

Agenda Item 6

Woodlands Games Hall - Update

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FALKIRK COUNCIL

Title: **Woodlands Games Hall - Update**

Meeting: **Falkirk Council**

Date: **19 December 2016**

Submitted by: **Director of Development Services**

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update on proposals by the constituent partners of Woodlands Community Sports Ltd (WCS Ltd), a new organisation being established to operate Woodlands Games Hall to advise of some changes to the position agreed by Executive on 6th September 2016 and to seek agreement on amended arrangements.
- 1.2 These changes are required to secure spend of grant funding for the replacement of the pitch and give WCS Ltd more time to identify additional external funding to mitigate risks associated with taking on the maintaining and repairing obligations for the building

2. Recommendation(s)

2.1 It is recommended that Council agrees:

- i) that the lease option for Woodlands Community Sports Ltd on terms previously approved, in principle, should remain available until 31 March 2018;
- ii) that Falkirk Football Community Foundation (FFCF) will procure the works to replace the pitch which will require payment of the Council's contribution of £22,000 to the project;
- iii) that a licence for works shall be entered into to allow FFCF and their contractors to carry out the works to replace the pitch;
- iv) that Falkirk Community Trust shall be requested to
 - (a) remain as the Council's tenant of the premises until a lease with WCS Ltd shall have been entered into and
 - (b) enter into an interim arrangement with FFCF for use of the pitch, all consistent with the needs of Comely Primary School;
- v) that the Director of Development Services or her nominee shall be authorised to conduct and finalise negotiations of the outstanding details and generally take all decisions required to take forward the proposals to conclusion and in conjunction with the Chief Governance Officer conclude all necessary legal arrangements; and
- (vi) that should any significant changes or issues arise through negotiations or development of the proposals, a further report will be prepared for Members.

3. Background

- 3.1 At its meeting on 6 September 2016 the Executive approved proposals for the transfer of Woodlands Games Hall and pitch to WCS Ltd, subject to the resolution of specified risks and on the following terms:
- i) to lease Woodlands games hall and pitch to WCS Ltd for a period of 25 years on full repairing and insurance terms at a nominal rent of £1 annually;
 - ii) to provide a financial contribution to the Landfill Communities Fund of £22,000 to secure the additional external funding of £178,000; and
 - iii) to leaseback or reserve for Comely Park Primary School the facilities required by the School to meet its requirements for physical education and activity and that at a rental sum of £10,000 each year;

It was also agreed that should any significant changes or issues arise through negotiations or development of the proposals, a further report would be brought to Members.

- 3.2 The proposals originally anticipated that, once the outstanding matters were concluded, included agreeing the terms of the lease and conclusion of a satisfactory business plan, WCS Ltd would be formed and enter into the lease. Thereafter, the works to replace the pitch would take place in advance of the 31st March 2017 deadline for the funding to be spent.
- 3.3 WCS Ltd will be a registered charity formed to operate Woodlands Games Hall and pitch for the benefit of the community. The proposal has been developed by Comely Park Primary School Parent Council and Falkirk Football Community Foundation (FFCF), a charitable foundation associated with Falkirk Football Club.
- 3.4 Negotiations have been ongoing with representatives from the parent council and FFCF (the partnership) to resolve the outstanding matters and to address the risks associated with the project. It has not been possible to date to reach agreement to allow implementation of the decision made on 16 September on the basis described in paragraph 3.2 and an interim arrangement has been formulated, in principle, which would allow the project to be delivered in time to complete the works by the funding deadline.

4. Considerations

- 4.1 The main issue of difficulty was the treatment of future maintenance and repair of the games hall property. FFCF representatives commissioned a building surveyor to undertake a condition survey of the property. This detailed all items of repair, maintenance and renewals within the building and suggested a total of c£220k will be required over the next 5 years if all works were undertaken

- 4.2 A counter proposal that the Council retain a significant proportion of the responsibility for the repairing, and maintaining obligations to the building and also underwrite the total costs of the works was made by FFCF. This is not in line with what is anticipated of this type of community transfer where it is expected external funding is likely to be available to community bodies nor is it in accordance with the terms of the decision made by Members on 16 September.
- 4.3 As a result, the partnership representatives state they will not be in a position to enter into the lease at this point as additional time is needed to allow them to fundraise and to explore external funding opportunities for building repairs. It is therefore proposed to extend the period for WCS Ltd to enter into the lease up to the end of March 2017 on the same lease terms
- 4.4 In giving the partnership further time to develop their proposals an arrangement is required to ensure the grant funding is not lost. FFCF, which has pursued the funding, has proposed to progress with the pitch replacement. This will require payment of the Council's financial contribution of £22,000 to the project, as required by the Landfill Communities Fund, prior to the lease with WCS Ltd being in place. To ensure the funding is spent by 31st March 2017 deadline, FFCF will need to commence the pitch replacement work early in the new year. A licence for works on the property will require to be granted to FFCF.
- 4.5 On completion of the replacement pitch, FFCF has agreed, in principle, to enter in to a block booking arrangement with Falkirk Community Trust to use the pitch for partnership activities. A fee, still be agreed, will be paid for this and it is anticipated the replacement pitch will also create the opportunity for additional fees from other parties until WCS Ltd can be formally constituted, and take over and the lease terms implemented.

5. Consultations

- 5.1 Falkirk Community Trust (FCT) has been involved in discussions with the partnership and is supportive of the proposal which will result in Woodlands Hall and pitch remaining available to the community.

6. Implications

Financial

- 6.1 There are no additional financial implications as a result of these interim arrangements.

Resources

- 6.2 There are no additional other resource implications as a result of these interim arrangements.

Legal

- 6.3 These interim proposals will require agreement with WCS Ltd that an offer of lease will held on terms previously approved in principle for the period to 31 March 2018. As noted at paragraph 4.4 a licence for works will need to be entered into with FFCF to allow them and their contractor's access to carry out the works. Terms for the block booking will need to be finalised between FFCF and FCT.

Risks

- 6.4 These interim arrangements reduce the risk of losing the grant funding for the pitch replacement.

Equalities

- 6.5 The proposal maintains or enhances opportunities to the community and sports groups, therefore, a full assessment is not required.

Sustainability/Environmental Impact

- 6.6 None.

7. Conclusions

- 7.1 These interim proposals allow:

- (a) The partnership representatives more time to allow WCS Ltd to be established and identify a solution to address future maintenance and repair of the sport centre building to offset its risks as a start up company. The success of the venture is in the interests of both the community and the Council in the longer term.
- (b) The grant funding to be directed immediately by the Landfill Communities Fund to replacing the pitch to ensure the facility remains open while also providing FFCF with the pitch it needs to grow its community involvement.

Director of Development Services

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Date: 9 December 2016

List of Background Papers:

Report to Executive by Directors of Development Services and Children's Services
dated 6 September 2016 – Woodlands Games Hall.