

Title of Report:	Facility Management Agreement – Pitches
Committee Report Submitted To:	The Leisure & Development Committee
Date of Meeting:	19th January 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2019-23)	
Strategic Theme	Resilient, healthy & engaged communities
Outcome	Citizens will have access to Council recreational facilities and protected natural environments which help them to develop their physical, emotional and cognitive health.
Lead Officer	Head of Sport & Wellbeing

Budgetary Considerations	
Cost of Proposal	n/a
Included in Current Year Estimates	YES/NO
Capital/Revenue	n/a
Code	n/a
Staffing Costs	n/a

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

The purpose of this report is to seek Members approval to progress the potential development of a Facility Management Agreement for outdoor sports pitches, to be utilised in the event that Council is approached by a Borough based Sports Club or Community Association to take on responsibility for the management and maintenance of a Council pitch and associated changing pavilion.

2.0 Background

Council's Sports & Leisure Facilities (2015) highlights the potential benefits of working collaboratively with others in the provision of accessible and quality facilities which operate in an effective and efficient manner.

The strategy highlights several "wider considerations" which help in considering how services can be delivered including;

- The Council is not the sole 'supplier'; clubs, sports associations and community groups will play an increasingly important part.
- Revenue savings need to be delivered to help fund investment.
- More effective and 'joined up' programming and management of all facilities can help meet demand.

The Sport and Leisure Facilities Strategy provided a backdrop to the subsequent development of Council's Pitch Strategy and Investment Plan (2020) which offers further options for the development of the pitch infrastructure in the Borough in a way that is affordable, sustainable, inclusive, high quality and consistent with current best practice in public pitch provision and recognises the value in providing services in collaboration with the community it serves.

3.0 Current situation

Council has been approached by two local Football teams and asked to consider the 'ownership' arrangements at two sites across the borough – McCamphill Park / Dunloy FC and Mullaghacall / Portstewart FC.

The correspondence from the two clubs is attached at Annexes A & B.

Currently McCamphill Park is managed by Council and booked primarily by Dunloy FC for home matches in their local Football League. Council has responsibility for the full cost of facility maintenance, insurance and provides a caretaker for all bookings.

Dunloy FC wish to progress as a Club and continue to compete in the Ballymena and Provincial League and as such is likely to be subject new regulations regarding ground specification as set out by the NI Football League/IFA. These new regulations will require a level of investment in ground(s) which at this stage Council is not in a position to be able to complete within the timeframe proposed by the IFA for implementation of the new standards. In an attempt to ensure they are not dropped out of Intermediate Football, Dunloy FC have proposed that they make the required investment and in return take on responsibility for the management and upkeep of the site.

Mullaghacall is currently leased to Portstewart FC and they are responsible for all maintenance and insurance at the site and operate the pavilion / clubhouse without any input or support from Council. Included within the lease is a £2000 p/a charge.

Portstewart FC also compete in the Intermediate Football League and are well established at that level. However, as a Club they struggle to maintain all aspects of the current lease agreement and have approached Council to request a review of that arrangement to see whether a more effective system can assist the club to maintain their current standard of football and remain sustainable as a thriving local community Club which contributes much to the local community in terms of sporting participation and community activity.

4.0 Next Steps

Officers plan to progress these two requests and investigate the options available within the context of a Facility Management Agreement (including the legal and financial considerations).

The business case will consider;

- A more extensive review of key strategic documents.
- Local authority 'best practice'.
- Financial and legal considerations.
- Potential for such an agreement to be trialled with Dunloy FC and Portstewart FC and used as a model of best practice for consideration of any future requests and/or opportunities for working in partnership with local sports / community organisations in the provision of sports facilities.

5.0 Recommendation

Members are requested to approve the development of a Facility Management Agreement potentially to be trialled with Dunloy FC and Portstewart FC.

Officers will bring back to Committee a Business Case which will define the current situation and present options to allow Council to decide how best to proceed.



10 September 2020

Ms Denise McLaughlin,
Land and Property Officer
Causeway Coast and Glens BC
Riada House, BALLYMONEY

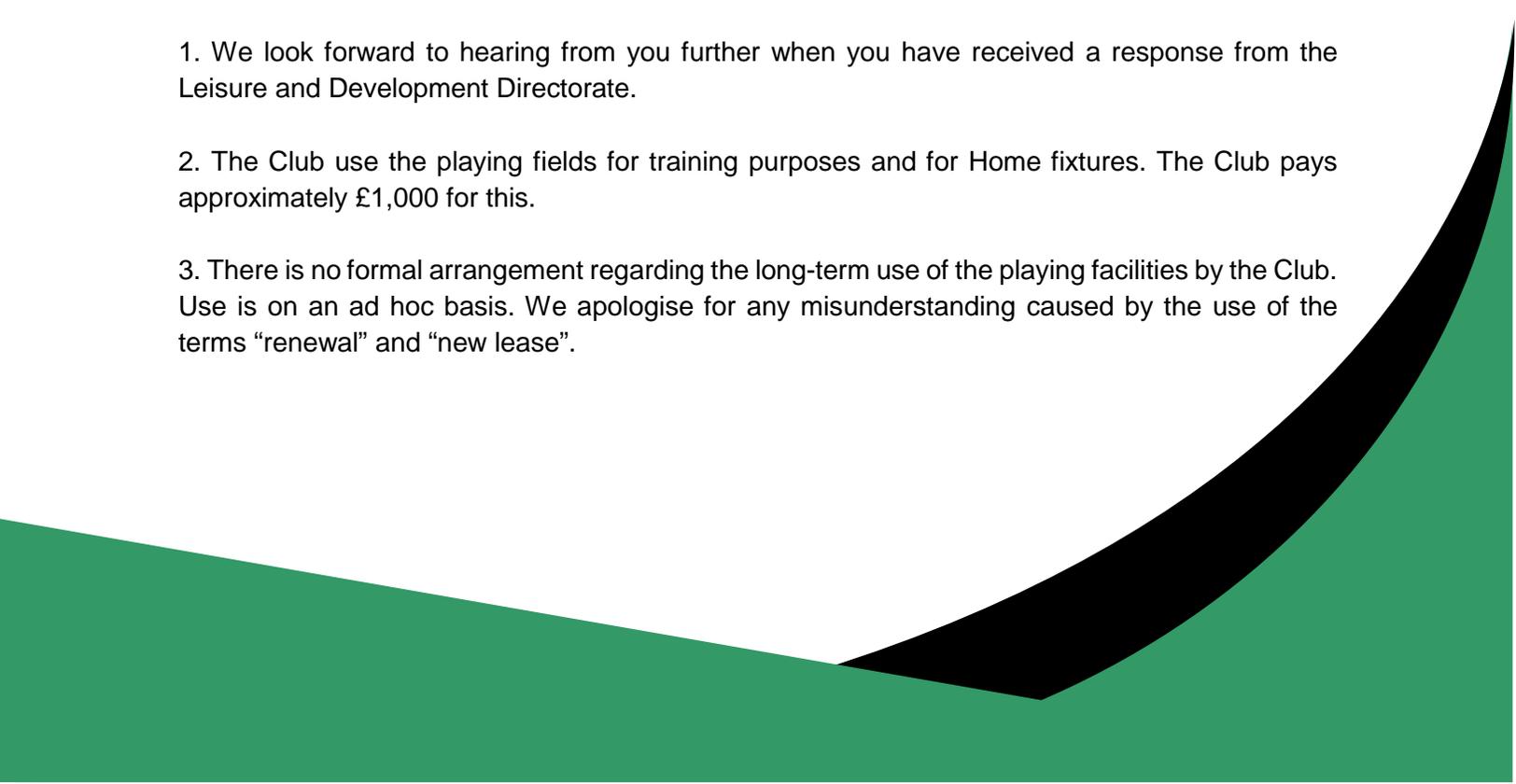
Dear Ms McLaughlin

RE: Proposed Lease of McCamphill Park (“the playing fields”) to Dunloy FC (“the Club”)

We refer to previous correspondence and discussions in this matter resting with your email of 4 September to Cllr Cathal McLaughlin.

Using the enumeration in the said email we would respond as follows:

1. We look forward to hearing from you further when you have received a response from the Leisure and Development Directorate.
2. The Club use the playing fields for training purposes and for Home fixtures. The Club pays approximately £1,000 for this.
3. There is no formal arrangement regarding the long-term use of the playing facilities by the Club. Use is on an ad hoc basis. We apologise for any misunderstanding caused by the use of the terms “renewal” and “new lease”.



4. The playing facilities are used (again on an ad hoc basis) by the local GAA Club and. It is anticipated that such usage would not be effected by the granting of a Lease to the Club. The Club would allow other users to avail of the playing fields in similar terms to their current usage.

5. The Club would have sole responsibility for the playing fields but, as per 4 above, use of the playing fields by other parties would be facilitated.

6. We look forward to hearing from you further in this regard.

7. The Club are the major user of the playing fields and are in a position to implement significant improvements to the facilities. Such improvements would be enjoyed by other users. It would not be anticipated that any other organisation would be interested in entering into a long term arrangement with the Council for the playing fields whereby that organisation invests significant funds into the improvement of the facilities and accepts responsibility for long term management and maintenance of the facility.

With respect, and whilst we are aware of the Council's various duties, we would suggest that advertising a proposed Lease of the playing fields would garner no interest and would serve only to delay the implementation of the works proposed by the Club.

8. The Clubs representatives (Mr Vincent Rainey – Chairman – and Leo McKee, Solicitor) are available to meet the Leisure and Development Directorate in early course to allow matters to progress.

9. Heads of Terms

9.1 We would propose a Lease of 25 years – or such longer period as the Council would approve.

9.2 The Club would seek Sole use of the playing fields under the Lease. That said the Club would facilitate the usage of the playing fields by other parties currently using same.

It is submitted that Joint Usage would not be appropriate given the extent of the proposed upgrade, the maintenance arrangements for the playing fields and the ensuing costs. It is unlikely that appropriate arrangements could be made with any other proposed users.

9.3 The Club would be responsible for insurance of the playing fields.

9.4 The playing fields currently benefit from connections to mains electricity, water and sewers. Whilst it is not anticipated that there would be any change in these arrangements, the Club would become responsible for the costs involved for the provision of such utilities.

9.5 The Club would be responsible for maintenance of the facilities.

9.6. Please see attached map delineating the area the subject of the proposed Lease.

9.7 Limited roadside car parking is available.

9.8 The Club would wish to erect signage within the facility and would seek assistance from the Council and the DRD for the erection of signage to the playing fields.

9.9 The Club is willing to listen to the Council's proposals regarding rent. That said, the Council will be aware that this is an amateur Club with limited resources, is expending funds on the development, insurance and maintenance of the playing fields and is relieving the council of costs currently being incurred regarding the facilities. We would anticipate that rent will be nominal.

9.10 This is a matter for the Council – having due regard to the points raised at 9.9 above. Rent will be reflective of that charged in respect of any similar facilities leased to other organisations.

9.11 We would suggest a Rent Review period of ten years. Any Review should exclude the enhanced value of the playing facilities caused by the betterment of the playing fields by the Club.

We can advise that the proposed works/installations are as follows (and are to be implemented in line with the requirements of NIFL/IFA):

1. Fencing to be erected to secure/safeguard the premises;
2. Stand to be installed for spectators; and
3. Turnstiles to be installed

The timeframe for commencement of works is circa month three from date of execution of Lease; and it is anticipated that works would be completed by month six.

Funding avenues for the works have been explored and whilst finance appears to be available, funding cannot be crystallised until such times as legal formalities have been attended to.

As the Club develops, and subject to League requirements, it is anticipated that further works may be implemented. It is anticipated that any such works will, under the terms of any Lease, need the approval of Council before being undertaken.

It is anticipated that the Club will use the facilities pending the granting of a Lease. That said, to meet its obligations in respect of membership of the Ballymena and Provincial League, the Club needs to operate from premises meeting criteria which the playing fields, in their current condition, do not meet. In effect the Club can use the playing fields for a short period of time only.

If an accommodation cannot be reached whereby the Club can implement its proposed works (and be compliant with League/NIFL/IFA requirements) then the Club will, unfortunately and reluctantly, be forced to look elsewhere for facilities.

We trust that this correspondence is of some assistance. As indicated above we are happy to meet to discuss or, in the alternative, can answer any additional queries by correspondence.

We would respectfully ask that the Council give due consideration to the granting of the Lease sought.

Yours in sport,

Sean Og McErlain

Secretary

Dunloy Football Club



Portstewart Football & Community Club
C/O The Secretary
River House Business Centre
Castle Lane
Coleraine
BT51 3DR



14th December 2020

FAO Mr Richard Baker, Director of Leisure Services, Causeway Coast & Glens Council

Richard I write to you on behalf of the management committee of Portstewart Football & Community Club in regards to our ground at Mullaghacall, St Johns Close Portstewart.

As you are aware this club has a 50 year lease with Council for the site, of which 26 years remain. The lease is a 'full insuring / repairing' lease.

Based upon a modest income generated from predominately social activities, the club endeavours to pay the lease, insure the facilities and activities of the club, repair and prepare the pitch for football and undertake routine maintenance and repair to the entire site.

As a consequence of the ongoing Covid 19 Pandemic, the incomes generated are lost for this season, whilst we still incur the cost associated with a football and community club.

Therefore considering the extraordinary circumstances, we would ask that this year's annual lease fee is waived.

In addition, in order to sustain the Club and to also to facilitate its growth, we would ask Council to consider granting an amendment to our lease in the form of a peppercorn arrangement for the remaining term. All other responsibilities remain unchanged.

We as a club appreciate the consideration of council on these matters and look forward to your reply in due course.

Kind Regards,

Marc Nicholl

Marc Nicholl
Secretary Portstewart Football & Community Club