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**Subject:** CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK  
(CHARITY NO. 1092171)  
MARKE WOOD RECREATION GROUND: LEASE OF TENNIS  
COURTS

**Meeting and Date:** Cabinet – 3 April 2023

**Report of:** Rob Reid-Easton, Principal Valuer

**Portfolio Holder:** Executive – Charity

**Decision Type:** Non-Key – Charity

**Classification:** Unrestricted

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**Purpose of the report:** To assist in reaching a decision as to whether a lease can be granted for the future operation and maintenance of Marke Wood Tennis Courts.

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**Recommendation:** That this Valuation Report be noted.

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1. Cabinet, acting as trustees for the Charity of Fredrick Franklin for a Public Park, is required to obtain a written Valuation Report on the proposed lease instructed by the Trustees and who will act exclusively for the Charity to help decide whether it is in the best interests of the Charity to agree to a lease for the future operation and maintenance of Marke Wood Tennis Courts under the Marke Wood Tennis Hub CIC , operated by board members of the Walmer Lawn Tennis & Croquet Club (WLTCC).
2. This Report covers the prescribed matters referred to in the Charities (Qualified Surveyors' Reports) Regulations 1992.
3. Under Section 119 of the Charities Act 2011, Cabinet acting as Trustees for the Charity of Fredrick Franklin for a Public Park must obtain and consider a report from a qualified surveyor acting exclusively for the charity.
4. I am a qualified Member of the Royal Institution of Chartered Surveyors and have experience in valuation and in the leasing land and buildings. I confirm that in this matter I am acting in the best interests of the Charity.
5. The 4 Tennis Courts which it is proposed should be leased to the WLTCC together measure 2,674 square metres and are located on the western side of Marke Wood Recreation Ground near to the pavilion and are shown edged in red on the Cabinet Report Appendix A.
6. This land is not presently leased to anyone, nor is it subject to any covenants which would affect this use of the land, other than those imposed under the Charitable Trust.
7. The tennis courts need refurbishment. The Cabinet report details works to be carried out, including resurfacing all tennis courts; new posts, nets and court lines; and installation of a new gate system. This work will be carried out using funding from the Lawn Tennis Association (LTA). This Funding would impose conditions on how the tennis courts are run.

The terms of the lease will provide for the Tenant carrying out day to day maintenance, and the rent paid by them will be accumulated over the term as a sinking fund to fund

all of the expected major repairs.

It is therefore not considered to be in the interests of the Charity to carry out any repairs in advance of the lease.

8. WLTCC has set up Marke Wood Tennis Hub Community Interest Company (CIC) to operate and maintain the tennis courts in accordance with the LTA funding conditions. This will be kept as a separate entity from WLTCC's existing courts and administration at Archery Square Walmer
9. It is proposed to lease the 4 tennis courts to the CIC for £1,200 per court per year. Dover District Council (DDC) will subsidise the initial 2 years' rent by £800 and £400 respectively. This rent is comparable to a similar agreement reached between DDC and Your Leisure (YL) at Victoria Park tennis courts. This agreement has worked very well with YL taking over the booking of courts and other management and maintenance tasks. They are also nearby in case there is a problem with the tennis courts. This provides a model which it is proposed to be used at Marke Wood.
10. I am of the opinion that the proposed total rent of £4,800 per annum provides best value in terms of the rent paid balanced against the administration and day to day running costs providing the tennis courts. Investing this sum as an annual sinking fund also provides security against future maintenance bills in the future.
11. I do not believe that the proposed lease needs to be advertised as the total rent provides Best Value
12. It is not possible to predict the income which CIC will receive by way of court hire receipts, so I would recommend a rent review in years 5 and 10 to ensure that the rent is set at the right level both to maintain a sufficient sinking fund and to make sure that the CIC are not making too high a profit. I understand that the court fees will be set at comparable levels with other tennis facilities in the district.
13. Care also needs to be taken in agreeing terms with the CIC that sufficient time is reserved for the public to use the tennis courts as I understand that the CIC intend to use the tennis courts themselves for club sessions and coaching sessions. An on line booking system will be set up for the convenience of the public.
14. The proposed lease will enable the tennis courts to be used for the purposes for which the Charity was established:

"Provides sport and recreational facilities for the general public/mankind in the form of building, facilities and open space"

It is my belief that this proposal is in the best interests of the Charity.

Rob Reid-Easton MRICS

Principal Valuer

5 March 2023