

ITEM 8 – APPENDIX C

WAVERLEY BOROUGH COUNCIL EXECUTIVE – 1 OCTOBER 2013

Title:

BRIGHTWELL TENNIS CLUB & RIVERSIDE II CAR PARK, FARNHAM

[Portfolio Holders: Cllrs Mike Band, Julia Potts and Adam Taylor-Smith]

[Wards Affected: Farnham Moor Park Ward]

Note pursuant to Section 100B(5) of the Local Government Act 1972

Annexes to this report contain exempt information by virtue of which the public is likely to be excluded during the items to which the report relates, as specified in Paragraph 3 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Summary and purpose:

Authorisation is sought:

- a) to place the order for the building of five new courts and pavilion for Brightwell Tennis Club (Phase 2) and extension of the Riverside car park (to provide 198 extra spaces – Phase 3) to replace the loss of Dogflud Way car park during the construction period of the main Brightwells scheme
- b) for the surrender of the current lease at Brightwells Gardens and the grant of a new lease at Riverside 2, for a period of 25 years. Terms and conditions are shown in (Exempt) Annexe 1. The property's location in Farnham is shown on plan 1 and outlined in red on plan 2 at Annexe 3.

How this report relates to the Council's Corporate Priorities:

The proposals contained within this report will contribute towards a number of the Council's corporate priorities:-

- Value for Money –
 - The terms of the new lease aim to reduce the Council's costs by ensuring that the tenant undertakes the maintenance of the property in accordance with the Council's standards as set out in the service level agreement (see (Exempt) Annexe 1).
- Affordable Housing –
 - Moving the Tennis Club from the Brightwells site releases the site for the main Brightwells scheme creating the opportunity for much needed affordable housing.
- Leisure and Lives –
 - Improved facilities for users of Brightwell Tennis Club

- The grant of a long lease to a sporting organisation creates opportunities for all to take part in sport and promotes health and well-being in accordance with the Council's corporate priorities.
- Understanding Residents needs –
 - the provision of extra car parking spaces at the Riverside 2 car park to replace the loss of Dogflud Way car park during the construction of the main Brightwells scheme.
- Environment –
 - the provision of the proposed facilities and landscaping works will be designed to enhance and improve the environment.

Financial Implications:

A loan of £1,573,000 has been made by the M3 Local Enterprise Partnership (LEP) Growing Enterprise Fund to Waverley Borough Council to fund the Riverside enabling works, pending capital receipt when the scheme goes unconditional.

(Exempt) Annexe 4 shows a breakdown of the total cost of each phase of the Riverside works, which is within the capital programme provision of £1.2 million for these works.

Michael Edwards & Associates LLP (MEA) are acting as the Development Agent for the Riverside works, working with Waverley Borough Council on a fixed rate basis. The costs of the Development Agent and internal staffing resource have already been allocated within the budget.

Resource implications for the new lease are set out in (Exempt) Annexe 1 to this report but the new lease will be in accordance with the market level.

Legal Implications:

There is an extant and part-implemented planning permission for the Riverside 2 car park (Phase 3). The parking element is subject to a planning condition (no 5) which requires the car park to be restored as a landscaped area on or before 7th May 2013. Work will not begin on the car park until the Planning Application to seek relief from this condition has been approved.

A new lease would be prepared by the Council's Legal Services section.

1. Introduction

1.1 Following agreement by Executive on 2nd July 2013 to award the contract for the Riverside works, an order was placed with Blakedown to carry out the ground works for the cabling and skate-park, and improvements to the Leisure Centre car park.

1.2 In May 2008, the Council gave approval to a planning application for the development of the Riverside area of Farnham. This work is to provide five

new tennis courts and a purpose-built pavilion as a replacement and improvement for the existing facilities at Brightwell Tennis Club, whose leased land will be required as part of the wider Brightwells regeneration project.

- 1.3 On the 4 September 2012, Executive approval was given to the laying underground of existing overhead electricity cables in preparation for overground works, and permission to appoint an external Development Agent to oversee the cabling works, construction of the new tennis courts and pavilion, and a 198-space extension to the Riverside car park.
- 1.4 On the 2 July 2013, Executive approval was given for the contract for the cabling ground works, the Riverside Tennis Club and car park works and Leisure Centre and skate-park works to be awarded to the preferred contractor. Approval was also given to the commencement of the ground works for the cabling and skate-park, and improvements to the Leisure Centre car park. An order was subsequently placed for these works with the successful contractor, Blakedown.
- 1.5 On the 28 August 2013, the Compulsory Purchase Order for the Marlborough Head pub (together with additional, smaller, areas of land) was comprehensively confirmed by the Secretary of State for Communities and Local Government.

2. Riverside works

Annexe 2 shows the project plan for the Riverside works. Work is split into 3 main phases, as outlined below.

2.1 Phase 1 – Cabling works

- 2.1.1 Phase 1 involves the burying of the high tension overhead electricity cables (which run along the existing length of the site and over the proposed tennis courts) and ground remediation works. Work to ensure that site drainage and contamination issues are resolved, ready for the Tennis Club works to commence, started in early September, following authorisation from Executive on 2nd July 2013.

2.2 Phase 2 – Brightwell Tennis Club

- 2.2.1 Phase 2 of the tendered works will focus on the building of five new tennis courts and club pavilion. Work is scheduled to commence on 14th October 2013.
- 2.2.2 Discussions have been taking place on a regular basis with the tennis club to try to ensure that the needs and requirements of the tennis club are met, to agree a new 25-year lease, and to advise on timescales for the re-development work to take place.

2.3 Phase 3 – Riverside 2 Car Park

2.3.1 The final stage of the tendered works, will involve the construction of the 198-space extension to Riverside car park adjacent to the Tennis Club. Work will not begin on the car park element until the planning condition has been updated. An application for a temporary car park will be submitted following the outcome of a screening direction request to the Secretary of State with regards to the need for an Environmental Impact Assessment.

3. Surrender and Renewal of Lease of Tennis Club

3.1 Brightwell Tennis Club is currently located at Brightwells Gardens, South Street, Farnham. The new location of Brightwell Tennis Club will be at a purpose built site at Riverside 2 in Farnham as shown on plan 1 and outlined in red on plan 2 at Annexe 3.

3.2 The tenant is currently holding over a lease originally granted for a period of 28 years, and which expired on 31 March 2008. The proposed lease will be in the form of Waverley's standard sports leases, allowing for flexibility of management over the term of the lease while providing the club with the security of tenure it requires.

3.3 A new 25-year lease will allow the tenant to seek grant aid in order to enhance the facilities and attract a wider number of participants in the sport.

Conclusion

The Riverside development includes the construction of 5 new tennis courts and a pavilion for Brightwell Tennis Club and an additional 198 spaces to Riverside 2 car park.

Permission to award the contract for the Riverside works to Blakedown was given at the Executive Committee meeting on 2nd July 2013.

Confirmation of the Compulsory Purchase Order for the Marlborough Head pub and associated lands was announced on 28th August 2013.

Ground remediation work involved in Phase1 of the Riverside contract means that the site will have been prepared and made safe prior to the construction of the new Brightwell Tennis Club facilities and extension of Riverside 2 car park.

The completion of a new lease for the Tennis Club finalises the enabling works for the main Brightwells scheme.

Recommendation

That the Executive approves:

1. the release of money and place the order for the building of five new tennis courts and pavilion for Brightwell Tennis Club (Phase 2 of the works).

2. the release of money and place the order for the extension to the Riverside 2 car park (Phase 3 of the works), subject to the removal of Planning condition 5; and
3. that the current lease at Brightwells Gardens be surrendered following the completion of building works to construct the tennis courts and pavilions, and a new lease at Riverside 2 be granted to Brightwell Tennis Club for a period of 25 years on the terms set out in (Exempt) Annexe 1.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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