

**FOOTBALL PITCH DRAINAGE SCHEME FOR WOLSTANTON MARSH**

**Submitted by:** Roger Tait - Head of Operations

**Portfolio:** Environment and Recycling

**Ward(s) affected:** May Bank and Wolstanton

**Purpose of the Report**

To request that Cabinet grant a waiver to Standing Orders to allow the use of a proprietary drainage system for the implementation of a drainage scheme for two football pitches at Wolstanton Marsh.

To seek approval to utilise funding secured from a Section 106 Agreement to implement the drainage scheme to the pitch for which funding is currently unallocated.

**Recommendations**

(a) That cabinet approves the use of Section 106 Agreement funding secured for the Lily Street Development for the installation of a drainage scheme to one full size football on the area identified as 'pitch drainage area A'.

(b) That the findings of the Value for Money assessment in relation to the proposed specialist drainage contractor be accepted.

(c) That, subject to the approval of recommendation b), Cabinet grant a waiver of part 3 of Standing Orders, section 8, paragraph (f) on the grounds that there would be no genuine competition in the supply of the service, as the preferred method is the use of the proprietary Hydraway Pitch Drainage system

(d) That the Executive Director – Operational Services be authorised to enter into a contract with Turfdry Ltd for the installation of drainage systems to both pitch areas A and B.

**Reasons**

To meet the identified needs of the community in relation to football pitch drainage at Wolstanton Marsh in the most appropriate way.

1. **Background**

1.1 At the Cabinet meeting of 15 June 2011, a report on the proposed improvement project for Wolstanton Marsh was considered and the following was resolved:

'(c) That Option 2 as detailed in the report be accepted to be undertaken within the limits of the current available funding.'

1.2 Option 2 comprised all of the Wolstanton Marsh Improvement Projects with the exception (due to the limit of available funds) of drainage for football pitch Area A. Drainage of Area A was the most expensive project but was ranked the second most important of the seven projects covered namely:

- 1st - Shrub planting adjacent to the cricket club wall.
- 2nd - Drainage to Area A

- 3rd (joint) - Installation of avenue tree planting
- 3rd (joint) - Drainage of Area B
- 5th - Minor Improvements to play area B
- 6th - Improvements to play area A
- 7th - New wildflower meadow

1.3 Following the cabinet approval of 15 June 2011 pre-contract work on the pitch drainage element of the project has progressed. It is intended to utilise a specialist drainage system and contractor for the work which would necessitate the waiving of standing orders. A Value for Money Assessment has been undertaken to support this proposal and a copy of the assessment is appended to this report.

## 2. Issues

2.1 Additional Section 106 Agreement funding has recently become available totalling £32,373.00.

2.2 The original proposal for pitch A (discounted from Option 2 due to limit of available funds) comprised the drainage (and levels alterations) to an area sufficient to cover:

- 2x FA mini soccer (u9-u10)
- 2x FA mini soccer (u7-u8)

2.3 An expression of interest form for an application to secure potential match funding from the Football Foundation to facilitate drainage of the entire area A project was unsuccessful.

2.4 The basic scheme for pitch A which would comprise drainage of the single existing pitch, (rather than an area sufficient to accommodate 4 junior pitches) would not require alterations to levels, and could now be accommodated within the funds that are available with the additional Section 106 Agreement.

2.5 The two existing full size pitches were used by four clubs last season.

2.6 The approval of the Duchy of Lancaster (cabinet minutes 15<sup>th</sup> June 2012 resolution e) has now been obtained and the license to alter agreement has been drawn up and signed by the council and the Duchy.

2.7 Cabinet are being asked to consider the grant of a waiver of part 3 of Standing Orders, (section 8, para.[f]), which requires that competitive tenders for the completion of the works should be invited, on the grounds that there would be no genuine competition in the supply of the service as the preferred method is the use of the proprietary Hydraway Pitch Drainage system.

2.8 A VFM assessment (attached to this report as appendix A), has also been used to demonstrate that the Turfdry system using the Hydraway Sports Drain meets the following requirements:

- Performance: Outperforms other available systems.
- Availability: Cannot be provided by other suppliers.

2.9 Subject to cabinet approval both pitch drainage projects would be implemented under the same contract resulting in better value for money in terms of officer supervision and set up costs.

3. **Options Considered**

- 3.1 Option 1: Utilise the additional funding from the recent Section 106 Agreement to fund the drainage of the existing pitch A at Wolstanton Marsh.
- 3.2 Option 2: Seek match funding for the drainage of a larger area at Pitch A to accommodate mini soccer pitches. This option has been explored and no currently available source of match funding can be found.
- 3.3 Option 3. Implement the previously approved scheme and do not progress with the drainage of pitch A.

4. **Proposal**

- 4.1 That cabinet approves the use of Section 106 Agreement funding secured for the Lily Street Development for the installation of a drainage scheme to one full size football on the area identified as 'pitch drainage area A'.
- 4.2 That the findings of the Value for Money assessment in relation to the proposed specialist drainage contractor be accepted.
- 4.3 That subject to the approval of the above, Cabinet grant a waiver of part 3 of Standing Orders, section 8, paragraph (f) on the grounds that there would be no genuine competition in the supply of the service as the preferred method is the use of the proprietary Hydraway Pitch Drainage system.
- 4.4 That the Executive Director – Operational Services be authorised to enter into a contract with Turfdry Ltd for the installation of drainage systems to both pitch areas A and B.

5. **Reasons for Preferred Solution**

- 5.1 The drainage of area A meets the identified needs of the community in relation to environmental improvement works on Wolstanton Marsh in the most appropriate way.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 Creating a cleaner, safer and sustainable borough
- 6.2 Creating a healthy and active community

7. **Legal and Statutory Implications**

- 7.1 The council is empowered to provide recreational facilities by a number of statutes relating to open space, public health, miscellaneous provision and well-being.
- 7.2 The approval of the landowner, the Duchy of Lancaster, has been obtained, and a license to alter has been drawn up and signed by council and duchy solicitors.
- 7.3 The Commons Regulation (Wolstanton Marsh) Provisional Order Confirmation Act 1898 applies to Wolstanton Marsh. The Borough Council are conservators and under this act have the power to drain and level the common.

8. **Equality Impact Assessment**

8.1 It is considered that there would be a positive differential impact resulting from the project if it proceeds as it would provide accessible recreational facilities for children and young people in a locality which suffers from deficiency in provision.

9. **Financial and Resource Implications**

9.1 The Value for Money (VFM) assessment has been used to demonstrate that rates obtained for pitch drainage works provide value for money.

9.2 Costs for the drainage of Pitch A were calculated using the existing schedule of rates for pitch B.

9.3 There are no financial implications for the council arising from the project as it is to be entirely funded from Section 106 Agreements. This capital sum has been secured to contribute to the provision or improvement of play and youth facilities including drainage in the locality.

9.4 The cost of staff time for managing the project will be capitalised and funded from the Section 106 Agreement monies available.

10. **Major Risks**

10.1 A full risk assessment has been prepared and is provided in appendix B.

10.2 There are no remaining high risks.

10.3 The remaining medium risks are:

- Possible challenge to Cabinets decision, from residents opposing the improvements to facilities.
- Injury to users of the marsh.

10.4 The remaining low risks are:

- Failure to minimise adverse environmental impacts of project.
- Hostility from local residents who oppose the project.
- Failure to ensure income and expenditure is contained within agreed budget.

11. **Sustainability and Climate Change Implications**

11.1 **Sustainability**

The project will have benefits for economic sustainability in improving the locality for residents and businesses.

11.2 **Climate Change**

The projects if undertaken be installed in accordance with Sustainable Urban Drainage techniques and will involve construction of a soak-away to control the level of flow from the pitches into the existing drainage system.

12. **Key Decision Information**

12.1 The proposal does not involve significant expenditure or saving of Council resources.

12.2 The project impacts two wards directly and has been included in the Forward Plan.

13. **Earlier Cabinet/Committee Resolutions**

Resolution Cabinet 15 May 2011 ref (5)  
Resolution Cabinet 13 January 2010 ref (623/10)  
Resolution Cabinet 24 March 2010 ref (850/10)  
Resolution Scrutiny Committee 12 May 2011.

14. **List of Appendices**

Appendix A - Value for Money Assessment.  
Appendix B - Risk Assessment.

15. **Background Papers**

The Wolstanton Marsh improvements masterplan is available upon request.