

**To:** City Executive Board

**Date:** 18<sup>th</sup> October 2010 **Item No:**

**Report of:** Interim Head of Corporate Assets

**Title of Report:** Banbury Road North Sports Ground – Leasing of land to Oxford Hawks Limited

### **Summary and Recommendations**

**Purpose of report:** To seek approval to amend the intended party to lease, and rent review provisions at the above site.

**Key decision:** No

**Executive lead Member:** Councillor Ed Turner - Finance, Housing and Strategic Planning Board Member  
Councillor Mark Lygo – Sport, Play and Schools liaison Board Member

**Report approved by:** Mel Barrett, Executive Director City Regeneration  
James Pownall (Law and Governance)

**Policy Framework:** Corporate Plan 2008-2011 – Improving the local environment, economy and quality of life.  
Corporate Plan 2008-2011 – Tackling inequalities and supporting communities.

**Recommendation(s):** That City Executive Board approves:

1. That Oxford Hawks Limited be substituted as the party and to the amendment of the currently approved rent review provision, in relation to the grant of any lease in respect of the above on terms to be approved by the Interim Head of Corporate Assets.

### **Background**

1. At its meeting held on 17<sup>th</sup> March 2008 the Executive Board authorised officers to enter into negotiations for an agreement to lease with North Oxford Sports Club. This was to allow the Club to secure external funding to provide another full size all weather pitch adjacent to the existing pitch.
2. Subsequently, a new Club has promoted the project being Oxford Hawks Limited. Oxford Hawks Limited (OHL) is already a current lessee to the existing pitch at the site.

## **Report**

3. OHL have received funding from England Hockey and a number of other bodies to build a new full size all weather pitch and refurbish the existing all weather pitch at the site.
4. The cost of the new pitch is c. £370,000 and the whole project has a cost of c. £900,000. The funding for this project has come direct from the Club and their associated funding bids. No grants have been sought from the City Council.
5. Leisure colleagues have agreed a Community Use Agreement in respect of the facility to be created which will secure and encourage the use of the site in the community. The community use agreement includes some free use for local schools and also for sports development initiatives.
6. In consideration of the above, officers are seeking the approval to amend the name of the intended party to take the lease to OHL. As previously mentioned, the initial party was North Oxford Sports Club Limited. The name change to OHL represents a material change to the previous authority obtained.
7. For information, North Oxford Sports Club Limited is still an active entity at the site and currently holds the lease on the Clubhouse. Effectively they act as an 'umbrella' organisation representing both the Tennis and Hockey Clubs.
8. Upon further consideration of the terms previously approved, officers also consider that the current approved rent review provision that rent after 5 years be 20% of gross earnings is not appropriate. The proposal will therefore be that upon review the rent will be reviewed to open market value. This will represent best consideration in accordance with the Councils statutory requirements. Detailed terms will be approved by the Head of Corporate Assets under his delegation.
9. Subject to the proposals in this report being approved and to the outcome of the advertising of the intention to dispose of public open

space, officers will complete an agreement for lease on the site identified at Appendix 1 and OHL will commence works immediately.

10. The timescales which OHL need to work to are extremely tight. In order for OHL to obtain the England Hockey element of their funding, they will need to draw down on the majority of their funds by the end of this calendar year, therefore Member approval to this change is critical for the project to proceed.

### **Financial Implications**

11. There are no additional direct financial implications arising out of the contents of this report. The funding structure for the new pitches is as set out in the Report.

### **Equalities**

12. Use of the facilities will be available in accordance with the provisions of the Community Use Agreement.

### **Legal Implications**

13. The Council's power to dispose of land comprised within the General Fund at best consideration is contained within Section 123 of the Local Government Act 1972.

### **Sustainability/Climate Change Considerations**

14. None arising for the purposes of this Report.

### **Risk Register**

15. A risk assessment has been carried out and no further risks have been identified to be arising from this report.

### **Recommendations**

16. City Executive Board approves:
  1. That Oxford Hawks Limited be substituted as the party and to the amendment of the currently approved rent review provision, in relation to the grant of any lease in respect of the above on terms to be approved by the Interim Head of Corporate Assets.

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**Background papers:**

Report - 17<sup>th</sup> March 2008 – All-Weather Pitch Provision: Granting of leases to allow development of all-weather pitches.

**Appendix:**

Appendix 1 – Area of Agreement to lease.

**Version number:** 1.0