Adur and Worthing Councils

F.A.O Rebekah Hincke
By email only

30 July 2024

Application Reference: AWDM/0866/24
Site: Davison Church of England High School for Girls
Proposal: Discharge of Condition 10 – Community Use Agreement
Sport England Reference: PA/24/SE/AAW/68135

Thank you for consulting Sport England in respect of the details submitted under the above planning reference to discharge condition 10 attached to permission reference AWDM/1688/22

At this stage the submitted document fails to cover all the details and requirements required by the condition. Therefore, the submitted document is not sufficient to discharge the condition, and in view of this Sport England **objects to condition 10 being discharged** at this time. Our detailed comments are set out below.

Condition 10 of the planning permission requires that,
Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch, and ancillary facilities including toilets and change facilities and parking include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Parties to agreement

Sport England has no objection to WSCC being a party to the agreement as landlord however, the local recreation function rests with WDC and we would recommend that it is better placed to ensure that local recreation priorities as set out in the document are agreed, addressed and kept under review.

Sport England has a model CUA template that provides a considered method of addressing the requirements of the condition. It is highly recommended that the applicant uses that template as a basis for the construct of the CUA to be entered into between itself and WSCC and preferably also WDC. The link was attached to informative 3 of the decision notice but is at www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-use-agreements and also attached to this letter.

Short of the above, as a minimum, Sport England considers that the following needs to be satisfactorily addressed.

Title

The condition requires an agreement to be entered into for the use of the 3G AGP and ancillary facilities including parking and toilet / change facilities. There is no mention of toilet / change in the current draft. This should be remedied, and all community accessible facilities identified on a plan attached to the agreement so that there is clarity on what is / isn't to be included.

Purpose

The purpose is to enter into an agreement in accordance with the condition – not for a policy to be published.

Hours of use

Full details of the hours of use are required - The hours of community use are satisfactory, but clarity is required as to what the operational requirements of the school may be that might make the facility unavailable and these agreed.

Presently the wording is far too vague. The CUA is required to make the development compliant with Sport England's policy and the NPPF. It can't be left solely up to the school to determine when and to who it will be let.

What is the mechanism for regular bookings and for pay and play use?

Following on from this, the model template includes a section on management that will rest with the school. The cost of hire overall should aim to meet the day to day costs of running the facility and generate an income to provide a 'sink fund' to replace the surface at the end of its life.

Review Mechanism

The template also includes a review committee of all parties to the agreement that will receive a report annually from the management (committee) detailing how the facility has been used, let, managed etc. (see the model template for matters to be covered) and provided with an opportunity to make recommendations to make improvements to the scheme.

Duration of agreement

The duration of the agreement of 3 years is wholly unacceptable. While the review committee may propose 'tweaks' to make it more effective the model template says,

> *This Agreement shall operate for so long as the School Facilities are provided in accordance with the Planning Permission. In the event the School should cease the Parties agree to make every effort to secure the continued operation of the Sports Facilities for Community Use.*

Sport England would be happy to discuss these comments further with you/the applicant's agent with a view to a constructive way forward being identified.

If you have any queries, please contact the undersigned.

Yours sincerely,

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Planning Manager

She/her

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Encl. Sport England Model Community Use Agreement Template