
REPORT FOR: CABINET

Date of Meeting:	14 March 2019
Subject:	Procurement of a 3G Artificial Grass Pitch at Bannister Sports Centre
Key Decision:	Yes – award of contracts in excess of £500,000
Responsible Officer:	Paul Walker, Corporate Director - Community
Portfolio Holder:	Councillor Keith Ferry, Portfolio Holder, Regeneration, Planning and Employment Councillor Adam Swersky, Portfolio Holder for Finance and Resources
Exempt:	No, except for Appendix 2 which is exempt under paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) because it contains information relating to the financial and business affairs of Sports and Leisure Management Ltd and the Council
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	Appendix 1: Equalities Impact Assessment Exempt – Part II Appendix 2: 3G Artificial Grass Pitch Business Case

Section 1 – Summary and Recommendations

This report seeks approval to enter into a funding agreement with the Football Foundation and to then proceed with the procurement of a contractor through the Football Foundation's Framework Agreement to complete the installation of a 3G Artificial Grass Pitch at Bannister Sports Centre.

Recommendations:

Cabinet is requested to:

1. Delegate authority to the Corporate Director, Community and the Director of Finance, following consultation with the Portfolio Holder for Regeneration, Planning and Employment to enter into a funding agreement with the Football Foundation towards the cost of installing a 3G Artificial Grass Pitch at Bannister Sports Centre.
2. Delegate authority to the Corporate Director, Community, following consultation with the Head of Procurement to undertake a procurement process under the Football Foundation's Framework Agreement for the selection of supplier(s) to install a 3G Artificial Grass Pitch at Bannister Sports Centre once planning permission has been granted and Football Foundation external grant funding obtained.
3. Delegate authority to the Corporate Director, Community, following consultation with the Portfolio Holder for Regeneration, Planning and Employment, and the Portfolio Holder for Finance and Resources to award and arrange the execution of contracts with the successful tenderer(s) appointed through the procurement process and to take any further actions necessary to complete the installation of the 3G Artificial Grass Pitch at Bannister Sports Centre.

Reason: (for recommendations)

Due to the estimated value of the project being above £500k Cabinet authorisation is required to comply with the Council's Contract Procedure Rules.

Section 2 – Report

1. Introduction

1.1 A Section 106 agreement relating to the development of Harrow View West has been put in place and the developer has made a contribution of £1m to mitigate against the impact of the loss of grass playing pitches resulting from the development.

1.2 The installation of a 3G Artificial Grass Pitch at Bannister Sports Centre is proposed as part of the replacement of playing pitches lost at the Harrow View West site, and to address the deficit of 3G Artificial Grass Pitches in the borough.

1.3 Cabinet approval is required to begin the process of procuring contractors for all projects with an estimated value in excess of £500k.

1.4 The installation of a 3G artificial grass pitch at Bannister Sports Centre supports the Council priority to make a difference for communities. The new facility also supports the Harrow Ambition Plan to 'Build a Better Harrow' and in particular to provide 'a good cultural, leisure and night-life offer that is celebrated and well used' and 'to support people to be healthy and our environment to be safe, clean and accessible.'

2. Background

2.1 The Harrow Outdoor Sports Pitch Strategy 2013-2023 was approved by Cabinet in April 2013. The Strategy was based on an analysis of the supply of and demand for outdoor sports facilities in the borough. The Strategy had five key objectives:

- To improve the quality of grass pitches and support ancillary provision such as changing facilities at Council-owned sites.
- To consider location options to address deficiencies in provision for small sided football and rugby (grass and/or 3G MUGA).
- To consider options to provide a further Synthetic Turf Pitch in the borough.
- To deliver sport-specific quality improvements in parks and open spaces (tennis, bowls etc.).
- To deliver safe, fit-for-purpose pitches to meet the needs of residents.

2.2 When the Harrow Outdoor Sports Pitch Strategy 2013-2023 was developed, it identified a shortfall of 5 3G Artificial Grass Pitches (AGPs) in the borough if the two AGPs at Harrow School are not included as they have limited community use access. Middlesex Football Association in 2018

identified that Harrow required an additional 6.7 full size 3G Artificial Grass Pitches to meet demand.

2.3 The Harrow Indoor Sports Facility Strategy 2018-2026 also included artificial grass pitches as the provision of additional pitches can reduce the use of indoor sports halls for five a side football. The Indoor Sports Facility Strategy reiterated the shortfall of AGPs identified in the Harrow Outdoor Sports Pitch Strategy 2013-2023.

2.4 The Football Association (FA) National Game Board has recently developed a new Strategy for the period 2018-2021 based on the exciting objective of inspiring a lifelong journey in football for all. The new National Game Strategy focuses on five initial strategic pillars:

- High Quality Introduction to Football
- Develop Clubs and Leagues
- Embrace All Formats, Engage All Participants
- Recruit, Develop and Support the Workforce
- Develop Sustainable Football Facilities – Improving grass pitches and increasing the number of 3G Artificial Grass Pitches

Middlesex Football Association (Middlesex FA) is responsible for delivering the strategy locally. The installation of the new 3G Artificial Pitch at Bannister Sports Centre is recognised by the Middlesex FA as supporting their Vision to 'Inspire our community to get involved in football', and their Mission to 'Deliver a Modern, Dynamic, and Customer Centred football experience'.

2.5 The FA's vision for facilities is simple and pragmatic with the following objectives:

- Building – provide new pitches and facilities in key locations to FA standards.
- Protecting – ensure that playing pitches and facilities are protected for the benefit of current and future users.
- Enhancing – invest in existing pitches and facilities, ensuring that participation is sustained as well as expanded.

The National Football Facilities Strategy (NFFS) 2017-2027 is a 10 year plan that sets out the priorities for investment, developed and supported by the key football partners including The FA, The Premier League, Sport England, and the Football Foundation. The Strategy sets out a number of objectives including enabling local opportunities for everyone to be engaged in football, and sustainable, high quality facilities encouraging participation, player potential and achieving potential.

2.6 The main advantage of artificial grass pitches (AGPs) is that they have a higher capacity than natural turf pitches and can be used 7 days a week in all weather conditions. The Football Association (FA) is supportive of the use of 3G AGPs in football for competitive matches and training purposes. The development of 3G AGPs with a longer pile that allows football to be played on artificial grass that replicates the playing qualities of the best quality natural turf pitches.

2.7 The provision of a new full size Artificial Grass Pitch will help grow participation in football across all sectors of the game including mini-soccer, youth football, girls and women's football and disability football. The intention is to have a football development programme that fits in with work and lifestyle patterns of participants. The new facility will, therefore, support the overarching aim of Harrow Council's 'Active Harrow: Harrow Physical Activity and Sports Strategy, 2016-2020'. This aim is 'to support people who are not doing any activity into doing some and those going some activity into doing more'.

2.8 The S106 contribution of £1 million relating to the development of Harrow View West and the subsequent loss of grass playing pitches was received by the Council in 2016. The S106 Agreement stipulates:

"Provision of additional and/or improvement to existing pitches including re-grading and drainage, changing room and refreshment area improvements at Bannister Sports Centre (or such similar or other sport facility within the vicinity of the Development) as jointly agreed by the Council and the Owner."

3. Options considered

3.1 The following options are offered for Cabinet consideration:

Option A: To proceed with the procurement of a contractor(s) to install a 3G artificial grass pitch at Bannister Sports Centre once planning permission has been approved funded by the Section 106 Contribution received by the Council in relation to the development of the Harrow View West site, and by external grant funding from the Football Foundation (subject to a successful bid). This will help to fulfil a planning permission requirement for the development of the Harrow View West site by replacing playing pitches lost as part of the development. The new facility will also help to address the deficit in 3G artificial grass pitches identified by the Harrow Outdoor Sports Pitch Strategy, 2013-2023, and the Harrow Indoor Sports Facility Strategy, 2018-2026.

This option is recommended.

Option B: To proceed with the procurement of a contractor to install a 3G artificial grass pitch at an alternative site to Bannister Sports Centre in the borough funded by the Section 106 Contribution received by the Council in relation to the development of the Harrow View West site, and by external grant funding from the Football Foundation (subject to a successful bid). The Section 106 Agreement requires that the provision of additional and/or improvement to existing pitches are made at Bannister Sports Centre or a similar sport facility in the vicinity of the development of Harrow View West. No alternative site has been identified that would be as accessible as Bannister Sports Centre and with the capacity to provide the necessary ancillary facilities.

This option is not recommended.

Option C: To not proceed with the procurement of a contractor to install a 3G artificial grass pitch at Bannister Sports Centre. This would result in the 3G artificial grass pitch not being installed meaning that the Council would not be progressing the replacement of playing pitches lost as a result of the development of the Harrow View West site for which the Council received a total S106 contribution of £1 million in 2016. The deficit in 3G artificial grass pitches identified in the borough would also not be addressed, and the Council would not be benefiting from the additional income generated by the new facility.

This option is not recommended.

4. Current Situation

4.1 The grass playing pitches at Bannister Sports Centre on the East and West fields of the site are currently underutilised because of poor drainage. As part of the re-provision of grass playing pitches lost at the Harrow View West site, a Development Agreement was signed with Carzo Ltd (now Golf and Leisure Experience Ltd) in December 2017 to remodel and refurbish the playing pitches. This includes the installation of drainage and the importation of environmentally approved soil. The work will be undertaken at no cost to the Council.

4.2 A drop-in consultation event was held at Bannister Sports Centre in May 2018 to encourage local residents, sports clubs, and schools and colleges to comment on the proposed improvements to grass pitches and the installation of the 3G artificial grass pitch. 2000 flyers regarding the event were circulated to local residents, and local sports clubs and organisations were also notified. 27 people attended the event, with 3 feedback forms completed on the day and 4 online forms also being submitted. Feedback from the event and the feedback forms demonstrated general community support for the playing pitch (grass pitches and the 3G artificial grass pitch) proposals. The main issues raised were parking, drainage, the impact on green belt land, and access to the site from the Uxbridge Road. Following the consultation event a joint planning application for the grass pitch works and the installation of the 3G artificial grass pitch was submitted in the autumn 2018.

4.3 Continuum Sport and Leisure Ltd were engaged in July 2017 to develop the Football Foundation Funding Application in relation to the installation of the 3G Artificial Grass Pitch at Bannister Sports Centre. This work has included the creation of a development plan by engaging with clubs, colleges, schools, and other organisations. The Football Development Priorities for Harrow have been identified as follows:

- Sustain and increase the number of Youth and Adult Female Teams
- Sustain and increase Adult Male 11 a side football
- Increase small-sided, futsal and recreational playing opportunities
- Sustain and increase disability football provision
- Retain youth and mini-soccer participation

The application to the Football Foundation was submitted on the 18th January 2019 requesting a total grant funding of £0.557m towards the total project

cost, with the remaining sum being match funded using the S106 contribution. A decision by the Football Foundation on whether the application has been successful is expected in May 2019.

4.4 Bannister Sports Centre is currently managed by Sports and Leisure Management Ltd (SLM) on behalf of the Council as part of the Council's leisure contract. The leisure contract with SLM is a 10 year contract which started on 1st September 2013 and ends on the 31st August 2023. The current facility comprises an athletics track and grass football and rugby playing pitches that are currently underused due to the current condition of the pitches. It is intended that Sports and Leisure Management Ltd will manage the new 3G Artificial Grass Pitch on behalf of the Council as an extension of the facilities available.

5. Performance Issues

5.1 Adult participation in sport and active recreation is measured through Sport England's new 'Active Lives Survey' which replaced the 'Active People Survey' in 2017. Harrow achieved a score of 69.8% in the statistics released in May 2018. The national average was 74.8%.

5.2 The success of the project will be measured by maximising usage amongst local grass roots football clubs, income and participation targets. The growth of teams within key partner clubs will also be measured. The Football Foundation will require the monitoring of football participation by gender and age groups in relation to participants, coaches, officials, and volunteers.

6. Environmental Implications

6.1 The new 3G Artificial Grass Pitch (3G AGP) will increase the number of full size high quality 3G AGPs available to the community in Harrow. This will help to reduce the use of neighbouring grass pitches for football, particularly for training, which will help to improve the quality of grass pitches in the borough.

7. Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? Yes

The main risks identified for the proposal contained within this report:

1. Planning Permission for the installation of the 3G Artificial Grass Pitch is not approved.

Pre-planning advice was sought from the Planning Department to inform the planning application. A consultation event was undertaken in May 2018 with local residents and other stakeholders. This demonstrated general community support for the playing pitch proposals (improvements to grass

pitches and installation of a 3G Artificial Grass Pitch). Feedback from the consultation event helped to inform the planning application.

2. The application to the Football Foundation for grant foundation of £0.557m towards the cost of the installation of the artificial pitch is unsuccessful.

The proposals for the installation of a 3G Artificial Grass Pitch at Bannister Sport Centre were discussed with the Football Foundation at the beginning of the project. The Football Foundation indicated that they were keen to receive applications for the installation of this type of facility in Harrow due to the current deficit. A consultant with significant experience in Football Foundation funding applications has been engaged to lead on the development of the application, and the Football Foundation has been updated regularly on the progress of the application.

3. A rise in the installation costs of the 3G Artificial Grass Pitch.

The approximate costs for the installation of the 3G Artificial Grass Pitch have been calculated for the procurement exercise by consultants working on the funding bid and developing the planning application. The costs will be regularly monitored throughout the project, with a review of the project being undertaken to mitigate any increase in installation costs.

4. Insufficient income is generated from the use of the new facility to offset the running costs

A business case has been developed as part of the development of the application to the Football Foundation for funding. This has reviewed income and expenditure of similar facilities in the London area. There has been engagement with a number of local clubs and organisations during the creation of a football development plan for the new facility who have expressed an interest in using the new facility on a regular basis. The Football Development Plan has also been created with regular input from the Football Association and the Middlesex Football Association.

5. There is a delay to the project due to the supplier's Framework Agreement ending on the 31st March 2019.

The Football Foundation is in the process of retendering for new Framework Agreements for the FMC and the suppliers of the 3G pitches. The aim is that this new Framework Agreement will start on 1st July 2019. There will be a delay in the Council being able to undertake the tendering process to select a supplier to complete the works until this time. The potential delay will only be for a short period, however, as the Football Foundation Panel is not due to make a final decision on the Council's funding application until May 2019. The delay can be minimised by working with the FMC in the interim period to ensure all documents are prepared for the mini-competition of suppliers so that they can be issued immediately when the new Framework goes live.

8. Procurement Implications

8.1 A Procurement Framework has been developed by the national governing and funding bodies of football, rugby, and hockey and in collaboration with Sport England for the procurement of Artificial Grass Pitches (AGP). Robinson Low Francis LLP (RLF) has been appointed as Framework Managing Consultant (FMC).

8.2 RLF has, therefore, been appointed under the terms of the Framework Managing Consultant (FMC) Framework Agreement to manage the procurement of the AGP for Bannister Sports Centre. It is a condition of the use of the Framework Agreement that RLF are appointed as the Framework Consultant. Using the output of the detailed design stage and the approved planning drawings, the FMC pulls together a comprehensive tender pack and posts the tender on their web based tender portal. The 6 approved framework suppliers are invited to tender submissions via the same web based portal as part of a mini-tender competition. The 6 suppliers on the framework have been selected via a highly competitive and robust Official Journal of the European Union (OJEU) compliant tender process. RLF will carry out a quality marking assessment of all tender returns against set criteria, and will then prepare a tender report and recommendation based on the scoring matrix outcome.

8.3 The Football Foundation is in the process of retendering for new Framework Agreements for the FMC and the suppliers as the current Framework Agreements end on the 31st March 2019. The aim is that this new Framework Agreement will start on 1st July 2019. The Council will not be able to undertake the tendering process via the Framework Agreement to select a supplier to complete the works until the new Framework Agreement is in place.

9. Legal Implications

9.1 The Council's Contract Procedure Rules provides that a Cabinet report is required for all Procurement over £500,000 or where the Procurement is defined as a Key Decision. Although it is possible that a contract might be entered into under £500,000, officers are satisfied that the package of contracts should be treated as a Key Decision and subject to the officer delegations as set out in the Recommendations to this report if approved by Cabinet. It is noted that all Cabinet reports must be approved by the Strategic Procurement Board as part of their journey to Cabinet approval.

9.2 The procurement of each contract or any package of works, services and goods contracts must comply with the Public Contracts Regulations 2015 if above the relevant thresholds. Typically this will entail publishing a contract notice in OJEU to start a procurement competition or using an EU compliant framework.

9.3 In considering the Council's requirements arising from the package of works, services and goods the Council must comply with its equalities duties and social value duties under the Equalities Act and Social Value Act.

10. Financial Implications

10.1 A S106 contribution of £1m has been secured from the developer of Kodak site for the provision of additional and/or improvement to existing pitches including re-grading and drainage, changing room and refreshment area improvements at Bannister Sports Centre.

10.2 The project is in the existing capital programme, with the remaining budget of £0.922m in 2018/19 (net of expenditure in previous years). It is planned to utilise the funding to complete the refurbishment work of the pavilion, electrical upgrade at Bannister Sports Centre and the installation of a 3G Artificial Grass Pitch including additional car park provision.

10.3 A funding application has been submitted to the Football Foundation, requesting for £0.557m to contribute towards the costs of the 3G Artificial Grass Pitch. As part of the application, the Council will provide a match funding of £0.375m from the S106 contribution already secured. Subject to a successful bid, the total costs of all the proposed works can be met from a combination of S106 funding and Football Foundation grant.

10.4 A 5-year financial projection of the new 3G Artificial Grass Pitch has been developed as part of the funding application and it is detailed in Appendix 2. This takes into account the additional costs of managing the facility and income generated from pitch bookings. It is a requirement of the Football Foundation funding application that the Council is committed to allocating £25k to a sinking fund per annum for 10 years for the replacement of the 3G pitch after 10 years. This has been included in the financial projection and it is anticipated that the sum can be provided from the net income generated from the new facility. The financial projection indicates that, after contributing £25k to the sinking fund, a small net surplus of around £20k can be achieved but this will be subject to the actual occupancy level and the number of bookings. As it is the intention that Sports and Leisure Management Limited will manage the new 3G pitch on behalf of the Council, the net income due to the Council is subject to the outcome of commercial negotiations.

11. Equalities implications / Public Sector Equality Duty

11.1 An Equalities Impact Assessment (EqIA) has been conducted (Appendix 1). The proposed procurement and installation of a full size 3G Artificial Grass Pitch will have a positive impact on all the protected characteristics as it will help to reduce the identified deficit in Harrow of 3G Artificial Grass Pitches (AGPs). 3G AGPs can be used for football matches and training throughout the year and in all weathers. The design of the 3G Artificial Grass Pitch is in accordance with the FA Guide to 3G Football Turf Pitch Design Principles and Layouts. Disabled access has been carefully considered throughout the whole design and applied where appropriate. The intention is to provide a smooth transition to and from areas within the sports ground for use by people of all ages and abilities.

12. Council Priorities

The proposed new 3G Artificial Grass Pitch supports the Council Corporate Priority of 'Making a difference for communities' by increasing the number of full size 3G Artificial Grass Pitches that are accessible to the community in the borough.

The proposed new facility will also support the Harrow Ambition Plan to 'Build a Better Harrow' and in particular to provide 'a good cultural, leisure and night-life offer that is celebrated and well-used', and 'to support people to be healthy and our environment to be safe, clean, and accessible'.

Section 3 - Statutory Officer Clearance

Name:Jessie Man.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date:08/02/19.....		
Name: ...Karen King.....	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date:29/01/19.....		

Section 3 - Procurement Officer Clearance

Name:Nimesh Mehta.....	<input checked="" type="checkbox"/>	Head of Procurement
Date:07/01/19.....		

Ward Councillors notified:	NO as it impacts on all Wards
EqIA carried out:	YES
EqIA cleared by:	Dave Corby

Section 4 - Contact Details and Background Papers

Contact: Tim Bryan, Service Manager – Libraries, Sport and Leisure. Tel. 020 8416 8639, Email. tim.bryan@harrow.gov.uk

Background Papers:

Planning Obligation under Section 106 of the Town and Country Planning Act 1990 relating to land at Harrow View and Headstone Drive in the London Borough of Harrow, 21st December 2012.

**Call-In Waived by the
Chair of Overview and
Scrutiny Committee**

NO – CALL IN APPLIES