

<b>SUBJECT:</b>	<b>LEASE DISPOSAL – SOBRAON BARRACKS</b>
<b>DIRECTORATE:</b>	<b>COMMUNITIES AND ENVIRONMENT</b>
<b>REPORT AUTHOR:</b>	<b>SIMON WALTERS, STRATEGIC DIRECTOR OF COMMUNITIES AND ENVIRONMENT</b>

## **1. Purpose of Report**

- 1.1 To seek approval to accept the surrender of the existing lease of Sobraon Barracks Cricket field and pavilion with Lincoln University and agree terms for a new 25-year Lease and management agreement with Lincolnshire Cricket Ltd.

## **2. Background**

- 2.1 The Sobraon Barracks cricket field and pavilion is an area adjacent to the Territorial Army Barracks near Yarborough Leisure centre. In 2012 the City Council agreed a 25-year lease at a peppercorn rent and management agreement with Lincoln University to manage and operate this site and to promote cricket to university students and members of the local community. As part of this lease agreement significant improvements were made to the cricket field and cricket square. In addition, a completely new pavilion was opened in 2013 funded by the City Council, the University of Lincoln, and the ECB (England & Wales Cricket Board).
- 2.2 Since 2012, despite the significant improvements made to this site, the use of the cricket pitch and pavilion has not proved as popular as expected. Each year since this lease was first signed, the use of these facilities has reduced, the necessary income needed to maintain this site has not been generated and as a consequence, two years ago, the University took the decision to mothball the site.
- 2.3 At present the cricket outfield and square are unfit to accommodate cricket. In addition, due to commercial pressures, the University took the decision to sell its grounds maintenance equipment. The Pavilion is still in excellent condition but remains unused without any plans for future usage.

## **3. Proposal**

- 3.1 The proposal is to accept the surrender of the existing lease and management agreement with Lincoln University and to enter into a new lease and management agreement with Lincolnshire Cricket Ltd for a term of 25 years at a peppercorn rent. This new agreement would enable new strategic funding to be generated from the ECB's strategic fund and the Grass Pitch Improvement Fund (GPIF) (approximately £100K to £120k). This initial funding will be further supported by a sustainable business plan (Appendix 1) to enable the continued development and maintenance of this site.

This new Lease will enable Lincolnshire Cricket Ltd to deliver a high quality, centrally located facility with the capacity to deliver significant impact across a number of

target areas, including girls and ladies' cricket. Women and girls' recreational activities and female coach education.

3.2 Lincolnshire Cricket's development plan features a three phased approach to reinstating the Sobraon barracks cricket ground in a sustainable manner:

- Phase 1: Work will be undertaken to upgrade the outfield and square to enable high quality cricket capable of staging junior and women's County cricket (£100k to £120k)
- Phase 2: Within three years the site will install a new twin net practice bay (£40k).
- Phase 3: To include any modifications needed to the existing pavilion (for example, changing rooms, office, annex etc, funding requirement yet to be decided).

Total project cost of all three phases estimated at £140k to £160k.

## 4. Strategic Priorities

### 4.1 Let's Enhance Our Remarkable Place

This proposal provides the opportunity to invest in the facility to allow the re-introduction of cricket on the site. It will contribute to the range of sports offer across the city. The area will also be maintained as general recreational space for the local community.

## 5. Organisational Impacts

### 5.1 Finance

#### **Revenue Implications**

There are no direct revenue implications arising from this report. The proposed new lease will be broadly on the same terms as that for the University and as such does not create any annual financial commitments for the Council, nor does it provide any income for the Council as it is granted as a peppercorn rent.

#### **Capital Implications**

As the proposal is to lease the land and pavilion to Lincolnshire Cricket the Council will retain the freehold ownership of the asset and there will be no direct capital implications.

### 5.2 Legal Implications

It is proposed that the Council will be entering a new lease with Lincolnshire Cricket, the terms of which have been developed with due consideration to protecting the Council's legal position.

The lease with Lincolnshire Cricket will be entered into at the same time that the University lease is surrendered so there is a seamless transfer of liability without this reverting back to the City Council.

The proposed lease arrangement as set out in the report, will be subject to appropriate subsidy control assessments.

### **5.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

There are not considered to be any such implications arising from this report. The new development plan will actively encourage underrepresented groups including women and girls and disabled people.

### **5.4 Land, Property and Accommodation**

Upon surrender of the existing lease to Lincoln University, the land and pavilion now constructed on the land will revert to the Council as freeholder. As such, a new lease to Lincolnshire Cricket will comprise both the land and pavilion.

The usual requirement pursuant to Section 123 Local Government Act 1972 is that disposals (including leases in excess of 7 years) of land and property should be at best consideration. The proposed lease for 25 years would therefore constitute a disposal for the purposes of the Act, which would generally require best consideration to be obtained.

However, the Local Government Act: General Disposal Consent (England) 2003 gives consent for disposals at an undervalue in circumstances where the disposing local authority considers that the purpose for which the property is to be disposed is likely to contribute to the achievement of any one or more of the promotion or improvement of economic, social or environmental well-being in its area. In considering this, it is expected that authorities will also have regard to their community strategies and be concerned to fulfil their general fiduciary duty in a way that is accountable to local people.

The proposed rent in this case is a peppercorn rent compared to a market rent of c£5,000 p.a.

Accordingly, the Executive is asked to consider that the proposed lease to Lincolnshire Cricket for the purposes outlined in this report justifies a disposal at less than best consideration, namely, at peppercorn rent for a period of 25 years.

## **6. Risk Implications**

### **6.1 (i) Options Explored**

Two options were explored as part of this report:

- Keep the existing Lease with Lincoln University. This will leave Sobraon Barracks unused for physical and recreational activities and will prevent the development of a women's, girls and disabled cricket and recreational hub.
- Allow the surrender of the existing lease with Lincoln University and arrange a new lease to Lincolnshire Cricket Ltd.

### **6.2 (ii) Key Risks Associated with the Preferred Approach**

External funding is required to bring the cricket pitch to the necessary County level will otherwise the aspiration to play cricket on the site again will not be realised. Lincolnshire Cricket do have an option to draw down the necessary funding, but timing is extremely tight and the lease (at HOT stage at least) needs to be in place by June/July 2025).

The Lincolnshire Cricket Ltd development plan has a range of targets to increase participation. Whilst this is a 25-year lease arrangement, significant progress will need to be made in the early years. The team are experienced in developing cricket and City Council officers will engage with them on a regular basis to assess progress.

## **7. Recommendation**

### **7.1 It is recommended that:**

- i) The Council accepts a surrender from Lincoln University of its existing Lease for the Sobraon Barracks cricket facilities.
- ii) A new 25-year lease and management agreement for the land and pavilion be granted to Lincolnshire Cricket.
- iii) The new lease to Lincolnshire Cricket Ltd be granted at a peppercorn rent on the basis that the proposals for use and development of the site as detailed in this report are considered will contribute to the promotion or improvement of economic, social, or environmental wellbeing.

**Is this a key decision?**

No

**Do the exempt information categories apply?**

No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?**

No

**How many appendices does the report contain?**

One

**List of Background Papers:**

None

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