



DECISION OF COUNCILLOR FELICITY BAKER

THE EXECUTIVE MEMBER FOR COMMUNITY SERVICES AND SAFETY, TOURISM AND LEISURE, CORPORATE COMMUNICATIONS, CUSTOMER SERVICES, LIBRARIES AND LICENSING.

WITH ADVICE FROM
THE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT

DECISION NO. 16/17 DE 258

SUBJECT: To agree to the Council accepting the freehold of the site of the @Worle facility, to include the 3G Artificial Turf Pitch.

Background:

The @Worle facility was provided by the Council in 2013, and was financed through the Council's capital receipts and s106 funding.

The project provides sports facilities, for the community and a modern, fit-for-purpose location for learning disability services (LD), which benefit hugely from being community-based and integrated with other services.

The facilities consist of:

- Full size 3G artificial turf pitch with floodlighting – football bias surface – (only one within North Somerset)
- Fitness gym offering a minimum of 20 stations
- Dance studio
- Indoor/outdoor changing facilities to support the above
- Shared reception area (community sports and LD)
- Café
- Catering kitchen for community meals service.
- Multifunctional/meeting rooms
- Banwell Pottery
- Accessible toilets, including “Changing Places” provision
- Related office space

The community facilities are run by the @Worle Trust, a not-for-profit organisation (NPO), with charitable status; which operates without a revenue subsidy from the Council.

The land currently used and managed by the @ Worle Trust is shown in red outline on the attached plan. This includes the building, car park, 3G pitch and access from New Bristol Road.

All the area is owned by the Worle and Weshaven Trust (WWT). This organisation owns the whole school site. However the WWT will cease to exist once Worle School transfers to Academy status during January 2017.

The land and community building shown hatched on the plan are currently leased out to the Council under a 125 year lease from 28 March 2013; this excludes the 3G pitch.

The land in question is in turn leased out by the Council to the Learning and Community Sport @Worle Trust (the @Worle Trust) under a 50 year lease.

Rights to use the access road, shown coloured brown on the plan, are included in the terms of each lease.

The @Worle Trust has been managing and maintaining the 3G pitch since 2013 with no formal agreement in place concerning the land upon which it sits. The pitch was provided for the community through s106 funding. The income from this facility is vital to the long term sustainability of the @Worle facility and the services it delivers to local people.

There is a desire to secure the future of the community facilities and the services offered from the @Worle facility.

Following legal advice the favoured solution is for the Council to take on the freehold for the land upon which the building, car parking and 3G pitch are sited and to amend the lease agreement with the @Worle Trust to include the 3G pitch. The WWT have agreed to this transfer. The @ Worle Trust have also agreed to the amendment to the lease agreement.

DECISION:

- To agree to the Council accepting the freehold for the land upon which @Worle facility is sited, outlined in red on the attached plan.
- To authorise the amendment of the Councils existing lease agreement, with the @Worle Trust, to include the areas outlined in red on the attached plan.

Reasons: To ensure the long term provision of the @Worle community facility and the services it offers to local people.

Other Alternatives Considered: The alternative option considered was to negotiate the re drafting of the lease for the @Worle facility and the arrangements for access to the community 3G pitch once Worle School had transferred to Academy status.

Risk Assessment: There is a risk that the same terms would not be available in the re negotiation of the @Worle lease agreement further to academy transfer.

There is a risk that the community 3G pitch could fall outside of the control of the @Worle trust further to the transfer of the site to an Academy.

Both risks can be mitigated by the recommended course of action.

Financial Implications: The only costs relate to the legal fees incurred by the Council and the WWT; these costs will be covered by the @Worle Trust.

Implications for Future Years: No negative implications are foreseen.

Signed.....Executive Member for Community Services and Safety, Tourism and Leisure, Corporate Communications, Customer Services, Libraries and Licensing.

Dated.....

Confirmation of Advice Given

Signed: Director of Development & Environment

Dated: