

## Agenda item: 5

<b>Committee</b>	Assets & Services Committee
<b>Month</b>	January 2023 2022
<b>Report Title</b>	Crabtree's Lease / MUGA Lease
<b>Report Author</b>	Terry Frostick- Operations Manager
<b>Attachments</b>	None



### Summary

The current Crabtree's lease with the Ladies football club expired September 2022 and Council approved (See Min ref A & S 039-22 March 2022) to issue a new lease for 10 years to Plantation Youth Football Club.

The Council and Plantation have been in dialogue regarding the new lease and a draft lease is nearing completion.

During the discussions the MUGA area was highlighted as being in a poor condition and requiring thousands of pounds (estimated at circa £80,000) of investment to make the area usable: the site was never completed satisfactorily by the developers which Council were aware of at the time of handover (Circa 2014). Further negotiations between the developer and the Council came to a natural end with no further involvement from the developer thus leaving the Council with a site usable but not 100% fit for purpose.

It was envisaged by the Council that the lease to the Ladies Football Club and the potential hiring out of the MUGA area would produce income to help rectify the site. This sadly was not the case as hardly anyone wished to use the MUGA for hire and it has mainly been used for free by anyone who wished to use it for no income.

Plantation and Saffron Walden Community Youth Sports Club (the legal entity and charity that operates SWCFC) and I have met to discuss a way forward to bring the MUGA up to a standard that would be beneficial to all as both clubs have the same ethos and objectives.

Plantation have agreed to the removal of the MUGA area subject to Council approval which is a separate title from their proposed lease for the pavilion and football pitch and recognise SWCYSC are in better financial position to take on the MUGA area and to secure the upgrade and future use of the MUGA area.

Both clubs have committed to work together but as separate entities for the benefit of all both on and off the pitch and any local issues regarding the proposals will be sorted at a local level between each group e.g., usage of electric for flood lighting or toilet usage etc.

During discussions it became clear that should Plantation be granted a slightly longer lease on Crabtree's then the possibility of grant funding may be available to

assist with the pitch works such as the drainage, top-dressing and reseeding works required (Circa £35,000) to bring this area up to FA standard.

The two clubs have proposed:

- The Lease and its obligations, for the MUGA area be removed from the pending Crabtree's lease to Plantation Football Club and be fully assigned to Saffron Walden Community Youth Sports Club (the legal entity and charity that operates SWCFC), with a separate lease being entered into with SWCTSC for the MUGA.
- The expiry date of the new lease of the MUGA area would be to 2050 – to coincide with the new Herbert's Farm Lease being dealt with as per min ref A & S 092-22 Sept 2022 allowing grant funding to be sought for its modernisation.
- A request that £20,000 be granted to SWYCSC or works procured by SWTC up to this value excluding VAT from the S106 monies (Code 9170) held by SWTC for use on the MUGA area which remains unspent to date.
- SWTC give permission to SWCYSC, subject to any 3<sup>rd</sup> party consents being obtained, to upgrade and manage the MUGA area for the lease period as requested.
- The Plantation Football Club Crabtree's lease for the Pavilion and Football pitch be extended to a 21-year lease (currently proposed as a 10-year lease) at time of signature to allow external funding opportunities to be obtained.

Note that as is standard practice for SWTC's club lease arrangements, each of the leases will have the usual 1-year notice break clause.

SWCYSC has recommended that SWTC jointly appoint Tees Law to act on behalf of the Club and Council to draw up a simple lease for the MUGA area.

### **Recommendation**

Committee are asked to support the proposal from Plantation Football Club and SWCYSC as outlined above, and the Town Clerk to appoint a solicitor. Note that SWCYSC & SWTC are jointly liable and responsible for reasonable legal fees incurred in the MUGA transaction.

