

Notice of KEY Executive Decision containing exempt information

The Executive Decision Report is part exempt under the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended. The exemption sought is by virtue of:

Paragraph 3 - Information relating to the financial or business affairs of any particular person including the authority holding that information; and

It is in the public interest to withhold the information as the public interest in maintaining the exemption outweighs the public interest in disclosing the information as disclosing the information could prejudice the Council's position and this is not in the public interest.

Subject Heading:	Brittons Football Hub - Appointment of Project Managers
Decision Maker:	Patrick Odling-Smee
Cabinet Member:	Councillor Gillian Ford
ELT Lead:	Barbara Nicholls
Report Author and contact details:	Guy Selfe, 01708 433866, guy.selfe@havering.gov.uk
Policy context:	People – things that matter to residents
Financial summary:	<p>The direct award for the project management has an estimated cost of up to £678,446.</p> <p>This will be funded from a grant from the football foundation and from LBH match funding.</p> <p>If the project fails at any stage, the project will cease and the contract</p>

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	for the project management will be ended.
Reason decision is Key	Indicate grounds for decision being Key: (a) Expenditure or saving (including anticipated income) of £500,000 or more
Date notice given of intended decision:	7 March 2025
Relevant Overview & Scrutiny Committee:	People Overview and Scrutiny Sub-committee
Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well X

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The decision maker is requested to:

1. Agree to appoint Alliance Leisure Limited through the UK Leisure Framework to project manage the proposed football hub project at Brittons Playing Fields.
2. Make a contract with Alliance Leisure Limited for the management of the proposed football hub project at Brittons Playing Fields to start in April 2025 for a term of twenty months at the value of £678,446 subject to certain break clauses allowing the Council to terminate the contract at various stages of the project.

AUTHORITY UNDER WHICH DECISION IS MADE

Cabinet 11 December 2024 - Future Management of Brittons 3G Pitch

STATEMENT OF THE REASONS FOR THE DECISION

1. On 11 December 2004, in a report on the development of a football hub at Brittons Playing Fields Cabinet agreed (amongst other things) to authorise the Head of Culture, Leisure, Heritage and Libraries, in consultation with the Strategic Director of Resources and the Cabinet Member for Adults and Wellbeing to:
 - a. Make an application to the Community Infrastructure Fund and to external funders for the funds necessary as partnership funding, progress the feasibility study to substantiate an application to the Football Foundation for further grant funding and to progress the preliminary design work necessary for an application for planning permission.
 - b. Subject to (a) above being satisfactorily achieved, to make an application for planning permission to allow for development of the land including and around the existing 3G pitch at Brittons Playing Fields into a “football hub” comprising of two additional 3G pitches and ancillary facilities.
 - c. Subject to (b) above being satisfactorily achieved, to submit a funding application to the Football Foundation in conjunction with the National Football Trust.
2. In order to progress the football hub, it is recommended to appoint project managers to oversee the complete project from feasibility, design, planning, tendering, construction through to commissioning.

Current Situation

3. Contact has been made with Alliance Leisure through the UK Leisure Framework to discuss a ‘direct award’ for the services outlined above. Alliance Leisure have delivered football hubs previously working with the Football Foundation.
4. If the recommendations of this report are agreed, Alliance Leisure will bring that experience and lessons learnt to the development of a football hub at Brittons Playing Fields. It would also provide a ‘one stop’ solution to the project managing the whole process and potentially save money through an alternative of commissioning individual elements of the project, for example design, planning and tendering.
5. Alliance Leisure has provided an overall cost to take a football hub through to completion, however, at any time the appointment can cease. For example, if planning permission is not granted, only costs up to that point would be incurred.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Do nothing – Cabinet has previously agreed to take the football hub project at Brittons Playing Fields forward, with a grant of £202k being awarded from the Football Foundation to take forward RIBA stages 1-3. This accounts for 60% of the costs with the Council funding 40% of these pre-construction costs. As a football hub project has been agreed by Cabinet and funding is in place to deliver RIBA stages 1-3, this option has been rejected.
2. Tender individual components of the football hub project separately – this is likely to result in higher costs and also not provide the continuity of a single project manager with experience of delivering football hubs in partnership with the Football Foundation. For these reasons, this option has been rejected.

PRE-DECISION CONSULTATION

Cabinet 11 December 2024

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Guy Selfe

Designation: Head of Culture, Leisure, Heritage and Libraries

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Section 1 of the Localism Act 2011 grants Local Authorities a General Power of Competence, allowing it to do anything that an individual may do, provided there are no statutory constraints, and that it either furthers its functions or benefits the Local Authority's area.

The Local Authority is a Contracting Authority for the purposes of the Public Contract Regulations 2015 (PCR). The value of the contract is below the works threshold of £4,733,252, therefore this Contract is not subject to the full rigours of the Regulations. However, the Local Authority must still be mindful of the general principles of procurement as set out in the PCR,

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namely that it must treat economic operators equally, without discrimination, and act in a transparent and proportionate manner. The body of this report confirms that the contract has been tendered using a framework and in compliance with the Council's Contract Procedure Rules (CPR Rule 20.4).

The Local Authority will use the JCT 2016 Design and Build Two Stage Conditions for this Contract.

All Contracts with a value above £150,000 along with any collateral warranties must be executed under seal, this provides the Council with a limitation period of twelve years (CPR Rule 17).

The Legal team are available to assist with the drafting and sealing of the contract.

FINANCIAL IMPLICATIONS AND RISKS

This decision paper is seeking approval to direct award the project management of the Football Hub Project at Brittons playing field to Alliance Leisure.

The estimated total cost of the direct award will be £678,446.

This is broken down to fund the following stages of the project:

RIBA 1 - £22,660
RIBA 2/3 - £315,228
RIBA 4 - £177,361
RIBA 5-7 - £163,196
Total - £678,446

The Football Foundation has offered a grant of £202,733 to progress RIBA stages 1-3, the grant is to cover 60% of the costs of RIBA stages 1-3, the condition of the grant is that match funding of 40% of the RIBA stages 1-3 will be met from LBH. This equates to £135,155 and will be either met from additional external funding or from within Culture and Leisure existing budgets.

If RIBA stages 1-3 are successful, the football foundation would award a second upfront grant to cover 60% of the stage 4 costs with 40% being matched funded from LBH. The LBH match funded would be met from the CIL funding. There is a risk that if this is not forthcoming, LBH will need to cover the cost of RIBA stage 4.

The costs relating to RIBA stages 5-7 will be included within the main grant application to the Football Foundation. If the grant application is successful, up to 75% of the costs will be met from the Football Foundation, with match funding from £1.2m of agreed CIL funding and other externally sourced funding.

The contract to Alliance Leisure will state that the direct award is up to the total contract value and there will be a clause within the contract, that if at any point the project fails and will not continue then the project management cost cease to be payable.

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If the main application for grant funding is unsuccessful then alternative funding would need to be sought in order to continue the project. If further funding is not successful then the project will cease and project management costs for RIBA stages 5-7 will not be payable.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no human resource implications and risks associated with this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

In all situations, urgent or not, the Council will seek to ensure equality, inclusion, and dignity for all.

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HEALTH AND WELLBEING IMPLICATIONS AND RISKS

There are no implications or risks associated with appointing Alliance Leisure to project manage the development of a football hub at Brittons Playing Fields.

However, if the project proceeds to construction there will be job opportunities as well as delivery of social value. Once constructed, there are many health and wellbeing benefits, including both physical and mental, associated with participation in football and physical activity.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no implications or risks associated with appointing Alliance Leisure to project manage the development of a football hub at Brittons Playing Fields.

However, if Havering is awarded additional funding to develop a Football Hub, the team will acknowledge best practice regarding climate change and environmental needs in line with the Havering Climate Change Action Plan and the Council's target of becoming carbon neutral by 2040.

BACKGROUND PAPERS

None

APPENDICES

Appendix A	Alliance Leisure Fee Proposal	Exempt
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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: **Patrick Odling-Smee**

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: **17/04/2025**

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____