

Report to CABINET

Enhancement of Community Sports Pitches

Portfolio Holder:

Cllr A Chadderton, Leader and Cabinet Member for Regeneration & Housing
Cllr A Jabbar, Deputy Leader and Cabinet Member for Finance & Low Carbon
Cllr E Taylor, Deputy Leader and Cabinet Member for Leisure and Culture

Officer Contact:

Emma Barton, Executive Director of Place & Economic Growth

Report Author(s):

Paul Clifford – Director of Economy
Neil Consterdine – Assistant Director for Youth Services, Districts and Leisure

20 March 2023

Reason for Decision

The Council is very aware of the borough's outstanding sporting achievements with some amazing contributions locally, regionally, nationally and internationally from Oldham's residents and communities. The elite sporting achievements are now in a number of different sporting fields including netball, cricket, rugby, and we're now hoping for a turn of fortune following the recent acquisition of Oldham Athletic Football Club.

Now is the time to push for further Levelling Up here in Oldham through the lens of sport and health, and future employment opportunities for the benefits of Oldham's communities, especially for our successful youth teams who deserve access to better facilities and in turn, enhanced health and wellbeing, and future employment opportunities.

As with many sporting activities, grass roots provision and investment in youth provision, clubs and community facilities are paramount to help secure a more successful and sustainable future, with talent management and development opportunities to help people, teams and clubs reach their highest possible potential.

With this in mind, this paper seeks approval to support the provision of a new high specification pitch facilities to unlock wider opportunities for further investment in community sports pitches, enhanced education provision, more health opportunities and creation of additional employment opportunities.

Recommendations

Cabinet are asked to approve:

- 1) Retention of rugby league matches for Oldham Rugby League Football Club within the borough boundaries and facilitate growth in community engagement and participation, reducing travel demands on supporters and welcoming more community activity at Boundary Park Stadium;
- 2) Grow and enhance higher education provision within the borough to support a new pipeline of complementary health and sporting employment opportunities; and
- 3) Award a grant of £1million capital funding from Council Capital Strategy to enable the provision of an enhanced pitch facility at Boundary Park, which is needed to unlock recommendations 1 and 2 above.
- 4) Delegation to the Leader of the Council, with the Executive Director for Place and Economic Growth, and Directors of Finance and Legal Services to finalise the grant agreement subject to subsidy control, terms and conditions, and obligations for wider community use linked to recommendations 1 and 2 above, and as set out in this report.



Enhancement of Community Sports Pitches

1 Background

- 1.1 The Council is very aware of the borough's outstanding sporting achievements with some amazing contributions locally, regionally, nationally and internationally from Oldham's residents and communities. The elite sporting achievements are now in a number of different sporting fields including netball, cricket, rugby, and we're now hoping for turn of fortune following the recent acquisition of Oldham Athletic Football Club.
- 1.2 As with many sporting activities, grass roots provision and investment in youth provision, clubs and community facilities are paramount to help secure a more successful and sustainable future, with talent management and skills / training development opportunities to help people, teams and clubs reach their highest possible potential.
- 1.3 With this in mind, the new owners and board members confirming the new took ambition and direction for Oldham Athletic Football Club (O AFC) to be "ALL Oldham" and "more than football", they are working with other stakeholders, partners, community groups, youth teams, and supporters' groups to put this into action.
- 1.4 Now is the time to push for further Levelling Up here in Oldham through the lens of sport and health, and future employment opportunities for the benefits of Oldham's communities, especially for our successful youth teams who deserve access to better facilities and in turn, enhanced health and wellbeing, and future employment opportunities.
- 1.5 This paper seeks approval to contribute to a new higher specification pitch facilities at Boundary Park to unlock and act as a catalyst for wider opportunities and further investment in community sports pitches, enhanced education provision, more health opportunities and creation of additional employment opportunities as set out in the body of this report.

2 Current Position

- 2.1 Community pitch provision is limited across the borough, with co-ordination of use and maintenance of such facilities currently sitting with the Council. With a commitment to protect and enhance community green spaces, any opportunity which provides additional resource and capacity to enhance community pitch provision needs serious consideration.
- 2.2 For some time, the Council has been aware that Oldham Rugby League Football Club (ORLFC) have been restricted in their ability to host larger games and accommodate all their supporters at the current training facilities within the borough. As such, some matches have been played out of the borough which dilutes the opportunities for rugby supporters to attend and watch matches. In addition, there are also a number of concerns from the local community surrounding AVRO training facilities in Hollinwood, as noise, parking and attendance at the various events held at this location impacts on the neighboring residents. The proposals in this report would ease the larger footfall on the Avro site that Rugby creates.
- 2.3 **Football and Rugby Collaboration:** The Council has been made aware that there is an agreement in principle between O AFC and ORLFC for the rugby club to play its first team matches on the Boundary Park pitch from the 2024 season (starting in February 2024) onwards.

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- 2.4 The quality of the current pitch would need to be upgraded in order for it to be suitable for use on a significantly increased number of occasions (100 plus a year) by a range of users including: OAFC, ORLFC, ladies football team(s), local schools, colleges and local leagues for representative matches.
- 2.5 The Council are aware of the pressures on ORLFC from several discussions with the owner and board members, with regards to the community and supporter concerns about their current match day arrangements. This collaborative proposal also provides enhanced economic and social advantages to retaining these important matches within the borough.
- 2.6 In order to facilitate such an agreement the pitch improvement and enhancement work would need to take place over the summer months, off season for OAFC ahead of the new ORLFC season (2024) commencing.
- 2.7 Sport and Higher Education:** The Council is aware that the football club already host higher education training facilities within the first floor of the Joe Royle Stand, with up to 150 higher education students on site every week. The club owners have been approached by a sports education provider (SEP) with the aim of attracting new cohorts of students for sports science and analytics, sports media, and specialist health courses such as physiotherapy.
- 2.8 While the club are exploring the details behind this enhanced offer, the first phase of the project would use the second floor of the Joe Royle Stand for additional classrooms , and then OAFC and ORLFC as sources of work experience opportunities for students looking at careers in sport and utilising the pitches (Boundary Park and Little Wembley) for training, studying and showcase matches for students enrolled on the courses.
- 2.9 The enhanced pitch facilities would not only support both the rugby collaboration, and educational enhancements, but would also be available for use by Oldham schools and colleges to provide a wider range of community pitch availability.
- 2.10 The Council has also been advised that beyond the first phase of the SEP proposals referred to above, there is a further opportunity being explored to enhance the facilities on the Boundary Park site even further to create a 'sport campus' which could cater for other sports, and a wider range of higher skills courses and more community facilities especially for youth clubs and teams.
- 2.11 This report seeks approval to provide a capital grant in contribution to the funding needed to enhance pitch facilities, to help kick start Levelling Up Oldham through lens of Sport, to secure rugby league in Oldham, and to unlock opportunities for residents and communities to access better facilities, including a broader higher skills training centre.
- 2.12 **Proposal:** to enter into a community agreement which would be based on the following principles to provide a framework for the grant award and the delivery of community objectives over the agreed timeline;
- Improved pitch facilities to support the enhanced usage outside of professional sports;
 - Improved educational opportunities for Oldham's community for enhanced skills and training qualifications;
 - Enhanced use of the new pitch facilities by educational access; and
 - Enhanced use of the new pitch facilities by wider selection of inclusive and diverse community groups.
- 2.13 This proposal is in alignment with the Council's corporate plan and Oldham Plan: Our Future Oldham through the following most relevant priorities:
- Healthy, safe and well-supported residents
 - A great start and skills for life
 - Better jobs and dynamic businesses
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3 Options/Alternatives

- 3.1 Option 1 – to approve the capital grant funding, subject to agreeing a formal grant funding agreement and subject to subsidy control rules. This would unlock all the opportunities identified in this report, and careful / robust monitoring regimes would ensure obligations are met for wider community benefit.
- 3.2 Option 2 – don't proceed with the finance agreement. This would protect Council capital funds, but it would not bring about any of the enhanced facilities described in this report for sport, enhanced skills and training programmes, nor importantly facilities for Oldham's residents and community groups.
- 3.3 Option 3 – to consider the development of a business case for a new multi-million pound sports facility to bring about the same benefits as options 1, to secure rugby league within the borough and to provide enhanced community facilities. This option is not recommended due to the significant impact on time, resource and future funding investment decisions needed to secure the same outcomes as the grant award / financial agreement.

4 Preferred Option

- 4.1 Option 1 – as the commitment of grant funding could unlock all the opportunities identified in this report, and the community benefits can be carefully monitored to ensure and confirm the justification of the grant award, without longer term maintenance liabilities or future investment obligations for the Council.

5 Consultation

- 5.1 Consultation and engagement has taken place between OAFc and ORLFC to agree a commitment and terms of use for the pitches. This has been communicated by both parties separately with the Council.
- 5.2 Consultation and engagement has taken place between OAFc and Oldham College with regards to the higher education programmes, and there is no conflict or competition with the proposals. Oldham College welcomes the opportunity for their students to benefit from both the new facilities and the wider HE offer within the borough.
- 5.3 Public health and Leisure services within the Council have been consulted and are providing input to the proposals, given the support for enhanced community sports, leisure and health benefits.

6 Financial Implications

- 6.1 The award of a £1m grant to kick start the investment needed to enhance the pitch, to secure rugby league in Oldham and to unlock opportunities for residents and communities would be capital expenditure and will be a charge against the Place and Economic Growth capital programme. The grant would be financed from Funds Held for Emerging Priorities within the existing Capital Programme and aligns with the Council's priority areas for investment on 'sport, leisure and recreation' as outlined in the Capital Strategy 2023/24 to 2027/28, approved at Budget Council on 1 March 2023.
- 6.2 The Council will enter into a Grant Agreement with OAFc, with the details within the grant agreement and the terms and conditions of the grant delegated to the Directors of Finance and Legal Service. The grant agreement and the grant allocation process need to be both robust and allow for easy monitoring of expenditure.

6.3 OAFc will be required to provide regular reports to assure the Council that the grant conditions have been complied with and progress in relation to the use of this grant will be reported to the Capital Investment Programme Board.

6.4 The Council has completed the subsidy control analysis and can confirm the assessment complies with the principles set out within the Subsidy Control Act 2022 in relation to the grant.

Lee Walsh (Capital & Treasury Finance)

7 Risk Assessments

7.1 The provision of Council financial support to the Football Club must be undertaken in accordance with Council procedures and decision-making framework. In order to minimise this risk, it is important that appropriate requirements for community use are set out in the grant agreement so the future benefits to the community are achieved and the expected community obligations carefully monitored.

Mark Stenson (Assistant Director Finance and Corporate Governance)

8 Legal Services Comments

8.1 The Council can rely upon the general power of competence, to make a grant of this nature, under those powers provided by the Localism Act, but, factors such as the promotion of education, economic, social and environmental well-being of the community, as outlined in the body of report, are appropriate considerations for the decision maker as justification for considering the reasonableness and appropriateness of the award.

8.2 The statutory provisions are also all subject to general Wednesbury reasonableness public law provisions and fiduciary considerations in terms of vires for the decision. Reasonable exercise of power and justification for the award of the grant in terms of well-being are set out in the body of the report and should also be set out in as much detail as possible in a financial agreement.

8.3 In addition, the following issues are required to be addressed:

- (a) due diligence being undertaken on the proposed grant arrangements;
- (b) the completion of a subsidy control analysis confirms an assessment of, and compliance with, the legal necessary principles set out within the Subsidy Control Act 2022 in relation to the grant.
- (c) the production of a fit for purpose grant funding agreement, which not only deals with the expenditure of any grant funding, but also clawback and security of the grant funding in prescribed circumstances and the continued use of the site for the approved purpose.

Colin Brittain (Assistant Borough Solicitor)

9 Co-operative Agenda

9.1 Investment into Oldham's community and education provisions are welcomed as additional investment will create new job opportunities for Oldham residents and improved provisions will support the health and wellbeing of children and young people, whilst also delivering two key Corporate priorities of Oldham

Mahmuda Khanom (Policy Support Officer)

10 **Human Resources Comments**

10.1 None applicable

11 **IT Implications**

11.1 None applicable

12 **Property Implications**

12.1 None applicable

13 **Procurement Implications**

13.1 None applicable

14 **Environmental and Health & Safety Implications**

14.1 None applicable

15 **Equality, community cohesion and crime implications**

15.1 The proposals would support the Council's response to the new serious violence duty which was introduced within the provisions of the Police, Crime, Sentencing and Courts Act 2022 and which came into effect on the 31st January 2023.

15.2 As part of the duty the Council, as a specified authority, must work collaboratively with partners to introduce a strategy which (i) prevents people from becoming involved in serious violence in the area, and (ii) reduces instances of serious violence in the area.

15.3 Engagement in community-based sports and physical activities is recognised as a factor which positively impacts upon violence reduction.

15.4 There have been complaints of anti-social behaviour in recent years in the areas surrounding Boundary Park, and partnership problem-solving approaches have been considered and applied. On-going consideration is needed for how such issues will be managed should they return, in order to support residents living in close proximity.

Lorraine Kenny (Community Safety Manager)

16 **Equality Impact Assessment Completed?**

16.1 Yes – see attached

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 ESR-04-23

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 None applicable