

ANSTY VILLAGE CENTRE TRUST

REPORT OF: HEAD OF CORPORATE RESOURCES
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Wards Affected: *Cuckfield*
Key Decision: No
Report to: Cabinet
18 November 2019

Purpose of Report

1. To seek approval for a number of proposals in relation to the development of a new combined Village Hall, Sports Pavilion and Social Club at the Council's Ansty Recreation Ground, including the allocation of £100k of general reserve to the Scheme.
2. Decisions are needed at this time due to planning and funding deadlines that require the project to commence on site by January 2020.

Summary

3. The report provides some project history, information regarding the current budget, funding available and financial shortfall; and details of the various lease arrangements needed to enable project delivery.

Recommendations

4. **Cabinet are recommended to agree to:**
 - (i) grant £100,000 to the Ansty Village Centre Trust funded through Reserves;
 - (ii) take a 150 year lease of the existing village hall site from the Ansty Village Hall Trust for the purposes of using the land as a car park serving the Recreation Ground
 - (iii) grant a 150 year lease of the site of the new Village Hall, Sports Pavilion and Social Club and Car Park (including the site of the existing village hall) to Ansty Village Centre Trust at a peppercorn rent for the purposes of using the land as a Village Hall, Sports Pavilion and Social Club with ancillary Recreation Ground Car Parking following practical completion of the Scheme.
 - (i) grant a 28 year lease of the groundsman's store at Ansty Recreation Ground to Ansty Cricket Club together with ancillary rights to maintain the cricket wicket on the Recreation Ground and use of the cricket outfield
 - (ii) take a surrender of and re-grant a lease with an amended route to Ansty Cricket Club's to give them access rights over the Recreation Ground to the Club's extension to the north of the Recreation Ground

Background

5. The Council owns Ansty Recreation Ground at Deaks Lane, Ansty. The Trustees of the Ansty Village Hall Trust own Ansty Village Hall, which is a dilapidated village hall adjacent to the Council's Recreation Ground.

6. Ansty Cricket Club play cricket at the Recreation Ground and maintain a cricket square and practice nets under a licence from the Council. Ansty Sports and Social Club, of which the Ansty Cricket Club forms part, operates from Ansty Village Hall where they have a bar and social area, and sports changing rooms.
7. The Ansty Village Centre Trust (AVCT) is a Charitable Incorporated Organisation (CIO) set up by the partner organisations Ansty & Staplefield Parish Council, Ansty Village Hall Trust (AVHT), Ansty Sports & Social Club and Ansty Cricket Club to enable them to work together to deliver a new combined sports and community centre.
8. AVHT was awarded a Facility Grant of £17,440 in 2009 towards the costs of re-providing the Village Hall. AVCT was awarded a Facility Grant of £127,000 toward the project on 30 May 2013 (£16,959 ring-fenced for Stage 2) and a further £214,402 on 29 October 2019, funded through the release S106 contributions.
9. The AVCT has planning approval (Ref: DM/16/4609) to demolish the existing village hall and the construct a new Village Hall, Sports Pavilion and Social Club at the Council's Ansty Recreation Ground with the existing site of the old village hall becoming an extension to the existing car park at the Recreation Ground, increasing the number of spaces from 22 to 43, including 3 disabled bays.
10. The facilities in the new Ansty Village Centre (Stage 1) will replace the existing building, expand the car park and provide locally managed ancillary sports facilities for users of the public recreation ground:
 - a new 120m² village hall (compared with 78m² at present) with a dedicated catering standard kitchen and improved storage;
 - a new 120m² club and function room, (compared with 42 m² at present) with a small kitchen and bar which will provide refreshment and catering for users of the Centre and the recreation ground;
 - four team and two officials changing rooms to Sport England specification (20m² area for team changing), to replace the two existing changing rooms which fall well short of the required standards (only 12m² for team changing);
 - a snooker room of 60m² , a reduction on the current 80 m² , but meeting the minimum recommended standard for two tables of 55m²;
 - a meeting room of 24m² (currently 17m²) separated from the snooker room by a partition, which can be moved to create a space for spectator viewing when snooker tournaments are hosted; and
 - disabled access throughout the building, including lift access to the first floor.
11. Based on recent analysis, the existing building and adjoining recreation ground currently attract approximately 15,000 visits a year with approximately 500 people using the facilities regularly, including up to 300 sporting users (darts, snooker, football, stoolball and cricket). This presents a strong foundation for growth and the new facilities are expected to double usage within three years by recruiting new members and opening longer hours to cater for more hires and social functions. The new facility will double the changing room capacity which will allow the cricket club to fully realise the potential of the second cricket ground by playing more matches at Ansty and developing as a centre of regional excellence, particularly for women and girls cricket.
12. The total project cost is estimated at £1,417,410 and the work has been broken down into three stages as follows:

	Stage 1: Building	Stage 2: Demolition & Car Park	Stage 3: Store
	Jan – Oct 2020	Nov-Dec 2021	2021
	£'s	£'s	£'s
Project Costs	1,072,964	107,000	84,656
Professional fees	80,673	-	-
Contingency	52,903	14,759	4,455
Totals	1,206,540	121,759	89,111

13. To date, the partners have secured funding from the following sources toward Stage 1 of the project, this leaves a shortfall of £100,000:

	£'s
AVCT - fundraising	8,130
AVHT - fundraising	76,600
Ansty Sports & Social Club	55,000
Ansty Cricket Club	80,000
Ernest Kleinwort	70,000
England & Wales Cricket Trust	50,000
Sport England	75,000
England and Wales Cricket Board	150,000
Business funders	25,000
LEADER Fund	74,927
Ansty & Staplefield Parish Council	100,000
MSDC release of S106 contributions	324,443
MSDC Facility Grant	17,440
TOTAL	1,106,540

14. It should be noted that Stage 2 funding for the car park is expected to come from future s106 contributions due in respect of the South of Rocky Lane and Rookery Farm developments, which are both underway. The Planning decision notice requires the AVCT to demolish the village hall within one month of completion and does not allow use of the car park until it has been surfaced. Stage 3 to refurbish the store, will be funded through s106 contribution due from the Land South of Bolney Road and Rookery Farm developments. These funds are allocated to this project and will need to be secured through the further release of S106 contributions when they are received by the Council.
15. To fulfil the terms of the LEADER Fund, work on Stage 1 needs to start on site in early January 2020. Other funders have also placed restrictions on their awards, the s106 is time limited and the Planning permission expires 13 January 2020. For these reasons, it is imperative that the project is fully funded with signed grant and lease agreements in place that enable the AVCT to start work early in the New Year.
16. The Ansty Cricket Club lease an area of land to the north of the Recreation Ground and gain access to that land via the Recreation Ground under the terms of a lease of rights. The route of the right of way granted by that lease will need to be diverted and it is proposed that this is done by way of a surrender of the existing lease and the grant of a new lease for the residue of the term of the existing lease of the revised route. The

Cricket Club requires a lease of the groundsman's store and use of the cricket wicket to give them security of tenure to be eligible for ECB funding.

17. It is therefore proposed that the Council enters into lease agreements with the AVHT, AVCT and ACC and provides an additional award of £100,000 to be funded through Reserves to match fund the Parish Council's contribution, to cover the budget shortfall and enable project delivery.

Powers and Legal Advice

18. Local authorities are given powers under Section 120 of the Local Government Act 1972 ("the 1972 Act") to acquire land for the purposes of any of their functions or the benefit, improvement or development of their area. The Council is empowered under the Public Health Act 1875 and the Open Spaces Act 1906 to acquire land for the purposes of providing or improving public parks and pleasure grounds, which includes a recreation ground. The Council is therefore, empowered to acquire a leasehold interest in the existing village hall site for the purposes of providing an extension to the existing Recreation Ground Car Park.
19. Local authorities are given powers under Section 123(1) of the Local Government Act 1972 to dispose of land in accordance with Section 123. The only constraint is that disposal must be for the best consideration reasonably obtainable (except in the case of short tenancies of less than 7 years), unless the Secretary of State consents to the disposal. An exception to this is where the authority considers it will help secure the promotion or improvement of the economic, social or environmental well-being of an area and the difference between the unrestricted value and the consideration accepted ("the undervalue") is £2,000,000 (two million pounds) or less.
20. To demonstrate that the Council is adhering to these terms Estates & Facilities has commissioned a valuation to establish the unrestricted values of the various property interests to ensure they are below the threshold. It is considered that the provision of a community facility for the benefit of the local community will help to promote the economic and social well-being of the area and it is also considered that the provision of a groundman's store and the re-grant of the lease of rights will contribute towards the playing of cricket at the site, healthy lifestyles and the social well-being of the area.
21. The 1972 Act also provides that the Council cannot dispose of land consisting of or forming part of an area of open space unless, prior to making the decision to grant the leases, the Council advertises its intention to do so for two consecutive weeks in a local newspaper circulating in the area in which the land is situated and invites members of the public who may oppose or object to such a disposal to make their views known and for the Council to consider such objections before deciding whether or not to grant the proposed leases.
22. The Ansty Recreation Ground constitutes public open space and the District Council is therefore, required to comply with Section 123(2)(A) of the 1972 Act. On 17 and 24 October 2019 the Council advertised the proposed leases of parts of the Ansty Recreation Ground and invited members of the public who might object to the proposed leases to make their views known to the District Council by 14 November 2019. As the deadline for objections falls after the date of publication of this report, a separate report on any objections received will be tabled at Cabinet.

Policy Context

23. The Council has had a long standing policy of leasing facilities and providing capital funds through the S106 mechanism and community grants to sports club and community organisations. This enables communities to provide space for the uses and needs of the local residents. Recommendations contained within this report are consistent with that long standing policy.
24. The Council first agreed to grant fund this project in 2009 and has been supportive of the development for a number of years. The scheme is identified as a high priority in the 2015 to 2031 Playing Pitch Strategy and a more recent draft which is endorsed by Sport England and the National Governing Bodies of cricket and football which are both played at this site.
25. The Council is developing a Community Buildings Study to map existing provision and assess future needs resulting from new housing and population growth across the District. This facility will retain and improve current facilities.

Financial Implications

26. The tenants will be required to reimburse the Section 123 advertising costs.
27. This proposal requires the Council to increase the existing award by a further £100,000, to be funded from general reserve.

Risk Management Implications

28. If the Council cannot provide security of tenure or the additional funds needed to deliver Stage 1 the AVCT will not be able to commence on site in January 2020. In this instance, there is a risk the LEADER Fund grant offer and other funding will be withdrawn and the planning permission will expire.
29. If the additional development contributions needed to fund Stage 2 of the project are not received by Autumn 2021 then work to complete the car park could be delayed.

Equality and Customer Service Implications

30. None

Background Papers

- Funding applications and associated documentation.
- Heads of Terms