

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	14 March 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Zero Carbon Indoor Multi Sports Facility Proposal at Strathaven Rugby Club
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ provide information on a planning application submitted by Strathaven Rugby Club (SRC) to add an indoor training facility ("the Facility") to their current establishment
- ◆ seek approval to support the Facility with funds from the Strathaven Community Sports and Sports Facilities Fund ("the Funds") created in accordance with an agreement under Section 75 of the Town and Country Planning (Scotland) Act subject to an appropriate legal agreement being entered into between the Council and SRC

2. Recommendations

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that subject to the grant of the Planning Application on acceptable terms to the Council, the release of the Funds totalling £387,473 to support the Facility be approved;
- (2) that the Funds shall not be released until an appropriate legal agreement has been concluded between the Council and SRC be noted. This legal agreement shall cover, amongst other things, the:-
 - ◆ level and phasing of payments of the Funds
 - ◆ the requirement that the Facility shall serve the local community at large
 - ◆ the ability for the Council to clawback the Funds for use on alternative community projects if the Funds are not used within a certain timescale; and
- (3) that authority be delegated to the Executive Director (Community and Enterprise Resources) in consultation with the Head of Administration and Legal Services to conclude the legal agreement be approved.

3. Background

- 3.1. In September 2022 SRC submitted a planning application to the Council for the Facility as part of their continued development of the Club.
- 3.2. SRC has requested funding from the Council to help support the Facility.
- 3.3. The Strathaven Community and Sports Facility Fund was established as part of an agreement made under section 75 of the Planning Act between the Council and Henry Jardine Patterson and Mrs Jean Watson Patterson, registered in the Land

Register of Scotland (“the Section 75 Agreement”) on 23 December 2014. This agreement was pursuant to Planning Application EK/12/0003. Section 5.4 of this report outlines the policy tests which are required to be met with regards to developer contributions and section 75 agreement.

4. Zero Carbon Indoor Multi Sports Facility

- 4.1. SRC’s planning application for the Facility states that the purpose of their organisation is to ‘provide sporting facilities for a large rural area’ and their aim is to ‘provide an indoor training facility which can accommodate training and general exercise in all weathers’ and will be built ‘in line with carbon neutral standards complying with the governments carbon net zero by 2035’.
- 4.2. SRC have advised that initial quotes received for the build range from £920,000 to £1.1 million, and that from commencement of the construction the programme will be 28 weeks. In addition to the request for funds from the Council, SRC are seeking funding from the Scottish Rugby Union, and will also look to match fund through other identified opportunities including Virador, Sports Scotland, Banks Renewables and the National Lottery.
- 4.3. The Facility will allow for the provision of two rugby ready 3G pitches and one hard sports surface. In addition to the playing surfaces, there will be an area for gym equipment, fitness classes and space for local boxing club to include a boxing ring for training purposes.
- 4.4. The Facility will include solar panels on the roof which will power the building and provide energy to tesla storage batteries to deliver clean electricity to external floodlights. Externally the plan includes planting trees in line with carbon neutral principles to help provide clean air within the town of Strathaven whilst shielding the Facility from the road and local homeowners.
- 4.5. SRC believes that through the addition of the Facility, along with continued engagement with other clubs and groups within the area, they can achieve their goal of becoming a community hub allowing them to develop other aspects of sport to use the facilities, develop further partnerships with other community groups and to further develop their existing partnership with all local schools.
- 4.6. Current membership for SRC is 546 and it is anticipated membership could increase by 10% based on numbers of players and parents who have intimated that they would return if an indoor facility was introduced. In addition, the facility will be used by Strathaven Dynamo who have more than 500 members, Strathaven Striders who have 80 members and the netball club who have 30 members.
- 4.7. SRC also state that their ‘main aim as a club is to reduce social isolation among all age groups promoting fitness and mental health wellbeing for all regardless of age, gender or ability’. The entire facility will be disabled friendly allowing for provision of wheelchair rugby and development of a growing walking rugby club, attracts older members.
- 4.8. Facilities at the Club are currently well used by the local community for other types of sport including football, hockey, cricket, yoga and jogging and have letters of support from several local organisations.

5. Developers Contributions

- 5.1. The total and final balance of Council funds held in the Strathaven Community and Sports Facility Fund is £387,473.

- 5.2. SRC have requested that the Council considers releasing the Funds to contribute towards the Facility.
- 5.3. The section 75 agreements provide that the Strathaven Community and Sports Facility Fund will be administered and used by the Council in consultation with the initial owner of the East Overton land (Initial Owner). The Initial Owner has been consulted in relation to the proposal and supports the application for the Facility.
- 5.4. In addition, planning obligations require to meet the policy tests under Scottish Government Circular 3/2012 in that they need to be:-
- ◆ necessary to make the proposed development acceptable in planning terms (paragraph 15)
 - ◆ serve a planning purpose (paragraph 16)
 - ◆ where it is possible to identify infrastructure provision requirements in advance should relate to development plans, relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17 to 19)
 - ◆ fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20 to 23) and be reasonable in all other respects (paragraphs 24 to 25)
- 5.5. The Council, therefore, must ensure that we are using the Strathaven Community and Sports Facility Fund appropriately, considering the Section 75 Agreement, and the legal restrictions and guidance relating to the proper use of developer contributions, whilst assessing the project meets the threshold of suitability.
- 5.6. The Council considers that the addition of the Facility, will deliver leisure and recreational benefits to the increased population in Strathaven, which has arisen as a result of the new housing development. Not only this, but the new provision will address a gap in the leisure offer within the area. It is recognised that the club is one of the main pillars of sport and recreational activity for the local community, and the proposed project extends this position, as well as helping in the overall journey to net zero. Other benefits of the Facility to the area are highlighted at items 4.1 to 4.4 above.

6. Legal Agreement

- 6.1. It is proposed that releasing monies from the Fund for this project will require to be underpinned by an appropriate legal agreement. The agreement will include the conditions that SRC would need to adhere to in order to access the funds, including demonstrating that the project will benefit the wider community, and officers will engage with the club in this respect.
- 6.2. As part of entering into a legal agreement the Council will ensure that we work through legal governance.
- 6.3. The Council through the legal agreement would also ensure that monies would be released in phases and through approval of work stages. There would also be a cap on the amount which would be released and the ability to clawback monies if the project did not adhere to set conditions.

7. Employee Implications

- 7.1. There are no employee implications as a result of this report. All staffing for the Facility is provided by Strathaven Rugby Club.

8. Financial Implications

- 8.1. The proposed funding for the facility will be drawn from the Strathaven Community Sports and Sports Facilities Fund and concerns the allocation of £387,473 subject to the conditions outlined in the report.

9. Climate Change, Sustainability and Environmental Implications

- 9.1. The Strathaven Rugby Club state that this new Zero Carbon Indoor Multi Sports Facility will be built 'in line with carbon neutral standards complying with the government's carbon net zero by 2035'.
- 9.2. Having low carbon facilities within South Lanarkshire communities ties in with the objectives of the Council's Sustainable Development and Climate Change Strategy (SDCCS). Providing communities with a safe and accessible sports hub promotes good health and wellbeing, one of the global sustainable development goals which is also supported by the Council's SDCCS.

10. Other Implications

- 10.1. The main aim of SRC (as detailed in section 4.3) aligns with SLLC's vision for 'healthier, happier, more connected lives', and the Council's vision to 'improve the lives and prospects of everyone in South Lanarkshire'.

11. Equality Impact Assessment and Consultation Arrangement

- 11.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

David Booth

Executive Director (Community and Enterprise Resources)

22 February 2023

Link(s) to Council Values/Priorities/Outcomes

Values

- ◆ Focused on people and their needs
- ◆ Working with and respecting others
- ◆ Accountable, effective, efficient and transparent
- ◆ Fair, open and sustainable

Priorities

- ◆ We will work to put people first and reduce inequality
- ◆ We will work towards a sustainable future in sustainable places
- ◆ We will work to recover, progress and improve

Outcomes

- ◆ Our children and young people thrive
- ◆ Caring, connected, sustainable communities
- ◆ People live the healthiest lives possible
- ◆ Inspiring learners, transforming learning, strengthening partnerships

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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