

To: City Executive Board

Date: 31st March 2010 **Item No:**

Report of: Head of City Leisure and Head of Corporate Assets

Title of Report: Barton Pavilion

Summary and Recommendations

Purpose of report: To request that CEB give major project approval, award delegated authority to appoint the contractor subject to funding noting the decisions made by North East Area Committee on the 16th March 2010.

Key decision? No

Executive lead member: Councillor Bob Timbs

Report approved by: Tim Sadler

Finance: Gillian Chandler

Legal: Lindsay Cane

Policy Framework:

- Stronger and More Inclusive Communities
- Improve the Local Environment, Economy and Quality of Life
- Reduce Crime and Anti-social Behaviour

Recommendation(s):

The City Executive Board is recommended to:

1. Endorse option F, which is the replacement of the existing pavilion with a new pavilion of modular design, subject to the rest of the necessary funding being confirmed.
2. Give major project approval.
3. Grant delegated authority to the Executive Director City Services to award a contract to the successful contractor following a tender process to replace Barton Pavilion, subject to necessary funding being confirmed and suitable arrangements being in place for the future management of the Pavilion.

Background

1. North East Area Committee (NEAC) is responsible for the strategic management of parks and the pavilions within its own area. However, requests for major project approval and delegated authority to award a contract must be put to the CEB.
2. A report went to NEAC on the 16th March 2010, where approval was given in principle for Option F, a replacement pavilion of modular design (see **Appendix 1**) and also approval to spend the developer contributions listed in point 7 against the scheme (subject to funding).
3. Barton Pavilion is situated within the recreation ground on Barton Village Road and is home to Barton United Football Club, Headington Amateurs Football Club and Barton Bowls club. These three organisations have joined together to form the Phoenix Association who are the current tenant of the pavilion and who manage the facility.
4. The pavilion and the land belong to Oxford City Council who holds the majority of the maintenance responsibility. The Phoenix Association have a lease over part of the facility, subject to a rent of £4,600 per annum. The tenant is currently in rent arrears.
5. The Barton Pavilion project has been in existence for almost a decade. It has been previously highlighted as a challenging project for the Council to deliver, due to the need to harmonise stakeholder aspirations and identify the required finance. The key issues are highlighted below;
 - The pavilion itself is not fit for purpose as it is in a very poor state of repair. It was scored as only 24% (very poor) in the Sport England Non Technical Survey (**Appendix 2**) that the Council undertook in November 2009.
 - The ground does not meet the football pyramid stage six requirements¹, which could result in Headington Amateurs being relegated to another lower level league if the ground does not meet the required standard by summer 2011. To meet these requirements the ground would need to be enclosed.
 - The tenant of the current pavilion has proved not to be sustainable and the Phoenix Association have applied for grants to pay the rent which have been refused.

¹ "The Pyramid" is the name given to the multitude of English football leagues, including the Premiership and Football League. The system allows clubs to potentially start in local leagues and rise all the way top tier of English football. The name comes from the fact that most of the leagues have several leagues which promote into them. As you rise higher, the requirements for the grounds become more stringent, and hence more expensive. I.e. Stage 6 requires floodlighting, hard standing and covered stands.

- There is a proposed major housing development extension to Barton and if this is approved, it is likely to impact on the Barton Recreation ground area. This means that any development must be flexible to allow for possible relocation/remodelling, as well as providing good value for money.

Options

6. Oxford City Council under its Football Initiative Funding, appointed Sports Solutions Great Britain (SSGB) in 2009 to undertake an options review, consultation with relevant groups, carry out an options appraisal and recommend the best way forward.
7. The consultation included local Councillors, the Phoenix Association (including all the relevant clubs), Barton Community Association and the Football Association.
8. The options which are fully detailed in the business case (**Appendix 3**)
9. included the following:

Option	Approximate Cost	Benefits/ Advantages	Disadvantages
A. Do nothing	- £60K (minimum over three years)	- £50K capital saving	- Would ultimately lead to closure. - There is a £300k backlog in maintenance. - Does not meet community expectations. - Reputation impact for OCC. - Section 106 funding could be lost. - Clubs may fold - Repairs and maintenance costs would increase.
B. Close Pavilion	£20K (demolition cost)	- £50K capital saving - Maintenance liabilities removed	- Does not meet community expectations. - Reputation impact for OCC. - Section 106 funding could be lost. - Clubs may fold as they would have to re-locate.
C. Refurbishment of current pavilion	£309K	- Existing services already in place - Funding the option is likely to be achievable	- Facility not flexible for relocation should it be beneficial for the housing development. - Would not meet Sport England / FA guidance.
D. Replacement of the current pavilion with a	£900K	- Improved quality of facility - On existing site with	- Funding unlikely. - Facility not flexible for relocation should it be

new permanent structure (on existing site)		<p>existing services in place</p> <ul style="list-style-type: none"> - Exceeds aspirations of clubs - Meets Sport England / FA guidance. - Aids development of the clubs by helping to increase participation and aid sustainability - Reduces Council's repairs and maintenance liabilities 	beneficial for the housing development.
E. Replacement of the current pavilion with a new permanent structure (on new site)	£900K	<ul style="list-style-type: none"> - Improved quality of facility - On existing site with existing services in place - Exceeds aspirations of clubs - Meets Sport England / FA guidance. - Aids development of the clubs by helping to increase participation and aid sustainability - Reduces Council's repairs and maintenance liabilities - May avoid potential housing development 	<ul style="list-style-type: none"> - Funding unlikely - Facility not flexible for relocation - Would be nearer to residential properties, with a potential noise impact - Additional cost to put in services to the new site.
F. Replacement of the current pavilion with a flexible temporary structure (modular design)	£350K	<ul style="list-style-type: none"> - Improved quality of facility - On existing site with existing services in place - Meets aspirations of all the clubs - Meets Sport England / FA guidance. - Flexible provision that can be relocated if required. - Funding possible - Aids development of the clubs by helping to increase participation and aid sustainability - Reduces Council's repairs and maintenance liabilities 	<ul style="list-style-type: none"> - There would be an additional cost of approximately £4K if there was a requirement to move the structure.
G. Ground Improvements to stage 6	£150K	<ul style="list-style-type: none"> - Improved ground to meet stage 6 - Headington Amateurs could still play in current league and aids development of the club 	<ul style="list-style-type: none"> - Only meets the needs of one club - Loss of open space - Potential significant planning implications - Unlikely to be affordable in conjunction with pavilion development - Additional intrusive works

			will be required which may be problematic on an existing land fill site - Increases Council's repairs and maintenance liabilities
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Funding

10. The funds listed below are currently confirmed against the scheme

Description	Amount	Status
Developer Contribution – A3115	£82,545	Confirmation received from developer and allocated to scheme.
Developer Contribution – A3124	£182,046	Confirmed and allocated against scheme
Developer Contribution – A3117	£10,562	Confirmed and allocated against scheme
Council funding from the agreed 10/11 budget	£50,000	Confirmed
TOTAL	£325,153	Confirmed
ANTICIPATED COST OF PAVILION	£350,000	
SHORT FALL	£24,847	

11. The current confirmed funding against the scheme is £325,153; which means there is currently a short fall of approximately £24,847 against the approximate project costs of £350,000.

12. Officers have had confirmation from the developer that they would have no objection to the contribution referenced as A3115 being used against the pavilion. The allocation was made six years ago and the area needs have evolved. Member approval was given through NEAC on the 16th March 2010.

13. To cover that the shortfall of £24,847 is funded, four other external funding applications are also being developed in conjunction with the Barton Community Association (BCA) and the football clubs. If the funding bids are not successful then there is the option to ask NEAC to contribute, or as a fallback to try and identify funding through the services revenue budget. The risk of not achieving the funding target of £350,000 would therefore be categorised as relatively low.

14. Due to the proposed housing extension at Barton being likely to impact the recreation ground in the longer term, it is unlikely that the Council would be successful in achieving any external grant funding that led to permanent installations (brick buildings and stands for spectating) being demolished in any future housing development. As such, it would be difficult to finance any ground improvements.
15. However, the development is likely to lead to improvements in leisure and sport more generally in the area reflecting the increased demands of the area.

Recommended Option

16. In light of the need to be flexible due to the potential future housing development and in order to provide the most benefit to all the clubs within available funding, it is recommended to proceed with option F which is the provision of a replacement pavilion of modular design on the existing site. These modular designs are used in all areas of business, industry and sport, giving a durable and high quality facility for a relatively low cost (**Appendix 1**).
17. Manufacturers have confirmed that the modular facilities are generally as hard wearing as permanent structures and are guaranteed for twelve years and have a sixty year life span. The pavilion target date for completion is by November 2010 subject to funding. This means that there may be some initial disruption to clubs. The Oxfordshire Football Association has advised that fixtures could be moved or played away during this period to minimise disruption.
18. The Phoenix Association unfortunately does not have any funds that they could use towards the new pavilion or towards meeting the stage six criteria for ground grading. There is no obligation for the Council to provide a ground to this level as there are already three facilities meeting this level or above within the City which could possibly be used for ground shares, although the league are not entirely comfortable with this. These added to the longer term uncertainty for the recreation ground would mean that it would be very unlikely to be able to fund the necessary ground improvements to stage six at this time.
19. It must be noted that not undertaking the necessary ground improvements to football pyramid stage six by summer 2011 could result in Headington Amateurs being relegated to another lower level league. However, this is not an isolated occurrence and currently five teams within the league do not meet the requirements. Any future housing development may provide an opportunity to re-consider the ground improvement proposals as there is a possibility of additional section 106 money being available. The recommend options give a robust solution that prevents monies being wasted if the housing

development progresses, as the pavilion could be moved to a new area within Barton.

20. The tenant of the current pavilion, the Phoenix Association, has proved not to be sustainable and is currently in arrears of rent. Officers have had discussions with the chair and vice chair of the Phoenix Association who would welcome the involvement of the wider community in the management arrangements for the facility.
21. Officers are in the process of reviewing the management arrangements for the new facility, along with the lease arrangements to ensure the pavilion is sustainable to all parties. It is important that the facility is open to the community throughout the week to attempt to maximise additional profit to cover the cost and secure an important community facility. Preliminary discussions have been held with the Barton Community Association (BCA) regarding their potential involvement. The BCA have indicated that they would welcome being involved in principle, subject to further discussions on the final arrangements.
22. In addition to the proposed improved management arrangements, officers would also set up a quarterly board to improve the governance arrangements by monitoring financial performance and performance against football development plans.
23. The Council has also made it clear, that as part of the proposed housing development, it is also committed to ensure that the sports facilities are improved in the Barton area of Oxford.

Sustainability/Climate Change Implications

24. The new modular facility will replace an existing poor quality, inefficient facility. The modular facilities are well insulated and offer an energy profile similar to that of a permanent structure.

Legal Implications

25. There are no legal implications.

Equalities Implications

26. The new modular facility will encourage increased participation in sport and more usage from the wider community with all the associated health benefits attached. The building will also fully comply with Building Regulation requirements, including the Disability Discrimination Act.

Financial Implications

27. The developer contributions were received from:

- Barratt Homes (£140,000) arising from development of the former Fox Public House, North Way.
- Barrett Mercia (£63,480) arising from development on the former Bernwood School site, North Way, and
- Oxford Citizens Housing (£8,500) arising from development of Beckley View House, Fettiplace Road

(Interest has been applied to these amounts as shown in table above)

28. The developer contribution (A3115) £82,545 is listed against Barton, but not against the pavilion scheme. The developer has now confirmed that they have no objection to the contribution being used against the pavilion.

29. The Spatial & Economic Regeneration manager confirms that the expenditure of the developer contributions on this scheme are consistent with the terms of the agreements.

Risk Assessment

30. The timescale for the delivery of the pavilion is short; there is a risk that if funding cannot be secured quickly then the pavilion will not be delivered by the end of October 2010. The installation of a new pavilion could effectively take place during the season, with fixtures being moved or played away from home. The risk register is attached as **Appendix 4**.

31. There is a risk that Headington Amateurs could be relegated to a lower league in the summer of 2011.

Recommendations.

The City Executive Board is recommended to:

1. Endorse option F, which is the replacement of the existing pavilion with a new pavilion of modular design, subject to the rest of the necessary funding being confirmed.
2. Give major project approval.
3. Grant delegated authority to the Executive Director City Services to award a contract to the successful contractor following a tender process to replace Barton Pavilion, subject to necessary funding being confirmed and suitable arrangements being in place for the future management of the Pavilion.

Name and contact details of author:

Hagan Lewisman
Development Manager

Bury Knowle House
North Place
Headington
OX3 9HY
Tel – 01865 252706

Background papers:

Barton Rec ground feasibility report Aug 2009 by Sports Solutions GB

Version number: 1.8

Legal Agreements relating to:

The Fox Public House, North Way (04/02007/FUL)

Bernwood School, North Way (02/00202/OUT)

Beckley View House, Fettiplace Road (05/00641/FUL)

Risk Register

No.	Risk Description Link to Corporate Obj	Gross Risk		Cause of Risk	Mitigation	Net Risk	Further Management of Risk: Transfer/Accept/Reduce/Avoid	Monitoring Effectiveness	Current Risk
Risk Score Impact Score: 1 =Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain									
1	<ul style="list-style-type: none"> Project does not achieve funding (Improve the Local Environment, Economy and Quality of Life)	3	4	<ul style="list-style-type: none"> Reliant on concessionary fares and external funding 	<ul style="list-style-type: none"> Applied for funding in excess of that required for project Working with charitable bodies to access larger funding pots 	2 3	Action: Reduce Scan media for further funding opportunities. Ask NEAC for funding March 2010 PJ Action Owner: Phil Jones Mitigation Control Owner: Phil Jones	Outcome required: Funding achieved Milestone Date: April 2010	2 3
2	<ul style="list-style-type: none"> H AFC being relegated in 2011 (Stronger and More Inclusive Communities)	2	4	<ul style="list-style-type: none"> Ground not meeting grading requirements 	<ul style="list-style-type: none"> Discussion with FA to support club until solution can be applied Apply in new housing development for additional funds to provide ground to satisfactory standard 	2 3	Action: Accept Action Owner: Mitigation Control Owner: Phil Jones	Outcome required: H AFC remain in current league Milestone Date: May 2010	2 3
3	<ul style="list-style-type: none"> Increased future costs (Transform Oxford City Council by Improving Value for Money and Service Performance)	3	3	<ul style="list-style-type: none"> Management arrangements not sustainable 	<ul style="list-style-type: none"> Work with BCA and PA to confirm new management arrangements prior to new facility Set meetings schedule and review funding arrangements 	2 3	Action: Accept Action Owner: Mitigation Control Owner: Phil Jones	Outcome required: New management arrangements Milestone Date: September 2010	2 3

No.	Risk Description Link to Corporate Obj	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid	Monitoring Effectiveness				Current Risk		
Risk Score Impact Score: 1 =Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic Almost Certain						Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 =									
4	<ul style="list-style-type: none"> Project impacts on football season (Stronger and More Inclusive Communities)	3	3	<ul style="list-style-type: none"> Project overruns timeline due to planning and procurement issues 	<ul style="list-style-type: none"> Working with other departments to ensure timescales met 	3	2	Action: Reduce Identify other potential grounds / options to use August 2010 PJ Action Owner: Phil Jones Mitigation Control Owner: Phil Jones	Outcome required: Fixtures Completed Milestone Date: August 2010					3	2

Appendix One



Constructing new buildings using 'conventional' building methods can be a very costly, lengthy and disruptive process where exposure to the extremes of British weather often means that programmes are delayed. Modular designs offer you a cost-effective factory engineered alternative that avoids the potential drawbacks of bricks and mortar structure, but retains the quality, durability and appearance to complement existing buildings or provide a more individualistic appearance if required.

Designed and engineered to meet the British Building Regulations, the modular building system is unique in its design and flexibility, offering an attractive alternative for buildings up to four storeys high requiring internal layout flexibility. Depending on the needs of the particular project, buildings can be supplied in either Volumetric form where modules are delivered to site pre-finished and pre-commissioned, or in Modular form where finishing is carried out on site following simple linking".

These buildings have been used for classrooms, park pavilions, sports changing rooms, offices, hospital consulting rooms, community centres, laboratories, social clubs, computer suites, medical centres, dining facilities, even churches!

Add architectural elements such as a pitched roof, exterior render, or even brick cladding, and they can offer all the permanent appearance of a conventionally-built structure, that blends in with other buildings – at much lower cost.

Building System Agreement Certificate 03/S032 applies to the Building System up to two storeys. The certificate gives a minimum life to the steel structure of 60 years with a design life of the external envelope and external finishes between 20 and 60 years. Copies of the full certificate are available on request.






Referenced from: www.thurstongroup.co.uk/suresport.asp

Appendix Two

Non Technical Visual Quality Assessment - Changing Accommodation

Site ID	BAR1	Assessment undertaken by:	P Jones
Changing Accom Name	Barton Pavilion	Date of Assessment:	11/11/2009
Site Name:	Barton Rec		
Capacity of changing rooms;	2	(Number of teams that can change at any one time in the facility)	
	1	(Number of Officials Changing rooms)	

Element	Rating					Guidance notes	Comments	Score	As %	
About the Changing Accommodation										
Overall Quality	Excellent	Good	Average	Poor	x	No changing	Perceived quality of changing accommodation Does it look well maintained, clean, safe etc	4	10%	
Evidence of vandalism	None	Yes - some		Yes - lots		x	Damage to pavilion, graffiti, broken glass etc	0	0%	
Showers	Yes - Good	Yes - OK	Yes -poor		x	No	Are there showers facilities, what is their quality (if known)	1	2%	
Toilets	Yes - Good	Yes - OK	Yes -poor		x	No	Are there toilets - what is their condition (if known)	1	2%	
Parking	Good		OK		x	Poor	Is there enough for circa 20 cars, bays marked out etc	2	5%	
Links to public transport	Good		OK		x	Poor/non	Is the site close to public transport links, proximity to bus stop, train station, hubs.	2	5%	
Security	Good		OK		Poor		x	Does the accommodation look secure - secure doors/windows, evidence of break-ins (may get info from User Surveys)	0	0%
Segregated changing	Yes		No		x		Are there separate changing rooms for each team - can accommodation be used by both male and female teams at same time	0	0%	
								10	24%	

over 90%		Excellent
60%-89%		Good
40%-59%		Average
30%-39%		Poor
Less than 30%		Very Poor

Appendix 3 Business Case