

Cabinet – 5 February 2014

Lease to Walsall Wood Football Club for land adjacent to Oak Park Leisure Centre, Lichfield Road, Walsall Wood.

Portfolio: Councillor Adrian Andrew, Regeneration and Transport

Related portfolios: None

Service: Asset Management- Property Services

Wards: Aldridge North and Walsall Wood

Key decision: Yes

Forward plan: Yes

1. Summary

- 1.1 Walsall Wood Football Club, with the support of the Ward Councillors, has requested a lease in excess of 25 years to be able to secure funding from the Football Association.
- 1.2 Part 3 Constitution of the Council paragraph 27.2 gives the Head of Property Services the power and function to grant leases, agreements and licences not exceeding 21 years. Any request which is for a lease in excess of 21 years, therefore, requires a Cabinet resolution.

2. Recommendations

Cabinet is recommended to:-

- i. agree the granting of a lease in excess of 25 years (up to a maximum term as required by the grant offer) to Walsall Wood Football Club subject to:-
 - grant funding being secured which contains a condition that a 25 year plus lease term is required
 - the Club satisfying any other conditions attached to the grant funding offer and
 - The Club obtaining planning permission (if required) for the proposed works.
- ii. delegate authority to the Executive Director for Regeneration to approve the terms for the lease once he is satisfied the requirements of the recommendation above are met.

3. Report detail

- 3.1 Negotiations have been taking place with Walsall Wood Football Club for the granting of a new 21 year lease for the land they currently occupy adjacent to Oak Park Leisure Centre. The area in question is shown edged boldly on the attached plan EPMS 3573/1.
- 3.2 The Club has agreed terms and it is anticipated that they will have completed the 21 year lease by the date of this Cabinet meeting. However, the Club has advised that it wishes to apply for funding to improve the ground but to secure any funding from the Football Association they will require a lease with a term in excess of 25 years remaining at the time of receipt of the grant monies.
- 3.3 The Club has forwarded a letter from Staffordshire Football Association Ltd confirming that the Football Association and the Football Foundation require a minimum of 25 years on a leasehold site before they will offer financial support to develop a site.
- 3.4 Given that the Head of Property Services only has delegated authority to grant leases up to 21 years in length, Cabinet is ask to consider the request of the Club for a longer lease.
- 3.5 If agreement is given by Cabinet to granting the Club a lease in excess of 25 years the Club can make its application for funding.
- 3.6 It is unknown what improvement works the Club will be applying for funding to carry out or whether funding will be obtained for all the works as requested. Dependent upon the works for which funding is obtained there may be a requirement to obtain planning permission. If this is the case planning permission will also need to be obtained prior to any new lease being completed.
- 3.7 Any offer of grant funding may impose other conditions in addition to the lease term requirement and, again, the Club must be able to satisfy these conditions enabling them to draw down the money, prior to the granting of any new lease.
- 3.8 Cabinet is, therefore, asked to delegate authority to the Executive Director for Regeneration to approve the terms for the new longer lease once he is satisfied that a longer lease is required, planning permission is obtained and any other grant conditions are met.

4. Council priorities

- 4.1 The Asset Management Plan requires the Council to make the most effective and efficient use of its land and property resources. This is an existing tenancy that is being regularised and confirms the Council support to such community organisations.

5. Risk management

- 5.1 There is a risk that the Clubs proposals may require planning permission and that this is not obtained or that there are other conditions contained in any offer of

grant funding which the Club cannot satisfy. This can be managed by ensuring that these conditions are satisfied prior to any new lease being granted.

6. Financial implications

- 6.1 The Club are already in occupation of the land and should have completed a new lease by the date of this Cabinet meeting. The rent payable and the date of the rent reviews will remain unchanged in any new lease. There is, therefore, no financial implication as a result of this report.

7. Legal implications

- 7.1 Legal Services will prepare the required legal documentation for the 21 year lease and any new lease for a term in excess of 25 years as may be granted.

8. Property implications

- 8.1 The site is currently occupied by the football club and will continue to be occupied for the same purpose.

9. Health and wellbeing implications

- 9.1 The Council has a statutory duty to promote health and wellbeing and has adopted the Marmot objectives.
- 9.3 The continued use of the site by the football club will continue to help with meeting these objectives.

10. Staffing implications

- 10.1 Surveyors within Property Services will negotiate any new lease and Legal Services will deal with the appropriate documentation.

11. Equality implications

- 11.1 The proposal is not likely to affect people with particular protected characteristics differently and will not require an Equality Impact Assessment.

12. Consultation

- 12.1 Other Service areas and the Ward Councillors support the request. The Ward Councillors have requested the report in order to secure the long term future and viability of the Football Club.

12.2 Dependant upon the improvement works for which the Club may obtain grant funding, planning permission may be required and they will need to secure this planning permission prior to any new lease being granted.

12.3 Legal Services will provided information on the Council's freehold title.

Background papers

Plan EPMS 3573/1

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Simon Neilson
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Regeneration

7 January 2014



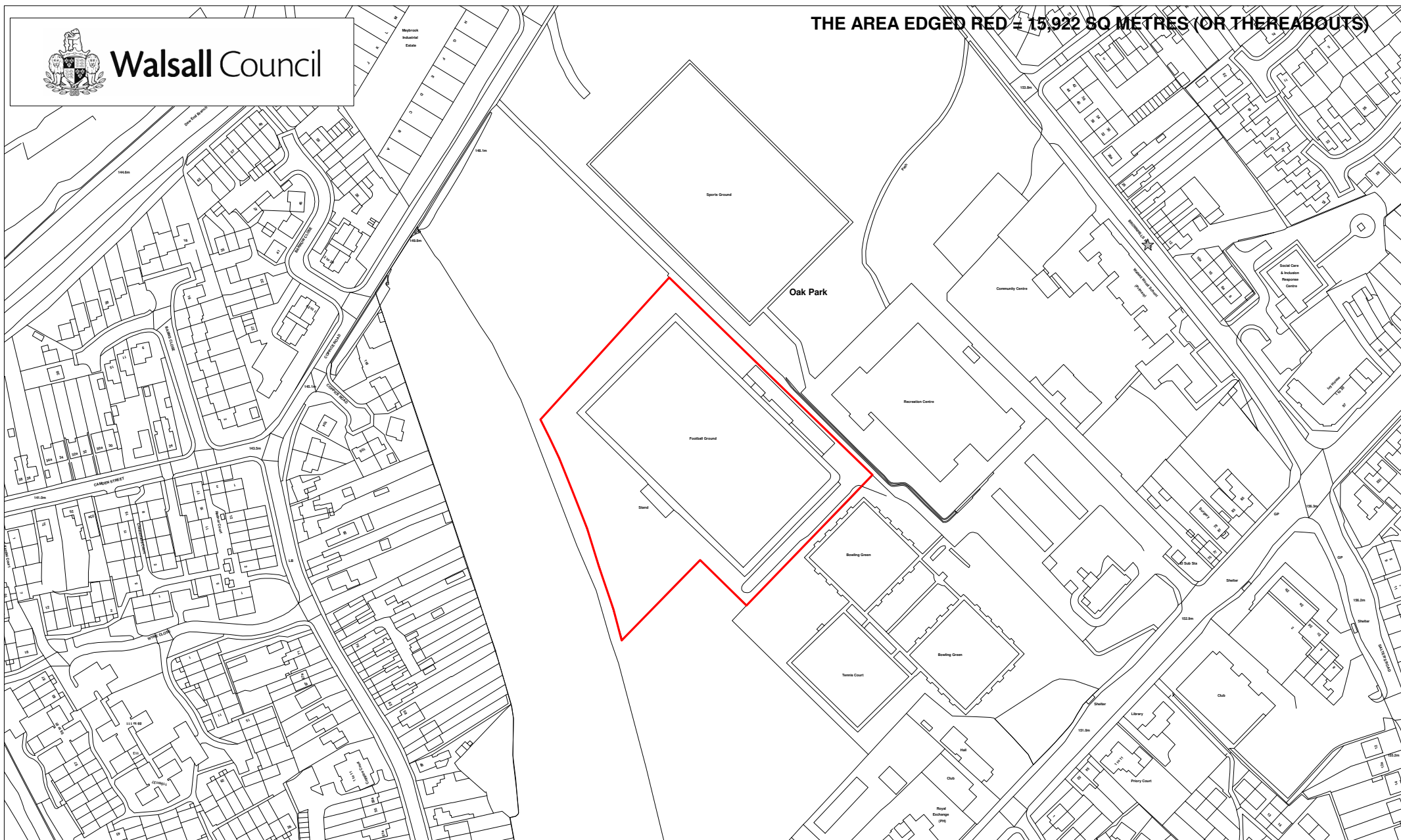
Councillor Adrian Andrew
Deputy Leader
Portfolio holder – Regeneration

27 January 2013



Walsall Council

THE AREA EDGED RED = 15,922 SQ METRES (OR THEREABOUTS)



ASSET MANAGEMENT

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SITE ADDRESS:

**LICHFIELD ROAD
WALSALL WOOD**

DRAWING NO: EPMS 3573/1

DATE : 01/03/2012

DRAWN BY : KCL



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