

CABINET

DATE OF MEETING: 6 APRIL 2023

TITLE OF REPORT: Hartley Wintney Cricket Club Lease

Report of the Chief Executive

Cabinet Portfolio: Corporate Services

Key Decision: Yes

Confidentiality: Non Exempt

PURPOSE

1. The purpose of this report is to seek Cabinet's approval for a new lease for Hartley Wintney Cricket Club.

RECOMMENDATION

2. The Chief Executive be authorised to agree a surrender and a simultaneous re-grant of a new lease to Hartley Wintney Crick Club for a term of 25 years with the initial rent set at £1,000 per annum subject to RPI annual increase with a cap and collar of 1% and 3%.

BACKGROUND

3. Hartley Wintney Cricket Club (HWCC) occupies land leased from the Council on Central Common just behind the High Street.
4. The current lease was granted on 6th July 2009 for 25 years at an initial rent of £1,000 per annum. Rent is subject to RPI increases. The current rent is circa £1,900 per annum. The term of the lease expires on 1st July 2034 (11 years unexpired term) and it is a Full repairing and insuring lease.

THE ISSUES

5. HWCC would like to update the lease looking at the current rent payable and updating on modern terms. The current rent is RPI's every year and is now becoming un-affordable given the other cost of living increases such as heat, light, materials etc. RPI indexation is also very volatile under the current economic conditions and therefore make it difficult for the Club to budget and project cashflow into the future.
6. HWCC would also like to carry out works of modernisation to the premises including updating the "away" changing room, which is currently just a curtained off area from the main clubhouse.
7. Finally, HWCC would separately like to re-seed the pitch between September and October each year, but need to find a way of keeping members of the public off this area for 6 weeks whilst the grass grows, fully aware that the land is part of the

Common. As it stands currently the Club cannot fulfil fully its repairing obligations to keep the premises in “substantial repair and condition” as re-seeding the pitch is proving problematic.

8. Funding opportunities are limited given that HWCC have only 11 years remaining on their lease.

THE PROPOSAL

9. The Proposal is that the Council agrees to a surrender and a simultaneous re-grant of a new lease on modern terms for a term of 25 years.
10. The initial rent would be set at £1,000 per annum subject to RPI annual increase with a cap and collar of 1% and 3%. This will protect the minimum increase to the Council and assist in HWCC being able to budget and forecast their cashflow more accurately.
11. The 25 year term will allow HWCC access to more funding opportunities.
12. In terms of re-seeding the pitch is HWCC is seeking Council support in its PINS application in order to “close” access to the portion of the pitch which is being re-seeded for 6 weeks per year. HWCC hope that the Council can work with them to ascertain the most appropriate means of securing this area.
13. Finally, the Council would work with HWCC in terms of bi-annual tree surveys and remedial works to roots etc to protect the pitch from future damage.

CONSIDERATION

14. There is no operation disadvantages in the proposals presented and it does mean that HWCC can maintain a beneficial and affordable use of the land and buildings.
15. The issue of the reseeded and HWCC’s need to “close” a section of the field which is common land will separately need the Secretary of State’s approval, but it is not dependant on or required as part of the new lease proposal.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED WHEN THIS DECISION WAS MADE

16. Not to grant a new lease would not be an appropriate alternative option. It would ultimately leave the land and buildings without a beneficial use.

EQUALITIES

17. The proposal raises no equality issues.

ACTION

18. Subject to Cabinet’s approval a new lease will be finalised with Hartley Wintney Cricket Club.

Contact: Daryl Phillips, Chief Executive