

Release of Section 106 funds - Replacement of Surface at Hawkenbury All Weather Pitch

Cabinet Member for Sport, Leisure and Health

Lead Member: Cllr Wendy Fitzsimmons - Cabinet Member for Sport, Leisure and Health

Lead Director: Paul Taylor – Director of Change and Communities

Head of Service: Gary Stevenson – Head of Housing, Health and Environment

Report Author: Peter Every – Parks and Sports Centre Team Leader

Classification: Public document

Wards Affected: Park

Approval Timetable	Date
Cabinet Member	6 July 2023
Report Published	1 September 2023
Decision Due not before	11 September 2023

Recommendation

Officer recommendation as supported by the Cabinet Member :

1. That £217,955.06 Of developer contribution is allocated to the replacement of the carpet at Hawkenbury all-weather pitch. The sum was received pursuant to a planning obligation dated 19th November 2020 relating to planning permission 18/01082 Hawkenbury Farm DOV 2 Original Deed 16/07023/HYBRID – 08.05.2017 and pursuant to subsequent deeds of variation applying the obligation to subsequent varied planning permissions as applicable.

1. Introduction and Background

- 1.1 The current artificial turf pitch at Hawkenbury Recreation ground has reached the end of its useable life and requires replacement. It is proposed to replace the surface with a modern equivalent for the dual use of hockey and football along with upgrading the floodlights with LED lights.

. The replacement surface will improve the quality of the provision and increase opportunities for participation in sport and physical activity.
- 1.2 The current sand based pitch at Hawkenbury Recreation ground was re-laid in 2010 with a sand based surface. The typical lifespan of such a pitch is around 10-12 years. The pitch has been maintained and assessed annually by a specialist contractor who have carried out a number of repairs to the seams of the play lines sown into the surface.
- 1.3 The current pitch comprises of one full size football pitch split into 3 five-a-side pitches and a full size hockey pitch. Bookings are split between football and hockey with the prime users being Tunbridge Wells Hockey Club using the pitch for training and matches.
- 1.4 The Hockey club use the pitch at weekends and two evenings a week with local schools using the facility during the day in term time. Football is generally informal groups, many of whom block book their slots in order to guarantee a regular time each week.
- 1.5 The pitch generates £80,000 annually for the Council with £15,000 coming from the Hockey club. The Hockey club have indicated they would be willing to use the facility more with a better quality playing surface.
- 1.6 The current floodlights were replaced in 2010 along with the surface. However, we have been advised by the Council's term electrical contractor the lights are obsolete and replacement parts are no longer available.
- 1.7 Replacing the floodlights with LED lights will reduce maintenance costs as they last longer than traditional lights and will contribute to the Councils target of being carbon neutral by 2030.
- 1.8 The proposed work will be procured using quotations obtained from suitably qualified contractors in line with the Council's contract procedures. Indicative quotes have already been received and the project can be delivered within the budget outlined above.

2. Options Considered

- 2.1 Do nothing – this will result in the continued deterioration of the playing surface and will ultimately result in the facility being closed on the grounds safety. This will be a significant loss of income to the Council.
- 2.2 Agree the project is within the conditions set out in the S106 agreement. No other option is available for the funding and inaction may result in the funds being paid back to the developer. The S106 agreement expires in October 2025.

3. Preferred Option and Reason

- 2.1 Agree the project meets the conditions set out in the S106 agreement and release the funding for the refurbishment of the surface and lighting at Hawkenbury all weather pitch.

4. Consultation on Options

- 2.1 Discussions have taken place with the Hockey club and their views taken on board. Both Hawkenbury Village Association and the Friends group are aware of the funding and its intended use.

5. Cross Cutting Issues

A. Legal (including the Human Rights Act)

Planning obligations provide a mechanism for collecting contributions from developers through the planning process. Such contributions may only be used for the purpose specified in the agreement or undertaking.

Any release of funds should be subject to the conditions set out in the relevant planning agreement or undertaking being met in full.

Any necessary agreements or contracts entered into on release of the contributions must be in accordance with the Council's Contract Procedure Rules and should be in a form approved by the Head of the Mid Kent Legal Partnership.

There are no issues regarding the Human Rights Act.

Tracey Wagstaff Senior Lawyer Mid Kent Legal Services 16 05 2023

B. Finance and Other Resources

The Section 106 funds have been received and can be used for this purpose. Once the allocation of the S106 funds is approved the project will be included in the Council's capital programme

Clare Hazard, Accountancy Manager 16/05/2023

C. Staffing

No staffing implications for the Council

Peter Every Parks and Sports Team Leader 20 April 2023

D. Risk Management

This project will extend the life of an existing asset and will continue to provide an income for the Council.

Peter Every Parks and Sports Team Leader 20 April 2023

E. Environment (inc. Biodiversity) and Sustainability

This project will refurbish and existing facility with preference being given to local contractors. Where possible materials will be used that are recyclable and long lasting. The refurbishment of the floodlights to LED lighting will reduce maintenance costs, last longer and help minimise the environmental impact of the project. All LED lighting is recyclable.

Peter Every Parks and Sports Team Leader 20 April 2023

F. Community Safety

No issues arise but consideration to be given to vandal and graffiti resistant materials.

Terry Hughes Community Safety Manager 26 April 2023

G. Equalities

The provision of a better quality pitch will enable a wide range of sporting opportunities to be offered to a broad cross section of the community.

Peter Every Parks and Sports Team Leader 20 April 2023

H. Data Protection

No data protection issues connected to this report.

Peter Every Parks and Sports Team Leader 20 April 2023

I. Health and Safety

Upgrading the quality of the facilities on site reduces potential risks to users, these works will also reduce the likelihood of insurance claims against the council from any injured parties.

Mike Catling Corporate Health and Safety Advisor 26 April 2023

J. Health and Wellbeing

The refurbishment of the all weather pitch will offer opportunities for the local and wider community to participate in sport outdoors and contribute to the health and well being of the residents of Tunbridge Wells.

Peter Every Parks and Sports Team Leader 20 April 2023