



ASSETS, REGENERATION & GROWTH COMMITTEE

24TH APRIL 2017

Title	Phoenix Canoe Club – Additional land take to facilitate the development of a new facility
Report of	Director of Resources
Wards	West Hendon
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1 – Site plan with additional land take
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Summary

This report seeks authority to include an area of Public Open Space in the proposed lease to the Phoenix Canoe Club and Outdoor Centre, of their current site in Woodfield Park, which fronts the Welsh Harp.

The Club are seeking a new 25 year lease under the Community Asset strategy and have requested the inclusion of a small area of Public Open space in the lease as detailed on the attached plan to ensure their ambitious proposals for the redevelopment of the building can be fully realised.

Recommendations

That the Asset, Regeneration & Growth Committee approves:

1. The intention to dispose of the Public Open Land Space (hatched red in

Appendix 1) by way of its inclusion in the demise of a new lease granted for a term of 25 years to the Phoenix Canoe Club and Outdoor Centre, subject to compliance with the statutory requirements of Section 123 (2A) of the Local Government Act 1972, planning consent and the Club receiving the required funding to carry out the redevelopment;

- 2. The delegation to the Commissioning Director, Growth and Development, to advertise the disposal of the land hatched red in Appendix 1 as required by Section 123 (2A) of the Local Government Act 1972, to consider any objections received and where appropriate to decide to make the disposal of the Public Open Space land.**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Phoenix Canoe Club and Outdoor Centre is based on a Council owned site at the Welsh Harp Reservoir in West Hendon (shown within the hatched red area in Appendix 1). Following the rapid growth of the centre and the poor state of its current accommodation, the Trustees of the Club have commenced plans to redevelop the facility and grounds to provide a modern, purpose-built and fully equipped outdoor centre to enable the club to grow, sustain and excel.
- 1.2 The Phoenix Outdoor Centre operates an extensive programme of training and recreational activities and is licensed by the Adventurous Activities Licensing Authority for Kayaking, Open Canoeing, Sailing, Windsurfing, etc. The Outdoor Centre has seen a dramatic increase in visitors, with the vast majority of centre users from the London Borough of Barnet and Brent. The centre works with its educational and youth group users to provide skill learning in the outdoors which can be linked to the National Curriculum (Key Stages 2-4), the Duke of Edinburgh award and recognised youth group awards and training programmes.
- 1.3 The club is a short walk from Barnet's West Hendon regeneration scheme and Barratt Metropolitan LLP (the developer) have agreed to support the Phoenix Canoe Club in preparing and submitting a planning application for a new 'landmark' canoe and sailing club. If the planning application is approved, the Phoenix will be in a position to embark on a fundraising programme in order to finance their ambitious redevelopment plans.
- 1.4 In order to facilitate the development of the new club and provide sufficient storage for their equipment, an additional area of land, shown hatched red on the plan appended at Appendix 1 and currently part of the Public Open Space is required. Any disposal will require advertising under section 123 (2)(a) of the Local Government Act 1972. The inclusion of this underutilised area of open space does not impact on the usability of the surrounding football pitches, or the amenity value of the surrounding area.
- 1.5 If approval and funding is granted, the existing centre will be demolished and a new 'landmark' club will be built with an estimated build cost of £2 million.

The new centre will offer level access and includes four changing rooms plus accessible toilets and shower room, as well as a club room, training room, rooftop terrace and offices. It is anticipated that the new centre building, when operating at full capacity, will be able to achieve in excess of 15,000 session visits per annum. A planning application for the redevelopment has been submitted and further information can be found under reference 17/2076/FUL.

- 1.6 It is also proposed that the new centre will include a café operated as a training project for young people with learning difficulties. Following advice from the Council's Green Spaces team, the café will grow as much of its own produce as possible in a small vegetable plot included in the additional land take.
- 1.7 The Phoenix Canoe Club currently occupy the site by virtue of a lease from the Council for a term of 7 years (less one day) from 22nd October 2012 at a current rent of £2750 per annum exclusive. The Council has informed the Club that it would be willing to a new lease of a term of up to 25 years, subject to the Club being able to provide evidence of sufficient grant funding to deliver the proposed building project. Such evidence will need to be provided to the Council prior to the grant of the new lease. It is proposed the new lease will reserve a rent that will have been calculated through the CBAT tool and reviewed on a 5 yearly basis.. The existing lease will need to be terminated in accordance with statutory requirements.
- 1.8 The Council's Green Spaces and Planning departments have been consulted on the proposals. The departments have both provided support to the proposal. Green Spaces are positive on the additional land take subject to parking, traffic control and the separation of pedestrians and vehicular traffic along the access way to the boat club being addressed. These issues have been all been incorporated in the scheme design, which will be subject to further consultation through the planning process.
- 1.9 The new facility will make a significant contribution to the wider regeneration of West Hendon and will provide existing and new residents with access to additional amenity resources. The Centre will act as a landmark for the area, attract new visitors and offer a community facility to both the local and wider community, while fully exploiting the benefits of the Welsh Harp as a valuable asset for water sports and recreational purposes.
- 1.10 Through Section 106 monies, a new pedestrian bridge will be built alongside the Cool Oak Lane bridge, which will link the West Hendon estate to West Hendon Playing Fields, Woodfield Park and the Welsh Harp Open Space. This will make Phoenix Canoe Club and Outdoor Centre more accessible to residents, which will in turn enable them to take advantage of the Welsh Harp and the fully-equipped recreational space. The West Hendon Partnership Board has been consulted on the plans and is very supportive of the redevelopment plans.
- 1.11 The Phoenix Canoe Club and Outdoor Centre anticipate that the redevelopment will cost approximately £2 million to build. The club intend to

make applications to various organisations for financial contributions to the scheme, including Sport England, London Marathon Trust and City Bridge Trust. Fundraising will commence on receipt of a planning approval for the redevelopment and it is hoped that full funding will be received within 18 months. Should full funding not be received, the Club will revise their redevelopment plans and the requirement for the additional land will be reviewed.

- 1.12 The advertising of the Council's intention to dispose of the Public Open Space will commence if funding is achieved to deliver the redevelopment of the facility.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The recommendations in this report provide an opportunity for a Local Community Group to seek funding and complete the development of a significant community building in the West Hendon Area.
- 2.2 The Local Government Act 1972 Sec 123 (2A) requires the disposal of Public Open Space to be advertised in the local press for 2 consecutive weeks. Any objections received are to be considered in making the decision to dispose. A disposal includes leases granted for a term in excess of 7 years.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Do nothing – if the renewal of the lease and additional land take is not agreed the Phoenix will not be able to progress its planning application and subsequent fundraising programme.
- 3.2 As the land is Public Open Space, there is no opportunity for other forms of development.

4. POST DECISION IMPLEMENTATION

- 4.1 If the recommendation in this report is approved and planning consent is granted, the Phoenix Canoe Club and Outdoor Centre will embark on a fundraising programme.

- 4.2 Once full funding has been received, advertising of the Council's intention to dispose of Public Open Space will commence and the new Community lease will be completed.
- 4.3 Following the public advertising consideration of any representations will be delegated to the Commissioning Director Growth and Development.
- 4.4 The lease will be renewed and the area under the lease extended, subject to the successful conclusion of the fundraising exercise. If the fundraising is not forthcoming, the leased area will remain as in the existing lease.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate plan commits to;
- 5.1.2 Responsible growth and regeneration – revitalising communities and providing new homes and jobs whilst protecting what residents love about the borough, such as its green spaces, and generating local revenue as Government funding reduces to zero.
- 5.1.3 This proposal provides an opportunity to support the Regeneration of West Hendon, and for a Community Organisation to seek funding to deliver a valuable community resource. The development will enhance the facilities while preserving the open space.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 By way of background, all community groups are able to secure 25 year leases without committee approval, with the rent being assessed through the Community Benefit Assessment Tool (CBAT). The current agreement is that the Club have a lease for 7 years from 22nd October 2012, at a below market rate of £2,750 pa. The proposal, subject to the Club securing external funds sufficient to redevelop the site, to a standard as agreed by the Commissioning Director, Growth & Development, is to offer a 25 year lease at a market rent, with the new lease to include additional land that is hatched red in Appendix 1. The rent will be assessed through CBAT to assess the actual rent payable, and will be reviewed every five years. Capital funding is being sought from external funders and if successful the development will increase the value and sustainability of a community asset, and of the Council's reversion.

5.3 Legal and Constitutional References

- 5.3.1 Council Constitution, Responsibility for Functions, Annex A – The Assets, Regeneration and Growth Committee has responsibility for "Asset Management – all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council and the approval of non-statutory plans that concern asset management matters. Certain matters

are further delegated to officers but such delegations do not include disposals.

- 5.3.2 Section 123 (2A) states that a principal council may not dispose of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal.

5.4 Risk Management

- 5.4.1 There is a risk that the funding required to complete the redevelopment of the centre will not be forthcoming. If this is the case, the Club will revise their redevelopment plans and the requirement for the additional land will be reviewed.

5.5 Equalities and Diversity

- 5.5.1 It is not considered that the proposal in this report raises any equalities issues.

6. BACKGROUND PAPERS

- 6.1 Cabinet Resources Committee, 16 December 2013, West Hendon Regeneration Project
<https://barnet.moderngov.co.uk/documents/s12100/West%20Hendon%20Regeneration%20Project.pdf>