

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services Portfolio

Date of Meeting: 1st November 2010

Report of: Assets Manager

Subject/Title: Lease of land and property off Hind Heath Road, Sandbach to Sandbach United Football Club

Portfolio Holder: Councillor Peter Mason

1.0 Report Summary

- 1.1 The purpose of this report is to consider the lease of land and property located off Hind Heath Road, Sandbach to Sandbach United Football Club for a term of 99 years at a nominal rent.

2.0 Recommendation

- 2.1 To approve the grant of a 99 year lease to Sandbach United Football Club for the occupation of land and property located off Hind Heath Road, Sandbach on terms and conditions to be determined by the Head of Health and Wellbeing, the Borough Solicitor and Assets Manager.

3.0 Reasons for Recommendations

- 3.1 The project has an approved capital budget which demonstrates the Council's commitment to the project.
- 3.2 The Football foundation grant is conditional on an intention to enter into a lease being in place and agreed by all parties prior to construction of the facility starting.
- 3.3 Considerable work has also been undertaken with the Football Foundation and Football Association and there is a significant risk of damaging future applications for funding from not proceeding with this project. This may impact on the success of future applications and schemes with the said organisations.
- 3.4 Should the project not proceed then there is a high probability of adverse publicity from the local community which would be detrimental to the image of Cheshire East Council.
- 3.5 The provision of a lease for a period of 99 years accords with the requirements of the Council, Football Foundation and Football Association in the approval of

the business case required to support the project and gain the subsequent requisite funding.

4 Wards Affected

4.1 Sandbach

5.0 Local Ward Members

5.1 Councillor Furlong
Councillor Merry
Councillor Moran

6.0 Policy Implications including - Climate change - Health

6.1 Contributes to the achievement of corporate objective 3: To improve life opportunities and health for everybody within Cheshire East.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 None.

8.0 Financial Implications 2010/2011 and beyond (Authorised by the Borough Treasurer)

8.1 The lease of land and property located off Hind Heath Road, Sandbach to Sandbach United Football Club for a term of 99 years will be at a nominal rent.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 Local Authorities are given powers under S123 of the Local Government Act 1972 to dispose of land in any manner they wish subject to the constraint that the disposal must be for the best consideration obtainable unless the Secretary of State consents to the disposal.

9.2 By virtue of the General Consent Order 2003, the Secretary of State has given consent to disposals where, in the local authority's view, such disposal would help it secure the promotion or improvement of the economic, social or environmental well being of the area and such matters set out in its community strategy. In those circumstances an interest in land may be disposed of at less than best consideration providing that the undervalue does not exceed £2,000,000.

10.0 Risk Management

10.1 Should the grant of the lease not be approved then the grant funding from the Football Foundation will be withdrawn and the project will be unable to proceed.

10.2 Considerable work has also been undertaken with the Football Foundation and Football Association and there is a significant risk of damaging future applications from not proceeding with this project. This may impact on the success of future applications and schemes with the said organisations.

10.3 There is a high probability of adverse publicity from the local community which would be detrimental to the image of Cheshire East Council.

11.0 Background

11.1 In March 2004 the former Congleton Borough Council commissioned PMP leisure consultants to undertake a Leisure Needs Study to evaluate the demand for playing pitches and examine future delivery options for these facilities within the Borough. The focus of the study was on the Borough Council's main leisure facilities but also included the need and trends of the local communities in the use of outdoor pitches.

11.2 The findings of this study, alongside recently published FA data on provision for football teams were taken into consideration in order to understand the current level of supply and demand for football pitches. The study revealed that the most significant shortfall in football provision in the Borough of Congleton was identified as Sandbach.

- There was a particular demand for a synthetic turf pitch (STP) and associated facilities.
- There was no current provision to the required standard in Sandbach for adult football pitches

11.3 The only synthetic turf pitches currently available were at the local high schools and the demand for these far exceeds the availability. The type of surface laid on these pitches was also incompatible with the preferred surface for football use, which is referred to as a 3G pitch.

11.4 There has been a significant loss of grass pitches in the Sandbach area. A total of six have been removed from use; two lost at each of Hays Chemicals, RHM foods and Fodens/Sandbach Cricket Club. In addition the final pitch at Hassall Road, Sandbach belonging to the Council will be lost in the near future due to the expansion of the cemetery. It was therefore critical in meeting the existing and future needs of the community that consideration was given to provision of additional grass pitches and a football-specific synthetic turf pitch (3G STP).

11.5 Sandbach United Football Club (SUFC) is the leading amateur football club in the town and was established in 2004 when Sandbach Albion and Sandbach Ramblers joined forces in their quest to improve the quality of football offered to children and young people in and around Sandbach. The club has 34 playing squads and has approximately 600 members who currently have to play their games scattered across the borough and beyond due to the lack of provision in Sandbach.

- 11.6 SUFC have thus been working with the Football Association and the Council to develop a project which will meet the needs of all three organisations and provide facilities, which meet the identified gap in community provision for both grass and synthetic playing pitches.
- 11.7 SUFC will fulfil the service requirements of the Council for the provision of football facilities in the Sandbach area through the implementation of a service level agreement. Effectively the Council will devolve its service provision for the Sandbach area to SUFC.
- 11.8 In October 2009 funding was approved by Cheshire East Council to the value of £2.2 million pounds to acquire land, build and establish a football facility in Sandbach with funding from a variety of sources including the Football Foundation.
- 11.9 The scheme gained a planning permission in November 2009
- 11.10 The Football Foundation have since confirmed their funding of £1,010,010 towards above proposals.
- 11.11 Heads of terms for the acquisition of the necessary land have been agreed with the site owner and legal completion is anticipated in November 2010.
- 11.12 Works are currently programmed to commence on the site in January 2011.
- 11.13 The main outcomes for the required project are to:
- Improve the access to quality sports facilities
 - Encourage, facilitate and perpetuate participation through all levels of player's development.
 - Increase the number of children taking part in extra-curricular sport and after-school football coaching and development programmes
 - Ensure that everyone with the interest and ability has the opportunity to improve their standard of performance in sport and fulfil their potential.
- 11.14 The project is underpinned by a comprehensive sports development plan which has been approved by the Football Association.

12.0 Consultation

- 12.1 The Head of Health and Wellbeing is fully supportive of the grant of a lease to SUFC and considers them to be a key partner within this project.

13.0 Terms of occupation

- 13.1 The provision of a lease for a period of 99 years accords with the requirements of the Council, Football Foundation and Football Association in the approval of the business case required to support the project and gain the subsequent requisite funding.
- 13.2 It is considered that the lease should be offered at a nominal annual value.
- 13.3 SUFC will be responsible for all maintenance liabilities relating to the land and property within the site. SUFC will also fulfil the service requirements of the Council for the provision of football facilities in the Sandbach area through the implementation of a service level agreement. Effectively the Council will devolve its service provision for the Sandbach area to SUFC. It is considered that these cost liabilities plus the fact that Football Foundation monies could not have been gained without their involvement are sufficient to justify the receipt of a nominal annual rent.

14.0 Overview of Year One and Term One Issues

- 14.1 There are no specific issues within this report.

Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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