

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

18 June 2008

**Report of the Chief Leisure Officer and the
Cabinet Members for Leisure, Youth and Arts and Finance**

Part 1- Public

Matters for Recommendation to Council

**1 CAPITAL PLAN FAST TRACK EVALUATION – TONBRIDGE FARM FLOODLIT
ALL WEATHER PITCH**

Summary

A ‘fast track’ Capital Plan evaluation relating to the refurbishment of the Tonbridge Farm Floodlit All Weather Pitch facility is brought forward for recommendation to Council for approval, following recent flood damage to the facility. In liaison with the Director of Finance, and taking into account the special circumstances, it is felt appropriate to bring the evaluation forward outside of the usual timescales, to ensure continuity of service provision and to minimise the loss of income. It is proposed that funding for the scheme will be met from the Revenue Reserve for Capital schemes. The proposal has been considered and is supported by Management Team.

1.1 Tonbridge Farm Floodlit All Weather Pitch

1.1.1 The all weather pitch is a half sized floodlit astro turf facility hired to local clubs and the community. The all weather pitch is divided into two halves by demountable rebound boards and is primarily used for football practice, including junior clubs. The all weather pitch is let by the Angel Centre and generates annual income to the Council in the region of £28,000 (2007/08 actual).

1.1.2 Cabinet will be aware that the borough has a recognised deficiency in the provision of all weather floodlit pitches, and this has been recognised as a key issue in both the Playing Pitch Strategy and the new Leisure and Arts Strategy.

1.2 Flood Damage

1.2.1 Recent flood damage has led to one half of the all weather pitch being out of action, whilst the matter has been considered by the Council’s Insurers. The all weather pitch has been flooded on two previous occasions with financial settlements received from the Council’s Insurers.

1.2.2 Previous negotiations with the adjacent landowner to find a practical solution to the flooding problem proved unsuccessful. More recently a fresh dialogue has

raised the opportunity to reopen discussions with a view to more positive progress.

- 1.2.3 The replacement of the all weather pitch and its protection from flooding is currently identified in List C of the Capital Plan, as it is recognised that the facility has come to the end of its economic life and the quality of the playing surface has been the subject of a number of customer complaints. It is, therefore, felt essential that the whole all weather area is refurbished rather than just the half significantly damaged by the flood.
- 1.2.4 Following negotiations with the Loss Adjuster, the Council has been advised that a settlement of £39,545 will be forthcoming with the repair works associated with the flood damage.

1.3 Proposed Refurbishment

- 1.3.1 The evaluation report is attached at **[Annex 1]**. Cabinet will note that the proposal, estimated at £162,000, involves the reconstruction and replacement of the synthetic grass pitches, the provision of new rebound boards, and the installation of a new perimeter fence. The proposal also includes some measures to help minimise the effects of future flooding.
- 1.3.2 The timing of the works is also a key issue as the peak use of the all weather pitch commences in September and if possible it would be highly desirable for the works to be progressed in advance of this time. This view is supported by the Chairman of Tonbridge Sports Association. The Council's Insurance Officer has advised that in terms of loss of income cover, the Council's insurers will continue to cover the all weather pitch whilst it is out of operation, but obviously wish to see the work progressed as soon as possible. With regard to ongoing insurance cover, whilst no mandatory requirement has yet been imposed on the Council to protect the facility from flooding and the excess remains at £250, the Council's Insurers have requested details from the Council on what action it intends to take in the future. Whilst it is noted that further liaison with the adjacent landowner is due to take place, an alternate option could be to construct a flood wall around the perimeter of the all weather pitch.

1.4 Legal Implications

- 1.4.1 Taking into account the cost of the works there is a requirement under the Council's Contract Procedure Rules for a tender exercise to be undertaken, involving a minimum of four tenders, usually through a restricted two stage approach. Due to the unexpected nature of the work, the need to minimise loss of income and the wish to bring the facility back into operation as quickly as possible, the Chief Internal Auditor has advised that the opportunity could be taken to seek an exemption from the tendering requirement under Contract Procedure Rule 3.1 (d) on the grounds that this work is required as a matter of urgency and seek quotations in order to minimise delay. This approach is supported by the limited number of specialist contractors available to undertake such a project.

1.5 Financial and Value for Money Considerations

- 1.5.1 Whilst it is positive that a contribution to the refurbishment of the all weather pitch has been received from the Council's insurers, additional funding is required to progress a complete refurbishment, for which no funding currently exists. Liaison with the Director of Finance has identified no potential virement opportunities from within the Capital Plan.
- 1.5.2 Taking the above into account the Director of Finance has suggested that funding could be made available from the Revenue Reserve for Capital schemes due to the exceptional circumstances. This would then be reported to Council on 8 July for approval.

1.6 Risk Assessment

- 1.6.1 Failure to ensure the provision of a facility to an acceptable standard will undermine the Council's ability to meet its policy objectives, and risk a reduction in income from the hire of the all weather pitch. If no action is taken to reduce the risk of flooding to the facility, the Council will be at risk of higher insurance excesses or premium rate increases in the future.

1.7 Recommendations

- 1.7.1 It is **RECOMMENDED TO COUNCIL** that due to the special circumstances caused by the flooding, and the need to ensure continuity of service provision, and to minimise loss of income that:
- 1) the proposed refurbishment of the floodlit all weather pitch at Tonbridge Farm Sportsground as outlined in the report be approved and the scheme be included in the Capital Plan List A;
 - 2) funding for the refurbishment in the current financial year be met from the settlement from the Council Insurers (£39,545) and the Council's Revenue Reserve for Capital schemes (£122,455);
 - 3) an exemption from the tendering requirement under Contract Procedure Rule 3.1 (d) be granted; and
 - 4) investigations into the future protection of the facility from flooding continue, and be reported to Members as part of the Capital Plan review process later in the financial year.

Background papers: File S.3/3/2

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