

Report author: Ben Middleton

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Report of : Director of City Development

Report to: Executive Board

Date : 19 November 2014

Subject:: Design & Cost Report for Playing Pitches and Land at Woodhall Lane, Pudsey, LS28

Capital Scheme Number: 32218

Are specific electoral Wards affected?

☒ Yes ☐ No

If relevant, name(s) of Ward(s):

Calverley & Farsley

Are there implications for equality and diversity and cohesion and integration?

☐ Yes ☒ No

Is the decision eligible for Call-In?

☒ Yes ☐ No

Does the report contain confidential or exempt information?

☒ Yes ☐ No

If relevant, Access to Information Procedure Rule number:

10.4(3)

Appendix number:

1

Summary of main issues

1. There is a shortage of playing pitches in west Leeds available to clubs and the community and it is proposed that the Council acquires the playing pitches and land from Bradford University identified on the attached plan and within this report on the terms identified in the confidential appendix. This land occupies a strategic gap between Leeds and Bradford and this acquisition will enable the Council to greater control the land in the area going forward.
2. It is also proposed that the Council simultaneously sell the long leasehold interest of the freehold element outlined in black on the attached plan to Albion Sports Juniors Football Club, on the terms detailed in the confidential appendix, who will covenant with the Council to share the use of these pitches with other clubs and schools in the area.
3. It is proposed that the Council will retain the University's long leasehold interest pitches for use by the community and this acquisition will be funded by S106 monies, in order to protect and preserve the principle use of that land as playing fields.

Recommendations

4. Members of Executive Board are requested to approve:

- i. The acquisition of the three parcels of land primarily laid out as playing pitches and grazing land from Bradford University and Bradford City Council as identified on the attached plan and on the heads of terms detailed within the confidential appendix;
- ii. To approve the sale of the long leasehold interest of the area outlined in black to Albion Sports Juniors Football Association, on the terms identified in the confidential appendix, subject to Albion Sports covenanting to share the use of the pitches with other clubs and schools in the area;
- iii. To delegate authority to the Director of City Development to negotiate the detailed heads of terms for the acquisition of the Woodhall sites and also to negotiate the detailed heads of terms for the disposal of the pitches outlined in black on the attached plan to Albion Sports Junior Football Association; and
- iv. To approve the injection into the 2014/15 capital programme and authority to spend of the sums outlined in the confidential appendix of the report which are funded by a capital receipt following the onward sale of the long leasehold interest.
- v. To note that the Head of Asset Management will be responsible for implementation with transactions to complete within six months.

1 Purpose of this report

1.1 The purpose of this report is to seek Executive Board approval to the recommendations which will allow:

- a) The acquisition of the three parcels of land primarily laid out as playing pitches and grazing land from Bradford University and Bradford City Council as identified on the attached plan and on the heads of terms detailed within the confidential appendix.
- b) To approve the sale of the long leasehold interest of the area outlined in black to Albion Sports Juniors Football Association, on the terms identified in the confidential appendix, subject to Albion Sports covenanting to share the use of the pitches with other clubs and schools in the area.

2 Background information

2.1 Bradford University owns the freehold interest of the pitches outlined in black and the long leasehold interest of the land and pitches hatched at Woodhall Lane, as identified on the attached plan no.3. The playing pitches at this site are currently used by the University on Wednesday afternoons only, during term time. Any acquisition by the Council is on the basis that terms will be agreed for the university to carry on using the pitches during term time on a Wednesday afternoon. It is understood that the University does not run any 'Sports' courses and that the pitches are used only by students sports clubs and societies. In addition, two pitches are currently used by external football clubs under licence.

- 2.2 The land marked E extends to approximately 8.5 Ha (21 acres) and comprises 4 football pitches, 2 rugby pitches, car parking and changing rooms. Part of this area is overgrown and comprises a nature area around the adjoining Woodhall Lake, where the Council acquired the long leasehold interest from Bradford City Council. Bradford University own the freehold interest in this site.
- 2.3 The land marked F extends to approximately 3.25 Ha (8 acres) and comprises 2 football pitches and a range of buildings currently used for ground maintenance. The freehold of this land is owned by Bradford City Council and leased to Bradford University for a term with 68 years unexpired without review at a peppercorn rental.
- 2.4 The land marked G extends to approximately 13.35 Ha (33 acres) and comprises grassland which is currently let for the grazing of livestock at £800 per annum. This land is owned by Bradford City Council and leased to Bradford University for a term with 68 years unexpired without review at a peppercorn rental.

3 Main issues

- 3.1 There is a shortage of playing fields in the west Leeds area. In order to protect the status of the playing fields and associated land owned by Bradford University and Bradford Council at Woodhall Lane and to allow them to be made available for more public use it is proposed that all of the land is acquired by the Council.
- 3.2 This land occupies a strategic gap between Leeds and Bradford and this acquisition will enable the Council to shape the area going forward, following the Council's acquisition some years ago of the long leasehold interest in Woodhall Lake.
- 3.3 The purchase of site E will be funded by the simultaneous sale of the long leasehold interest to Albion Sports Junior Football Association on the terms detailed in the confidential appendix. The proposed lease with Albion Sports will contain covenants that the pitches are made available for use by other clubs and schools in the area. It is further proposed that the playing pitches will be leased back to Bradford University for their use on Wednesday afternoons.
- 3.4 It is proposed that sites F and G are funded by the use of s106 monies and that these pitches will be retained by the Council for community use. The grazing land will remain leased out for grazing purposes.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Executive Member for Transport and the Economy and the Ward members have been briefed and support the proposal.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 This report does not highlight any issues regarding equality, diversity, cohesion and integration.

4.3 Council policies and City Priorities

- 4.3.1 The acquisition of the playing pitches at Woodhall Lane will protect their future use and supports the Best Council Plan objective of promoting health by more people becoming active.

4.4 Resources and value for money

- 4.4.1 The land acquired and leased to Albion Sports will be maintained by the club and the council will have no maintenance liability for those pitches. The long leasehold land retained by the Council for the community use will be maintained by the Council.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Under Part 3 Section 3E Paragraph 2(a) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of Executive Board in relation to the management of land (including valuation, acquisition, appropriation, disposal and any other dealings with land or any interest in land) and Asset Management.
- 4.5.2 The matters detailed within this report are subject to call in.
- 4.5.3 The information contained in the Appendix to this report relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in relation to certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the purchase of the land/property referred to then it is not in the public interest to disclose this information at this point in time. Also the release of such information would or would be likely to prejudice the Council's commercial interests in relation to and undermine its attempts to acquire by agreement similar properties in the locality in that owners of other similar properties would be aware about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be available from the Land Registry following completion of the purchase and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under rule 10.4(3) of the Access to Information Procedure Rules.

4.6 Risk Management

- 4.6.1 Risks associated with the proposal to acquire and dispose of the land and property are considered below:
- The proposed acquisition of the freehold element of the site is predicated on a sale of the long leasehold interest to Albion Sports Junior Football Association and therefore the funding risk to the Council is minimal.
 - The acquisition of the two long leasehold interests are being funded from the S106 monies in the area.

5 Conclusions

- 5.1 Purchasing the land at Woodhall Lane will allow the Council to protect the future use of this land as playing pitches, enable Bradford University to continue to use the pitches and allow wider community use of these facilities. The disposal of an element of these pitches to Albion Sports subject to the covenants outlined above will minimise the council's maintenance liabilities.

6 Recommendations

6.1 Members of Executive Board are recommended to approve:

- i. The acquisition of the three parcels of land primarily laid out as playing pitches and grazing land from Bradford University and Bradford City Council as identified on the attached plan and on the heads of terms detailed within the confidential appendix;
- ii. To approve the sale of the long leasehold interest of the area outlined in black to Albion Sports Juniors Football Association, on the terms identified in the confidential appendix, subject to Albion Sports covenanting to share the use of the pitches with other clubs and schools in the area;
- iii. To delegate authority to the Director of City Development to negotiate the detailed heads of terms for the acquisition of the Woodhall sites and also to negotiate the detailed heads of terms for the disposal of the pitches outlined in black on the attached plan to Albion Sports Junior Football Association; and
- iv. To approve the injection into the 2014/15 capital programme and authority to spend of the sums outlined in the confidential appendix of the report which are funded by a capital receipt following the onward sale of the long leasehold interest.
- vi. To note that the Head of Asset Management will be responsible for implementation with transactions to complete within six months.

7 Background documents¹

7.1 There are no background documents relating to this report.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.