

COUNCIL
26 NOVEMBER 2020

Report of the Director of Community & Environmental Services and Director of Regulatory Services

ASHBOURNE RECREATION GROUND PAVILION

PURPOSE OF THE REPORT

Following previous approval of the grant of a lease of land and associated sports pitches to Ashbourne Recreation Ground Sport & Community Partnership (“ASCP”) and the provision of capital contributions to the scheme comprising a new sports pavilion building and a programme of sports pitch improvements, to consider a release of further capital funding in line with the procedure requested at the 27th August Council meeting.

RECOMMENDATION

1. That the outcome of the Public Open Space Consultation and progress on the granting of an Agreement for Lease and, subject to appropriate terms being met, a 50 year lease of land at Ashbourne Recreation Ground with Ashbourne Recreation Ground Sport and Community Partnership (Charity No 1178134) (ASCP) is noted.
2. That the request for additional capital funding recently received from ASCP included as Appendix 1 of this report is considered and, should additional funding be approved, appropriate provision is made in the Capital Programme.

WARDS AFFECTED

Ashbourne North and South, and surrounding wards

STRATEGIC LINK

The provision of a lease and funding as proposed in this report support the District Council’s Corporate Aim to promote quality of life and also makes a significant contribution to the safety, health and wellbeing of the community of Derbyshire Dales.

1. BACKGROUND

- 1.1 Members will recall the previous report on the Ashbourne Pavilion project presented to the 27th August Council meeting which considered terms for a lease of land and associated sports pitches to Ashbourne Recreation Ground Sport & Community Partnership (“ASCP”); the provision of capital contributions to the scheme comprising

a new sports pavilion building and a programme of sports pitch improvements; and the early release of some of the capital funding.

1.2 At this meeting the following items were resolved unanimously:-

- That, subject to Public Open Space Consultation, an Agreement for Lease and, subject to appropriate terms being met, a 50 year lease of land at Ashbourne Recreation Ground is granted to Ashbourne Recreation Ground Sport and Community Partnership (Charity No 1178134) (ASCP).
- That, subject to the entering into the lease, a Construction Licence is granted to allow the demolition and construction works to take place.
- That an amount of £79,000 from within the existing Capital Programme budgets together with S.106 funds of £71,573 relating to the Redrow Homes Leys Farm development (when received) be provided to ASCP as match funding towards the proposed redevelopment scheme.
- That the amount of £36,000 from the above funds is released immediately to meet the cost of professional fees incurred by the ASCP to date.
- That increased revenue funding of £42,000 over a 6 year period is made available to enable a Pitch Improvement Programme for the 3 football pitches included in the scheme to be implemented should external grant funding for this amount not be available is noted.
- That a request for additional capital funding of £175,000 received from the ASCP could be considered when required once a further report has been brought back to Council.

2. REPORT

- 2.1 Since the 27 August 2020 report was presented at full council and the above 1.2 of this report was unanimously resolved, ASCP have continued to develop the scheme and have met virtually with Derbyshire Dales District Council officers on a monthly basis. These meetings have helped to progress the project and provided updates on the current position and agreeing actions moving forward.
- 2.2 ASCP have continued work to source external funding for the scheme. One significant source of funding is via the Football Foundation which is subject to various requirements regarding security of tenure of the sports pitches. At the time of writing this report the application submission for this funding is imminent.
- 2.3 A considerable amount of work has taken place over the last 9 months to provide a suitable agreement which provides the group with the security of tenure required to secure external funding without compromising the public open space status of the wider Recreation Ground.

Proposed Lease and Construction Licence

- 2.4 The proposed lease agreement and Construction Licence have now been drafted and are under discussion between each parties' respective solicitors. This has also been sent to one of the main funders the Football Foundation prior to a funding application submission.

Public Open Space Consultation

- 2.5 This process has now been completed and no responses were received.

Financial Contribution

- 2.6 At full council on 27 August 2020 it was agreed that Derbyshire Dales District Council would financially support ASCP with a capital contribution of £79,000 from within the existing Capital Programme budgets, together with S106 funds of £71,573 relating to the Redrow Homes Leys Farm development (when received) to ASCP as match funding towards the proposed redevelopment scheme.
- 2.7 The District Council is now in the process of releasing £36,000 of the above funding to cover the cost of professional fees incurred by ASCP for work to start on site, also agreed at committee on 27 August.
- 2.8 An additional request for further capital funding was received for consideration at the 27 August committee where it was resolved that if funding was required it would be considered once a further report has been brought back to Council.
- 2.9 A request for up to an additional £175,000 has been received from the Chairman of ASCP to enable phase 1 of the project to begin, see appendix 1.
- 2.10 ASCP have been informed by the England & Wales Cricket Board (EWCB) that they are prepared to increase their investment in the project to £250,000 provided that all spend can be made by 31 January 2021. At the time of writing this report a letter confirming this funding has not yet been received however it is expected to be received prior to 26 November committee. The loss of this funding would be detrimental to the overall Ashbourne pavilion project resulting in the existing pavilion remaining with the District Council and would have considerable financial costs to the District Council.
- 2.11 There are several other grant applications being considered by other funders totalling over £250,000. If all of these applications are successful ASCP will have a total of £865,000 towards the pavilion project. This will enable a contract to be let to the preferred contractor to start the work in late December and achieve the required EWCB spend by the end of January 2021.
- 2.12 If one or more of these applications are unsuccessful then there will be a need to draw down, as required over the length of the construction contract, the reserve funding of £175,000 in recommendation 2 of this report that was previously considered by the District Council on 27 August 2020.
- 2.13 The full £175,000 may not be required since this would depend on the success of outstanding external funding applications made by ASCP. The Garfield Weston Foundation fund requires 50% of the capital funding for the project to be secured

before the application can be considered. If the District Council agreed to allocate the reserve funding of £175,000, as requested in appendix 1, this would trigger the Garfield Weston Application for £50,000 to be considered.

- 2.14 The £175,000 additional funding request in appendix 1 would be drawn down on an 'as required' basis subject to the success or otherwise of ASCP current funding applications for the pavilion project. Appendix 2 highlights the funding applications that have already been submitted. It also demonstrates ASCP potential funding position with and without the £175,000 additional funding request.
- 2.15 If recommendation 2 is approved ASCP will be in a position to award the contractor and begin phase 1 of appendix 2. The lease would then commence with a view to demolition of the existing building and subsequent construction works will follow.

3. RISK ASSESSMENT

3.1 Legal

The legal risk is low, consultation has taken place negating any legal challenge for entering into a lease subject to appropriate terms.

3.2 Financial

A report elsewhere on the agenda for this Council meeting shows that capital funding from reserves and balances (except grants and contributions held for specific purposes) is fully committed to other capital projects. This project has been included on the list of potential future liabilities as a lower priority project.

If members are minded to award additional funding for this project, it would need to be added to the Council's capital programme and would have to be financed by borrowing, which would result in an additional charge to the Council's revenue account. Alternatively, if borrowing is to be avoided, other capital schemes already included in the draft capital programme would need to be reduced or removed.

The financial risk of awarding additional funding of £175,000 is, therefore, assessed as high.

4. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

Becky Bryan, Community Development Manager
Tel: 01629 761385
E-mail: becky.bryan@derbyshiredales.gov.uk

Mike Galsworthy, Estates and Facilities Manager
Tel: 01629 761207
E-mail: mike.galsworthy@derbyshiredales.gov.uk

6. ATTACHMENTS

Appendix 1 - Request for additional Capital Funding
Appendix 2 – Pavilion project costs