

Revision A 7 June 2024

Northiam Parish Council

Northiam Recreation Ground Improvements (NRGI)

1. Current position 1 June 2024

1.1 RDC holds approx £170k of the Donsmead S106 Northiam Recreation Ground Contribution (NRGC) which will continue to accrue interest until spent. This is required to meet the two following projects

- i. 10-year pitch maintenance programme
- ii. Improved changing facilities

1.2 This has to be spent on these two projects and cannot be used for other village facilities, as confirmed by RDC (Jeff Pyrah) March 2024, Appendix A.

1.3 The remaining S106 funds do not have to be spent in the proportions originally set out by RDC when formulating the S106 contribution as long as they are spent on the Recreation Ground upgrade, as confirmed by RDC (Jeff Pyrah) April 2024, Appendix B. Currently the funds are heavily skewed towards pitch maintenance.

1.4 In September 2023 NPC agreed under item **FC23/183** to set up a parish council working party which would collaborate with the FC to progress a new pavilion building. The working party including members of the football club have met and reported to NPC. Initial plans have been drawn up.

1.5 At its meeting of 23 May 2024 NPC agreed to proceed with the planning application for the new sports pavilion.

1.6 Planning approval is needed in order to begin the process of raising additional funding. The 2015 anticipated cost of improved new changing facilities was £255k and the allowance in the S106 calculation was only £20.5k. Rother have confirmed as in 1.3 above that the initial proportion of the S106 funds designated to the new changing facilities is not fixed.

1.7 Expenditure of the S106 funds will have to be in accord with both RDC's and NPC's financial policies. Expenditure of additional funds will have to be in line with NPC policies and the funder's own policies and requirements, with RDC being fully informed.

1.8 Contact has been established with Wealden/RDC finance department to establish if any joint framework agreements are applicable to this project.

1.9 Cost of Planning application

The planning fee for a full plans application with 50% NPC discount will be £936 plus VAT. The cost of the drawings, as accepted at the Feb 2024 Council meeting, is £750 plus VAT. Additional expenses including the purchase of a digital OS map will be approx £50 including VAT, all other works are to be pro-bono.

Therefore the likely total cost of the application will be £1726 not including VAT which NPC can reclaim. This will be paid for out of the NPC CIL funds, to be reclaimed from the NRG1 S106 funds as a development cost when practical.

1.10 The likely construction cost of the new facilities is in the region of £300k (1Q 2024), based upon an estimate of the drawn scheme.

2. Potential funding: Sports funding bodies

2.1. The obvious sources of funding are the Football Foundation and Sports England.

2.2 Football Foundation

The initial response from Paul Saunders at Sussex FA in April 2024 indicates that funding for new facilities is highly unlikely although funding for pitch maintenance may well be possible, Appendix C.

2.3 Sports England

SE has an online questionnaire to determine if the applicant is eligible for a grant. However one question relates to the principal sport and inputting 'football' generates the response 'please apply to the Football Foundation'. So we are back to 2.2 above.

3. RDC Funds

3.1 Rother Infrastructure Fund

55% of the Strategic CIL will fund projects where RDC considers an infrastructure improvement or project is required to meet the adopted Local Plan objectives. Those selected from the Infrastructure List to apply for funding from the Rother Infrastructure Fund (RIF) will be required to demonstrate how their infrastructure scheme proposal meets the Local Plan and Corporate Plan objectives.

The RIF will be split into **two sub-funds** – one for **Bexhill** and one for **rural Rother**, each fund representing the actual CIL funds generated in those two areas, to fund infrastructure in each area. Allocation of funds to each area will be limited to the funds generated by each area, except in exceptional circumstances where the project would benefit the whole of Rother.

3.2 Infrastructure Matched Fund

25% of the Strategic CIL will fund projects specific to individual towns and parishes of Rother and the amount requested from the Infrastructure Matched Fund (IMF) should be match-funded. It can only be used in towns and parishes where housing is allocated and built, but is also available where non-allocated sites of at least 6 houses are permitted and constructed, as the purpose of CIL is to fund substantive infrastructure that demonstrates it helps offset the impact of new development. Those town and parish projects with a wider impact could receive a greater proportion of funding (up to 100%) from the IMF depending on whether and to what extent the project can truly demonstrate a wider infrastructure benefit. The IMF will also be split into two sub-funds, one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in both areas. Funding from the IMF is not automatic and is dependent on a parish or town having a prioritised infrastructure plan/list. Funding will need to be applied for.

It should be borne in mind that RDC will have received 85% of The Paddock CIL levy for community infrastructure improvement. It is essential that NPC puts together a prioritised infrastructure plan/list which we do not have at present.

3.3 Climate Emergency Bonus Fund

20% of Strategic CIL will support the Council's commitment to be a carbon neutral district by 2030 as set out in the Environment Strategy (September 2020). While the Council would expect all infrastructure proposals to consider and minimise their carbon emissions, the Climate Emergency Bonus Fund will provide additional funding where infrastructure projects can demonstrate that they will make a significant contribution to the reduction of carbon emissions or to the offsetting of carbon emissions. A project must specifically indicate in its application that it would like to claim the climate emergency bonus and set out how it will achieve demonstrable carbon reductions/offsetting.

4. Other sources of funding

4.1 We need to investigate what other sources of funding are available, large hopefully, but most likely small. I have contacted Jim Boot a local resident who is a strategic planner (see 5.0) and Keith Whiting at the Village Hall as between him and Bernie they seem to know who to tap for funds. I will also contact Cllr Biggs at RDC and Cllr Redstone at ESCC to ask for suggestions and contacts.

5.0 The Community Ownership Fund (COF)

(suggestion of Jim Boot (JB), Community Planner)

“The Community Ownership Fund is a £150 million fund over four years to support community groups across England, Wales, Scotland, and Northern Ireland to take ownership of assets which are at risk of being lost to the community. It forms part of a substantial package of UK wide levelling-up interventions building opportunity and empowering communities to improve their local places. We recognise it can sometimes be hard for community groups to raise the funding needed to buy or renovate the asset and run it sustainably for the long-term benefit of the community. The Community Ownership Fund will help support local people to save local community assets at risk. The Fund supports projects which fulfil one or a combination of the following aims. All of these are taken in context of saving an asset with the goal of community use”.

5.1 JB suggests that there is no reason why NPC should not register an interest in parallel with the planning application. He offered to write a business case that would need to accompany any such application to the COF.

6.0 VAT

6.1 We cannot assume that as a Parish Council all construction works with respect to the new sports pavilion will be zero-rated as an online search indicates that this is not the case. HMRC takes a different view depending on the ownership, use and likely income stream.

We believe that it will be necessary to take up-to-date professional VAT advice which is likely to cost in the range of £750 which will be paid for out of the S106 NRGF funds as a development cost.

One option that may be open to us is to ‘agree to tax’ which would require the PC to pay VAT on any income for a period of 20 years. Given that VAT on a likely construction cost could amount to £60,000, we need advice.

7.0 Possible way forward

7.1 I suggest we need to ring-fence £150k of the S106 funds for new facilities so that we start any necessary match funding with a decent starting base. Never rattle an empty tin! To achieve this I think we need to approach the Football Foundation for money for pitch maintenance which we can then put together with the remaining S106 money as part of an appropriate 10-year maintenance programme as required by the NRGCC.

We then approach Rother for funding based on the number of houses built in Northiam over the last ten years to show the need for better facilities, given the state of the current changing facilities. Sadly Rother has not helped us in its latest Playing Pitch Strategy (PPS) published in 2023. This plan includes all sports played on grass pitches. In the plan it notes “New pavilion and changing provision needed” against Northiam Playing Fields. However, it also states timescale as “Long”.

There is the option of reducing the size of the new facilities but I don’t think that we can go below the FA/SE standards and we need to plan for the future. So I would not reduce what we are seeking planning approval for. We need to aim for facilities for all men, women and juniors with a view to it being used for other sports than just football.

We also need to consider what works, such as an upgrade of the footpath down to the bowls club, could be funded by NPC CIL funds. This would also serve the playground throughout the year, with only the extension to the new pavilion being part of the pavilion contract. This again highlights the need for a NPC prioritised infrastructure plan/list which we do not have at present.

Cllr Julian Lockett
The Playing Field & Pavilion Working Group
7 June 2024

Appendix A

Planning Permission – RR/2015/545/P – Station Road, Northiam Granted, subject to s106 planning obligation by agreement, on 24 December 2015 Northiam Recreation Ground Contribution

Summary

- A contribution to Northiam Recreation Ground of £192,920 was secured from the developers of the Station Road site through a s106 legal agreement in 2015. The contribution was justified by Rother’s Playing Pitch Strategy 2012-2018, which recommended improvements to the changing accommodation and upgrading of the pitch at Northiam.
- The contribution was received by Rother District Council in 2018.
- Discussions with Northiam Parish Council took place in 2018 in relation to proposals to provide the improvements.
- Quotes were obtained by Northiam Parish Council to improve the parking area and the pitch and a portion of the contribution was spent on this work. £167,334.80 of the contribution remains to be spent and is held by Rother District Council.
- Northiam Parish Council has recently contacted Rother District Council to continue to discuss proposals to improve the facility. Rother District Council will work to ensure that the proposals respond to the issues identified in the Playing Pitch Strategy 2012-2018, as referred to in the planning committee report, on the basis of which the contribution was secured. Note that the need for a new pavilion and changing provision at Northiam Playing Fields is identified in the recently published Hasting and Rother Playing Pitch and Built Facilities Strategies 2023-2039.

Background

Section 106 Legal Agreement

The definition of the Northiam Recreation Ground Contribution is - *means the sum of one hundred and ninety two thousand nine hundred and twenty pounds (£192,920) payable to the Council as a contribution to the improvement of Northiam Recreation Ground in accordance with the provisions of Part 3 of Schedule 3 save to the extent that this is altered in accordance with Clauses 6.18 and 10*

Clause 6.18 states that where payment payable under the terms of this Deed is made more than 14 working days after the specified date, Interest shall be payable.

Clause 10 states that the contribution shall be increased through application of a formula relating to the Construction Index.

Part 3 of Schedule 3 states that - *the Northiam Recreation Ground Contribution together with any Interest or Indexation thereon payable under this Deed prior to the first Occupation of the thirty-fourth (34th) Dwelling to be Occupied and not to Occupy more than 33 Dwellings until the Northiam Recreation Ground Contribution has been paid to the Council.*

Paragraph 3 of Part 1 of Schedule 5 states that - *on receipt of the Northiam Recreation Ground Contribution to pay the said contribution into an interest bearing account and not to spend the said contribution except on making improvements to the Northiam Recreation Ground in consultation with the Parish Council.*

Paragraph 7 of Part 1 of Schedule 5 states that any contributions not spent within fifteen years of receipt shall be paid back to the owners of the land.

The Northiam Recreation Ground Contribution was received by Rother District Council on 16 April 2018. It therefore needs to be spent by 16 April 2033.

Planning Committee Report

The planning committee resolved to grant planning permission, subject to a s106 legal agreement, on 20 August 2015. They agreed the recommendation set out in the planning committee report. This listed, in paragraph 6.12.2, the matters 'related to the development, proportionate and necessary' for inclusion in the section 106 agreement and included 'contribution towards improving changing accommodation and pitch upgrading at the existing playing fields in the village'.

Paragraph 6.10.5 of the planning committee report explained why this contribution was required advising that - *the existing sports facilities in the village fall short of local need in terms of quality, particularly in relation to the changing accommodation. The Council's Playing Pitch Strategy recommends that improvements to both changing accommodation and pitch upgrading be supported in Northiam. The Council considers that a contribution should be sought from the developer to help address these issues and that such a contribution would meet the three tests in the CIL Regulation 2010.*

Hastings Borough and Rother District Councils Playing Pitches and Built Facilities Strategies 2023-2039

Page 60 of the document lists Figure 4.2 – Actions for Rother. It includes an action for Northiam Playing Fields – 'New pavilion and changing provision needed'.

A Playing Pitch Strategy for Rother District Council – 2012-2018

Page 22 sets out recommendations for future provision for the Rother Levels. It supports improvements to changing accommodation and in upgrading pitches at Peasmarsch and Northiam.

Appendix B

Tue, 23 Apr,

Jeff Pyrah <Jeff.Pyrah@rother.gov.uk>

Dear Mr Lockett,

Thank you for your email. The section 106 is not prescriptive on how the contribution is spent – but it must meet the terms of the s106 – i.e. be on the improvement of the recreation ground. In addition, the contribution was justified on the evidence of need for improvements to the changing accommodation and upgrading of the pitch. Within this, there is flexibility on how the money is spent. I

have checked with our sports development officer and spending less on maintenance (including supplementing this with other finances) and more on the improvements to the changing rooms sounds sensible and would be acceptable within the terms of the s106.

Note that to draw down on the s106 contributions, which we hold, you will need to provide costings for how the entire amount will be spent – including quotes (we would suggest three) from contractors who could do the work – so that we know the entire project will be possible. It sounds like this is the approach you are taking, with your queries on how the available finances can be proportioned.

Kind regards,

Jeff Pyrah BSc(Hons) MA MRTPI
Planning Policy Manager
Directorate of Place and Climate Change

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24 Apr
2024,
17:31

Appendix C

Sussex FA
Paul Saunders
to Rebecca, me, Adrian, Pete, Jacqui

Dear Julian,

Thank you for your email.

Since 2018 there have been quite a few changes to funding scheme and football programmes, along with the completion of local authority and football plans. I'll try to break this down to demonstrate where we are.

In 2019 The FA completed a Local Football Facility Plan for each local authority area, which included one for Rother.

The [Rother Local Football Facility Plan](#) is purely for football and measures the supply and demand for pitches and auxiliary buildings. It goes on to identify potential projects within the area that the Football Foundation may fund. Unfortunately, Northiam does not feature in the plan.

Since then, Rother DC commissioned a Playing Pitch Strategy (PPS) that was published in 2023. This plan includes all sports that play on grass pitches. Again, it looks at supply and demand, and condition of facilities, with recommendations for each site in the district. In the plan it notes “New pavilion and changing provision needed.” Against Northiam Playing Fields. However, it also states time scale as “Long”.

With regards to Football Foundation funding, a site with a single adult male team is not very attractive. The Football Foundation operates as a charity and receives funding from The FA, the Premier League and the government through Sport England. Their target areas include women and girls, disability, underrepresented groups and areas of deprivation. I note comments in the PPS that the club wish to introduce youth and women's and girls' football, however, they have not affiliated any of these types of teams with us this season. Therefore, it is unlikely that the Football Foundation would offer significant funding for this site for changing facilities.

With regards to the grass pitch(es) the previous scheme has now closed and has been replaced by the Grass Pitch Maintenance Fund (GPMF).

Briefly, the club, or now the Parish Council, can apply for this funding. The scheme operates over a 10-year period with taper funding for the first six years. The applicant completes a digital assessment of the pitch(es) and receives a Grounds Management Association report (similar to the one provided previously) Also, if required the applicant can put in for a machinery grant at 75%. I'll ask Beckie to send you further information on this scheme.

Perhaps Adrian can offer information from a local authority perspective.

Regards

Paul

Paul Saunders | Project Manager

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