

Refurbishment of Tennis Courts an Increased Participation Project - Update (Anthony Jones, Community Services)

Synopsis of report:

- The Refurbishment of Tennis Courts an Increased Participation Project report gained approval by Corporate Management Committee (CMC) on the 22 September 2022.
- RBC secured £161,375 worth of funding in principle from the LTA but had to contribute an additional £7.5k as the Chertsey Rec site is multiuse (netball and tennis). This funding is in principle and not the final grant amount as a more detailed assessment will need to be carried out. Any potential increase to the amount that will be grant funded will be covered by the LTA as long as it's financially viable.
- One of the recommendations from the first report was for 'members to approve the Council enters a partnership arrangement with the Lawn Tennis Association (LTA), in order to secure funding for the refurbishment of the Council's Park tennis courts.'
- It has now come to light that RBC will have contractual arrangements not only with the LTA but also with their approved contractors.
- Officers are now seeking members approval for RBC to enter into contractual agreements with the LTA and their procured contractors.

Recommendation(s):

- To comply with the requirements of CSO 2.5 due to the value of the works being greater than £100,000, and a requirement of LTA the funding is for the Council to enter in to contract directly with the appointed contractors via the 'Parks Improvement Programme' and the 'Gate Locks' frameworks, Members are asked to authorise the Council entering into agreement with contractors appointed to complete the works at each venue.

1. Context of report

- 1.1 This report provides an update on the Refurbishment of Tennis Courts, an Increased Participation Project, with further recommendations as Runnymede Borough Council is moving into stage three of the funding process.
- 1.2 The original report sought approval for Runnymede Borough Council to enter a partnership with the Lawn Tennis Association (LTA) to develop the Tennis Courts at Gogmore Farm Park, Ottershaw Memorial Fields, Victory Park, Chertsey Recreation Ground (Chertsey Rec) and Heathervale Recreation Ground.
- 1.3 The report recommendations were approved by Corporate Management Committee (CMC) on the 22 September 2022.

1.4 The following recommendations were proposed by officers and agreed by CMC:

- i) the Council enters into a partnership arrangement with the Lawn Tennis Association (LTA), in order to secure funding for the refurbishment of the Council's Park tennis courts;
- ii) Corporate Management Committee be requested to agree a Capital Estimate in the sum of £168,000 for the works to the courts, to be entirely funded from the grant awarded by the LTA;
- iii) the proposed charging structure be approved and the proposed project budget if funding is successful.
- iv) Corporate Management Committee be requested to agree to the creation of a new Earmarked Reserve and an annual transfer of any unused court maintenance budget into it to specifically fund the future maintenance works associated with the courts; and
- v) subject to the proposed terms not requiring the Council to incur any expenditure beyond that approved, this Committee is requested to delegate authority to the Chief Executive, in consultation with the Chairman and Vice-Chairman of Community Services Committee, to enter into an agreement with the Lawn Tennis Association once full details have been received and considered.

2. Report

- 2.1 Since the approval by the CMC, the Council instructed the LTA to begin the application process on the Council's behalf. At this stage the LTA advised that due to Chertsey Recreation Ground being a multiuse site (used for Tennis and Netball) the resurfacing cost for the site would not be covered by the LTA funding criteria as funding is exclusively for tennis only sites.
- 2.2 As a result, a sum estimated as £7,500 would need to be contributed by the Council to cover the works at Chertsey Rec and to enable Netball to continue. Alternatively, the other options are to remove the Netball provision from the site or decline LTA funding for Chertsey Rec.
- 2.3 Not committing to meet the £7,500 shortfall would mean a loss of Netball in the community and as the sport is predominantly played by women and girls, the Council would also be lowering participation in this already inactive cohort. This would also be in contradiction to the priorities in the Council's Health and Wellbeing strategy.
- 2.4 Officers were able to find the shortfall through one-off underspends identified within 22/23 budgets across Community Services to cover the cost of the resurfacing works in principle, leaving netball provision in the borough unaffected.
- 2.5 The LTA's funding application for Runnymede was successful, with £161,375 allocated as funding in principle, which together with the above Council contribution realizes a total sum of £168,875.
- 2.6 It is important to note that the £161,375 is not the final grant total, this may increase once a more detailed assessment by contractors is conducted. Any increase to the grant amount will be covered by the LTA, providing it is deemed financially viable.
- 2.7 As a result, there is the potential that the £7,500 contributed by Council could potentially increase, which would be intended to be funded from within existing budgets, given, for example, that a 10% increase would only result in a £750 increase.

- 2.8 As part of the funding agreement, the Council is required to use contractors appointed to Lot 1 (South East region) of the “Parks Improvement Programme” procurement framework, administered by the LTA. The Council will enter into contract with the appointed operator for the resurfacing and fencing works required. A separate contractor, appointed via the ‘Gate Locks’ framework will be required for the gate access system. The LTA will pay the funding grant to the Council upon completion of the works, who in turn will pay the appointed contractors. Such an arrangement will allow the Council to have a contract with their approved contractors meaning that any warranties will remain between the contractor and the Council.
- 2.9 Using appointed contractors from the frameworks will ensure that the Council benefits from specialists in the required fields and from best value, given the number of works they intend to fund nationally. It is therefore unlikely that the Council will be able to obtain the same value, quality and price should the Council carry-out a procurement exercise in isolation of the LTA’s.
- 2.10 As the appointments to the frameworks is underway, it should also be noted that if a separate procurement exercise was undertaken by the Council, it would likely result in delays to the proposed timeline, which seeks to have the works completed before the end of Q1, 2023-2024. The LTA ‘Procurement Strategy – Summary Document for “Parks Improvement Programme” Framework can be found in appendix A.
- 2.11 Therefore, given this newly received information and clarifications on the process, to be compliant with Contract Standing Orders 2.5: Approvals, as the value of the contract for the works will be over £100,000, Officers are seeking authority for the award of the required call-off contracts between the Council and the appointed contractors and also the agreement with the LTA for the purposes of receipt of funding.

3. Conclusion

- 3.1 The further information received from the LTA results in Officers seeking the authority of CMC to enter into contract with contractors appointed to the ‘Parks Improvement Programme’ and the ‘Gate Locks’ frameworks. The report also updates Members as to how officers are intending to preserve Netball at Chertsey Rec, by contributing a small amount of funding to the project.
- 3.2 With the hope being that this work will be completed in the early stages of 2023/2024, it is hoped that new tennis facilities will be available to residents, as will club and community coaching opportunities, by next summer, delivering against both the Health and Wellbeing Strategy and Health and Wellbeing Member Working Group priority of improving play and recreation facilities across the borough.

4. Policy framework implications

- 4.1 The development of the tennis courts will meet with priority of the health and wellbeing strategy by providing improved facilities and affordable access to sport and recreation in the borough.

5. Legal implications

- 5.1 Appointment of suppliers to the “Parks Improvement Programme” procurement framework is underway via a Find-a-Tender Service (FTS) process in compliance with the Public Contract Regulations 2015 (PCR 2015). The Football Foundation is the Contracting Authority, and the LTA are appointed as the framework agent to administer the framework contracts awarded. The framework is set-up to appoint a

single operator per geographical region. Runnymede would be serviced by the operator appointed to Lot 1: South West London and South East.

- 5.2 When the framework appointments have been completed, Local Authorities will be able to access the framework to undertake the process of obtaining site specific costs and establish delivery timetables of the works. As each Lot is based on geographical location and will be allocated to a single operator, the appointment will be by direct award.
- 5.3 A call-off contract (JCT Minor Works Contract 2016 (With Contractor's Design) would be signed between the Council and the operator to ensure that contract liability including warranties is direct with the Authority. The Authority would be liable for payments to the supplier in line with the payment schedule in the contract. The LTA will reimburse these costs.
- 5.4 Separately to the above, the PCR 2015 compliant 'Gate Locks' framework will be used to appoint a suitably-qualified contractor for this aspect of the works required.

6. Equality implications

- 6.1 The Council is required to have due regard to its public sector Equality Duty before approving the proposals.
- 6.2 The Council's Duty is stated under the Equality Act 2010 and is to have regard to the need to:
 - a) eliminate unlawful discrimination, harassment or victimisation
 - b) advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it
 - c) foster good relations between those who share a relevant characteristic and those who do not
- 6.3 Improving the park tennis courts will have a positive impact on all sections of the community. The Council will be able to better engage with residents from all backgrounds and abilities using tennis as a vehicle. A full Equality Impact Assessment has been completed to highlight the benefits to the community.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 All refurbishments will be done in accordance with the LTA's [Environmental Sustainability Plan "Securing and lasting future for tennis in Britain"](#).

(To resolve)

Background papers

- Refurbishment of Tennis Courts - an Increased Participation Project