



Supplementary Agenda

Dear Councillor

POLICY, FINANCE AND RESOURCES COMMITTEE - TUESDAY, 21ST JUNE, 2016

I am now able to enclose, for consideration at next Tuesday, 21st June, 2016 meeting of the Policy, Finance and Resources Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
------------------	-------------

- | | |
|-----|--|
| 11. | <u>Warley Pavilion Lease</u> (Pages 3 - 16) |
| 12. | <u>Forestry Commission</u> (Pages 17 - 20) |

Yours sincerely



Head of Paid Service

Encs

21 June 2016

Policy, Finance & Resources Committee

Refurbishment of the Warley Pavilion and nearby Toilet block

Report of: *Russell Clinker (Senior Asset Manager)*

Wards Affected: *Warley*

This report is: *Public*

1. Executive Summary

- 1.1 This report considers the refurbishment of the existing pavilion and the letting of the Warley Pavilion and nearby toilet block in the corner of Warley Playing Fields to Mavericks Rugby Club.

2. Recommendation(s)

- 2.1 **That a new lease be granted in accordance with the terms set out in Heads of Terms attached at Appendix A (exempt).**

3. Introduction and Background

- 3.1 Mavericks Rugby Football Club is a not for profit organisation. All revenues generated are fed back into the club to enhance the quality of kit, coaching, facilities etc. Funds are also used to assist disadvantaged youngsters to ensure that they can play and participate regardless of their financial situation.
- 3.2 Mavericks are seeking to lease and refurbish the Warley Pavilion and nearby toilet block, in the North Eastern corner of Warley Playing fields, with a view to the property becoming Mavericks RFC clubhouse and headquarters.
- 3.3 This is part of a wider plan for the Mavericks to obtain a lease on a pitch on the Warley Playing Fields site and convert this for rugby for use by September, in time for the start of the 2016 Rugby Union season. Mavericks also intend to apply for a grant to build a 3G or 4G pitch (third or fourth

generation artificial turf pitch) on the disused football pitch (now covered with dirt, weeds and small trees) in the North Western corner of Warley Playing Fields controlled by Brentwood County High School. It is proposed that should the bid be successful the new pitch is shared with the School and local community groups.

- 3.4 In order for Mavericks RFC to continue success in growth as has happened in the last four seasons a permanent home is necessary to encourage local youth and senior players from the community to join the club and participate in rugby at any level.
- 3.5 Last season Mavericks had to turn new players away but it is hoped that this can be reversed for the coming season with a new infrastructure and home ground.
- 3.6 There are currently in excess of 80 playing members with a further 100 associate members
- 3.7 It is estimated that it would cost Mavericks approximately £30,000 or more in labour and materials to refurbish the Pavilion (see attached quotation in Appendix C (exempt). This is on the basis that there will be a substantial element of labour, and possibly some materials, donated by club members and volunteers.
- 3.8 In support of the proposal we attach in the Appendices (Exempt) Heads of Terms, a copy of the Mavericks business case, a quote for refurbishing the pavilion, Mavericks annual accounts for the years ending 2015 and 2016 and a copy of their constitution.

4. Issue, Options and Analysis of Options

At its meeting on 27th March 2015 the Councils Asset and Enterprise Committee adopted a 'Disposals at Less than Best Consideration' policy.

This is a disposal at less than best consideration and in order to comply with Council policy and sections 123(1) and (2) of the Local Government Act 1972 it is necessary to undertake an assessment of the extent to which the organisations activities contribute towards achieving the Council's aims and objectives. In undertaking the assessment it is also necessary to:

- Include a copy of the organisation's constitution and three years of accounts.

- Set out the extent to which the organisation is proactive in seeking to share and make available the assets to other community and voluntary sector uses on a not for profit basis
- A recommendation as to the length of any discount
- Confirmation that the organisation will submit its activities and accounts on an annual basis or when required by the Council.

The assessment can be found in Appendix B (exempt)

5. Reasons for Recommendation

- 5.1 The Council are keen to support local groups that support the community and are also keen to refurbish the Warley Pavilion which has fallen in to disrepair following lack of use and vandalism.

6. Consultation

- 6.1 No formal external consultation has been undertaken regarding the proposal

7. References to Corporate Plan

- 7.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

8. Implications

8.1 Financial Implications

Name & Title: Chris Leslie, Finance Director

Tel & Email: 01277 312542 /christopher.leslie@brentwood.gov.uk

The rental income is at less than best consideration.

8.2 Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer

Tel & Email: 01277 312860/daniel.toohey@brentwood.gov.uk

Relevant in the event of a proposed disposal of a lease interest at less than best consideration or market value, the General Disposal Consent (England) 2003 provides there is no need to seek the specific consent of the Secretary of State provided that the purpose for which the interest in the land is being disposed of by way of the lease is likely to contribute to the “promotion or improvement” of the economic, social, or environmental well-being of the area and the difference in unrestricted value of the lease of the land and the actual price paid for the lease (if any) is not more than £2 million.

Government guidance (Circular 06/2003) states that ‘In determining whether or not to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific proposal to take such action falls within the terms of the Consent, the authority should ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue’.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

9. Background Papers

9.1 See Appendices (Exempt)

10. Appendices to this report

Appendix A - Heads of Terms (exempt)

Appendix B - Assessment of the extent to which the organisations activities contribute towards achieving the Council’s aims and objectives. Including details received from Mavericks (exempt)

Appendix C - Quote for refurbishment of Pavilion (exempt)

Appendix D - Mavericks Accounts – Years ending 2015 and 2016 (exempt)

Appendix E - Mavericks Constitution (exempt)

Report Author Contact Details:

Name: Russell Clinker (Senior Asset Manager)

Telephone: 01277 312931

E-mail: russell.clinker@brentwood.gov.uk

Appendix A

APPENDIX A – Item11

The appendix is confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

This page is intentionally left blank

Appendix B

APPENDIX B – Item11

The appendix is confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

This page is intentionally left blank

Appendix C

APPENDIX C – Item11

The appendix is confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

This page is intentionally left blank

Appendix D

APPENDIX D – Item11

The appendix is confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

This page is intentionally left blank

Appendix E

APPENDIX E – Item11

The appendix is confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

This page is intentionally left blank

21 June 2016

Policy, Finance & Resources Committee

Woodland Management Plan

Report of: *Alan Marsh, Arboricultural Assistant*

Wards Affected: *None*

This report is *Public*

1. Executive Summary

- 1.1 This report requires the committee to consider the opportunity for entering into a contract with the Forestry Commission for maintenance of the Council woodland areas and the development of business opportunities and generate income.
- 1.2 The Council currently owns a number of woodland areas within the borough that cover an area of approximately 108 hectares. These woodlands have not been maintained for a number of years and are in need of upkeep and improvement through management.
- 1.3 In addition the woodlands abut urban areas and a large number of complaints that derive from residents relate to overhanging branches, debris etc. These matters are currently addressed by the council on an individual basis.
- 1.4 A solution to these issues would be the development of a Woodland Management Plan that will future proof the woodland habitat and more engage those residents who abut the woodland.
- 1.5 To assist with the funding of such a plan would be the opportunity to obtain grant funding from the Forestry Commission under the Countryside Stewardship Scheme.
- 1.6 In addition to the maintenance of the woodland areas there are opportunities to make use of the harvested produce from the woodland to generate a local woodland economy of which none currently exists. In addition there is the possibility to generate income through the improved use of the Hartswood Tip by either the council making use of the green waste facility or possibly leasing the premises to a contractor.

2. Recommendation(s)

- 2.1 That the Committee agrees to grant delegated authority to the Head of Paid Service in consultation with Group Leaders (or their nominated deputy) to enter into a contract with the Forestry Commission to provide a Woodland Management Plan and maintenance for 10 years, providing adherence to procurement rules of the Council are followed.**
- 2.2 That the Committee agree that further opportunities to generate business and income are developed by a detailed business plan.**

3. Introduction and Background

- 3.1 By the implementation of the proposed management plans the status of the woods will be improved in the habitats they provide, the health and disease resilience of the important tree stock will be enhanced and new planting will increase biodiversity across a range of species. The implementation of the plans will be used as an impetus to launch a locally based woodland produce based economy providing branded products for regional consumption, for example sustainable sourced oak beams and furniture to charcoal and firewood.
- 3.2 As set out in 1.3 above, the Council currently deals with the maintenance of trees next to the urban area on an individual basis. This results in an unsatisfactory solution with the council spending concluding in a degraded tree stock which will require further ad hoc expenditure to maintain an uneasy status quo. By having an agreed plan residents will be secure in the knowledge that works will be undertaken to benefit the woodland and provide an environment that they will be privileged to live adjacent to.

4. Issue, Options and Analysis of Options

- 4.1 Works involved in the execution of the agreement will involve the adoption of established forestry principles such as coppice with standards, Halo thinning around veteran trees, fell and replant.
- 4.2 It will require the initial felling of tree cover to enable light penetration to the woodland floor to encourage regeneration of flora and hence increase in biodiversity.

- 4.3 Finance for the woods would be provided from an element of the existing tree budget, grant aid and produce sale. It is believed that the recreational use of the woodlands can be broadened and encouraged giving residents a greater opportunity for an enhanced experience.
- 4.4 The UK forest standard is nationally adopted and ensures that woodlands remain viable as ecological, historical and economic landscape units. A dynamic woodland structure better future proofs against climate change, pollution, disease, visual degradation and in many other ways enhances the world and human lives for example health improvement such as quicker recovery rates from surgery or illness.
- 4.5 The stimulation of a local woodland economy helps protect on a global scale against habitat destruction and CO2 emission.

5. Reasons for Recommendation

- 5.1 To ensure that council assets are properly maintained and appropriate use is made for the benefit of residents and the environment.

6. References to Corporate Plan

- 6.1 Greater use of the Council's assets enables the Council to better deliver its corporate objectives.

7. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director

Tel & Email: 01277 312712/chris.leslie@brentwood.gov.uk

- 6.1 Before entering into a contract that has financial implications a full business case will be undertaken that will inform any future action.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer

Tel & Email: 01277 212743/daniel.toohey@brentwood.gov.uk

- 6.2 The Council must ensure compliance with the legal requirements for procurement and commissioning in the Public Contracts Regulations 2015, the Contract Rules as set out in the Council's Constitution, and any State Aid requirements should these be applicable. Legal Services are available to advise and assist as further details of the contract become available including its estimated value, and levels of grant funding if applicable

- 8. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

8.1 None.

9. Appendices to this report

8.1 None.

Report Author Contact Details:

Name: Alan Marsh, Arboricultural Assistant
Telephone: 01277 312650
E-mail: alan.marsh@brentwood.gov.uk