

REPORT OF **Head of Communities and Place**

To: **Community and Resources Committee**

Subject: **Former Tennis Courts off Gas Lane, Torrington leasehold disposal**

Date: **24 October 2022**

Reference:

PURPOSE OF REPORT: To consider granting a 20 year lease of the tennis courts to Torrington FC
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1. INTRODUCTION

The tennis courts, owned by TDC, have fallen into disuse and a poor state of repair. They have become a magnet for anti-social behaviour. Torrington FC would like to enter into a lease on the courts with TDC to enable them to invest in bringing the courts back into use as both a training facility for the club and for community use.

2. REPORT

The tennis courts, which lie adjacent to Torrington FC's ground at Vicarage Fields, have not been used for tennis for a number of years and as a result have fallen into disrepair. Given their somewhat hidden location with limited access, anti-social behaviour has become an unfortunate feature of the courts and the immediate surrounds.

Torrington FC, who have been in on and off discussions with TDC since the current owners bought the club in 2018, put forward a proposal in September 2021 to secure the site and bring the courts back into use. As before the stumbling block was the club's desire for a sufficiently long lease to enable them to secure funding whereas TDC was considering a 5 year lease partly as it was thought that there were possible future development options on the tennis courts. Given that there is no access from Gas Lane due to the long leases to the Scouts (expiry 2085) and DCC (expiry 2109 and now sublet to Little Frogs Pre School until January 2031) and the only other possible access would require the acquisition of a residential unit should it come to market (no doubt at significantly above market price as the owners would realise that TDC would be a special purchaser), the site is landlocked and there is no valid argument for not investing in this community asset in the hope of future development. Adopting this approach opened the way to agreeing a longer lease term with the club and therefore allowing progress with the negotiations.

Torrington FCs proposal is set out in their document dated September 2021. In summary they would look to secure the site and in the short term tidy the site, bringing it back into use and providing access from the football field. Once funding has been granted, a proper refurbishment would take place with a multi-use games surface. The grant of funding relies on a sufficiently long lease hence the proposal for a 20 year lease. The lease will not have security of tenure. In return for a nominal annual rent of £1, the club will be expected to repair and maintain the courts for the duration of the lease and also to make the courts available for community use at competitive rates.

What the Council will not wish to do is effectively hand over the courts for 20 years with little or no control over their running for this period both in terms of maintenance and community use. Hence a Service Level Agreement will sit alongside the lease which will set out the split between the club's and community use as well as setting out the club's obligations in promoting community use. A review committee consisting Ward members, TDC officers and representatives from the club will meet annually which will ensure a level of accountability as well as offer the opportunity to vary the



club's or the community use by agreement as requirements change (both the club's and the community's) over the period of the lease.

3. IMPLICATIONS

Legal Implications

Officer time preparing legal documents

Financial Implications

No further maintenance costs for TDC
Capital investment into the courts at no cost to TDC

Human Resources Implications

TDC officer time at annual review meeting
No further management responsibility for Property team

Sustainability Implications

n/a

Equality/Diversity

Through the Service Level Agreement, the club will be actively encouraged to ensure that the facilities are available for all members of the community

Risk Management

Reduction in the current level of anti-social behaviour/vandalism

Compliance with Policies and Strategies

Will help with the priorities of promoting active and healthy lifestyles and maintaining low levels of crime so that people feel safe and secure in their communities under the Communities, Health and Housing theme.

Ward Member and Leader Member Views

4 CONCLUSIONS

This represents a great opportunity to bring a TDC asset back into life for the benefit of the community at no financial cost to TDC.

5. RECOMMENDATIONS

That members approve the proposal to grant a lease of the Tennis Courts to Torrington FC as detailed in this report and give authority for the preparation and approval of the associated legal documentation.

SUPPORTING INFORMATION

Consultations: Senior Management Team, Cllrs Bright and Cottle-Hunkin

Contact Officer: Nick Argles

Background Papers: Heads of Terms, Service Level Agreement and Torrington FC proposal dated September 2021

