

NON KEY DECISION: REPORT TO CABINET MEMBER

DECISION TO BE TAKEN BY: Councillor Kelham Cooke – The Deputy
Leader of the Council

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REPORT NO. PD0065

DATE: 24th July 2018.

SUBJECT OF NON KEY DECISION:	Approval (subject to consultation) of a proposed new lease with Stamford Bridge Club for the extension of their existing parking area.
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CABINET MEMBER REMIT	Council Assets	
CRIME AND DISORDER IMPLICATIONS:	Isolated or infrequently used areas may be vandalised, or subject to anti-social behaviour or unauthorised occupation.	
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available on the Council's website www.southkesteven.gov.uk via the Your Council and Democracy link	
INITIAL EQUALITY IMPACT ASSESSMENT	Carried out and appended to report? n/a	Full impact assessment required? n/a
BACKGROUND PAPERS:	Proposed Car Park Plan (Appendix A)	

(1) PURPOSE OF REPORT

1.1 The purpose of the report is to set out the current proposal to create a parking facility adjacent to the existing Stamford Bridge Club's car park on the Empingham Road playing field in Stamford (The Site). Approval is required to enter into a lease with Stamford Bridge Club for the additional land required for a car park, for a period ending on 31st May 2036. This is consistent with the expiration date of the Bridge Club's current lease of the Club House.

1.2 The Bridge Clubs current leased area is highlighted green on the plan attached (**Appendix A**) to this report. The land highlighted yellow on the plan is leased to the Stamford Indoor Bowls Club and the land highlighted blue is a shared access for both the Bridge and Bowls clubs. Access to the proposed car park will be via the shared access road off Exeter Gardens and across the Bridge Clubs leased area.

1.3 In accordance with statutory procedure under Section 123(2A) of the Local Government Act 1972 as the land is designated as statutory open space the Council is required to advertise the proposed disposal (in the form of a lease) in the local newspaper for two consecutive weeks to ascertain whether there are any objections to the proposed transaction.

1.4 Any objections received will then be referred to the Cabinet Member for consideration and determination prior to any lease being granted. If no objections are received, the agreement to lease will be completed in accordance with the recommendation in this report.

(2) RECOMMENDATION

2.1 It is recommended that approval is given for formal consultation to take place as required under Section 123 of the Local Government Act 1972 for disposal (in the form of a lease) of land at Empingham Road playing field, Stamford shown outlined red on the plan attached (**Appendix A**) to this report, (the Site) by placing a notice in the local newspaper for two consecutive weeks.

2.2 In the event that there are no objections received, approval is given to the grant of a new lease to Stamford Bridge Club of the land at the Site for a period to commence as soon as practicably possible and expiring on the 31st May 2036. If there are any objections, these will be considered by the Deputy Leader prior to confirmation of approval or otherwise in relation to the proposed new lease.

(3) REASONS FOR RECOMMENDATION(S)

3.1 The freehold of the Site is owned by the District Council and has a variety of leisure facilities located upon it. The area is classed as public open space, with the proposed car park to the east of the playing field site, which is to the rear of the Stamford Indoor Bowls Club. The Site entrance has restricted vehicle access for maintenance and emergency use with nominated key holders, this is to be relocated off SKDC land at Empingham Road. The playing field also has a pedestrian access which will remain alongside the proposed car park.

3.2 The Bridge Club entered into a lease of the Club House with the District Council on 1st of June 2011 for a term of 25 years. The Bridge Club has expressed an interest in taking on additional land at the rear of their current site to create an overflow parking facility, on a lease term consistent with their current occupation.

3.3 Since the commencement of the lease in June 2011, the club's membership has grown from approximately 300 members to in excess of 600 members. The security of the lease has enabled The Bridge Club to invest and assist with the Council's objective to promote leisure in the local community and provide a wide range of events and initiatives for the area.

3.4 An example being that the club was the first Bridge Club in the country to form an outreach Academy, bringing Bridge to school children, within the schools mathematics curriculum. The club is also a facility for leisure activities such as table tennis, while also providing a pass-time to fulfil a social need, as well as an intellectually challenge to local residents and others across the District. The Bridge Club recently hosted an international Bridge match between England and Ireland.

3.5 The success and continued growth of the Bridge club has caused the existing parking provision to be rendered insufficient, leading to disputes and parking issues with neighbouring tenants and local residents.

3.6 The proposed car parking area is edged red on the plan as seen in **Appendix A**. The land is to provide 30 additional parking spaces for use by the Bridge Club and its members.

3.7 There have been no management issues arising from the Bridge Club's existing lease.

3.8 The Bridge Club would allow other community clubs and groups to use the space, providing that no landlord and tenant relationship is created and no rent is charged.

3.9 The proposed lease would be for a term co terminus with the existing Bridge Club lease, expiring on the 31st May 2036 and within the meaning of the Landlord and Tenant Act 1954 Part II. The lease is proposed at an initial rental of £500pa with rent reviews at the 5th, 10th and 15th anniversary of the term. The basis of the review is the greater of the passing rent, open market value or RPI. Heads of Terms attached in **Appendix B**.

3.10 The Bridge Club will be responsible for the maintenance and repair of the entire demise.

3.11 The Bridge Club would, at its own cost, obtain, carry out and undertake all necessary permissions for the works associated with the creation and construction of the parking area.

3.12 The Bridge Club will be required to use The Site solely for the purposes of car parking.

3.13 Should approval not be granted, The Site will continue to remain within the allocation of the Empingham Road playing field. The land in questions is part only of the Empingham Road playing field, and therefore there will be no detriment, interference or diminution to other people and groups that have a right to use over the area.

3.14 In accordance with the provisions with Section 123 of the Local Government Act 1972 the Council must advertise the intent to lease the land to Stamford Bridge Club. Any objections would be referred to the Cabinet Member for consideration.

(4) COMMENTS OF FINANCIAL SERVICES

The report contains the proposed financial implications should the authority to proceed to disposal of the land referred to. The proposed annual rental of £500 is only in relation to the proposed car parking area and not the lease of the adjacent premises which will be subject to a separate lease arrangement.

(5) COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

S.123 of the Local Government Act 1972 gives a local authority power to dispose of any of its land as it chooses. If the land forms part of an open space, s.123(2A) requires notice of the intention to dispose to be given by advertising for two consecutive weeks in a newspaper circulating in the area in which the land is situated and for any objection to the disposal to be considered.

(6) COMMENTS OF WARD MEMBERS

Cllr Taylor and Cllr Evans are the ward members in which the Site is situated. They have been consulted and both ward members confirm that they support the proposal.

(7) OFFICER CONTACT

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(8) DATE DECISION EFFECTIVE:

If decision taken on the 31st July 2018 date effective will be 10 July 2018.