilet facilities for both men and women, teams and officials.
Climate change:	Medium Impact While every effort will be made in the design and procurement of the building to ensure that it is efficiently designed, made from sustainable material, minimises water use and is energy efficient to run, these attributes will need to be balanced against the costs of procurement. There is a maximum budget within which the building must be delivered and therefore a balance will need to be struck between its sustainability and the size/specification of the building.
Risk:	Low Risk The delivery of the building is secured through Section 106 and external funding and as such there should be no financial burden placed on the Council, other than in Officer time Construction cost risks and overspend can be managed through the type of contract that is secured with a manufacturer/building company

The liability that the Council would hold, would be time limited to that period between receipt of land and the practical completion of the building.

In the event that the Town Council failed to take on responsibility for the building at the Practical Completion stage, initial assessments indicate that it is ultimately an asset which the District Council could, if necessary, retain and manage as a profitable proposition

Links to background information:

Link to Council Plan: Encouraging communities to be outstanding

Report in full

1.0 Background

- 1.1 The Sports hub at Cranbrook (known as Ingrams) was conceived in 2014 when an application was submitted to the District Council which brought together and co-located the new town's cricket and football requirements.
- 1.2 Since May 2019 the sports fields which were approved through that application have been in use at the hub. This has finally allowed the playing of football and other field related sports activities within the town and is an important milestone.
- 1.3 The cricket square which also forms part of the hub has also been laid and was available for use from this summer.
- 1.4 However as part of the 2014 application, a design and layout for a changing room building was also approved. This met the requirements of the previously signed Section 106 agreement which accompanies the outline planning permission at Cranbrook.
- 1.5 The developers are now in a position to deliver the changing room building in accordance with the 2014 permission which remains extant but the size and specification of that building, whilst meeting the historic obligations, is not appropriate for today's needs.
- 1.6 While measuring 22m x 11.6m and delivering 4 changing rooms the facility:
 - Fails to meet the England and Wales Cricket Board (ECB) requirements for changing room and pavilion requirements
 - Is inadequate for football failing to meet current minimum standards (although can be used for entry level leagues)
 - Would continue to be an asset drain for Cranbrook Town Council having little or no income generating potential.
- 1.7 As a result of the identified shortcomings, it places a significant burden on the Town Council were they to adopt the asset in its current form.

- 1.8 In recognising the deficiencies of the current plan, the consortium of developers have been working constructively with the Cranbrook planning team to explore an alternative design.
- 1.9 This work has now evidenced that a building measuring 32.2m x 16.4m would facilitate the delivery of up to 6 changing rooms, bar and club room, family room and spectator seating. Not only would such a facility address the needs of the sports clubs/teams which could operate at the hub but it would also provide a very valuable community meeting space which is something that Cranbrook is currently severely lacking. It also has the potential to provide a facility that has its own income stream from room lettings, bar receipts etc to enable its future maintenance.

2.0 Funding

- 2.1 The developers have quite reasonably indicated that while they would invest their original budget within the enhanced pavilion, they would not meet the additional costs.
- 2.2 The funding situation has now reached a position where a pot of monies (blending available Section 106 funds together with external funding) can be secured. While slightly short of the cost estimate provided by the Consortium of Developers for the enhanced provision, the pot is of a sufficient size as to allow the delivery of a meaningful building which addresses most if not all of the aspirations of the Town Council. However to do this requires further design work and minor revision to the proposed building to bring it within budget. The developer Consortium are not prepared to do this and therefore an alternative delivery mechanism is required.
- 2.3 The headlines which have been worked up with the Development Consortium and which will need to be secured through a Deed of Variation to the Section 106 propose:
- Consortium transfer of serviced land to East Devon District Council
 - Consortium provision of equivalent cash contributions to their current development obligations
 - Subject to the satisfactory legal transfer of land and access, East Devon District Council delivery of the sports and community pavilion on behalf of the local community
- 2.4 Risks are set out in the introduction to this report, but there are opportunities too – not least in the demonstration of commitment to the town of Cranbrook and the ability to help deliver a community asset which, through the design improvements and the control which can be exercised, would remain viable in the long term. Such an approach meets in full the Councils commitment to encourage outstanding communities.