

# Corporate Policy and Resources Committee

Monday 28<sup>th</sup> November 2022

<b>Title</b>	Review of Community Lettings Policy
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Katherine McIlroy - Property Manager.
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ul style="list-style-type: none"> <li>• Approve the revised Community Lettings Policy.</li> <li>• Approve the recommendation of the Community Lettings Policy Task Group in relation to two supplemental community lettings. Firstly, a new lease of the whole of Long Lane Pavilion, Stanwell to Stanwell Events. Second, the supplemental letting of the changing rooms at Ashford Recreation Ground, Clockhouse Lane, Ashford to Dramatize.</li> </ul>
<b>Reason for Recommendation</b>	<p>The Community Lettings Policy was reviewed and it was apparent that the Policy did not sufficiently cover all applications from tenants, community groups, residents and businesses that Officers were dealing with on a daily basis. At Corporate Policy and Resource Committee on 11<sup>th</sup> July 2022 it was agreed that a Task Group would be established to agree amendments to the policy. The Task Group has now agreed the revised policy and is seeking approval from the Committee for it to be adopted. Furthermore, two urgent requests from existing tenants, namely Stanwell Events and Dramatize were reviewed by the Task Group in lieu of the current policy not adequately covering their application. The Committee is required to approve the Task Groups recommendation to approve the new lease of additional space to both Stanwell Events at Long Lane Pavilion, Stanwell and to Dramatize at Ashford Pavilion, Ashford Recreation Ground.</p>

## **1. Summary of the report**

- 1.1 The Community Lettings Policy provides a transparent, equitable process for the assessment of community assets and their use. It provides a framework for letting community assets.
- 1.2 The review of the Community Lettings Policy was presented to Corporate Policy and Resources Committee on 11<sup>th</sup> July 2022. The review highlighted Officers were receiving a significant number of applications which were not covered by the Policy. This meant that Officers had no clear guidance as to how to respond to the applications or the route for approval.
- 1.3 At Committee on 11<sup>th</sup> July 2022, it was agreed that a Task Group, consisting of Members would be established to review the Policy. The revised Policy would assist Officers and Members in dealing with property leasing matters within the community and affecting community assets.
- 1.4 It was also agreed that Officers would not to pursue community leasing applications until the Committee had approved a strategy and reviewed the Policy.
- 1.5 At Committee, Members raised two urgent applications which were awaiting a decision. It was agreed that the Task Group would review the two applications in parallel with the policy review as time was of the essence.

## **2. Key issues**

- 2.1 The current Community Lettings Policy was silent on applications from existing tenants who applied to take additional space within the same building or property that they occupy under lease. It did not cover applications from existing tenants or third parties that applied to refurbish existing but derelict and vacant assets. There was no guidance for Officers when applications were received from third parties or community groups looking to develop new assets on Council land.
- 2.2 The most significant change to the Policy has been an amendment to allow greater involvement from Ward Councillors. There is also an emphasis on the Asset Management Team working in collaboration with other departments including Neighbourhood Services and Community Wellbeing (known as Corporate Working Group) in reviewing a property related enquiries.
- 2.3 In situations where existing tenants approach the Council to take a lease of additional space or extend the lease term or would like to renew their lease (where they have no legal rights to renew) a recommendation will made to the Ward Councillors to decide whether the Community Lettings Policy Procedure should apply. The Community Lettings Policy Procedure refers to the advertising of the property on the Council's website to invite alternative expressions of interest in the asset. If Ward Councillors do agree that the letting to an existing tenant should be exempt from the being openly advertised, then it is referred to the Chair & Vice Chair of CPRC to agree and complete the Exceptional Circumstances Form.
- 2.4 The Task Group have introduced a score card for the Asset Manager to completed as part of the recommendation process. It is used to demonstrate whether the tenant is meeting certain expectations including the payment of

rent, compliance with lease terms, beneficial community use and good landlord/tenant and neighbourly relations.

- 2.5 The Task Group has agreed that Officers are not to consider applications to develop new assets on recreational grounds and green open spaces by third parties.
- 2.6 Existing assets or buildings which are vacant may be considered for use as a community asset. In these circumstances the Asset Management Team in conjunction with the Corporate Working Group (comprising of Neighbourhood Services and Community Wellbeing) will assess the feasibility of the asset for community use and make a recommendation to Ward Councillors. If Ward Councillors support the use of the property as a community asset then the Community Lettings Policy Procedure will apply to identify an appropriate tenant. If additional expenditure is required it may be subject further approval in line with the Council's Constitution.
- 2.7 The current policy does not cover the application of existing tenants to take a further lease of space within the same building. Stanwell Events and Dramatize have both approached the Council for support to take a lease of additional space to expand their services to the community. Since the policy does not specifically cover this scenario, the Task Group met to discuss whether a letting could be granted to the two organisations without the need to openly advertise the space as is required under the Policy.
- 2.8 Stanwell Events were granted a 5 year lease of the ground floor of Long Lane Pavilion in Stanwell in November 2021 at a rent of £2,000 per annum.
- 2.9 Stanwell Events is a registered charity (charity number 1187357). They use the premises to operate the Stanwell Foodbank together with other community initiatives. During the pandemic they delivered over 450,000 meal equivalents to local residents, they continue to use the premises to provide meals to those in need (during the school holidays in conjunction with Surrey County Council they provided meals for children) and run cookery classes with families. They have partnered with Citizens Advice Runnymede and Spelthorne (CARS) and the police and have intentions to expand links with local voluntary and public sector services.
- 2.10 Stanwell Events are in need of additional space to expand the services that they offer. They require a larger communal space to hold group meetings as well as office space for their own use and use by their voluntary-sector partners to hold confidential meetings.
- 2.11 Stanwell Events secured planning permission for an extension at ground floor level and a change of use and extension at first floor level in June 2022 (planning application number 22/00511/FUL).
- 2.12 Stanwell Events would approach the development in two phases, phase one would extend the ground floor and install a lift to provide disabled access to the first floor. Phase two would include the extension of the first floor. Whilst some funding has been provided, to secure the majority of the funding they are reliant on the grant by the Council of a 25 year lease of the whole property in order to satisfy funding partners.
- 2.13 They have applied to the Council to take a 25 year lease of the whole property including the first floor flat which currently provides temporary housing for homeless families.

- 2.14 Stanwell Events are at the second submission stage of Your Fund Surrey and have other funding applications which rest on the Council's approval for the grant of a longer lease.
- 2.15 Dramatize currently occupy part of the Ashford Recreation Ground pavilion, Clockhouse Lane, Ashford. They hold a lease until June 2033 at an annual rent of £9,000.
- 2.16 Dramatize is a registered charity (registration number 1095576). They provide meaningful life-based skills, work experience, therapies and fun for their students with learning disabilities in Spelthorne. Their aim is to support their students to ensure they reach their personal goals and full potential.
- 2.17 Dramatize have a waiting list of students who would like to benefit from their program. They have applied to the Council to take a lease of the changing rooms within the pavilion. The changing rooms would provide much-needed space and allow Dramatize to accommodate those currently on the waiting list.

### **3. Options analysis and proposal**

- 3.1 The Task Group are recommending the approval of the revised Community Lettings Policy. The policy will provide a framework for Officers, Members and third parties to understand the decision-making process with regard to the letting of the Council's community assets. By not accepting the recommendation of the Task Group a level of ambiguity will surround the reviewing and leasing of Council assets.
- 3.2 The Task Group support Stanwell Events in their application to lease the ground and first floor of Long Lane Pavilion on a 25 year lease term. They recognise the exceptional support that Stanwell Events provides to the local community and the importance of this work continuing in the current economic climate.
- 3.3 The Task Group supports Dramatize in their application to lease the changing rooms at Ashford Pavilion which will allow the charity to expand their services to people with learning disabilities in the borough.

### **4. Financial implications**

- 4.1 The letting of Long Lane Pavilion to Stanwell Events will involve the loss of a two-bedroom flat which is used by the Council as temporary accommodation. The net annual cost of placing families in alternative bed and breakfast is estimated as £6000 per annum. Were the Council to try to purchase a like for like property the cost would be in excess of £400k.
- 4.2 The letting to Dramatize will involve the loss of a changing room provision at Ashford Recreation Ground. There would be a financial cost to replacing the changing rooms. The football pitches and changing room facilities have been booked on an ad hoc basis by a team called Football Casuals on alternate Sundays. They do not have an annual licence.

### **5. Risk considerations**

- 5.1 There are no risk considerations involved in agreeing with the recommendation to amend the Community Lettings Policy.

### **6. Procurement considerations**

6.1 The Procurement team have been consulted and there are no procurement considerations arising from this report.

## **7. Legal considerations**

7.1 The Community Lettings Policy as revised has been reviewed by the Legal team and they have advised on the governance aspects of the Policy.

7.2 The Legal Team will be involved with the drafting of suitable lease agreements with the Stanwell Events and Dramatize should the recommendation of the Task Group be approved.

## **8. Other considerations**

8.1 Long Lane Recreation Ground is located within the Greenbelt. This prevents Stanwell Events from extending the building footprint beyond the limits of the existing paved footprint. The inclusion of the first floor flat is the only option available to the Council if they decide to support Stanwell Events and provide them with the additional space that they require.

8.2 The Council does not have alternative space to offer Dramatize at Ashford Recreation Ground. The option of portacabins on the hardstanding adjacent to the pavilion was considered. This was discounted as it would be detrimental to the visual amenity and set a precedent for similar requests at other parks.

8.3 Ashford Recreation Ground is not located within the Greenbelt. As such it would be possible, subject to planning to build a modern changing facility if the football pitches were to be upgraded for regular team play. The Task Group thought that changing facilities, should they be required in the future could be provided in an alternative location within the recreational ground. This would be at a future cost to the Council.

## **9. Equality and Diversity**

9.1 The review of the Community Lettings Policy will provide a framework for leasing the Council's assets in a transparent and inclusive manner.

9.2 Both Stanwell Events and Dramatize are charitable organisations whose purpose and objectives are intrinsically linked to ensuring and promoting equality.

## **10. Sustainability/Climate Change Implications**

10.1 The Council is committed to ensuring that its community assets are used to provide maximum benefit to the residents of the borough. The Community Lettings Policy supports this process and provides a method of reviewing the use of the assets and an open and transparent method of leasing.

10.2 Long Lane Pavilion at Stanwell was underused for many years until Stanwell Events took a lease. The ground floor of the building was unfit for purpose. Stanwell Events have ambitious plans to make significant alterations to the building so that it can be utilised as a community foodbank, kitchen and hub.

10.3 The changing rooms at Ashford Recreation Ground are currently underused. Funding would be required to improve the football pitches to enable the recreation ground to host a permanent football club. Whilst the Task Group recognise the importance of improving the sporting facilities in the borough it was felt that the changing rooms would better meet community need by immediate use by Dramatize.

## **11. Timetable for implementation**

11.1 If the Community Lettings Policy is approved without amendments, the revised policy will be published on the Council's website. It will form the framework for all future community asset lettings.

11.2 On approval of the lettings to both Stanwell Events and Dramatize, the Asset Management Team will agree the details of the leasing arrangement and the legal team will draft suitable documentation.

## **12. Contact**

12.1 The author of this report is Katherine McIlroy who can be contacted at [k.mcilroy@spelthorne.gov.uk](mailto:k.mcilroy@spelthorne.gov.uk).

**Background papers: There are none.**

### **Appendices:**

**Appendix A** – Revised Community Lettings Policy

**Appendix B** – Community Lettings Policy Appendix 1 Further Information Form

**Appendix C** – Community Lettings Policy Appendix 2 Sample Scoring Matrix Form

**Appendix D** – Community Lettings Policy Appendix 3 Flow chart of the Community Lettings Procedure.

**Appendix E** – Community Lettings Policy Appendix 4 Community Letting Policy Flow Chart.

**Appendix F** – Community Lettings Policy Appendix 5 Tenant Score Card.