



Despatch Date: Friday 26 May 2017

Individual Cabinet Member Decision Making - Leisure & Culture and Resources

Tuesday, 6 June 2017

11.00 am in Committee Room 3, Civic Centre, High Street, Esher

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Bengali;

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Urdu;

مزید معلومات اپنی زبان میں، بڑے حروفوں میں، یا آواز کی صورت میں ٹیپ پر یا بریل
ب تو اس دستاویز میں دیئے گئے پتے یا ٹیلی فون نمبر پر ہم سے رابطہ کریں۔

Spanish;

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Part I Items

Page Nos.

1. Declarations of Interest

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) any disclosable pecuniary interests and / or
- (ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at this meeting.

Leisure & Culture – Councillor Mrs. J.R. Turner / Resources – Councillor C.R. Sadler

- | | | |
|----|------------------------------------------------------|---------|
| 2. | New Leases to Existing Allotment Associations | 5 - 10 |
| 3. | Sports Hub - Additional Club Relocation Costs | 11 - 14 |

Contact Officer: Mrs. T. Hulse Direct Line: 01372 474175

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Committee: Individual Cabinet Member Decision Making

Date of meeting: 6 June 2017

Subject:	New leases to existing allotment associations
Lead Officer:	Estates and Property Manager
Portfolio Holders:	Councillor Chris Sadler, Portfolio Holder for Resources and Councillor Mrs Janet Turner, Portfolio Holder for Leisure and Culture
Link to Council Priorities:	Commitment to Value for Money, A Green and Attractive Elmbridge
Exempt information:	None
Delegated status:	For resolution
Key decision:	n/a

EXECUTIVE SUMMARY:

This report recommends that the Council agrees to grant each of its existing allotment association tenants a new twenty five year lease in line with their existing agreements subject to some minor modernisation.

RECOMMENDATION:

TO AGREE TO RE-LET EACH EXISTING ALLOTMENT SITE TO EACH RESPECTIVE TENANT FOR NEW TWENTY FIVE YEAR TERMS IN LINE WITH THEIR EXISTING AGREEMENTS

REPORT:

1. Elmbridge Borough Council currently provides thirteen individual allotment sites within the borough, each of which is let to an allotment association tenant (Appendix A).
2. The tenants' occupations were typically recorded by way of twenty five year full self-managing leases granted between 1991 and 1993, each of which are now expiring.
3. It is intended to re-let each existing allotment site to each respective tenant for new twenty five year terms in line with their existing agreements as follows:-

Landlord: Elmbridge Borough Council

Tenant: Allotment Association

Initial rent: £100 per annum exclusive or 10% gross rental income from the individual plot holders

Term: Twenty five years

Repairs: Tenant to keep Premises in repair

- Determination:** Tenant may determine the lease subject to 12 months' prior written notice. Landlord may determine the lease subject to 24 months' prior written notice if the Landlord requires the Property or the means of access to it; (i) for demolition, or; (ii) in connection with a scheme of rebuilding, redevelopment, refurbishment or reconstruction.
- Insurance:** Landlord to insure (land element only), Tenant to reimburse. Tenant to indemnify Landlord against third party liabilities to a minimum £5m.
- Outgoings:** Tenant responsible for all outgoings, rates, utilities and any VAT payable in connection with their use and occupation.
- Use:** Allotment only
- Alienation:** Assignment of whole permitted subject to Landlord's prior consent, NTBUW
- Alterations:** Non-structural alterations permitted, subject to Landlord's prior inspection and approval of detailed plans and specification. Structural additions and alterations prohibited.

4. Taking into account the length of time that has passed since the previous agreements were originally entered into, there may be some minor modernisation.

Environmental/Sustainability Implications:

None for the purposes of this report.

Legal implications:

Legal advice is that s24-28 Landlord and Tenant Act 1954 Part II does not apply to allotment premises. The Legal Team will be instructed to prepare appropriate lease agreements.

Financial Implications:

An initial revenue of £100 per annum, per site.

Risk Implications:

As with all lettings, there are risks involved. For example, tenants may run into difficulties and be unable to pay rent or the costs involved with diligently and safely maintaining their premises. In such circumstances, the Council would have to forfeit the lease and take possession, at a cost and potential loss.

Long term leases prevent the Council from being able to use those sites for its own or any other purpose during the term of those leases.

Community Safety Implications:

None arising.

Principal Consultees:

Portfolio Holder for Resources - Councillor Chris Sadler
Portfolio Holder for Culture and Leisure - Councillor Mrs Janet Turner
Ward Members (Appendix A)

Background papers:

None.

Enclosures/Appendices:

Appendix A – Details of the thirteen individual allotment sites within the Borough

Contact details:

Gethin Parry, Estates and Property Manager
gparry@elmbridge.gov.uk

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Appendix A

Allotment Association	Location	Ward Members
Walton & District Allotment & Garden Society	Elm Grove, Walton-on-Thames	<ul style="list-style-type: none">• Councillor Alan R. Palmer• Councillor Chris Sadler• Councillor Graham L. Woolgar
Cobham Allotments Association	Anvil Lane & Prupots Allotments Cobham	<ul style="list-style-type: none">• Councillor Mike J. Bennison• Councillor Mrs. Dorothy M. Mitchell• Councillor James Browne
The Trustees of the West End Allotment Association	Nightingale Road, West End, Esher	<ul style="list-style-type: none">• Councillor David J. Archer• Councillor Tim Oliver• Councillor Peter R.C. Heaney
Trustees of Ray Road Allotments Association	Rear of 6-48 Island Farm Road, West Molesey	<ul style="list-style-type: none">• Councillor Ivan Regan• Councillor Stuart J. Selleck• Councillor Tony Popham
Trustees of Sugden Road Allotment Association	Sugden Road, Thames Ditton	<ul style="list-style-type: none">• Councillor Mrs Shweta Kapadia• Councillor Barry Fairbank• Councillor Neil Houston
Stoke Road Allotments Association	Stoke Road, Cobham	<ul style="list-style-type: none">• Councillor Mike J. Bennison• Councillor Mrs Dorothy M. Mitchell• Councillor James Brown
Lynwood Allotment Association	Land on the South Side of Lynwood Road, Thames Ditton	<ul style="list-style-type: none">• Councillor Mrs Shweta Kapadia• Councillor Barry Fairbank• Councillor Neil Houston
Beauchamp Road and Green Lane Allotments Association	Beauchamp Road and Green Lane, East Molesey	<ul style="list-style-type: none">• Councillor Mike Axton• Councillor Ms Ruby R. Ahmed• Councillor Victor G. Eldridge

Allotment Association	Location	Ward Members
Claygate Allotment Holders Association	Vale Road and Telegraph Lane, Claygate	<ul style="list-style-type: none"> • Councillor Alex Coomes • Councillor Mrs Mary Marshall • Councillor Kim Cross
Hampton Court Way Allotment Association	Hampton Court Way, East Molesey	<ul style="list-style-type: none"> • Councillor Mike Axton • Councillor Ms Ruby R. Ahmed • Councillor Victor G. Eldridge
Hurst Road Allotment Association	Hurst Road, East Molesey	<ul style="list-style-type: none"> • Councillor Mike Axton • Councillor Ms Ruby R. Ahmed • Councillor Victor G. Eldridge
Cobham Garden and Horticultural Association	Randalls Farm, Portsmouth Road, Cobham	<ul style="list-style-type: none"> • Councillor Mike J. Bennison • Councillor Mrs Dorothy M. Mitchell • Councillor James Browne
The Trustees of Hillcrest Allotment Association	Manor Road South, Hinchley Wood	<ul style="list-style-type: none"> • Councillor Nigel Haig-Brown • Councillor Mrs Tannia Shipley • Councillor Mrs Janet R. Turner

Committee: Individual Cabinet Member Decision Making

Date of meeting: 6 June 2017

Subject:	Sports Hub - Additional club relocation costs
Lead Officer:	Head of Leisure and Cultural Services, Head of Asset Management and Property Services
Portfolio Holder:	Portfolio Holder for Leisure and Culture, Portfolio Holder for Resources
Link to Council Priorities:	LC100, LC200
Exempt information:	None
Delegated status:	For resolution
Key decision:	N/A

EXECUTIVE SUMMARY:

Following the Council's decision to build the Elmbridge Xcel Sports Hub and commence the development; Walton Casuals were displaced from their ground and pavilion. This report outlines the financial compensation on loss of income that is required from the club to enable them to be financially secure going into the new Elmbridge Xcel Sports Hub

RECOMMENDATION: THAT MEMBERS AGREE TO THE FINAL SUM OF £30,000 TO BE PAID TO WALTON CASUALS FC. BY WAY OF LOST INCOME FOR THE 2016/17 SEASON.

REPORT:

1. Construction began on site for the new Xcel Sports Hub on 21 March 2016 with construction on target for a 1 September 2017 completion at which point the site will become operational.
2. As part of the construction programme, Walton Casuals surrendered their lease to vacate Waterside Drive. Officers have been supporting the club and arranged for ground share agreements to be put in place to allow the club to fulfil its league commitments for the 2015/16 season (Merstham FC) and 2016/17 season (Whyteleaf FC). These amounts (£20,400 and £19,550 respectively) were paid for by Elmbridge as continued protection of our longstanding tenant.
3. As part of the ground share agreements, the host club in both cases (following Football Association guidance) retained all bar and catering revenues with Walton Casuals FC retaining all gate receipts.
4. Given the geographic distances between Walton on Thames and both Merstham and Whyteleaf, the gate income along with programme sales for the club has reduced significantly from an average £10,000pa to £2,400pa.
5. In addition to the loss in gate income the club have also suffered 2 year losses in clubhouse hire (£17k), bar income (£18k) and social fundraising (£1k) linked to the clubhouse.

6. Conversely the club have also saved money by not having to maintain their ground i.e. premises\ pitch maintenance, utility bills rates, cesspool.

7. Walton casuals FC Financial Summary:

	2014/15	2015/16	2016/17
	£	£	£
Inc	78,555	32,541	28,201
Exp	82,665	64,366	63,165
+/-	-4,110	-31,825	-34,964
EBC Support		30,000	tbc

8. An interim payment was made to the club of £30,000 in 2016 in respect of loss of income for the 2015/16. Officers have reviewed the clubs accounts for the 2016/17 and the club have submitted a request for a further £30,000 in lost income for the 2016/17 season.

9. Walton Casuals will move in to the Sports Hub on 4 September 2017 and will play their 2017\18 Ryman league south matches at the Sports Hub. Arrangements have already been put in place for the early season matches in August to be played at Cobham FC. This will be met from existing budgets and will be secured through a temporary ground share agreement.

Financial implications:

Funding up to a maximum of £30,000 in 2016/17 can be met from the New Homes Bonus.

Environmental/Sustainability Implications:

None

Legal implications:

As contained within the report

Equality Implications:

As contained within the report

Risk Implications:

As contained within the report

Community Safety Implications:

None

Principal Consultees:

Council Management Board
Head of Finance
Head of Leisure and Cultural Services
Head of Asset Management and Legal Services
Head of Legal Services

Background papers:

None

Enclosures/Appendices:

None

Contact details:

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