

TRAFFORD COUNCIL

DELEGATED EXECUTIVE MEMBER DECISION REPORT

Report to: Executive Member for Investment, Regeneration and Strategic Planning
Date: January 2019
Report for: Decision
Report of: Corporate Director, Place

Report Title

Proposed lease of Land at Mainwood Road, Timperley to Timperley Community Amateur Boxing Club (TCABC).

Summary

This report seeks approval from the Executive Member, for the Council to proceed with granting a 25 year lease to TCABC to enable them to construct a much needed sports facility on the Broomwood Estate.

Recommendation(s)

It is recommended that the Executive Member :-

- (i) Approves the grant of a 25 year lease of land at Mainwood Road, Timperley to TCABC subject to the heads of terms included in this report and
- (ii) Gives the Corporate Director for Place the authority to agree any minor amendments that may be required to be made to the heads of terms in order to facilitate the grant of a lease.

Contact person for access to background papers and further information:

Name: Rachel Crawshaw Roberts – Amey
Extension: 07801 988123

Relationship to Corporate Priorities	
Relationship to GM Policy or Strategy Framework	<i>This relates to the GM moving document and the wider health and wellbeing agenda.</i>
Financial	<i>The financial impact will be neutral.</i>
Legal Implications:	<i>On completion we will enter into a landlord and tenant relationship.</i>
Equality/Diversity Implications	<i>A positive impact on generating extra capacity in a facility that services specifically the Broomwood community. The new facility will also allow greater access to female participants due to the proposed extra changing facilities that will be available.</i>
Sustainability Implications	<i>No sustainability implications.</i>
Resource Implications e.g. Staffing / ICT / Assets	<i>Resource required to complete and manage the lease once in place.</i>
Risk Management Implications	<i>No risk management implications.</i>
Health & Wellbeing Implications	<i>The larger proposed facility will have a positive impact on the health and wellbeing of the Broomwood community.</i>
Health and Safety Implications	<i>No specific health and safety implications.</i>

1. Background

- 1.1. TCABC deliver services to the local Timperley / Broomwood Community from space within the Broomwood Wellbeing Centre (BWC). They have sole use of the space as the area is set out with permanent gym equipment and cannot be used by others.
- 1.2. The popularity of TCABC has grown and they are unable to accommodate all the interested members in their current space within the BWC and are turning children away. They provide a range of services that promote health, wellbeing and fitness for all. TCABC plan to continue to enhance the services provided and are in discussions with Trafford Council's Commissioning Team around supporting Looked After Children (Referred to as LAC). Therefore, the requirement for additional space is becoming critical.
- 1.3. TCABC contacted Trafford Council in late 2017 about their aspirations to find larger premises to expand the club's reach within the locality and asked if the Council could assist in any way. The expansion of the club has the support of local ward councillors.
- 1.4. A number of options were discussed including expanding within the existing BWC, adapting space in other local facilities and other sites were explored. The option of a new build on the area outside the BWC was identified as being the preferred option and this proposal was subsequently progressed with the support of officers at Trafford Council.
- 1.5. TCABC have now successfully obtained planning permission for a new build gym to the side of the BWC. The new building will be attached to the existing BWC, but will have separate utilities and entrance. All the relevant surveys for the new build have been completed and copies provided to Trafford Council for approval.

1.6. The cost of the build is £410,000. Funding offers have been obtained from Trafford Housing Trust, Sport England, Boxing England, Fundraising and a Charitable Trust. TCABC require a 25 year lease of the land to provide the appropriate security of tenure required to satisfy the funding offers for the construction of the new gym.

1.7. A ground rent payment will be applicable as the building will be constructed by the tenant. Approximate cost for a building of 290m² is between £2,900 per annum and £7,250 per annum. This is £10 to £25 per m² the low price is based on the tenant renting the land, funding the construction of the building and taking ownership of the building up until the end of the lease.

1.8. A business plan has been prepared by TCABC and has been reviewed by Trafford Council's Finance Team. It includes the running costs of the building and highlights that the club are unable to afford the payment of a ground rent whilst they get themselves further established. However, the initial rent free period can be supported because of what they are providing through their work in the community. This could be deemed to be more valuable than the ground rent.

1.9. Executive Member approval is required as by granting a lease for 25 years and not charging a full market ground rent, it is deemed to be a disposal of a site at undervalue.

The Heads of Terms agreed for the lease are set out below:-

TENANT	Timperley Amateur Boxing Club (Charity Number 1176552)
PROPERTY TO BE INCLUDED IN LEASE	Land at Mainwood Road, Timperley as shown edged red on the attached plan
LEASE TERM	A lease for a period of 25 years from the legal date of completion.
RENT	<p>For the first 3 years of the lease a peppercorn rental of a £1 will be payable.</p> <p>After 3 years and for the duration of the term, a ground rent of £1,000 per annum will be payable.</p> <p>The ground rent payable is subject to the tenant charging concessionary rates for their members. Should the fee structure change to a commercial rate, then the Council reserves the right to review the ground rent payable.</p>
USE	The land is to be used for the construction of a community sports facility.

RATES AND UTILITIES	The tenant is to be responsible for the repayment of all business rates and utility costs incurred out of their use of the land.
ASSIGNMENT AND SUBLETTING	No sub-letting or assignment is allowed
ALTERATIONS	Consent must be sought from the Landlord before any major alterations are made to the land.
REPAIRS	The tenant is to be responsible for all the repairs and maintenance for the demised land.
INSURANCE	The tenant is responsible for insuring the property included in the lease demise
INDEMNITY	The tenant agrees to indemnify the Landlord against all claims for loss, damage, injury or other liability arising out of their use of the property.
NUISANCE	The tenant shall not cause a nuisance or annoyance to the Council or any other occupier in the neighbouring area.
OTHER CONDITIONS	<p>The building is to be constructed as per planning permission 93797/FUL/18</p> <p>The Lessee will provide on an annual basis, a copy of their fee structure for approval.</p> <p>The Lessee will provide a copy of all the relevant Collateral Warranties obtained for the building.</p> <p>During the construction of the building, the Landlord will have the relevant 'step in rights' to complete the building project if required.</p> <p>The lease shall contain other conditions as deemed reasonably necessary in the circumstances by the Director of Legal and Democratic Services</p>

2. Other Options

2.1. TCABC could continue to rent space in BWC. However, given the work they are doing in the community and the further support that they can give to the community including young people with a larger facility, renting the current space is not a preferred option.

3. Consultation

3.1. TCABC submitted a planning application, received by the Local Planning Authority 21/02/2018. As part of this planning application process, a consultation took place with 55 local residences receiving letters from the Local Planning Authority. The Traffic and Transportation Department and Lead Local Flood Authority were also consulted.

3.2. There were two representations made during the planning application consultation process which commented as per the below:

3.2.1. Existing congestion caused by the Community centre on Mainwood Road would be worsened.

3.2.2. Buses struggle to get round the corner now without the added footfall and cars of a boxing club.

3.2.3. As part of the application additional parking should be created, to stop increased congestion.

3.2.4. Noise disturbance from teenagers leaving the boxing club. Increase in anti-social behaviour caused by certain groups of young people. Existing rubbish problem would be exacerbated.

3.2.5. Loss of view due to increase in scale of building.

3.2.6. Size of extension may affect sight lines on Mainwood Road for vehicles.

3.2.7. There is sufficient room at the centre, as when the sports area is in use, there do not appear to be any other groups using it.

3.2.8. The extension seems to be completely separate, with toilets etc. so there will be two separate facilities only partly used.

3.3. The Local Planning Authority granted the planning application with appropriate conditions and published the full approval 14/06/2018

3.4. TCABC have also engaged with local ward councillors and the Leader of the Council who are supportive of the project.

3.5. TCABC are active on social media and published the fact that they had a live planning application on their social media channels along with proposed floor plans and requests for sponsorship and donations.

3.6. Twitter, Instagram and or Facebook - 06/04/2018 shared that they had gone to planning. 08/05/2018 – shared the proposed layout of the gym. 21/05/2018 shared that they had been granted planning consent. 13/09/2018 shared the proposed layout of the gym and asked for sponsorship / donations.

3.7. The comments received on these social media channels regarding the proposed new facility have been positive.

4. Recommendations

4.1. It is recommended that the Executive Member:-

- (i) Approves the grant of a 25 year lease of land at Mainwood Road, Timperley to TCABC subject to the heads of terms included in this report and
- (ii) Gives the Corporate Director for Place the authority to agree any minor amendments that may be required to be made to the heads of terms in order to facilitate the grant of a lease.

5. Reason for recommendation

5.1. The Broomwood area of Timperley (Village ward) has some stark health inequalities. For example:

5.1.1. 17% of year 6 school children are classified as obese along with 21.7% of adults.

5.1.2. The life expectancy and health life expectancy of men and women in the Village ward is low when compared to the rest of Trafford.

5.1.3. There is a higher than average level of death from respiratory diseases in the Village ward.

5.1.4. The Village Ward has the 2nd highest number of hospital admissions for self-harm in Trafford. This highlights a mental health inequality in the area as well as the general health inequalities mentioned.

5.2. It is well established that physical exercise plays an important part in improving the health and wellbeing of the general population helping people to live longer and in better health. This has a direct impact on reducing the growing burden upon the health and social care system.

5.3. According to England Boxing:

5.3.1. Boxing training provides some of the best all over body conditioning you can get, no matter what age or level of ability. It is a great way of improving stamina and boosting the cardiovascular system while improving core strength and balance.

5.3.2. Boxing training is becoming increasingly popular as more and more people recognise the health benefits and realise that you can train like a boxer without actually competing. Make-the-weight schemes are also popular, helping people to achieve realistic and attainable weight goals through boxing training.

5.4. There are a number of boxing lead schemes that are focused on and achieving positive results around mental health. For example, Dorset NHS Healthcare has had success with their 'Fight Back' scheme to improve the mental health of patients and The London

borough of Newham's scheme 'Right Here' used boxing to improve the wellbeing of young people.

5.5. With the current facilities being too small to accommodate the current demand, doing nothing ultimately means a lower take up of physical activity in the area as well as a lower take up of boxing and not getting the benefits of increased take up.

5.6. Therefore the reason for the recommendations is to support a local community focused club to grow so they can continue to positively impact the health and wellbeing of a Broomwood community which has health and wellbeing inequalities.

Finance Officer Clearance *GB*
Legal Officer Clearance *TR*

[CORPORATE] DIRECTOR'S SIGNATURE
(electronic).....

To confirm that the Financial and Legal Implications have been considered and the Corporate Director has cleared the report prior to issuing to the Executive Member for decision.