

PAPER NO. **16-451**WANDSWORTH BOROUGH COUNCILCOMMUNITY SERVICES OVERVIEW AND SCRUTINY COMMITTEE –
21ST NOVEMBER 2016EXECUTIVE – 28TH NOVEMBER 2016

Report by the Director of Environment and Community Services on the outcome of a tender to redevelop and manage the redgra pitch and associated premises at Tooting Triangle, SW12 (Bedford).

SUMMARY

In response to a local campaign the Council has sought tenders for a contract to redevelop and manage facilities at Tooting Triangle. Following a two stage tender process the submission of two tender have been evaluated and it is recommended to award the contract to TFC Leisure Ltd, subject to the outcome of the necessary statutory processes. The new 25 year term contract would provide improved and accredited outdoor playing pitch facilities, improved changing facilities, publicly accessible toilets, a cafeteria and provision for a local boxing club and space for community use.

The Director of Finance comments that the recommendation to award a contract to TFC would result in an initial annual saving to the Council of £14,500, incorporating savings on the Grounds Maintenance contract, responsibility for which would transfer to the contractor, rising at current prices to £29,500. This saving will be reflected in future development budgets once contract details are finalised and responsibility for the site is formally transferred.

GLOSSARY

FA	Football Association
TFC	TFC Leisure Ltd.
TSS	Team Star Sports Ltd.

RECOMMENDATIONS

1. The Community Services Overview and Scrutiny Committee are recommended to support the recommendations in paragraph 3.

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2. If the OSC approve any views, comments or additional recommendations on this report these will be submitted to the Executive or to the appropriate regulatory and other committees for consideration.
3. The Executive is recommended to approve, subject to paragraphs 3b, 3c and 3d:-
 - (a) the award of a contract to TFC Leisure Ltd for the development of the site as outlined in their tender submission of a total annual payment of £295,000 (over 25 years) plus 0.5% of revenue share per annum as summarised in paragraph 11, with delegation to the Assistant Director (Contracts and Leisure) to finalise terms;
 - (b) the advertising of the Council's intention to dispose, by means of a 25-year lease, of land and premises at Tooting Bec Common, namely the Tooting Triangle redgra sports pitch and the former youth centre (currently occupied by the Balham Boxing Club), to TFC Leisure Ltd. for the development of the site as outlined in their tender submission summarised in paragraph 11;
 - (c) that, subject to there being no objections to the proposed disposal by lease of the land and premises at Tooting Bec Common, to authorise the Borough Valuer, in consultation with the Borough Solicitor and the Assistant Director (Contracts and Leisure), to conclude a lease with TFC Leisure Ltd. on such terms as they deem appropriate; and
 - (d) a formal application to the Planning Inspectorate, at a later date, for consent to carry out the redevelopment of the land and premises at the Triangle Field, Tooting Bec Common.

BACKGROUND

4. Following the campaign of a local resident together with a football club, the Executive, with the support of the former Environment, Culture and Community Safety OSC approved the recommendation to seek expressions of interest from groups or organisations interested in the future improvement, operation and maintenance of the redgra sports pitch and the former youth centre premises at the Triangle site on Tooting Common (Paper No. 12-572 refers).
5. The then Director of Housing and Community Services invited seven organisations/individuals to submit tenders to redevelop the redgra surfaced outdoor sports pitch on Tooting Bec Common and the adjacent premises to provide an improved outdoor sports facility with an artificial grass playing surface and associated changing rooms with publicly accessible toilets and a cafeteria. A plan showing the extent of the outdoor sports pitch (edged in blue) and the adjacent premises (edged in red) is provided at Appendix 1.

6. Two of the seven organisations submitted tenders in July 2015; TFC Leisure Ltd. (TFC) and Team Star Sports Ltd. (TSS). TSS is the organisation that was formed as a result of the campaign. Both of these initial tenders were based on extending the size of the area occupied by the current outdoor sports pitch to allow for the provision of a larger, 9v9, Football Association (FA) compliant junior football pitch. The tender also includes the adjacent premises which are currently occupied by the Balham Amateur Boxing Club on a fixed term, contracted out lease.
7. Following evaluation of the initial tenders and clarification of some of the proposals included in both tenders, the then Director of Housing and Community Services invited both organisations to submit further tenders in accordance with a revised brief which required the organisations to submit proposals for improved outdoor sports provision on an area no larger than the footprint of the current outdoor sports pitch and to consider an option but not obligation to provide for the Balham Amateur Boxing Club to continue to operate from the adjacent premises.
8. The decision to invite proposals to develop the outdoor playing area on an area no larger than the current footprint was made in light of concerns that any proposal to develop a larger area would likely generate objections to the Council's application for Secretary of State consent for the proposed development, from local residents and representative groups. This could result in the project being called to Inquiry by the Secretary of State and resulting in the project stalling or being aborted. Accordingly, in March 2016, both organisations submitted tenders in accordance with the revised brief.

TENDER EVALUATION

9. The commercially sensitive financial evaluation of the tenders is included in Paper No. 16-451A with restricted circulation.
10. The non-financial assessment of tenders submitted are as follows:
TFC Leisure Ltd:
11. The tender from TFC includes:
 - (i) proposals to develop outdoor sports facilities on an area no larger than the current footprint (of the outdoor area) and proposals to develop on a larger footprint for the adjacent premises;
 - (ii) proposals to extend the size of the existing adjacent premises by an additional 100 square metres to make provision for the necessary changing rooms and toilets for users of the outdoor

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sports facility, publicly accessible toilets for users of the wider common, a cafeteria and for the Balham Amateur Boxing Club;

- (iii) confirmation that the Boxing Club has agreed to the proposals in respect of the space to be made available to them within the extended premises and to how that provision would be funded (by the Boxing Club); and
- (iv) a commitment that the new artificial grass pitch is FA accredited for junior league matches and to achieve FA Charter Standard or other relevant National Governing Body of Sport accreditations as appropriate within a year of the facilities opening, subject to an assessment of the activities and the programme direction that is established.

Team Star Sports (TSS) Ltd:

12. The tender from Team Star Sports Ltd includes:
- (i) proposals to develop outdoor sports facilities on an area no larger than the current footprint (of the outdoor area) and proposals to develop on a larger footprint for the adjacent premises;
 - (ii) proposals to extend the size of the existing adjacent premises by an additional 83.3 square metres to make provision for the necessary changing rooms and toilets for users of the outdoor sports facility, publicly accessible toilets for users of the wider common, a cafeteria and a space for community use; and
 - (iii) a commitment that the new artificial grass pitch is FA accredited for junior league matches and to provide FA Charter Standard sports facilities supported by their partnership with Balham Blazers, a locally based FA Charter Standard football club.

TENDER ANALYSIS

13. When considering the disposal of any area of open space the Council must consider the potential for detrimental impact on the users of the open space. Officers note that the total area that is proposed to be enclosed amounts to approximately 4,110 square metres which represents less than 5% of the total area of the Triangle field and as such does not adversely impact on the public's access to open space. Officers further note that the existing premises (approximately 260 square metres of the total) are already enclosed and that until approximately 10 years ago the outdoor sports pitch, which occupies approximately 3,800 square metres was enclosed until the fencing was removed for safety reasons. On balance, and subject to concluding the statutory notice procedure set out in s123 (2A) Local Government Act 1972 and complying with Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open

Spaces) Act 1967, officers consider that the proposals do not unfairly restrict the space available to the public for recreation in the open air in this open space.

14. The plan of the layout of the outdoor area provided by TFC indicates an intention to provide up to 5 individual playing spaces within the enclosed outdoor area. These spaces would be segregated by means of a retractable dividing net across the entire length of the horizontal axis, suspended from a raised, taught steel cable, with shorter sections of netting positioned between the main divide and the perimeter fencing to create areas for 5v5 football and other sports. These dividers will be in part secured to demountable uprights set in flush/ground level sockets and in part suspended from raised, taught steel cables.
15. Officers were initially concerned that the fixings for the proposed dividers might negatively impact on TFC's ability to gain FA Accreditation for the pitch and so, potentially, restrict the numbers of potential users in particular for match play. Officers were also concerned that the proposed artificial grass pitch surface will not both support FA sanctioned junior league football and allow for recreational tennis and netball as the surface requirements for football, and tennis and netball, differ according to FA and Sport England guidance. However, the contractor has confirmed that they operate a similar facility in London which is FA accredited and are confident of achieving the same at the Tooting Triangle facility.
16. The proposal from TSS would appear not to meet the option relating to the accommodation of the Balham Amateur Boxing Club as the boxing club have rejected the proposed community space as being insufficient for their needs. In addition the core guaranteed financial offer to the Council is lower than that proposed by TFC.
17. Detailed tender evaluation and assessment against the advertised criteria, results in the tender of a total annual payment of £295,000 (over 25 years) plus 0.5% of revenue share per annum from TFC Leisure Ltd. being awarded the highest score.

RECOMMENDATION

18. Whilst the outcome of the tender exercise has resulted in proposals that will be subject to the necessary approvals, this was always going to be the case and, even with a degree of concern expressed by officers regarding accreditation for the pitch, the procurement has been undertaken in accordance with Council policy and the successful evaluated tender submission is compliant.
19. On the basis of the tenders submitted it is recommended that the Council approve, subject to outcome of the necessary statutory processes, the award of a contract to redevelop and manage the redgra pitch and associated premises at Tooting Triangle to TFC

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Leisure Ltd. to provide improved outdoor sports facilities on an area no larger than the footprint of the current redgra area together with an extended and improved building to provide changing facilities, publicly accessible toilets, a cafeteria and provision for the Balham Amateur Boxing Club all in accordance with their tender (of 23rd March 2016). This is all subject to obtaining all necessary statutory consents as outlined.

COMMENTS OF THE BOROUGH SOLICITOR

20. Any decision in connection with the proposed development would need to consider the potential impact on the common and the users of the common, if any. It is considered that the proposed improvements to the existing sporting facilities and adjacent premises and the proposed uses fall within the permitted uses contained in the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open spaces) Act 1967 (Long Act). These include the provision of indoor facilities for any form of recreation whatsoever, erect and maintain buildings in connection with any purpose relating to the open space, and open air facilities for any form of recreation provided that the local authority satisfies that such use does not unfairly restrict the space available to the public for recreation in the open air in any open space. Any charges of the use or enjoyment of anything provided by such party must be reasonable.
21. Any proposals to carry out any works on the common are subject to the consent of the Secretary of State as required by the Long Act.
22. Before any decision to dispose by way of lease to any proposed tenderer can be made, the Council will need to comply with the provisions of the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 and Section 123(2A) Local Government Act 1972 which provides that any local authority must first give notice of an intention to dispose of open space and consider any objections to the proposed disposal which may be made to them prior to coming to a decision to dispose of open space. Members must have an open mind and act reasonably in the legal sense in coming to any decision, taking all relevant matters into account, and excluding those matters which are irrelevant, before coming to a final decision.

COMMENTS OF THE DIRECTOR OF CHILDREN'S SERVICES

23. Following a statutory consultation on the use of the ex-Triangle One O'Clock Centre, and a subsequent report (Paper No. 16-176) to the Education and Children's Services OSC in June 2016, the Executive agreed to cease Children's Centre delivery from this part of the site and to re-instate 'stay and play'. It is important that any future development maintains some facility for continued delivery of this 'stay and play' element.

COMMENTS OF THE DIRECTOR OF FINANCE

24. The recommendation to award a contract to TFC would result in an initial annual saving to the Council of £14,500, incorporating savings on the Grounds Maintenance contract, responsibility for which would transfer to the contractor, rising at current prices to £29,500. This saving will be reflected in future development budgets once contract details are finalised and responsibility for the site is formally transferred.

CONCLUSION

25. The Director of Environment and Community Services notes that the recommendation proposed in this report will, if approved, transfer the responsibility for the improvement, management and maintenance costs of the sports pitch and associated premises at Tooting Triangle to TFL Leisure Ltd. They will provide benefits to local residents and users of the facilities and the common at no cost to the Council.

The Town Hall,
Wandsworth,
SW18 2PU

P CHADWICK
Director of Environment and Community Services

11th November 2016

Background Papers

There are no background papers to this report.

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website (www.wandsworth.gov.uk/moderngov) unless the report was published before May 2001, in which case the committee secretary (Martin Newton, 020 8871 6488; email mnewton@wandsworth.gov.uk) can supply if required.

