

Cabinet

28 February 2023

Potterne Park, Verwood, Dorset

For Decision

Portfolio Holder: Cllr L Beddow, Culture, Communities and Customer Services,
Cllr J Haynes, Corporate Development and Transformation,
Cllr T Ferrari, Economic Growth, Assets & Property

Local Councillor(s): Cllr S Flower, Leader of the Council, Cllr T Coombs,
Cllr Simon Gibson

Executive Director: J Sellgren, Executive Director of Place

Report Author: Peter Hopkins
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Report Status: Part Exempt

Brief Summary: To develop and provide improved sporting facilities for the benefit of the local Community through partnership working. Assisting the council to further enhance the green space offering and provide health and wellbeing benefits to non-sporting users across the Verwood community.

Recommendation: That Cabinet

1. approve a market engagement to obtain expressions of interest for leasing of all of the site. This engagement is to be open to any operators that have interest in the opportunity, with the aim to attract operators with experience in accessing leisure grant monies and could maximise the leisure offer within Verwood community for existing and future leisure users.
2. authorise that the Executive Director of Place, following consultation with the Portfolio Holder for Culture, Customers and Customer Services and the Portfolio Holder for Assets and Regeneration and after evaluation of the expressions of interest (short-listing interviews and the undertaking of due diligence and best offer consideration) be given delegated authority to select a preferred party and agree with them the terms of a new lease.

Reason for Recommendation:

To promote and assist in the delivery of improved leisure facilities through investment funds not available to Dorset Council. To retain the freehold of the site and to deliver the improvements by way of a new lease and if necessary, an additional agreement referring to investment by the preferred bidder.

1. Report

- 1.1 The formal recreational facilities at Potterne Park consist of grass sports pitches suitable for football, cricket and rugby, a floodlit 9x9 3G synthetic turf pitch, tennis courts, and a clubhouse/café. These facilities as well as the car park are currently managed in house by the Leisure Service.
- 1.2 The site also has a play area, skatepark, trim trail which the Council provide as part of the wider facility, together with a designated bridleway, all of which are currently managed by the Coast and Greenspace team. They also provide the grounds maintenance for the site. Verwood Town Council currently provides a grant of £31,000 per annum through a Service Level Agreement. This is the Town Council's contribution towards the running of the site, of which £11,000 is allocated specifically for the maintenance and servicing of the outdoor toilets. The site currently has an operating deficit of approx. £20,000 per annum.
- 1.3 The Dorset Playing Pitch Strategy and Dorset Football Facility Plan both identified Potterne Park as a priority site for grass pitch improvements and a new full size floodlit 3G pitch. On the back of this, Dorset Council officers began to develop a masterplan for the site with a view to approaching the Football Foundation for funding. As part of the master planning work, Dorset Council officers engaged with local football and cricket clubs that use Potterne Park, Portfolio Holders, and Dorset Council ward members to seek their thoughts and input. The potential for developing the site for ongoing leisure activities and working in partnership with interested groups was seen as a progressive way forward by the stakeholders.
- 1.4 As with the recent Redlands Community Sports Hub site letting in Weymouth, the intention is that the lease negotiations with the preferred party would include an agreement for future investment. That agreement would set out the options around funding for the site, and whilst these may not be a contractual commitment, they would establish any future development ambitions.

(a) There is no proposed change to the existing use.

(b) Post the granting of any lease, the Council will ensure that the terms of the lease protect the site for leisure uses and activities appropriate to and in line with the current use of the site.

2 Financial Implications

- 2.1 The site operations are currently run at a deficit. The grant monies received from Verwood Town Council are insufficient to cover ongoing expenditure and therefore there is a need to consider future investment into the facilities.
- 2.2 Grant money is potentially available from the Football Foundation and England and Wales Cricket Board and a new lease to an operator is considered the best way to secure future investment and delivery. There are likely to be some costs in a transition stage that Dorset Council will budget for during the process.
- 2.3 There will be savings to the Council for the costs of maintenance of the property, and occupational costs eg. business rates and costs of water, electricity, etc.
- 2.4 There is no intention to sell the freehold, but the grant of a long lease for 25 years plus should be considered as a disposal. In assessing rents and other financial considerations for a new letting, officers will have regard to Section 123(2) of the Local Government Act 1972 and the General Disposal Order 2003 (Circular 06/03) issued by the Secretary of State pursuant to section 128(1) of the Act.
- 2.5 The terms of the General Disposal Consent mean that specific consent of the Secretary of State is not in many cases required for the disposal of an interest in land, where the criteria set out in the Consent are fulfilled. Paragraph 8 of the Consent states that specific consent is not required for the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area, and where applicable the authority should also have regard to its community strategy. In all cases where the General Disposal Consent is relied on, and disposal is at less than best consideration it is subject to the condition that the undervalue does not exceed £2,000,000 (two million pounds). If a lease is for a term of less than seven years, the authority does not have to grant it on the best terms reasonably obtainable.
- 2.6 In determining whether to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific proposal to take such action falls within the terms of the General Disposal Consent, the authority should amongst other steps therein mentioned, ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue and considering the application of the State Aid (Subsidy Control) regime.

3 Environmental and Climate implications

- 3.1 Dorset Council is committed to reducing its carbon footprint by developing energy efficiency and renewable energy projects in council buildings. This is

evidenced with the recent installation of solar panels on the clubhouse building at Potterne Park.

- 3.2 Any future investment in existing buildings, or decisions around future uses and viability of facilities and buildings, will need to take account of the ability of the facilities to incorporate low carbon technologies such as LED lighting, solar PV, biomass heating or air/ground source heat pumps etc.

4 Well-being and Health Implications

- 4.1 As reflected by the Government and Sport England strategies and recognised by local authorities and Public Health England for some time, 'sport' is no longer delivered solely for 'sport's' sake. Increasing participation in sport and physical activity and reducing levels of inactivity are key to both local and national Government achieving outcomes in public health (physical and mental), adult social care and education.
- 4.2 This is further reflected in the Council Plan, where a key priority is to help create strong, healthy communities. The council's aims are to support communities to be active, to increase people's healthy life expectancy and reduce differences between areas. Leisure facilities will play a significant role in providing opportunities for all ages to lead a more physically active lifestyle. A report completed by Sheffield Hallam University* reviewed the social return of investment into sport in England. It concluded that for every £1 spent on community sport, £3.28 of benefits are generated in health and other related outcomes for individuals and society.

5 Leisure Strategy

- 5.1 The Council is addressing the matter of the future of its leisure provision through the development of a new Leisure Strategy. It currently has a range of leisure facilities which are ageing and proving costly to operate. Dorset Council does have a strong and resourced capital programme but needs to ensure that any future investment in its leisure offer gives best return on investment and creates the widest benefit for its residents. In respect of revenue funding the Council's resources should be distributed equitably across the county prioritising areas of health inequalities. This will also ensure that any ongoing revenue support for the Council's future leisure offer is financially sustainable.

6. Risk Assessment

- 6.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

7 Equalities Impact Assessment

- 7.1 Whilst the recommendations would propose a change of the current operating model at Potterne Park, there would be a requirement for any new operator to continue to make available the facilities to local clubs and users. Improvements to the existing facilities could attract a broader range of users and enable the site to be more inclusive.
- 7.2 An Equality Impact Assessment will be required to be completed as part of the expressions of interest process which will be evaluated as part of the assessment process.

8. Appendices

Appendix 1 – Proposal for a new sports facility lease at Potterne Park - exempt

Appendix 2 – Site Plan

9. Background Papers

None

Appendix 1 is not for publication by virtue of paragraph 3 of Schedule 12A, Part 1 of The Local Government Act 1972, as amended. The public interest in maintaining the exemption outweighs the public interest in disclosing.

* Social return on investment in sport in England 2017-2018, Sheffield Hallam University study 2019.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.