

**REPORT TO THE MEETING OF THE EXECUTIVE****PORTFOLIO: STRATEGIC PLANNING & ASSETS****REPORT FROM DIRECTOR OF ASSETS & INVESTMENT****SUBJECT: GREAT WAKERING PAVILION****1 DECISION BEING RECOMMENDED**

- 1.1 That the Council owned asset - Great Wakering Pavilion - known as sports pavilion and tennis court (coloured blue on the map at Appendix 1), be leased to ATF Southend (Achieve Thrive Flourish) for use as a community based sports and leisure centre for a period of 28 years.

**2 KEY DECISIONS DOCUMENT REFERENCE No: 11/22****3 REASON/S FOR RECOMMENDATION**

- 3.1 The asset is currently vacant and surplus to the requirements of the Council. It is adjacent to the Sports Centre (currently leased to Samantha Boyd School of Dance) and football fields. The asset is currently used as changing rooms for football teams on Sundays from September to May only
- 3.2 It is a single storey pavilion with changing rooms, toilets and shower room the pavilion needs investment in its roof, toilets and drainage.
- 3.3 In line with the Council's Business Plan objectives to Maximise our Assets and Enable Communities, officers have proactively sought bringing the asset back into use to the benefit of the community.
- 3.4 The Council published on its website on 6 October 2022 an advertisement seeking expressions of interests on the pavilion. The period closed on 4 November 2022 and one application was received from ATF – Achieve Thrive Flourish.
- 3.5 ATF (Achieve Thrive Flourish) was founded in 2012, working with communities and young people at risk of exclusion to provide a safe environment, increased opportunity and enhanced wellbeing. Further detail on their submission is detailed within Appendix 2.
- 3.6 ATF Southend's mission is to use the sports pavilion and tennis court as a community hub for sports, physical, health and wellbeing activities.
- 3.7 There is a significant amount of capital works required to bring the pavilion up to the required standard and to make it a usable community asset instead of just changing rooms.

- 3.8 ATF offer significant social value to the local community and residents including life skills, improved health and wellbeing, social inclusions, community engagement, youth work (reduction in ASB) partnership work, qualifications (coaching awards) and volunteering opportunities.
- 3.9 As a registered charity, ATF programmes are grant funded therefore require time to build their programmes to demonstrate the impact of their programmes to the funders from Great Wakering; this would generate wider investment into the charity. To secure funding ATF require a lease term of 25 years or more.
- 3.10 The Council's Disposal Framework (2018) sets out that an asset will be deemed surplus to requirements if it does not meet at least one of the objectives outlined in the Council's Asset Strategy in its current condition and use. The granting of a lease would also support the objectives of the Business Plan to 'Maximise our Assets'.

#### **4 PROPOSED HEADS OF TERMS**

- 4.1 The proposed main heads of terms of the lease are as follows:-
- 28-year lease term at a peppercorn rent from 1st to 7th year. Rent will be adjusted to £1,200 p.a. from 8th anniversary;
  - Rent review on 8th, 15th and 22nd anniversary;
  - Break clause with 6-month notice starting from the 4th anniversary;
  - Landlord to insure the building and recharge tenant. Tenant to insure all stock, equipment and other contents on the demised premises;
  - All utilities costs are borne by the tenant;
  - Tenant to be responsible for internal maintenance and cleaning;
  - Tenant to provide Public Liability Insurance;
  - No security of tenure; and
  - Allow access to changing rooms for football pitch users.

#### **5 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Continuing to maintain the building in its current condition is not a viable option. Keeping its existing condition would not maximise the asset or provide an opportunity to generate a rental income through commercial use of the asset.

**6 RISK IMPLICATIONS**

- 6.1 All leases carry a risk of tenant forfeiture and/or potential damage to the fabric of the asset. This will be mitigated by site inspections to ensure the tenant meets their requirements under the terms of the lease.
- 6.2 The Council will ensure that any liabilities it retains under the lease are properly managed through periodic inspection of the leased asset.

**7 CRIME AND DISORDER IMPLICATIONS**

- 7.1 Any vacant building can attract anti-social behaviour; it is anticipated that bringing the building back into occupation will have a positive effect in this regard.

**8 ENVIRONMENTAL IMPLICATIONS**

- 8.1 None.

**9 RESOURCE IMPLICATIONS**

- 9.1 The Pavilion could potentially attract a market rent of c£9,500 p.a according to the valuation conducted by Ayers & Cruiks as of August 2022 detailed in Appendix 3.
- 9.2 The Council reserves the right to offer a rent free period or peppercorn rent to a tenant in return for the required investment to refurbish the asset, which will minimise the upfront cost to the Council and the risk of voids. It will also reduce the liability associated with maintaining the asset.

**10 LEGAL IMPLICATIONS**

- 10.1 This lease will be negotiated with due regard to the Council's Disposal Framework (2018) and Lease Policy (Amended 2018). Under section 123 of the Local Government Act 1972, Local Authorities are under a legal obligation to secure best consideration for use of their assets, unless a lower value can be justified because of the benefits to the economic, environmental or social wellbeing of the community.
- 10.2 Upon expiry of the lease there will not be an automatic renewal. The final recommended tenant may request a new lease but under the Council's lease policy, there is no security of tenure (right to renew).

**11 EQUALITY AND DIVERSITY IMPLICATIONS**

- 11.1 An Equality Impact Assessment (EIA) has been completed and found there to be no negative impact on protected groups as defined under the Equality Act 2010.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to read 'Phoebe Barnes'.

CLT Lead Officer Signature:

**Phoebe Barnes (Director of Assets & Investment)**

**Background Papers:-**

None.

For further information please contact Phoebe Barnes, Director of Assets & Investment on:-

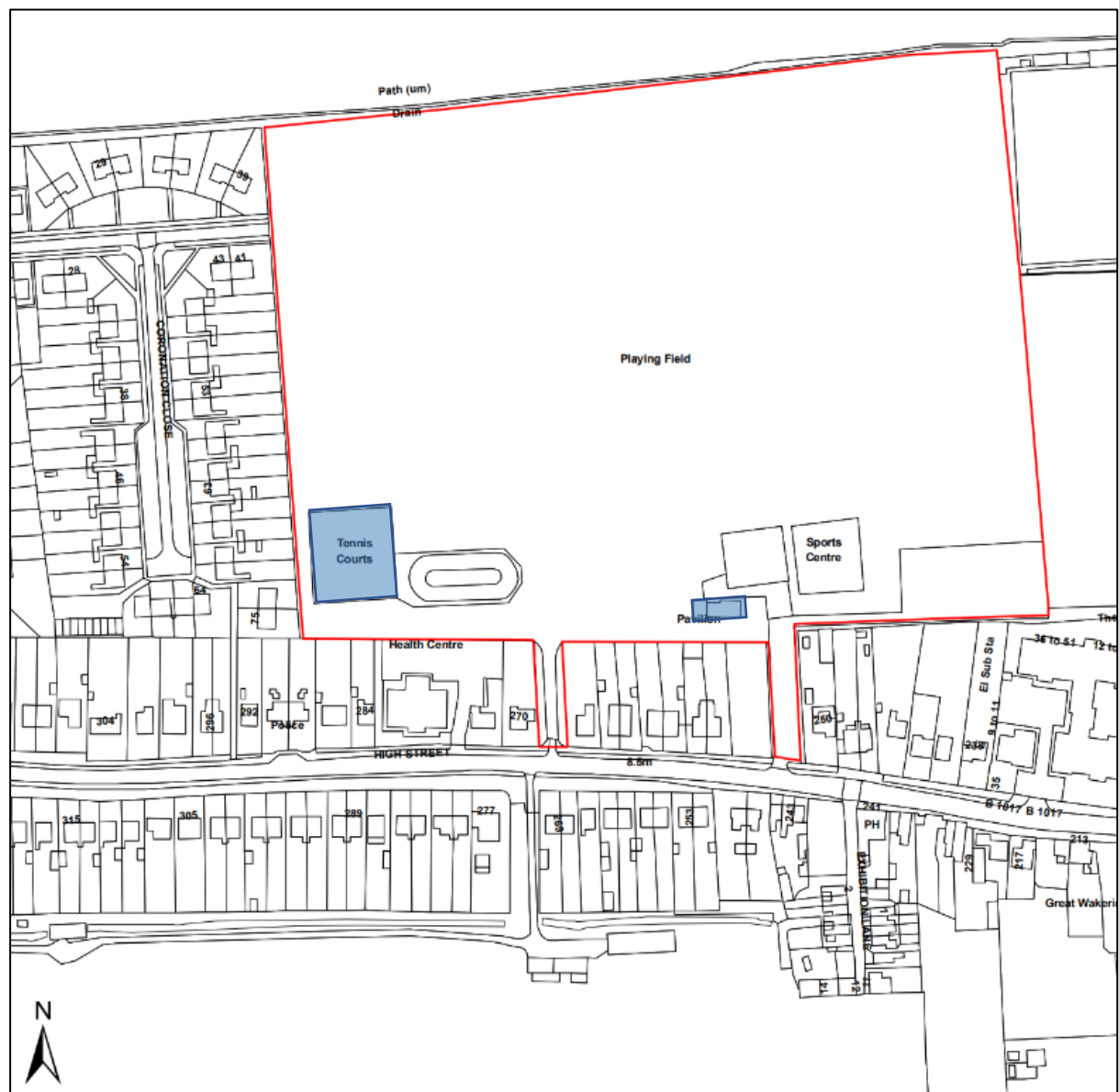
Phone: 01277 312839

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If you would like this report in large print, Braille or another language please contact 01702 318111.

APPENDIX 1

Sports Pavilion and Tennis Court at Great Wakering



 Subject Property

For Identification Only

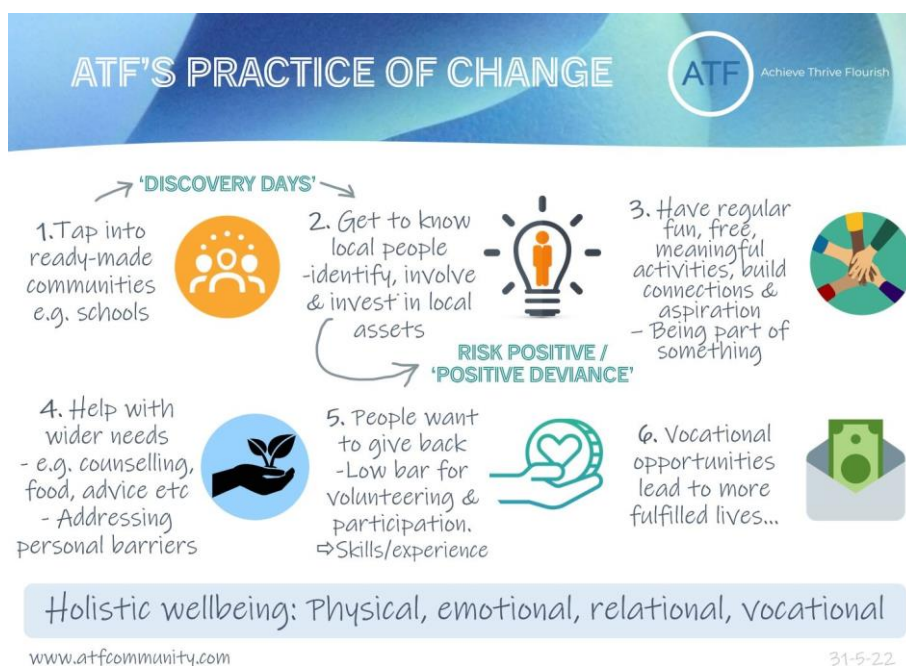


## Expression of Interest – Sports Pavilion, Great Wakering

ATF (Achieve Thrive Flourish) are pleased to submit an expression of interest for the occupancy of the sports pavilion at High Street, Great Wakering.

We believe that this community asset is ideally situated to help build and grow the existing programme of activities, supported and delivered by ATF, that local residents are already benefiting from.

The aim would be to embed our 'Practice of Change' model, using the Sports Pavilion and the Recreational Ground as the community hub, whilst connecting to the other local assets and networks.



### So, who are we?

Since 2012, ATF has been working with communities, and young people at risk of exclusion to provide a safe environment, increased opportunity and enhanced wellbeing.

Through building a sense of togetherness and teaching life skills through sport, art, heritage and culture, we have seen a positive impact on anti-social behaviour in the areas we work.

We work with a broad range of partners including residents, schools, councils, The Probation Service, sports organisations and housing associations.

Working together, we deliver inspiring programmes and opportunities for young people aged 5 to 11 and 12 to 24, as well as inter-generational activities. Together we continue to build bridges between communities and increase cohesion.

We are excited as a charity about the opportunities that lie ahead of us. The reductions we have seen in anti-social behaviour, the positive impact of free, supportive and challenging sports coaching, and the effects of accredited education programmes have convinced us that the best is yet to come!

## **Additional information**

### **1) Detail the objectives of the organisation.**

ATF operates within a set of core values which include:-

- (1) Quality in all that we do
- (2) Equality & inclusivity to ensure our opportunities are open and accessible to all
- (3) 'The community has the answers': supporting and developing the assets, creativity and solutions that already lie within communities
- (4) Continual Improvement: fostering a culture of learning, development and growth
- (5) 'Stronger together': developing strong, collaborative relationships with communities, stakeholders and statutory organisations which benefit the whole community
- (6) Adaptability and Flexibility: actively responding to the changing needs and challenges within the local and national landscape
- (7) Transparency & Openness: operating with accountability, open to challenge and being challenged

More details can be found within the ATF Business Plan link - [ATF Business Plan — Achieve Thrive Flourish \(atfcommunity.com\)](https://atfcommunity.com/ATF-Business-Plan-Achieve-Thrive-Flourish)

### **2) A Development plan for activities to be carried out to include community benefits**

As mentioned, ATF already deliver and support several free activities within Great Woking. These include –

- ParkPlay – a family activity session every Saturday 10-11:30am
- Netball – for girls and ladies 12 years up every Wednesday 6-7:30pm
- Fitness session – for 11-16 year olds every Thursday 5-6pm
- Community Football – all ages, every Thursday 6-7pm
- Holiday session – 11-16 year olds, 3 hour sessions including hot food

It is our intention to increase the number of activities/sessions that we offer throughout the week including –

- Ladies only Boxfit sessions – Weekly during school term times
- 11–16-year-old Boxfit sessions - Weekly during school term times
- ATF Kid's sessions - Mondays, Wednesdays and Fridays during school term times

- Chair based/low impact fitness session – Weekly
- Exercise referral sessions – Weekly sessions for residents who have been referred by the local GP
- Weight management courses – 8-week programme supporting residents to lose weight.
- Leapsprogs – Weekly fitness classes for children and toddlers up to 5yrs old.
- Community Hub – Where we can help residents with exploring options for practical support, free counselling, signposting and referrals to agencies such as Citizen's advice, Department for Work and Pensions, Housing Benefit and other public sector services.

ATF has used sport and physical activity as a vehicle to engage with residents to help generate self-worth, achievement, purpose and community connection.

This, in turn, has helped to combat anti-social behaviour and other harmful behaviours associated with deprivation and health inequality in some of the most challenged areas of South Essex.

ATF has expanded its focus to being a multi-sport clubs and more widely offering other meaningful lifestyle activities such as gardening and horticulture, arts and culture, media creation and heritage programmes.

We have found that broadening our activities has enabled us to engage a wider range of residents, as well as generating greater community cohesion and understanding between community members of all ages and socio-cultural backgrounds.

A key outcome and benefit from our programmes are an increase in confidence, skills and achievements and ultimately individuals becoming positively engaged with the wider community.

All of our programmes/activities aim to meet and support 3 key 'pillars':

- 1) Physical activity & development
- 2) Cultural & community enrichment
- 3) Personal development & achievement

These 'pillars', have guided our new strategy which will take us through the next 3-years as outlined in the Business Plan.

More details on our activity sessions can be found within the What's on link - [What's on — Achieve Thrive Flourish \(atfcommunity.com\)](https://atfcommunity.com)

### **3) Financial standing and evidence of sustainability.**

ATF was formally registered as a charity in 2018 and has developed quickly, generating c£60k in its first year and we have secured c£90k for 2020/21.

Our financial targets include:-

- 1) Secure 3 x programmes for 2021 – 23 which will take our turnover to c£290k
- 2) Consolidate the budget / operations over the next 3-years as we develop formal fund-raising strategy and income generation



3) Upscale in 2022 – 25 to add new geographic areas where we will deliver the ATF offer – each area's offer will be costed at c£50 – 65k

4) This will push our budgets to c£290k per year for the charity as a whole

5) Developing sustainability and building reserves for financial security reaching a level of 6-months' running costs which is a target as recommended by the Charity Commission.

To date, since being formally registered as a charity, ATF has been supported financially by the following funders:-

- Big Lottery Reaching Communities - £62,000.00
  - Active Essex Satellite Club - £3,950.00
  - Peoples Health Trust - £12,000.00
  - Essex CC - £28,000.00
  - Beechwood Trust - £5,000.00
  - Sanctuary - £10,800.00
  - Simply Health - £2,000.00
  - Breathing Space/Heritage - £28,000.00
- Total £151,750.00**

More details on our Accounts can be found at the following link - [Annual Accounts — Achieve Thrive Flourish \(atfcommunity.com\)](https://atfcommunity.com/annual-accounts)

Attached is a copy of the 2020/21 accounts.

#### **4) Proposed lease terms**

We are aware that the terms of the lease are negotiable, however as a minimum we would be looking for at least 7 years to attract funding in order to develop and enhance the facility.

As a charity we would ideally be looking for a peppercorn rent, and we would welcome an early opportunity to discuss this further with the Asset Management team.

#### **5) Insurance documentation**

Attached is a copy of the current insurance certificate.

#### **6) Health and Safety Policy**

Attached is a copy of the current H&S Policy.

#### **7) Safeguarding Policy**

Details of our Safeguarding policy can be found at the following link - [Safeguarding — Achieve Thrive Flourish \(atfcommunity.com\)](https://atfcommunity.com/safeguarding)

We are really excited by the potential opportunity and hope that this submission provides all the information required. We would be happy to meet and discuss our EOI in more detail, however

should you require any further information prior to this please contact either Stuart Long or Andy Knight on the details below.

**Stuart Long**

ATF CEO

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**Andy Knight**

ATF Board Member

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Appendix 3

**Ayers & Cruiks**



## **REPORT & VALUATION**

### **In Respect Of**

Sports Pavilion Great Wakering Recreation Ground  
High Street Great Wakering  
Essex SS3 0HX

**Prepared For**  
Rochford District Council

**Prepared By**  
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Directors S.R. Ayers, K.D. Cruiks BSc FRICS, C. Lushley BSc Associate Director D. Clarke  
Highlands Properties Limited t/a Ayers & Cruiks. Registered Company No 3357947

8.11



## **INSTRUCTIONS**

We refer to written instructions received from Mr William Mao, Asset Surveyor for Rochford District Council for us to provide Rental Valuations for two premises, one situated in the High Street of Great Wakering in Southend-on-Sea, Essex; the other in Hullbridge in Essex.

We confirmed our instructions with Mr Mao and attended the premises on the morning of Monday, 15 August 2022. The weather at the time was warm and sunny.

We understand the Valuations are required to assist the Council in considering future uses for the premises as part of their overall property strategy.

We confirm that the Valuations have been prepared in accordance with the Practice Statements and Guidance Notes contained within the Valuation Standards issued by the RICS which incorporate the International Valuation Standards.

We confirm that the Valuations have been prepared on an 'arm's length' basis and there is no conflict of interest as a result of this company or the Valuer accepting this instruction.

Having considered the matter, we are pleased to report as follows.

## **GREAT WAKERING PAVILION, HIGH STREET, GREAT WAKERING, ESSEX SS3 0HX**

### **DESCRIPTION AND LOCATION**

The property comprises a single storey building of brick construction under a flat roof situated in the village of Great Wakering, which lies to the north-east of Southend and to the north of Shoeburyness.

The property is accessed off of High Street, Great Wakering which runs east from its junction with Southend Road and Star Lane into the town centre. Access to the site is via a narrow driveway on the north side of High Street, just to the west of the Exhibition Inn public house. The road gives vehicular access and offers parking spaces for public use leading round into a large surface carpark which overlooks playing fields and sports facilities.

The site is shared by the Samantha Boyd School of Dance, which is a large industrial-style building that is used as a dance academy. The subject building sits just to the south of the dance school with access to the carpark and the access road.

The property appears to have been unused for a considerable period of time and we were unable to access the interior of the premises. There is a large tree overhanging the eastern flank.

The property appears to have a flat roof, but we were unable to inspect its condition. The exterior has been graffitied and vandalised and generally requires refurbishment.

We have been provided with a floor plan which shows that the interior is divided up to provide changing rooms, showers, toilets and again we have been provided with pictures which suggest that the interior is dated and in need of refurbishment.

### **ACCOMMODATION**

We were not able to access the property but measured the external dimensions and checked these on our Promap digital mapping system.

Gross External Area (GEA)	1,275 sqft	118.44 sqm
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### **CONDITION**

We have not carried out a detailed inspection or a building survey into the nature of construction or the fabric of the building. We were not able to gain access to the interior and as previously mentioned, the exterior has been vandalised and graffitied. The roof does not appear to be in good condition, the external soffits and woodwork again require complete refurbishment.

We have made no investigations into the presence of asbestos or other similar fibrous materials in the property and owners/tenants should make their own investigations in this regard. We would remind all clients that the Control of Asbestos at Work Regulations, which came into force in Spring 2004, will require all responsible persons to identify any asbestos present in their premises and to create a management plan for its maintenance and upkeep.

Specialist advice should be sought in this regard.

## **TENURE**

We have not received a Report on Title and we are assuming that the property benefits from an unencumbered Freehold Title, free of any tie, burden or restriction that would adversely affect value.

We are instructed to provide a Rental Valuation, but it is likely that the properties are in a condition at present that would render them unusable and unlettable. Therefore, we are going to assume that the properties have been refurbished, on the basis to be discussed later in this report and that they will be available on a new Lease of three to five years, with upward only rent reviews on a full repairing and insuring basis and that the tenant will receive a rent-free period to reimburse the cost of their refurbishments.

## **HIGHWAYS**

We are assuming for the purpose of this valuation that High Street Great Wakering is a made-up and adopted road, maintained at the public expense. It is unlikely that the road leading to the dance school and the playground and playing field is adopted and we are assuming that there would be some form of service charge arrangement to cover repairs to this road.

## **PLANNING**

We have been unable to assess the current planning use of the property which has obviously been for a changing and showering facility for the sports facilities in the surrounding parks. The properties have obviously remained unused for some time, and we are assuming that the Council would grant Planning Permission for a commercial use that would render the properties financially viable to attract suitable tenants to the property.

## **SERVICES**

We are assuming that the property benefits from all main utility services, including mains drainage and water connections, electricity and gas if required.

## **ASSESSMENTS**

We could not identify a Rating Assessment for the building on the Valuation Office Agency website.

## **EPC**

We have not been provided with an Energy Performance Certificate for this property. We would point out that due to the Energy Efficiency (Private Rented Property Regulations 2015), EPC's now have more relevance, and with effect from 1<sup>st</sup> April 2018, any commercial or residential property that does not reach Grade E or above, will not be allowed to be let or sub-let unless works are undertaken to bring the property back up to that minimum level. Landlords are therefore encouraged to check the Energy Performance Ratings of their buildings to ensure they meet this minimum level to avoid potential loss of rental income and/or heavy fines.

## **APPRAISAL**

In order to provide a Rental Value for a property, a valuer has to consider the definition of 'Rental Value' which is attached to this report.

Premises such as these are built to provide a social service to the community, allowing changing facilities for those using the sports pavilions and facilities nearby. Sadly, there does not appear to be the need for such properties, and they appear to have been lying dormant for some time which has led to vandalism and a lack of repair.

In order to provide a Rental Valuation, we need to consider what commercial uses might be suitable for the property which is situated in a secluded location away from a main high street or shopping parade. The property is surrounded by residential dwellings and the facilities of the park and does have the dance academy located immediately next door to it.

There is plenty of carparking, a reasonable degree of passing trade from the park and the dance academy, but the level of this trade is probably insufficient to support any business needing to pay a commercial rent for a property of this size.

We have to make a number of assumptions in trying to consider what sort of business could make sufficient money to pay a market rent from the use of the property and these are likely to be quite specialist operations, not reliant on passing trade.

The property is of a sufficient size in that it may be able to be stripped and converted to form facilities for something like a martial arts academy, perhaps some form of quasi-medical use (such as physiotherapy) or a number of other users, but due to its condition and the installed facilities for its current use, it is very unlikely that anyone would wish to expend large capital sums converting the property back into a condition that would render it habitable for such uses.

It is likely that the Council will have to offer considerable incentives for someone to take on this liability, and this is likely to be in the form of a capital contribution, or a rent-free period which will allow the tenants to invest their money into converting and refurbishing the property to suit their particular use, whereupon they will benefit from having to pay no rent for what is likely to be a number of years whilst they recoup the money spent through free occupation of the property.

The second issue is that businesses of this nature will not enjoy a huge turnover and profit margins are likely to be quite tight. Therefore, they are unlikely to commit to a long-term Lease, preferring instead to have regular break clauses which will allow them to rid themselves of the Lease liability if the business does not trade profitably. This presents the possibility that if the capital input required by the tenant cannot be paid back over the time of the short-term Lease, or Lease with break clauses, the tenant will lose out on their investment for refurbishing the property.

The slightly isolated location in what is a small town again provides a limit to the potential turnover and profit of any business that may take this on.

We have had to assume that such a tenant could be found who would invest their money on what is a fairly long-term project in return for a long-term rent-free period of, say, three to five years and would then maintain the premises on a full repairing and insuring Lease and hand back the premises to the Council at the end of the Lease in good repair in accordance with the terms of the full repairing Lease.



## **VALUATION**

We are of the opinion that the Market Rental value of the premises making the assumptions above is £9,500 per annum.

## **COMPARABLES**

There are no directly comparable properties that we can use in our Valuation. We have therefore had to make assumptions as previously described and have used our knowledge and experience of the local marketplace in reaching these assumptions.

## **DEFINITIONS**

### **Market Value (MV)**

The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.

### **Market Rent (MR)**

The estimated amount for which a property, or space within a property, should lease (let) on the date of valuation between a willing lessor and a willing lessee on appropriate lease terms in an arm's-length transaction after proper marketing wherein the parties had acted knowledgeably, prudently, and without compulsion.

## **CAVEATS**

We have not arranged for any investigation to be carried out to determine whether or not any deleterious or hazardous material has been used in the construction of this property or has since been incorporated and we are, therefore, unable to report that the property is free from risk in this respect. For the purpose of this valuation, we have assumed that such investigation would not disclose the presence of any such material to any significant extent. Should you require further clarification in this respect a specialist contractor/consultant should be engaged.

Our enquiries have not revealed any contamination affecting the property or neighbouring property which would affect our valuation. However, should it be established subsequently that contamination exists at the property or on any neighbouring land, or that the premises have been or are being put to any contaminative use, this might reduce values now reported.

No allowance has been made for expenses of realisation nor for Taxation which might arise in the event of disposal.

We have assumed there to be no onerous ties, Statutory Notices, burdens, restrictions, or covenants which might materially affect the value of this property. Should further investigations reveal any defects in title, the valuation may alter.

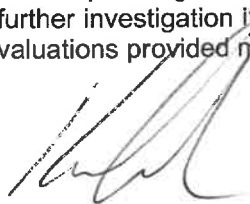
No survey of the site has been carried out, and no soil analysis has been undertaken. This valuation has been prepared on the basis no adverse condition exists within the soil composition that would have required further analysis and additional foundations to be laid as a condition of Planning and Building Regulation approval, and no warranty in this regard is therefore made.

Your instructions did not include carrying out a structural survey, and we have therefore assumed for this purpose that the premises are free from any significant defect which might be revealed on a more detailed examination, and which might adversely affect their value. We cannot express an opinion about, or advise upon, the condition of any uninspected parts of the building, and this Report should not be taken as making any implied representation or statement about such parts. Should any specific assurances be required in respect of the construction and repair of the property, a full structural survey should be undertaken.

No enquiries have been made of the Local Planning Authority in connection with the lawful use of the premises. For the purpose of this Report, it is assumed that no breach of Town Planning legislation exists so that the use of the premises described herein was expressly granted by the Planning Authority and complies with the Use Classes Order and consolidating legislation.

This Report is for the sole use of the person or body to whom it is addressed for the specific purposes, and must not be used, reproduced, or relied upon in whole or in part by any third party for any purpose whatsoever, without the express written authority of AYERS & CRUIKS

The details of the tenancies as described herein have been supplied to this Company and have been relied upon in good faith. No enquiries have been made to certify the income shown, and whereupon further investigation it be shown that the tenancies and details of income differ from those reported, the valuations provided may alter accordingly.



Kevin Cruiks BSc FRICS  
**Ayers & Cruiks**

22 August 2022

## PHOTOGRAPHS



Great Waking







Great Waking



ORDNANCE SURVEY EXTRACT

