

EXECUTIVE DECISION RECORD SHEET

Name of decision maker:	Andrew Williams
Portfolio:	Corporate and Contracted Service
Date of Portfolio Holder Decision:	

Title of Decision:

Hemel Hempstead School Dual Use Agreement

Decision made and reasons:

To approve the Council to enter into a new 25 year dual use agreement with the Hemel Hempstead School for the 'Multi Use Games Area' in accordance with the terms set out in the draft dual use agreement (copy annexed).

The current 25 year dual use agreement is coming to an end in November 2022 and therefore consideration needs to be given to a new agreement. The existing facility which consists of an artificial grass 5-a-side football pitch and 3 tennis court tarmac surface requires complete refurbishment to bring it up to current standards as it is currently unusable due to safety concerns.

The refurbishment project will consist of new artificial grass surfaces on both court areas, new floodlights and fencing. The works will make the facilities usable for multi-sports, football, tennis, hockey, netball, and as a result requires a new agreement to document agreed terms, including usage times, maintenance and repair responsibilities and income generation.

Reports considered: None

Monitoring Officer Comments:

This is a Monitoring Officer report. Comments are included within the body of the report.

Deputy S151 Officer Comments:

The continuation of the dual use agreement protects the existing income stream and the refurbishment works are expected to increase this income stream going forward. The capital investment required was approved by Council in January.

Implications:

Risk:

Failure to enter into a dual use agreement will mean that the facilities are no longer available for public use, which will be a great detriment to the public leisure facilities within Hemel Hempstead.

There would also be a long term loss of income from the Council's Operating Contract with Everyone Active which contractually generates a positive income stream.

The main purpose of the dual use agreement is to ensure that a clear agreement is in place between the School and the Council.

In the absence of an agreed dual use agreement there is a risk of the facility not being used to its full potential by the school and/or members of the public. There will also be a lack of clarity surrounding maintenance responsibilities, which could lead to legal disputes.

Value for Money:

The refurbishment project has undergone a tender exercise, managed by Hemel Hempstead School, in consultation with the Council. Three companies submitted bids, and the preferred bidder was Chiltern Sports Contractors.

The total refurbishment costs are circa £280K, which has been approved as capital spend by Cabinet in November 2020 and Council in January 2021.

The facility produces an average management annual management fee from Everyone Active of £8,000 per annum, which is expected to increase once the works are completed and assuming Covid-19 restrictions are removed. The exact level of the management fee is subject to ongoing discussions with Everyone Active.

Options Considered and reasons for rejection:

This project will enable school children, clubs and residents alike to continue to participate in outdoor sports and physical activity. There is a great shortage of outdoor 3G pitches as outlined in the recent Sports Pitch Facility study and failure to progress this project would result in a greater sports pitch deficit, which would in turn cause a higher percentage of inactivity for residents, as well as forcing clubs out of the borough to find suitable facilities.

Portfolio Holders Signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

For Member Support Officer use only

Date Decision Record Sheet received from portfolio holder:

Date Decision Published: Decision No:

Date of Expiry of Call-In Period:

Date any Call-In received or decision implemented: