

Report of	Meeting	Date
Director of Transformation (Introduced by the Executive Member for Transformation, Councillor Kevin Joyce and the Executive Member for People, Councillor John Walker)	Executive Cabinet	23 June 2011

## **GRANT OF A NEW SUB-LEASE OF LAND AT CHISNALL LANE, COPPULL FROM CHORLEY COUNCIL TO CHORLEY PANTHERS ARLFC**

### **PURPOSE OF REPORT**

1. To seek approval for the terms agreed for the grant of a 25 year sub-lease with the opportunity to extend for a further 25 years to Chorley Panthers ARLFC on land at Chisnall Lane, Coppull.
2. To seek consent to improve and alter facilities provided, namely:
  1. Improved drainage system to all pitches
  2. Floodlighting for one pitch and training area
  3. Extension of changing rooms to include 6 changing rooms, a match officials' changing room, a treatment room and a gymnasium
  4. The erection of a new perimeter fence and a 3 foot fence with access gates around the playing pitches

### **RECOMMENDATION(S)**

3. That the terms agreed for the surrender of the existing sub-lease dated 5<sup>th</sup> February 2004 and the grant of a new sub-lease be approved.
4. Liberata Property Services be authorised to instruct the Head of Governance (Legal Services) to proceed with the drafting of the surrender and grant of a new sub-lease.
5. That consent be granted for the alterations and improvements to the drainage, the perimeter fencing of the pitches, the installation of floodlights and the extension of the changing rooms/pavilion

### **EXECUTIVE SUMMARY OF REPORT**

#### **GRANT OF NEW SUB-LEASE**

6. Lancashire County Council owns land at Chisnall Lane Coppull and in 1983 granted a 99 year Lease to Chorley Borough Council for the purpose of delivering recreational facilities on the land shown shaded blue on the attached plan.
7. Chorley Borough Council (The Council) granted the Chorley Panthers ARLFC (The Club) a sub-lease of the land shown cross hatched on the plan in January 2004.



8. The Club has since occupied the land providing recreational activities across the playing fields and pitches on the site for its members and the general public
9. The current sub-lease was granted for a period of 21 years in 2004 and The Club has indicated that in order to improve the existing facilities they have applied for funding from the Rugby Football League (RFL).
10. A condition of the funding application is that the Club has an unexpired term of at least 25 years. The Club having occupied since 2004 has less than 14 years remaining on the existing Sub-Lease.
11. The Club has recently been successful in their application on condition that the longer term for the sub lease is granted
12. The Club is looking to upgrade the facilities and has submitted a proposal to
  - Improve drainage system to all pitches – planning consent granted – 10/0835/FUL
  - Erect floodlighting for one pitch and training area – planning consent granted – 10-00835/FUL
  - Extend the changing rooms to include 6 changing rooms, a match officials’ changing room, a treatment room and a gymnasium – planning consent granted - 11/00100/FUL
  - Erect a new perimeter fence and a 3 foot fence with access gates around the playing pitches to counter vandalism and dog fouling of the pavilion and the playing fields.
  - Upgrade and replace where necessary the current boundary fencing around the site to match the existing

**REASONS FOR RECOMMENDATION(S)**

**(If the recommendations are accepted)**

13. To ensure continued and improved delivery of a recreational facility for the people of Chorley

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

14. Should the Sub-lease not be extended, the funding application would have to be withdrawn because the qualifying criteria (i.e. the longer lease term) could not be met and so the facilities would remain in the current condition for the remainder of the term of the current Sub-Lease

**CORPORATE PRIORITIES**

15. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy	x	Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities	x	Quality Community Services and Spaces	x
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			x

## BACKGROUND

16. In 1983 Lancashire County Council's (the land owner) granted Chorley Borough Council a 99 year lease for recreational use of Land at Chisnall Lane Coppull.
17. Chorley Borough Council has subsequently granted sub-leases of the land to The Chorley Panthers and the Mid Lancs BMX Club
18. In January 2004 Chorley Borough Council granted a 21 year sub-lease to the Chorley Panthers ARLFC.
19. The Club has over 300 members in 18 teams ranging from the under 7s through to male and female adult teams.
20. To support the players there are over 50 volunteers who are responsible for managing The Club, the teams, coaching, first aid and child welfare.
21. The Club has asked whether a new Lease of 25 years might be granted to support the investment they are looking to make in the provision of improved recreational opportunities on the land for their members and other users of the pitches and playing fields.
22. The Club has an offer of £100,000 (one hundred thousand pounds) from a private investor and has sought match funding from their governing body, the Rugby Football League (RFL).
23. In addition, the Club advises that they have raised £45,000 by their own fundraising efforts and intend to make a bid for a further £50,000 from Biffa.
24. The Club has asked for a term of 25 years with the opportunity to extend by a further 25 years thereafter.
25. Lancashire County Council has given consent (as landlord) to the extended term, and the opportunity to extend for a further 25 years thereafter.
26. The other terms will remain largely in accordance with the existing sub-lease except for the rent and the maintenance.
27. Under the existing Sub-Lease the Council currently mows the site but it has been provisionally agreed that the Club will take over this responsibility in the future.
28. The Club currently pays £1,065 per annum which is credited to the Council's Investment Portfolio, though associated expenditure is charged to the People and Places Directorate.
29. To recognise the investment the Club is intending to make into the land it is proposed that the rent for the land be reduced to a peppercorn
30. The maintenance and repair liability of the upgraded facilities will also pass to the Club
31. To compliment the revised arrangements a Management Agreement has been proposed which requires the Club to work closely with the Council to deliver a recreational service for all residents of Chorley and refers to the Club's Finances, Development Plans, Community Involvement, Availability of the Track, Monitoring, Communications, Liaison, Mediation etc.
32. Currently the Club is obliged to permit other organisations and clubs to use the land as directed by and at the discretion of the Council (the Northern Whippet Group currently use the site to run their dogs).

33. The new sub-lease will continue to ensure that the Council is able to direct other groups to use the site and the Management Agreement will reinforce this requirement by stating that the site must be made available to the Council for at least one planned event each year

## ALTERATIONS AND IMPROVEMENTS

34. The Club sole purpose of the Club's funding raising efforts is to improve the facilities available.
35. The Club has identified the key improvements needed as follows:
- Improved drainage systems to all pitches,
  - floodlighting for one pitch and training area to enable winter training to take place on site, extension of the existing changing rooms,
  - a perimeter fence around the playing fields to control access over the pitches (dog fouling across the site is a problem)
36. The Club will be obliged to seek the necessary statutory consents associated with the upgrades, but have already been granted planning consent for the erection of 4 x 15m floodlights and sports pitch drainage (application ref 10/00835/FUL) and more recently having been granted planning permission for the extension of the changing rooms to include a gymnasium (11/00100/FUL).
37. The Mid Lancs BMX Club provides a BMX Tack and facilities on the adjoining land.
38. Chorley Borough Council has recently granted The BMX Club a new 21 year sub-lease to enable a similar funding application to made to their governing body British Cycling to improve their facilities

## IMPLICATIONS OF REPORT

39. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	x	Customer Services	
Human Resources		Equality and Diversity	
Legal	x	No significant implications in this area	

## COMMENTS OF THE SECTION 151 OFFICER (DIRECTOR OF TRANSFORMATION)

39. The Council has no objections to the granting of a new sub-lease on financial grounds. The loss of rent is considered marginal in comparison to the substantial investment the club is intending to make on this site and the maintenance responsibilities taken on by the club.

## COMMENTS OF THE MONITORING OFFICER (HEAD OF GOVERNANCE)

40. There are no legal reasons which would prevent the granting of this new lease.

There are no background papers to this report.

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