

FERNDALE ROAD SCOUT HUT – FUTURE LEASE OPTIONS

1 SUMMARY

- 1.1 The purpose of this report is to advise Members that the Crouch Valley District Scout Executive have notified the Council that they wish to relinquish the lease they currently hold for the Ferndale Road Scout hut in Rayleigh and also of the interest shown by the Downhall Under Fives Pre-School Group, in obtaining a new lease on the same area of land. (Appendix 1 – map of Ferndale Open Space).

2 INTRODUCTION

- 2.1 The Scout Association has been based at the above premises for a considerable time, with their current lease with the Council being signed in March 1984 and due to last for a period of 28 years. At that time the Council entered into a special arrangement with the Scout Association, to help facilitate provision of a scout group in that part of the District.
- 2.2 The Scout hut was funded entirely by the Scouts Association, and as part of the arrangement and, as they are a registered charity, a nominal rent of £25 per annum was agreed as part of the 28 year lease.
- 2.3 However, the Scout Association has not used the hut for some months now and has written to the Council notifying of their decision to relinquish the lease. The condition of the Scout hut has significantly deteriorated and is not now considered economically viable to repair in order to make fully functional again.

3 RELINQUISHING OF LEASE

- 3.1 As written notification has been received of the intention to relinquish the lease, one of the Council's surveying team has carried out an inspection of the building and confirmed the view that the hut is in a state of disrepair and probably not viable to repair for functional use again.
- 3.2 Within the lease there is a clause that states that the building should be kept in good repair and condition, and although it makes allowance for fair wear and tear, the inspection carried out suggests that its deterioration is somewhat greater. However, there is also the view that the nature of the structure has a limited lifespan and was probably chosen as being suitable for the length of

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this particular lease. Therefore, with less than 6 years now remaining on the lease the condition of the building would be expected to be showing its age.

- 3.3 At either the end of the lease or any sooner determination, there is also a clause that states that either the building transfers to the Council or that the Scout Association, at their own expense, must remove the building and make good the surface of the ground. Taking into account the current condition of the building, it would be advisable that the latter option is requested on formal surrender of the lease.

4 FUTURE INTEREST IN THE SITE

- 4.1 The Council has received communication from the Downhall Under Fives Pre-School Group that they would like to take on a new lease for the same piece of land, on which they would then wish to construct a new building for their own specific purposes.
- 4.2 This group are an organisation that have been running since 1987 and were operating out of the Ferndale Road Scout hut until December 2005, on a hiring arrangement with the Scouts Association. Due to receiving notice from the Scouts that they needed to find alternative premises, the Pre-School have since operated from different sites on a temporary basis, whilst endeavouring to find a more permanent location.
- 4.3 They are set up as a registered charity, managed by a committee comprising 12 members and have always had a high percentage of their children from the Downhall and surrounding area of Rayleigh. For these reasons they could very much be considered a “community group” providing a worthwhile service to the local area, made even more valuable by the fact that there is not a surplus of pre-school places available in the locality.
- 4.4 The Pre-School’s current venue is only of a temporary nature, being hired on a short term basis, with no certainty over its future availability. This arrangement has resulted in them having to reduce the number of sessions they run as the hall is not available on a Thursday, with additional costs also being incurred due to the need to store away all the equipment after every session.
- 4.5 The group is therefore extremely anxious to find an area of land where it can site its own building, with their clear preference being to return to their original base of nearly 20 years at the Ferndale Road Open Space.
- 4.6 If Members agreed to support Downhall Under Five’s request to lease the land in question, this would still be subject to negotiating the terms of the lease, and also pending the group obtaining the appropriate planning approval for the siting of their building, given that the Council’s current planning policies are very stringent in relation to applications on green belt land. If this

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application proved successful, then final negotiation of the exact details of the lease would be concluded.

5 RESOURCE IMPLICATIONS

- 5.1 If the current lease is surrendered by the Scout Association, then there would be no cost to the Council for removal of the building, just the loss of the lease payment of £25 per annum for the remainder of the anticipated lease period.
- 5.2 If a new lease were to be granted to Downhall Under Fives, then the Council would receive a new annual lease payment set at a level that took into account the nature of the organisation and current lease values.

6 LEGAL IMPLICATIONS

- 6.1 Surrender of the lease would terminate the existing arrangements and land use, which was specific to the Scout Associations activities. The land is within a public recreation area and any other form of development would need to be appropriate to this use and satisfy the planning requirements for development in the green belt.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**
 - (1) To agree to the surrender by the Crouch Valley District Scout Executive of their lease for land at the Ferndale Open Space on Ferndale Road, Rayleigh.
 - (2) Implement the clause within the lease that requires the Scout Association to bear the cost of removal of the building and making good of the surface of the ground.
 - (3) Pending agreement to (1) to agree to the Council entering into initial negotiations with the Downhall Under Fives Pre-School for a new lease (albeit still subject to a successful planning application) of the land at Ferndale Open Space currently occupied by the Scout hut.

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Background Papers:-

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FERNDALE OPEN SPACE**APPENDIX 1**