

Wirral Council and Football Foundation

Key grant offer letter conditions and risk mitigation document

Pre-Construction Conditions

Point	Condition narrative	Mitigation narrative
1	That a copy of the full planning permission document is provided and to the Foundation before work starts on site.	Subject to planning approval due early July 22.
2	That the tender evaluation report and tenders are agreed in writing by the Foundation, prior to the contractor being appointed.	Sent to the Football Foundation.
3	That the Organisation shall at their own cost enter (or permit the Foundation to enter) a restriction on the registered title to the property on which the Facility is being developed ("the Property") as detailed in clause 21 of the General Terms and Conditions or a caution against first registration in the case of unregistered land and, if requested to do so by the Foundation, enter into a deed of dedication in relation to the Property. Further, the Organisation's solicitors must provide a solicitor's undertaking that the Organisation will pay the Foundations' legal costs of putting the restriction or caution and deed of dedication in place as set out in the guidance note provided.	All grants from the Foundation over £100k require a restriction/charge on the freehold/leasehold title. If the Council formally accepts the grant award, the Foundation will instruct its solicitors to commence works to place a restriction on the freehold title. The Council will be required to provide a fees undertaking to the Foundation's solicitors to commence this work (this is an eligible grant claim). If the restriction is making progress, the Foundation usually moves this condition to final 5% to allow works to start on site.

Pre Claim Conditions

Point	Condition narrative	Mitigation narrative
1	That the Organisation provides evidence for the bank account that the grant will be paid into before any funds are released. This must be in the form of a copy of a bank statement or paying-in slip.	Sent to Football Foundation

Pre-Opening Conditions

Point	Condition narrative	Mitigation narrative
4	That the Organisation procures the operator of the commercial small-sided league via a competitive tendering	As there was no small-sided league proposed at the site, this is an ongoing condition and not a

	<p>procedure, prior to the opening of the facility. This would remain an ongoing condition to include any subsequent appointment of a small-sided league operator throughout the clawback period of the grant</p>	<p>pre-opening. The condition is to ensure that the Council as the applicant carries out a fair and open tender process, should they look to book the facility to a commercial company which operates small-sided football. This is to ensure there is no breach of competition law and favouritism isn't shown to one provider by the Council.</p>
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Final 5% Conditions

Point	Condition narrative	Mitigation narrative
1	<p>That the Organisation provides the Foundation with Monitoring information in respect of the condition of each of the grass pitches at your site for the period of claw-back. Pitch assessment data must be submitted at least twice per year using the PitchPower tool https://footballfoundation.org.uk/pitchpower within the following window 1st November – 31st March (essential) and within at least one of these windows; 1st April – 30th June or 1st July – 31st October. Whenever pitch assessment data is submitted, it is important that there is at least one month between the readings. On receipt of the data, the Pitch Advisory Service will provide a Grass Pitch Assessment Report (GPAR) from which the recommendations identified are to be undertaken in order to improve and maintain the grass pitches at your site to at least the Pitch Quality Standard (PQS) of 'Good'. Visit https://thegma.org.uk/sites/default/files/documents/pages/pgf_pilot_for_pitchpower.pdf for information on the Pitch Grading Framework and to see what 'Good' means.</p>	<p>Whilst the funding isn't going to the natural grass pitches at the site, the Council committed via its application to improve the natural grass pitches and included a value in it's Business Plan to do this. The condition requires the Council to submit two digital reports across the year, which allows the Grounds Management Association (GMA) to assess the quality of pitches. The allowance in the Business Plan should be sufficient to improve the natural grass pitches to 'Good' standard. If the funds do not work in the first 2-3 years, then it is likely there is something underlying with the natural grass pitches that needs investigating. The Foundation, through its monitoring process would work with the Council to understand what this is.</p> <p>Issue being...could be perceived as Council committing itself to ongoing hidden expenditure.</p>

On-going Conditions

Point	Condition narrative	Mitigation narrative
6	<p>That a minimum of two representatives from the Organisation complete a Grounds Management Association Level 1 Football Groundsmanship course (ONLINE) and</p>	<p>This is to ensure the Council has staff appropriately trained to maintain the natural grass pitches. If certificates already exist for</p>

	provides evidence of completion to the Foundation, before any funds are released. Level 1 courses completed prior to 1 January 2019 cannot be accepted.	existing staff then this will be sufficient to discharge this condition.
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Additional Conditions

Point	Condition narrative	Mitigation narrative
1.7	If the Organisation has the responsibility of maintaining their own grass pitches on site, the Foundation recommends that a minimum of two representatives from the Organisation complete a Grounds Management Association Level 1 Football Groundsmanship course (ONLINE). Further information can be found at https://www.thegma.org.uk/learning/training	Same as above.
N/A	Narrative on cost overrun	The award made by the Foundation is fixed at the time of offer and it is the Council's responsibility to meet any shortfall. Given the existing construction climate, we recommend the Council keeps the Foundation updated on project budgets to understand if there are any cost increases and to what level.