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# Item Called-in following an Executive Decision: Award of Contract to Build Newbury Sports Hub

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<b>Committee considering report:</b>	Overview and Scrutiny Management Commission
<b>Date of Committee:</b>	25 January 2022
<b>Portfolio Member:</b>	Councillor Howard Woollaston
<b>Report Author:</b>	Vicky Phoenix
<b>Forward Plan Ref:</b>	EX4149

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## 1 Purpose of the Report

- 1.1 This report presents the call-in request submitted on 22 December 2021 for the Overview and Scrutiny Management Commission to review the Executive's decision (EX4149) of 16 December 2021 concerning the award of contract to build Newbury Sports Hub.
- 1.2 The call-in has been submitted in accordance with Sections 5.3 and 6.4 of the Council's Constitution.

## 2 Recommendation

- 2.1 In accordance with the call-in request dated 22 December 2021, it is recommended that Members of the Overview and Scrutiny Management Commission review the Executive's decision (EX4149) of 16 December 2021 concerning the award of contract to build Newbury Sports Hub.
- 2.2 Having reviewed the Executive decision, the Overview and Scrutiny Management Commission should either:
  - (a) Confirm the Executive decision; or
  - (b) Propose amendments and refer the matter back to Executive for further consideration

## 3 Supporting Information

### Executive Decision

- 3.1 The award of contract to build Newbury Sports Hub report was presented for consideration by the Executive on 16 December 2021. The report recommended that the Executive resolve to approve as follows:

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- To award the contract for the provision of development management services (which includes construction) to Alliance Leisure Management Services.
- To delegate authority to the Service Lead Legal & Democratic Services to finalise the terms of the agreement and to make any necessary drafting or other amendments as permitted under the framework agreement which are necessary to reach final agreement, but do not materially affect the intent and substance of the agreement.
- To approve the allocation of £3.351M to complete the development of Newbury Sports Hub and thereby achieve the delivery of the number one priority in the Playing Pitch Strategy (PPS).
- To agree that any additional costs arising in relation to planning conditions be approved as per Council's Constitution which may require further Executive approval if over £250k. Otherwise the Executive Director of Resources in consultation with the Portfolio Member for Finance and Economic Development can approve.
- In light of the increased capital cost for the Artificial Turf Pitch (ATP) and to approve the increase of the annual Sinking Fund allocation from £25,000 to £35,000 per annum, in order to ensure sufficient funds are available to replace the pitch surface at the end of its projected 10 year lifecycle.

3.2 Executive resolved to approve the above recommendations.

### **Call-in of the Decision**

3.3 In accordance with the Council's Constitution six Elected Members (Councillors Lee Dillon, Jeff Brooks, Adrian Abbs, Alan Macro, Erik Pattenden and Tony Vickers) called in the Executive Decision (EX4149) on the basis of:

- An over design of specification to meet the Playing Pitch Strategy resulting in potential for less funding for other sites and therefore harming the long term delivery of the strategy;
- A lack of clarity of the Sports Hub purpose in relation to the old London Road ground and therefore any subsequent requirements on the Council when considering the Asset of Community Value aspects;
- Further requirement for evidence from Sports England, The F.A. and the RFU over the split of use of the ground to ensure that tax payers' money is delivering real benefit;
- The need for the total cost of the project, from build through to maintenance, to be considered when deciding to award the contract, so that we adopt a whole project approach;
- The need to fully understand the impact on other sites of awarding this contract as there will be a requirement to provide an additional grass pitch in another location;

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- The need to fully understand how the awarding of this contract meets our ambitions as Council to achieve carbon zero by 2030.

3.4 The Members of the Council who submitted the call-in request proposed that, based on the need for further detailed examination of the points above, an alternative course of action would be to not award the contract at this point in time.

### Role of the Overview and Scrutiny Management Commission

3.5 The role of the Overview and Scrutiny and Management Commission is to review the Executive's decision.

3.6 The Commission will produce a report with its findings to the next meeting of the Executive (i.e. the meeting following the call-in request) unless there are exceptional circumstances why this cannot be achieved. In these circumstances the Chairman of the Commission and the Leader of the Council will agree a revised timetable.

3.7 The report will either confirm the original decision or propose amendments to it in any way it thinks fit and shall give reasons for its final decision. If the Commission upholds the Executive decision, that decision shall take immediate effect.

3.8 It should be noted that any matter which has been the subject of a call-in request may not be the subject of a further call-in request

## 4 Appendices

4.1 Appendix A – Award of Contract to Build Newbury Sports Hub Report (Executive, 16 December 2021)

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### Background Papers:

None

**Wards affected:** Wash Common and Newbury Clay Hill

### Officer details:

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**Document Control**

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<b>Owning Service</b>	Strategy and Governance		

**Change History**

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2			