

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

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The rental income is at less than best consideration.

8.2 Legal Implications

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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)

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