

Report author: Ben Middleton

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Report of : Director of City Development

Report to: Executive Board

Date : 17 December 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. The purpose of this report is to update Members on progress for the proposed disposal of part of this site to Albion Sports, further to the report submitted to Executive Board 19th November 2014. Executive Board approved the acquisition of the various playing pitches and grazing land as identified on the attached plan from Bradford University, and also to sell the long leasehold interest of part of the site to Albion Sports Juniors Football Club. Executive Board also approved the injection into the 2014/15 capital programme and gave authority to spend the sums required which were outlined in the confidential appendix.
2. 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.
3. Albion Sports has subsequently withdrawn from the terms previously agreed, and it is now proposed to fund the acquisition from an alternative source as detailed within the confidential appendix.

Recommendations

2. Members of Executive Board are requested to note that Albion Sports has subsequently withdrawn from the terms previously agreed, and are requested:
 - i. to approve the funding of the acquisition as detailed within the confidential appendix;
 - ii. to note that the necessary authority to negotiate with local football, sports clubs and local schools terms for the use of the pitches is delegated to the Director of City Development, in accordance with Part 3 of the constitution;;
 - iii. to approve the disposal of the properties identified with the report and to ring fence their capital receipts to be used for funding the acquisition of the Woodhall playing pitches;
 - iv. 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 update Members on progress for the proposed disposal of part of this site to Albion Sports, further to the report submitted to Executive Board 19th November 2014. Executive Board approved the acquisition of the various playing pitches and grazing land as identified on the attached plan from Bradford University, and also to sell the long leasehold interest of part of the site to Albion Sports Juniors Football Club. 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.
- 1.2 Albion Sports has subsequently withdrawn from the terms previously agreed, and it is now proposed to fund the acquisition from an alternative source as detailed within the confidential appendix.

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. 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** It is now proposed that the purchase of all of the land will be funded by a mixture of capital receipts from disposals of council properties, and s106 monies allocated for the acquisition and maintenance of greenspace in the area. The priority for use of receipts will be from any receipts received from sports clubs for long leasehold interests in the Woodhall pitches and S106 monies, after which, they will be supplemented/substituted by the receipts from the two properties below.
- 3.4** The proposed receipts will be from: the sale of Farfield Community Centre, the principle of this disposal has already been approved and it is currently on the market and; subject to consultation, the sale of Calverley library with its proposed relocation into the adjacent Mechanics institute, as identified on the attached plan. The library relocation has been discussed with the Service and they are comfortable with the principle. It is proposed that the expected receipt, which is identified in the confidential appendix, is ring-fenced towards the purchase of the playing fields net of any relocation/fit out costs. The use of the Library receipt would only be used should it be required after the s106 receipts and subsequent sale of leasehold interest in Woodhall playing pitches are taken into account. This will provide savings to the council in building running costs, in the region of £15k per annum and in backlog maintenance to the library of circa £41k, this proposal will also assist the viability of the Mechanics Institute through its shared use.

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 acquisition of the pitches represents a good investment for the council due to the lack of community playing pitches in the West of the city. It is proposed to let some of the pitches to local sports and football clubs.

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 As there will be no cost impact over and above that agreed at November Executive Board this will not be a key decision, however, 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.
- 4.5.4 In line with current regulations it is a requirement to publish a notice on the Council's website 28 clear days before the related meeting, providing details of any items where a report to be considered by the Executive has an exempt section/appendix. At that time it was not envisaged a confidential appendix was required therefore agreement of the Chair of the relevant Scrutiny Board that the matter is urgent and cannot be deferred to another meeting was requested. Officers have confirmed that it is necessary for the report to be presented to the December Executive Board as the acquisition needs to be progressed as soon as possible otherwise the Council may lose the opportunity. The Chair of the Sustainable Economy and Culture Scrutiny Board has confirmed that she is agreeable to the reasons for urgency supplied for the exempt appendix to this report.

4.6 Risk Management

4.6.1 Risks associated with the proposal to fund the acquisition are considered in the confidential appendix.

5 Conclusion

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 the two properties to fund the acquisition represents good value and will save on the running costs of the buildings, one of which is already vacant and on the market.

6 Recommendations

6.1 Members of Executive Board are requested to note that Albion Sports has subsequently withdrawn from the terms previously agreed, and are requested:

- i. to approve the funding of the acquisition as detailed within the confidential appendix;
- ii. to note that the necessary authority to negotiate with local football, sports clubs and local schools terms for the use of the pitches is delegated to the Director of City Development, in accordance with Part 3 of the constitution; ;
- iii. To approve the disposal of the properties identified within the confidential appendix and to ring fence their capital receipts to be used for funding the acquisition of the Woodhall playing pitches;
- iv. 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.