

<b>Subject:</b>	Leavengreave Playing Field	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	11 <sup>th</sup> February 2015
<b>Report of:</b>	Head of Finance & Property	<b>Portfolio Holder:</b>	Finance & Resources
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	<b>General Exception</b>	<input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	The Council is recommended to approve the grant of a lease of Leavengreave Playing Field to Whitworth Sports Council Ltd, on the basis set out in paragraph 5.1 of this report, with provision for the lease to terminate if the tenant has not built a synthetic pitch on the land by February 2020.
1.2	All future minor amendments to the terms of the proposed lease to be delegated to the Property Services Manager in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

- 2.1 To consider proposed changes to the terms of a proposed lease to Whitworth Sports Council.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for the Council for members to consider arising from this report. The change of proposed tenant from Whitworth Sports Council to Whitworth Sports Council Ltd enables the scheme to proceed but without the trustees being at risk of personal liability.

## 5. BACKGROUND AND OPTIONS

- 5.1 This report relates to Leavengreave Playing Field, Springside, Whitworth.

The site has an area of approximately 1.12 hectares (2.78 acres) and is shown edged red on the attached plan.

The Cabinet, at its meeting on 17<sup>th</sup> November 2010, resolved to grant a lease of Leavengreave Playing Fields to Whitworth Sports Council for 50 years at a nominal rent, on condition that improvement work (in the form of a synthetic pitch) is carried out within 5 years of the commencement of the lease. If no work is completed, then the lease would terminate.

The grant of a lease will enable the tenant to apply for grant funding for a synthetic all-weather pitch.

The lease will contain a condition that the pitch and facilities are designated for community use for an agreed period of time each week.

The Trustees of Whitworth Sports Council were concerned about their personal liability for claims, etc., against them under the lease, and so they decided to form a company under new legislation which allows charities to register as a charitable company.

It is now proposed that, rather than grant a lease to Whitworth Sports Council, that the lease is granted to Whitworth Sports Council Ltd, a charitable company wholly owned by Whitworth Sports Council.

It is further proposed that if no work is completed by February 2020, that rather than 5 years from the commencement date the lease will terminate on that date.

## **6. COMMENTS FROM STATUTORY OFFICERS: SECTION 151 OFFICER**

6.1 The area of land though noted on local maps as playing fields has no such restrictions for planning matters. The land area does sit within the urban boundary.

6.2 Other existing playing fields and facilities reside close by which may have consolidation opportunities. There are also other areas in the vicinity, though not in Council ownership, that have little or no development value due to land contamination issues but which would be suitable for sports facilities. This would give the opportunity for some joint development opportunities.

6.3 The Leavengreave area in 2010 was thought to have a gross development value of c. £600k before any joint deal costs. The area is not thought to have any flood risk issues. The implication of the recommendation is that Council will have forfeited this capital opportunity for at least 10 years and substantially further should the group be successful in building a synthetic pitch.

6.4 With future development funding being a challenge, Members may wish to consider options, now or in the future, for unlocking land values within the close proximity.

## **7. MONITORING OFFICER**

7.1 Members should note that any grant from outside bodies paid to Whitworth Sports Council is likely to require a restriction to be placed on the land which will restrict its future use and redevelopment value. In terms of the lease I would advise offering a fully repairing lease with regular rent reviews and redevelopment break clause.

## **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 Consultation implications are outlined at 9.1.

## **9. CONCLUSION**

9.1 In order for this project to progress Whitworth Sports Council needs to enter into a lease of this land is required so that the next stage can begin. Consultation and a review of the costings and the best option to improve facilities would then need to be carried out and funding sources would need to be found. Without the lease agreement in principle, Whitworth Sports Council is unable to seek external funding for this project.

Background Papers	
Document	Place of Inspection
Cabinet report and minutes, 17 <sup>th</sup> November 2010. Item C3	Rossendale Borough Council website