



Leicester
City Council

WARDS AFFECTED – CITYWIDE

Overview Scrutiny Management Board
Cabinet

19th March 2009
30th March 2009

Development of Football Facilities

Report of Service Director Culture and Deputy Corporate Director of Regeneration and Culture

1. Purpose of Report

- 1.1 The purpose of this report is to update Cabinet on progress with this major citywide investment programme to improve football facilities across the City and to obtain Cabinet approval to progress to Phase 2 of the project i.e. procurement and construction.

2. Summary

- 2.1 In September 2007, Cabinet approved the commencement of a project to develop new facilities for football participation and development on eight playing field sites and four ball courts including three artificial turf pitches and supported by a team of three development staff over the next five years. Funding of 50% of the significant bid development costs of £455,000 was granted by the Football Foundation as they were very supportive of the innovative approach adopted by Leicester to develop a strategic city wide approach.
- 2.2 After months of extensive effort to a strict timetable, a fully comprehensive and compliant bid totalling £13.8m (£13.3m Capital and £0.5m Revenue) was submitted on 21st January 2008. This was evaluated by the Football Foundation, including advisors from the Football Association and the City Council was subsequently invited to make a presentation to the Foundation's Grants Panel. A recommendation was made to the Foundation's Trustees in July 2008, but a decision was deferred to September.
- 2.3 The main reason for the deferral was concern about the size of the grant compared to the overall level of funds available to the Football Foundation. However on 2nd October 2008 the City Council received a written offer of £5m towards the Capital costs and £521,692 towards the revenue costs. This was lower than anticipated and assumed that we would be able to make substantial cost reductions – partly through the reduction in the programme of one playing field site (Knighton Park/Welford Road) and partly by cost reduction or value engineering to the design and construction of the changing rooms.
- 2.4 Whilst the application to the Football Foundation was being developed and assessed, other sources of funding were being explored and officers were successful in securing a very significant contribution from the Leicester City Primary Care Trust of £2m, a Sport

England Grant of £250k towards the ball courts, contributions from three partner clubs totalling £200,000 and other smaller contributions.

- 2.5 However, due to the recent sharp downturn in the economic and property markets, a substantial proportion of the original match funding was no longer available in the short term. The withdrawal of the developers for the Saffron Lane Velodrome and Blackbird Road Playing Fields developments has had a particular impact. Consequently, this together with the decision of the Football Foundation has necessitated a major reworking of the cost, content and financing of the project.
- 2.6 As a result, the capital cost of the project has now been reduced to £11,200,882 following a comprehensive value engineering exercise and the shortfall in match funding will be bridged by Prudential Borrowing with the repayments approved as part of the Council's revenue budget strategy for 2009/10.
- 2.7 The Football Investment Strategy has strong links to the One Leicester Strategic priorities of:
- Improving Well-being and Health
 - Talking up Leicester
 - Creating thriving, safe communities
 - Investing in our Children
 - Reducing our Carbon Footprint
 - Investing in Skills and Enterprise

The project will provide substantial football and multi-sport developments at seven sites and four new ball courts in the City. This will provide opportunities for young people to become more physically active and lead a healthier lifestyle in line with the government's active people survey. Each site will have a development plan including challenging targets in coaching, volunteering and links to schools focusing on the five-eleven age range and excluded children. All facilities have been designed to incorporate energy saving schemes to minimise the carbon footprint of each facility. This project will also enable local people to gain qualifications in coaching to allow them to volunteer and assist the partner clubs with gaining FA Charter Standard accreditation. They can in turn run skill centres for young people and train more volunteers. The strategic approach adopted in Leicester is a national first and the award by the Football Foundation is the single biggest award made for community sports provision since its launch in July 2000.

3 Recommendations

3.1 Cabinet are recommended

- to note progress on the development of this project
- to agree the commencement of Phase 2 of the project i.e. procurement and construction as detailed in the report at a total capital cost of £11,200,882
- to note the receipt of a revenue grant from the Football Foundation of £521, 692 to enable the appointment of three staff over five years to support the implementation of the Project
- to note that further work will be done on finalising the income and expenditure associated with operating the sites and the results of this work will be included in the 2010/11 budget

- to note the Prudential Borrowing of £2,970,000 to be financed from revenue
- to delegate the final decision on the most cost effective procurement arrangements to the Deputy Corporate Director of Regeneration and Culture, in consultation with the Cabinet Lead Member for Culture and Leisure, as set out in Paragraph 4.21.

4 Report

- 4.1 Football participation levels are lower in Leicester than in Leicestershire, the East Midlands or nationally. This applies to all levels of football – Adults, Junior/Youth and Girls. The Active People survey confirmed that the percentage of people participating in 3, 30 minute, sessions of moderate intensity exercise in Leicester was again lower than our comparators.
- 4.2 Various consultation exercises carried out by the Leicestershire and Rutland County F.A. over the last five years have confirmed that football facilities are of a poor quality in the City in comparison to other facilities around the County and regionally. Although the F.A. recognises that urban areas that feature in the top 20% of the Indices of Multiple Deprivation have poorer quality football facilities and, in most cases, lower levels of participation, Leicester has not benefited as much as it should have from F.A. and Football Foundation investment in comparison to other East Midlands cities.
- 4.3 Whilst there have been some notable developments at Judgemeadow Community College and Braunstone Park, there is a clear need to invest in improvements to local football facilities to enhance the range of football participation opportunities for the local community and to support the local club infrastructure. A lack of investment in recent years has resulted in a migration of clubs away from the City, reduced opportunities for team and player development as well as lower levels of participation. This has resulted in the majority of clubs running a lower number of teams per club when compared to the rest of the county.
- 4.4 The effect of the lack of investment and the ability of clubs to progress and secure Football Foundation funding has effectively frozen the development of football facilities in Leicester. This has led to increasing demand and dissatisfaction from local clubs, especially those from BME backgrounds. Leicestershire and Rutland County F.A. were asked to undertake a facilities review and identify the priorities for investment for the city. This review was carried out in consultation with the local football community, leagues and members of the Leicestershire and Rutland local football partnership.
- 4.5 The F.A. identified that the current levels of affiliated participation were much lower than the regional average and were also lower when compared to other major cities in the East Midlands.

	Adult		Youth		Mini Soccer	Total
	Male	Female	Male	Female		
Leicestershire	5.2	0.1	21.5	1.8	7.9	5
Leicester	3.6	0.1	9.6	0.4	3.4	3.7
Derby	5.2	0.1	26.2	2	7.5	7.5
Nottingham	4.6	0.3	19.2	1.9	6.4	6.7
Regional Average	5.3	0.2	22.3	2.6	7.7	5.3

National Average	4.9	0.2	21.6	1.9	7.2	4.9
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Conversion Rates (%) = Relevant Population/Relevant Playing Population

- 4.6 The percentage of the population playing football in Leicester is 3.6% of the relevant population, compared to 5.3% regionally and 4.9% nationally. The position for youth football is of even more concern at 9.6% against 22.6% regionally. The position for girls' football is also of concern at 0.4% against 2.6%. There are half the number of players playing mini soccer than anywhere else in the East Midlands. Some of the above can be put down to the migration effect of city residents playing for clubs outside of the city, but overall the position is poor.
- 4.7 Evidence about the protective health benefits of physical activity is overwhelming. The World Health Organisation considers that physical inactivity is one of the leading causes of death in the developed world, causing 1.9m deaths worldwide per year. People who are physically active reduce their risk of developing major chronic diseases such as Coronary Heart Disease, strokes and diabetes by up to 50%, and the risk of premature death by about 20-30%. Adequate levels of physical activity can also help to prevent and/or ameliorate a range of other conditions such as obesity, osteoporosis, low back pain, depression and some cancers. Appendix 1 gives a full list of the level and strength of evidence for a relationship between physical activity and chronic conditions. Nationally, however, six out of ten men and seven out of ten women are not active enough to benefit their health. In relation to children, nearly three in ten boys and four in ten girls are also not meeting the recommended levels of physical activity. The Department of Health recently published estimates of the primary and secondary care costs attributable to physical inactivity for each Primary Care Trust. For NHS Leicester City the estimated costs for 2006/07 were over £6m.
- 4.8 In terms of participation in physical activity locally, the Active People Survey, conducted by Sport England in 2006/07, identified a lower level of participation in sport and active recreation in Leicester compared to the national average. In Leicester, the proportion of the adult population regularly participating (30 minutes moderate intensity exercise at least three days a week) is only 15%, compared to the national figure of 21.3%. This places Leicester as the 10th lowest local authority area in the country (out of 354) and is the lowest in the East Midlands in terms of physical activity levels. In addition, participation levels have fallen in Leicester since the last Active People Survey in 2005/06, against an increase nationally. Rates of obesity amongst children are high in Leicester. In 2007/08, 10.8% of children in reception year were classified as obese (1.2% higher than the national rate). Rates of obesity in older children are higher, with 20.3% of children defined as obese in year 6, compared to 18.3% nationally.
- 4.9 There is an urgent need to increase levels of physical activity in Leicester, through a variety of means. This is particularly important in areas of social and economic disadvantage where health outcomes are poorest and where levels of physical activity tend to be lowest. Evidence shows that levels of physical activity are lower amongst women, ethnic minorities and amongst people from more disadvantaged areas.
- 4.10 The Institute of Community Cohesion in its draft toolkit on sport and community cohesion refers to the power of sport to transform peoples lives, build teamwork and even turn

the most disadvantaged of young people into disciplined athletes. The report also refers to the potential of sport to unite communities and build bridges between different communities. The Football Association's (FA) recent commitment to pursue a new equity strategy for the sport and to address some of the problems of racial exclusion in the English Game are reflected in their support for this innovative city wide project. The FA also recognise in its National Facility strategy that urban areas often featured in the top 20% of the Indices for Multiple Deprivation have poorer quality football facilities. Taking all these factors into account, it was clear that a new and creative approach was required to support local football clubs access to Football Foundation funding and to ultimately increase participation and achieve wider health and community benefits.

4.11 The objectives of the Project are to:-

- a) Improve the safety, security and standard of football pitches and changing facilities managed or maintained by Leicester City Council across parks, playing fields and education sites;
- b) Supporting the County Football Development Plan which sets overall targets for increasing levels of participation and quality to 120 teams by 2012;
- c) Ensuring equality of access and opportunity for all communities within the City but with an emphasis on increasing participation by young people, women and girls, disabled people and BME communities and promoting Community Cohesion;
- d) Increasing the level of physical activity in Leicester in order to reduce the risk to people of developing chronic diseases such as heart attacks, strokes and diabetes and reduce premature death;
- e) Developing appropriate sites via lease/license or partnership arrangements to established clubs delivering a wide range of participation opportunities;
- f) Working in partnership to deliver large multi-pitch sites for grass roots to senior-level football, which can be accessed by a number of City-based clubs;
- g) Expanding the provision of a number of senior pitches, which meet the requirements of the Leicestershire Senior League in order that adult teams can progress;
- h) Encouraging the development of football participation from inner city communities by incorporating a number of inner city ball courts within the programme;
- i) Reviewing, modernising and standardising the arrangement for site lettings and leases;
- j) Encouraging a culture of shared facilities rather than exclusive use in order to maximise opportunities for all clubs in the City.

4.12 Tackling inequalities is a key component of the project. Of the eleven sites, four are located in areas identified as being in the 10% most deprived wards nationally (Beaumont Park, Linwood, New College and Cossington Street), two in the 20% most

deprived wards (Rushey Fields and Overton Road) and five in the 50% most deprived wards nationally, as defined by the Indices of Multiple Deprivation. There are targets to increase participation by hard to reach communities and plans for referral systems from agencies such as the Youth Offending Team, Positive Futures, Youth Services and the local Police. Disability development plans have also been produced which include specific targets relating to increasing the number of disability teams. As well as generally promoting and encouraging participation in football from BME groups, there are specific targets within individual site plans to, for example, increase the number of volunteers from BME groups and use football to deliver anti-racism messages. Ensuring that usage of the facilities at each site is representative of the local population is an important element of the plans.

- 4.13 The ball court areas are located in inner city locations and aim to engage people, not currently attached to existing clubs and signpost them to more organized provision, as well as provide training opportunities for both partner and feeder clubs. The ball courts are essentially Multi Use Games Areas with hard surfacing which provide year round opportunities for casual and organized activities.
- 4.14 One of the objectives of the project is to encourage a culture of shared facilities, rather than exclusive use, in order to maximise opportunities for all clubs in the city. All sites will be available for both casual and structured sporting usage and will therefore benefit a much wider group of people than those playing football.
- 4.15 Eight playing field sites and four ball court areas were identified across the City where investment would meet the aims of the project. This included eight new changing room blocks, three third generation artificial grass pitches, four upgraded ball court areas and substantial ground preparation works (Aylestone Playing Fields), development and improvement of grass pitches, car parking, access and floodlighting.
- 4.16 The proposal also incorporated revenue funding over five years to employ three staff to develop football opportunities across the city. Partner Clubs have been identified by the Leicestershire and Rutland County F.A. to lead the development of football opportunities for their clubs and other associated football clubs in partnership with the FA and the City Council. Partner Clubs will all have FA Charter Club status. Three of the partner clubs are from BME communities plus one women's club as follows:
 - Aylestone Playing Fields – GNG Sports and Leicester City Women
 - Aylestone Recreation Ground – St Andrews Football Club
 - New College – Allexton and New Parks FC
 - Beaumont Park – Beaumont Town FC
 - Hamilton Park – Nirvana FC
 - Linwood Playing Fields – Aylestone Park FC
 - Rushey Fields – Bharat FC

The partner clubs were selected via a process led by the Leicestershire and Rutland County FA which has been well documented. All clubs in the city were given the opportunity to be considered as partner clubs and all selected clubs were interviewed and have Partner Club status.

- 4.17 The full bid to the Football Foundation was submitted on 25 January 2008 and there were a range of meetings with the Football Foundation and the Football Association over the following months to clarify the bid and to make presentations on the detailed content of what was a very comprehensive and complex bid. The Football Foundation Board met in July 2008 but deferred the decision until September this year. The main reason for the deferral was concern about the size of the submission related to the amount of funding the Football Foundation had available to support community Football provision throughout the country.
- 4.18 On 2nd October 2008, The Football Foundation made a written offer to the Council of £5m capital against a total capital target cost of £10,250,637 and a revenue grant offer of £521,692. The Capital Grant offer was considerably lower than we hoped for as our bid submission was for a total capital cost of £13,260,729 with a minimum contribution of 50% from the Football Foundation. The Football Foundation grant offer covers eleven of the twelve sites - no funding towards the provision of new changing facilities at Knighton Park/Welford Road was approved.
- 4.19 The reduction in the total Capital Project cost from £13.3m to £10.2m includes the withdrawal of the Knighton Park/Welford Road site from the programme and a consolidation of the changing rooms on Aylestone Playing Fields. However, these two changes are insufficient to bring the total Capital Costs down by the amount required and a major value engineering exercise has been undertaken to establish the extent to which we can deliver the project within the revised Capital Target cost proposed by the Football Foundation. Members of the project team visited other sites supported by the Football Foundation to enable realistic comparisons to be made. The following table summarises the revised cost of the project.

Description	Bid Cost	Target Capital Cost	Revised Capital cost	Grant Awarded
Aylestone Playing Fields	3,179,834	2,106,721	2,942,204	928,041
Aylestone Recreation Ground	1,927,164	1,752,670	1,675,457	876,335
Beaumont Park	1,182,800	1,053,625	1,037,288	526,813
Hamilton Park	1,070,430	954,845	914,726	477,422
Mary Linwood Playing Fields	1,517,322	1,303,931	1,464,820	651,966
New College Playing Fields	1,882,604	1,709,291	1,769,638	854,646
Rushey Fields Rec'n Ground	1,186,128	1,059,564	1,070,484	529,782
Welford Road/Knighton Park	959,722	0	0	0
Cossington St Ball Court	59,526	59,988	59,526	29,994
Overton Road Ball Court	26,768	27,152	29,268	13,576
St Andrews Ball Court	65,118	65,136	65,118	32,568
Victoria Park Ball Court	203,353	157,714	172,353	78,857
Total	13,260,769	10,250,637	11,200,882	5,000,000

Note: A contingency provision of 9% is included

- 4.20 The project team have coordinated efforts to identify all possible elements which reduce costs through a value engineering exercise. The original bid design has changed throughout this exercise via consultation with specialist consultants who have provided

alternative solutions to elements of the structural frame, roof treatment, ventilation and mechanical and electrical proposals. Although not all the required savings have been achieved through the VE exercise, the team believes that any remaining savings needed will be achieved once a comprehensive programme of ground conditions surveys is complete and accurate costs established.

- 4.21 The procurement strategy submitted during the bid stage, recommended the use of the SCAPE framework, and named Willmott Dixon Ltd as its single contractor. The benefits of this proposal is a coordinated approach to all schemes, continued development, learning and refinement of each project that in turn reduces cost and time. However, the overheads and profits of the SCAPE framework were set in 2006 with construction at a peak. This strategy is under scrutiny to confirm its effectiveness to still provide “best value” in the current economic climate. The option, to procure contractor(s) using a traditional open tender procedure, is also under consideration as a viable alternative. The benefits of this proposal are predominately financial considering the recent down turn in construction costs and reduced profit margins. Both these options provide benefits, but also raise new issues due to the current economic climate. It is recommended that Cabinet delegate the final decision to the Deputy Corporate Director, in consultation with the Cabinet Lead Member for Culture and Leisure.
- 4.22 To enable the project to proceed to procurement and construction, a match funding contribution from the City Council and partners of £6,200,882 is required. At the time the bid was submitted in January last year the City Council’s match funding contribution was predicated on a number of land disposals and Section 106 agreements which, due to the current economic recession, have not materialised as developers have withdrawn from land disposals and there have been delays in securing 106 contributions.
- 4.23 In March 2008, a successful application was made to Leicester City Primary Care Trust for a non-recurrent capital grant of £2m towards this project, which has made a substantial and invaluable contribution to the delivery of this project. In coming to this decision the PCT Board took into account the overwhelming evidence about the protective health benefits of physical activity, the further development of a city-wide approach to tackling obesity, and the need to improve both the currently low levels of physical activity in the city and also the infrastructure to support increased physical activity and involvement in sport. The PCT Board also recognised, as is reflected in the cross-government strategy for England, “Healthy Weight, Healthy Lives”, that reducing obesity and overweight is essentially a partnership activity and the PCT wanted to be centrally involved in this.
- 4.24 The match funding position is summarised in the table below:

Description	Revised Funding Package
Football Foundation (Towards Construction)	5,000,000
Capital Programme – Hamilton Changing Rooms	350,000
Insurance Claim	46,882
106 Contribution–St Andrews Ball Court (To be finalised)	50,000
Sale of Newry Junior/Southfields Infants (To be finalised)	400,000
Sport England	250,000

UEFA Jubilee Fund	40,000
Partner Clubs	200,000
Leicester City PCT	1,894,000
Prudential Borrowing	2,970,000
TOTAL	11,200,882

Note: £106,000 of the PCT's £2m contribution was used to part match fund LCC's share of the Bid Development costs, hence the reduced amount shown above.

4.25 The project will be closely monitored by grant funders and they have asked that ambitious key performance indicators (KPIs) are clearly set down at the start of the project. The KPIs have been developed in conjunction with the projects' partner clubs and key site users and are shown below for the first five years of the projects lifetime:

- 283 new teams will be generated
- 3,065 new players will participate in football
- 30 clubs will gain FA Charter Standard accreditation
- 5040 youngsters aged 5 – 11 will receive expert tuition from specially trained coaches at the skills centres
- 140 youngsters will join partner clubs after referrals from social inclusion partners
- 28 health related projects will be delivered
- 577 new volunteers will be recruited into running the partner clubs and other site users
- 266 educational courses and workshops will be held with a total of 6009 volunteers attending them
- 922 youngsters will join partner clubs via the creation of new school to club links.

4.26 The FA requirement to achieve RIBA stage D (full planning approval) before funding award was met on all four ball courts, and eight playing field sites. However, subsequent to approval, two changes have been identified. A minor change to Victoria Park ball court has been requested to facilitate easier access to the park during the festival season. The planning department has accepted this minor amendment and approval is expected early March 2009. However, a major change to Aylestone Playing Fields has also been identified following further consultation with the partner clubs, the Environment Agency and the Football Association. An elevated section of ground adjacent to the proposed site is better suited to house the development at Aylestone. The new location reduces the affect on residents from noise and lighting and removes any flood risk previously highlighted. The new proposals have recently been submitted and are currently being considered by the planning department and approval is expected in May 2009.

4.27 The City Council will issue each partner club with a Service Level Agreement (SLA) which effectively sets out what is expected of the partner clubs from an operational and procedural perspective. In addition, the SLA sets out the role and responsibility of the City Council and the monitoring and evaluation mechanism for the sites. Each SLA will run in parallel with an occupational licence that will also be issued to the partner clubs. The licence sets out the entitlements and restrictions on the partner club from a site tenancy perspective. Alongside the Partner Club(s) at each site will be a Local Management Group which will be established to oversee both the operational management of the facility and with a strategic development brief. The LMG will seek to

recognise the input and needs of all the partners and be responsible for ensuring communication between the key partners and marketing the facility to ensure social inclusion objectives are met. Terms of reference for the LMG have been drafted and all partner clubs have signed up to the concept.

4.28 The terms and conditions of associated with the Leicester City PCT contribution have been agreed and the terms and conditions for both the Football Foundation and Sports England bids will have been finalised before this report is agreed by Cabinet. Both sets of terms and conditions have been accepted, however, we are establishing with the funders the basis on which they want the Council to prove ownership of all the sites. This will require standard forms of certificate of title and may incorporate restrictions on future use on the various parcels of land. This is standard practice on the part of grant funders and these restrictions are not anticipated to be particularly onerous as all the land is currently public open space.

4.29 A robust business plan is being drafted that encompasses all of the sites. The revenue projections have been completed for five years and include a standard pricing policy across the sites, allowance for site specific staff and enhanced ground maintenance. Discussions are continuing on the most appropriate operational model once the facilities have been constructed. The current estimated full year revenue cost is likely to be in the region of £450,000 per annum with estimated levels of income from hire of facilities in excess of £350,000 (including the Football Foundation Revenue Grant). Much will depend on the level of income from the three floodlit artificial turf pitches which have the potential to generate significant income. The revenue cost in 2009/10 will be minimal as most of the facilities (by March 2010) will be either in construction or have only recently been completed. Consequently, any revenue costs are expected to be minimal and will be met from existing Cultural Services Budgets. The revenue costs for the project in 2010/11 and future years will be scrutinized in detail as part of the project implementation by reviewing and minimizing maintenance costs through methods of working, the potential to involve partner clubs to provide voluntary input for certain activities and maximizing procurement savings for specialist maintenance tasks. Income levels will be monitored to ensure the most effective balance between cost and use, and the Football Development Officers will be tasked with identifying ways of increasing the use of facilities and the income generated by working with the Local Management Groups to be established for each site. Any revenue shortfall in 2010/11 and future years will be met from within existing Divisional budgets.

4.30 An outline timetable for the procurement and construction phase of the project is set out below:

ACTION	PLANNED DATE
Media Launch	March 2009
Finalise detailed design & Procurement	Mid April 2009
Finalise Site surveys	Mid April 2009
Complete Planning Approvals for all sites	May 2009
Award contracts and mobilisation on site	Mid May 2009
Start on site	June 2009
Project complete	September 2010

4.31 Although the project is being managed in a single phase, there is likely to be some staggering of start and finish dates due to the scale and nature of individual projects.

The exact arrangements will be dependant on discussions with the successful contractor or contractors, but at this stage it is envisaged that, in respect of the playing field sites, the programme will be as follows:

- Hamilton Park
- New College
- Aylestone Playing Fields
- Linwood Playing Fields
- Beaumont Park
- Rushey Fields
- Aylestone Recreation Ground

All sites will be complete in time for the start of the 2010/11 season.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

- 5.1.1 The revised capital costs include a contingency of 9% (£0.9m) which should be sufficient to cover additional costs arising from the outcome of the procurement process or unforeseen construction costs.
- 5.1.2 The prudential borrowing of £2,970,000 and the associated repayments were agreed by Council on 25th February 2009.
- 5.1.3 There is some uncertainty with regards the disposal proceeds and section 106 agreements totalling £450k. In proceeding with the project we will be doing so on the basis that there will be sufficient unused contingency included in the project cost to offset this funding shortfall in the absence of any additional funding.
- 5.1.4 The business plan detailing associated revenue income and expenditure including facility hire income, staffing costs, utility costs, grounds and site maintenance requires further work. The impact in 2009/10 should be minimal. The full revenue impact of the sites will be incorporated in the 2010/11 budget. Any impact in 2009/10 will be absorbed within existing agreed budgets.

Martin Judson, Head of Resources, Ext 297390

5.2 Legal Implications

- 5.2.1 Both the Sport England and Football Foundation bids contain similar standard terms. The property related issues arising out of those standard terms have been set out in paragraph 4.23 and 4.24 above.
- 5.2.2 For members' clarification, the restrictions to be imposed in respect of the areas of land included in the bids are that the Council will not be permitted to sell, lease or otherwise dispose of those parcels of land for a period of twenty-one years without the respective funders' consent. The funders may require that the Council will enter into deeds to this effect and that restrictions on sale be registered at the Land Registry.
- 5.2.3 Discussions with the Football Foundation have progressed and users of those sites will therefore be granted licences, with the exception of the Aylestone Park Football Club

who, due to their existing arrangements, the Foundation has agreed may be granted a lease.

- 5.2.4 As part of the Sport England bid, there have been problems with the procedure for proving the Council's ownership of the land involved. As a result of the Law Society's Code of Conduct for Employed Solicitors, the Council cannot provide Sport England's standard form of certificate because of indemnity and insurance issues. The Council will therefore have to instruct private solicitors to provide the certificate as soon as possible.

Zoe Ayris, Principal Legal Officer, Ext 296342

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph references within the report
Equal Opportunities	Yes	4.1/2/5/6/7/8/9/10/12/13/14
Policy	Yes	2.7
Sustainable and Environmental	Yes	2.7
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

7. RISK ASSESSMENT MATRIX

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
1 Legal terms & conditions not finalised/agreed	L	M	Regular liaison with legal services
2 Project Overspend	L	M	Establishing the most cost effective procurement approach for a multi site bid and ensuring tight change control processes as part of Project Board/Team structure
3 Planning application not approved	L	M	Revised application deals with most of the concerns expressed by the Environment Agency and changing room complex and ATP is sited further away from local residents
4 Adverse weather impacts on construction timetable	M	L	Unlikely to have a major impact on the overall programme
5 Potential Clawback	L	H	Project Team/Board to ensure

from funders due to non compliance with funding conditions			compliance with grant requirements and legal terms and conditions of funding
	L – Low M – Medium H - High	–	L – Low M – Medium H - High

8. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

- a. Project files
- b. Cabinet Report 3rd September 2007

9. CONSULTATIONS

Date Consulted

Martin Judson, Head of Resources, Regeneration & Culture	13th February 2009
Zoe Ayris & Jean Geary, Legal Services	13th February 2009
John Garratt, Head of Property, Children's & Young People's Services	13th February 2009
Neil Evans, Property Services	13th February 2009
Deb Watson, Director of Public Health	13th February 2009
Joanne Atkinson, Leicester City PCT	13th February 2009
Ian Wallace, Property Services	13th February 2009

10. REPORT AUTHOR

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Level and strength of evidence for a relationship between physical activity and contemporary chronic conditions

Condition	Preventative effects			Therapeutic effects	
	Level of evidence	Strength of evidence	Evidence of a dose response relationship	Level of evidence	Strength of effect
Cardiovascular disease					
Coronary heart disease	High	Strong	Yes	Medium	Moderate
Stroke - occlusive - haemorrhagic	High Medium	Moderate Weak	- -	Low Low	Weak Weak
Peripheral vascular disease	No data	-	-	Medium	Moderate
Obesity and overweight	Medium	Moderate	-	Medium	Moderate
Type 2 diabetes	High	Strong	Yes	Medium	Weak
Musculoskeletal disorders					
Osteoporosis	High	Strong	-	Medium	Weak
Osteoarthritis	No data	-	-	Medium	Moderate
Low back pain	Medium	Weak	-	High	Moderate
Psychological well-being and mental illness					
Clinical depression	Low	Weak	-	Medium	Moderate
Other mental illness-	No data	-	-	Low	Weak
Mental well-being	-	-	-	Medium	Moderate
Mental function	Low	Moderate	-	Low	Weak
Social well-being	No data	-	-	Low	Weak
Cancer					
Overall	Medium	Moderate	Yes	No data	
Colon	High	Strong	Yes		
Rectal	Medium	No effect	-		
Breast	High	Moderate	Yes		
Lung	Low	Moderate	-		
Prostate	Medium	Equivocal	-		
Endometrial	Low	Weak	Yes		
Others	Low	Equivocal	-		

Department of Health, 2004¹

¹ Department of Health (2004) *At least five a week: Evidence on the impact of physical activity and its relationship to health*. London: Department of Health