

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER


Executive Decision Reference Number – L56 24/25

Decision	
1	Title of decision: Foulston Park: Grants to Plymouth Argyle Football Club and Plymouth Argyle Community Trust
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Liz Slater, Leisure Partnership Manager liz.slater@plymouth.gov.uk
4	Decision to be taken: <ol style="list-style-type: none"> 1) Approves the Business Case 2) Approves the addition of a further £900,000 to the capital programme funded by corporate borrowing, for the award of a Grant of £600,000 to Plymouth Argyle Football Club and a Grant of £300,000 to Plymouth Argyle Community Trust. 3) Agrees the funding switch of £2.510 mil from service borrowing to corporate borrowing against the original project approval. 4) Approve the virement of £98,000 from the Leisure Management Revenue budget to the corporate revenue budget. 5) Delegates the payment of the Grants to the Director of Public Health.
5	Reasons for decision: <p>The Foulstone Park (FP) project (formally known as Brickfields) is a landmark initiative that Plymouth City Council (PCC) have jointly embarked on to enhance the sports and community infrastructure in our city and to deliver the Brickfields Masterplan. Reconfiguration of the existing sports centre and delivery of new pitches will create a community wellbeing hub that aligns with the Corporate Plan priority to improve the health outcomes and reduce health inequalities experienced by our residents.</p> <p>The range of programmes and services available at Foulston Park (FP), will contribute to improving the core determinants of society (including health, education and employment) that can have a positive life-long impact on health and wellbeing. The social outcomes align with the public health Thrive Programme and the Active to Thrive vision for Plymouth to be the most physical active coastal city by 2034.</p> <p>In March 2023, the Council's Cabinet approved the key recommendation (09 March 2023 Brickfields) that the Council would support investment in FP which included a funding commitment of £2.753m. Since this date, the project has moved forward at pace, with planning permission granted, and leases entered into. Following on from the March 2023 Cabinet Paper there was a further allocation to the capital programme of £917,944 in March 2024 (L59/23/24), which included external funding, and service borrowing of £182,944, primarily to support off site sports mitigation in line with planning requirements (23/01622/FUL). However, as the project has progressed, there have been several unforeseen challenges and constraints,</p>

	<p>leading to a necessary re-evaluation of the budget and funding requirements. Despite meticulous planning, budgeting and value engineering, the overall project cost has increased from the initial estimates.</p> <p>Plymouth Argyle Community Trust (PACT) and Plymouth Argyle Football Club (PAFC) who have responsibility for project delivery at Foulston Park have requested an additional £900,000 capital support from the Council in the form of a Grant. The cost to be funded by corporate borrowing.</p> <p>Furthermore, there has been significant capital funding from Plymouth Argyle Football Club (PAFC), Plymouth Argyle Community Trust (PACT), PCC and external grants.</p>		
6	<p>Alternative options considered and rejected:</p> <p>1. Do Nothing: By not securing the funding it would hinder the operation of the site and potentially stop some of the works being completed. This would also hinder the PAFC/PACT business plan which intends to be self-sufficient and not reliant on any subsidies from the Council. This option would mean that it is likely that the full masterplan for FP would not be delivered. This in turn would limit the community benefits from the site and reduce the beneficial impact of the project.</p> <p>2. Do Minimum: All value engineering options have been considered by PACT/PAFC and their professional advisors, reducing the scope further whilst delivering the required project outcomes is not an option. This option would mean that it is likely that the full masterplan for FP would not be delivered. This in turn would limit the community benefits from the site and reduce the beneficial impact of the project.</p> <p>3. Viable Alternative Option. No alternative as works have started on site and all other funding avenues have been explored.</p>		
7	<p>Financial implications and risks:</p> <ul style="list-style-type: none"> The recommendation is that the Leader approves the addition of a further £900,000 to the capital programme funded by corporate borrowing, for the award of a Grant of £600,000 to PAFC and a Grant of £300,000m to PACT. Agrees the funding switch from service borrowing to corporate borrowing against the original project approval. Any risks, to the Council, of further rises in costs through the remainder of the construction delivery programme are to be mitigated through the ring-fencing of a defined grant with clear and enforceable legal obligations. 		
8	<p>Legal Implications: Consideration has been given to whether the grants would constitute a subsidy for the purposes of the Subsidy Control Act 2022 (SCA).</p> <p>Based on legal advice received it has been concluded that the grants will be a subsidy and therefore in order to be lawful the Council must follow the process set out in the SCA. An assessment against the Subsidy Control principles has been undertaken for both PACT and PAFC.</p> <p>Where all the subsidy control principles are satisfied then the subsidy can be considered to be lawful. The subsidy assessment considers that all the principles are satisfied for the proposed grant of subsidies to PAFC and PACT.</p> <p>The Council will enter into a legally binding agreement with both PACT and PAFC in relation to the grants.</p> <p>As subsidies are being given the Council must retain robust records of the assessments made to demonstrate how the subsidy complies with the seven principles as these may be required by central government.</p> <p>The Council will be required to record the subsidy in the central database within three months of confirmation of the decision to give the subsidy.</p>		
9	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	<p>No</p> <p>x</p>	<p>Per the Constitution, a key decision is one which:</p> <p>in the case of capital projects and contract awards, results in a new</p>

				commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million annually
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
10	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		<p>Reconfiguration of the existing sports centre and delivery of new pitches will create a community wellbeing hub that will align with the Council's Corporate Plan to make Plymouth a great place to grow up and grow old ensuring Plymouth was one of Europe's most vibrant waterfront cities where an outstanding quality of life is enjoyed by everyone.</p> <p>This decision would trust and engage our communities, spend money wisely and would be a strong voice for Plymouth.</p>	
11	Please specify any direct environmental implications of the decision (carbon impact)		<p>The development will see an intensification of the site as much of the land and buildings have been underused / derelict for the past 2-3 years. There are some short-term negative impacts on air quality from the construction phase but overall, the building of new infrastructure is following best practice and measures are being put in place to mitigate (and even enhance) the impact of the facilities and their use on the environment such as using heat pumps and future proofing for connection to the city's heat network. Sustainable travel has been widely considered and EV charging and bike infrastructure included as well as sustainable travel plans and support for active travel behaviour change. The project includes the construction of a SUD scheme and comprehensive management plans for waste and recycling. It also includes 10% net gain in biodiversity through tree and scrub planting.</p>	
Urgent decisions				
12a	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12b	Reason for urgency:			
12c	Scrutiny Chair Signature:		Date	

	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Dann, Cabinet Member for Customer Services, Sport, Leisure and HR and OD.		
I3c	Date Cabinet member consulted	01 December 2024		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
I5	Which Corporate Management Team member has been consulted?	Name	Steve Maddern	
		Job title	Director of Public Health	
		Date consulted	02 January 2025	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS136 24/25	
		Finance (mandatory)	ITG.25.26.003	
		Legal (mandatory)	LS/00001312/1/AC/9/4/25.	
		Procurement (if applicable)	N/A	
		Corporate property (decisions involving Council owned land or facilities) (if applicable)	N/A	
		Human Resources (if applicable)	N/A	
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report for publication Part I Foulston Park /Brickfields		
	B	Equalities Impact Assessment Foulston Park Brickfields Final		
	C	Climate Impact Assessment Foulston Park Brickfields		
Confidential/exempt information				

18a	Do you need to include any confidential/exempt information?	Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Business case Part 2			x				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature				Date of decision		08/05/2025		
Print Name		Cllr Tudor Evans OBE, Leader of the Council						