

Ref: **PHD 067/08**

Subject:	Tennis Courts, West Harrow Recreation Ground, West Harrow
Responsible Officer:	Andrew Trehern – Corporate Director Place Shaping
Portfolio Holder:	Tony Ferrari – Portfolio Holder for Major Contracts and Property
Key Decision:	No
Urgent/Non Urgent:	Non urgent
Power to be exercised:	Appendix to Part 4D (Executive Procedure Rules), Paragraph 2(iii)
Exempt:	No
Enclosures:	Plan showing land to be let

Section 1 – Summary and Recommendations

This report seeks approval for letting the tennis courts in West Harrow Recreation Ground.

Recommendations:

The Portfolio Holder is requested:

1. To declare the tennis courts at West Harrow Recreation Ground available to lease.
2. To authorise the Corporate Director Place Shaping to consider any objections to the proposed disposal of open space and to refer to the Portfolio Holder as appropriate.
3. Subject to consideration of any objections under (2) above to authorise the Corporate Director Place Shaping to agree terms for the grant of a lease for a term of up to 35 years for the purposes set out in this report and authorise the Director of Legal and Governance Services to complete all legal documentation.

Reason: (For recommendation)

To facilitate the complete refurbishment of the tennis courts and bring them back into beneficial use for the community

To improve tennis facilities in the Borough

To reduce costs of holding the property and, potentially, produce an income for the Council

Section 2 – Report

Introductory paragraph

1. This report concerns a block of seven tennis courts within West Harrow Recreation Ground as shown in red on the attached plan. They are currently in a poor state of repair and incapable of use without significant financial investment. They require resurfacing, new fencing and new nets and the Council does not have the financial resources to undertake this work. Additionally the Council needs to secure the site to prevent it being a health and safety hazard.

Background

2. The Council advertised the tennis courts in the local press and invited expressions of interest during December/January. From this marketing exercise a suitable tenant has been identified. Their proposal involves the creation of a tennis academy which aims to provide first class facilities and promote the sport to a high standard. The scheme, which will require planning permission, will include the erection of a building on part of the site to provide changing rooms, a gymnasium and a base for a local boxing club. Four of the tennis courts will be covered by a translucent bubble dome in the winter to allow all year round use of the courts.
3. The proposal is still at an early stage and more work and negotiations are required to finalise terms. The Portfolio Holder for Environment and Community Safety and Service Manager Public Realm have both seen the scheme and support the proposals. Consequently authority is being sought for the grant of a lease for a period of up to 35 years and authority for the Corporate Director Place Shaping to approve the detailed terms. The exact area to be demised will be subject to negotiation with the applicant but will not differ significantly from that shown on the plan attached and terms will be negotiated to ensure that the Council receive best consideration.
4. The scheme will encourage greater use of the park and this will have the knock on effect of benefiting other facilities within the park. The overall impact of the scheme is therefore likely to have a positive effect on other, non tennis, facilities within the park for the benefit of the whole community.

Options considered

5. **Do nothing** – the Council has no funds to undertake the refurbishment required to permit the use of the tennis courts and will, in any event, have to undertake works to the site to make it safe. This would be an uneconomic use of scarce resources.

6. **Secure a letting of the property** – this would bring the tennis courts back into beneficial use and improve sporting facilities within the park. The initial capital investment would come from the proposed tenant and there may be the opportunity for the Council to receive rent for the property during the latter stages of the lease.

Financial Implications

7. The financial standing of the tenant of any proposed letting will be scrutinised. The potential income from letting the property is likely to be modest due to the capital investment being made by the tenant. The Council will, however, save the cost of making the area safe. Additionally the ongoing maintenance costs will be paid by the tenants during the course of the lease.

Legal Implications

8. The Council has the power to grant the lease under S123 Local Government Act 1972.
9. The land must be disposed of for the best consideration that can reasonably be obtained, unless the consent of the Secretary of State is obtained or the disposal is made under the provisions of the General Disposal Consent (England) 2003
10. The General Disposal Consent allows disposal for less than best consideration where the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000, and the economic, social or environmental well-being criteria apply
11. As the site is held as open space, any proposed disposal must also be advertised for two consecutive weeks in a local newspaper and the Council must consider any objections received.

Performance Issues

12. There are no specific performance issues relating to this report. However this action will contribute to improving the management of our assets and demonstrate improvement and innovation in Asset Management. In addition it will encourage greater participation and opportunity in the sport for all sections of the community.

Environmental Impact Issues

13. As mentioned above the scheme is still at an early stage and the applicant will require planning permission. Their initial proposal recognises the need for the scheme to be environmentally friendly and it incorporates renewable energy technologies such as the re-use of rainwater, ground source heat pumps and use of low energy lighting. However many of these matters will form part of their planning application and will be considered at the time their application is submitted.

Risk Implications

14.No risks have been identified nor registered on the Place Shaping Directorate Risk Register by the Co-Ordinator.

Section 3 - Statutory Officer Clearance

Signature:	
Name: Sheela Thakrar	<input checked="" type="checkbox"/> on behalf of the* Chief Financial Officer
Date: 16/03/2009	
Signature:	
Name: Jessica Farmer	<input checked="" type="checkbox"/> on behalf of the* Monitoring Officer
Date: 16/03/2009	

Section 4 – Performance Officer Clearance

Signature:	
Name: Anu Singh	<input checked="" type="checkbox"/> on behalf of the* Divisional Director (Strategy and Improvement)
Date: 12/03/2009	

Section 5 – Environmental Impact Officer Clearance

Signature	
Name: John Edwards	<input checked="" type="checkbox"/> Divisional Director (Environmental Services)
Date: 17/03/2009	

Section 6 - Contact Details and Background Papers

Contact: Ian Brown – Senior Estates Surveyor; extn 2254
ian.brown@harrow.gov.uk

Background Papers: None.

Signature:

Position **Corporate Director Place Shaping**

Name (print) **Andrew Trehern**

Date: **17/03/2009**

For Portfolio Holder/Leader

* I do agree to the decision proposed

* I do not agree to the decision proposed

* Please delete as appropriate

Notification of personal interests (if any):

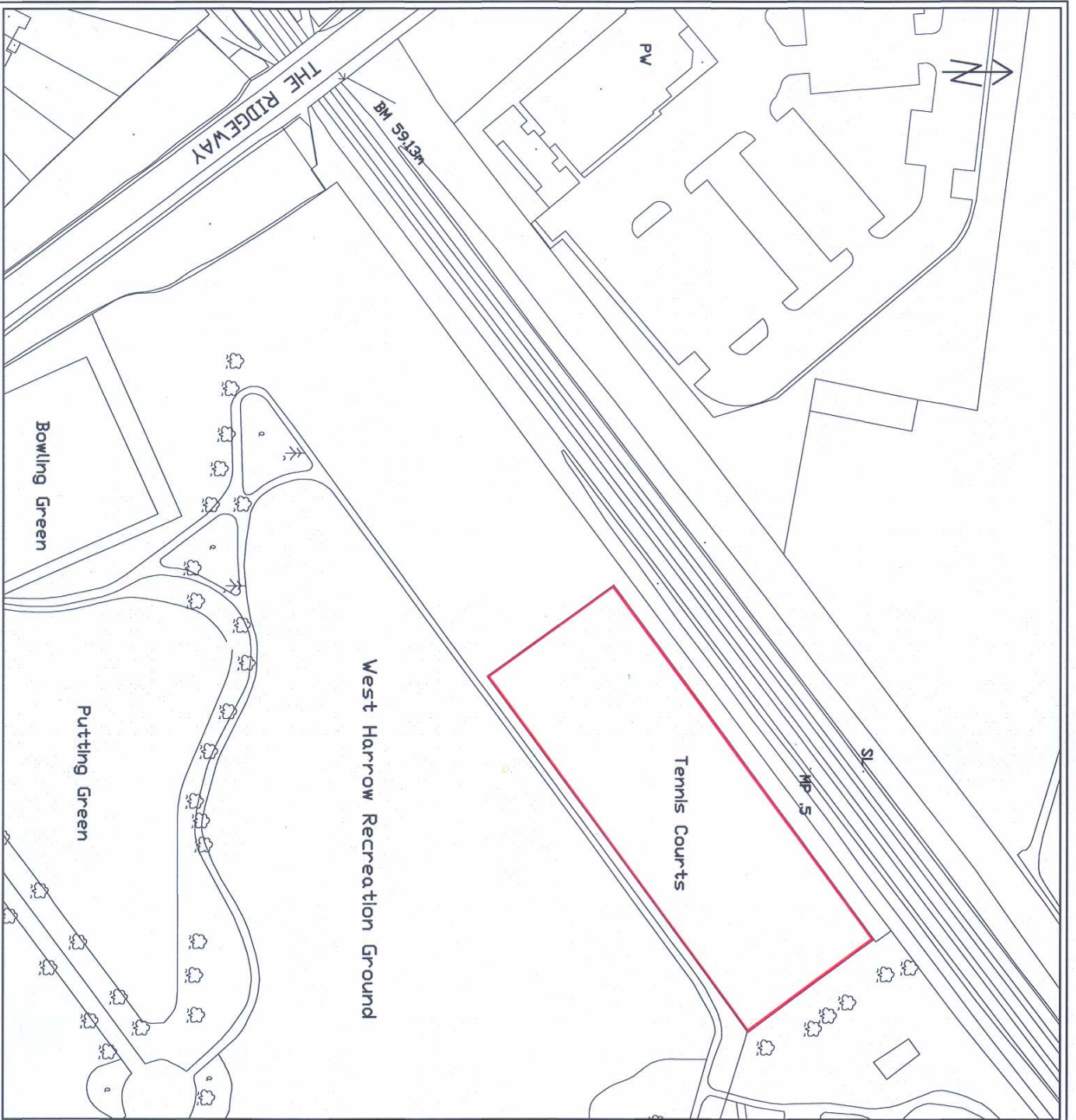
(Note: if you have a prejudicial interest you should not take this decision)

Additional comments made by and/or options considered by the Portfolio Holder

Signature:

Portfolio Holder

Date:



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TITLE
TENNIS COURTS
WEST HARROW REC

Drawn
JR

File No.

Scale
1:1250

Date
10/12/08

ES No.
10219

Issue
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