

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>10 January 2024</b>
<b>Subject:</b>	<b>Proposed Disposal of Land for Blackbridge Sports Hub</b>		
<b>Report Of:</b>	<b>Cabinet Member for Policy and Resources</b>		
<b>Wards Affected:</b>	<b>Podsmead</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Melloney Smith Asset Management Officer</b>		
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<b>Appendices:</b>	<b>1. Objection</b>		
	<b>2. Officer's Comments on Objection</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

To consider a public objection to the disposal of Public Open Space at Laburnum Road Podsmead for the proposed Blackbridge Sports Hub.

### 2.0 Recommendations

2.1 Cabinet is asked **RESOLVE** that:

- (1) the objection received in response to the S123 Public Notices for the disposal of open space be noted;
- (2) following the consideration of the objection, that authority be given for the grant of a 125-year lease to Blackbridge Charitable Community Benefit Society (CCBS) on terms to be determined by the Head of Finance and Resources in consultation with the Asset Management Team.

### 3.0 Background and Key Issues

- 3.1 A Cabinet Decision was made on 12 July 2023 to agree to accept the Transfer of public open space land from Gloucestershire County Council and then for the land to be leased by way of 125-year lease to Blackbridge Charitable Community Benefit Society (CCBS). Both transactions to limit the use of the land or the purpose of Community Sports and Community Use only.
- 3.2 Blackbridge CCBS obtained planning permission for the proposed Sports hub in June 2023.

- 3.3 Gloucestershire County Council transferred the land to the City Council on 22 November 2023.
- 3.4 The public notices were published on 23 and 30 November 2023. One objection has been received. See appendix one.
- 3.5 The points raised by the objector have been considered and comments are to be found in appendix two.

#### **4.0 Social Value Considerations**

- 4.1 The Sports Hub supports an asset-based community development approach to making the best community use of this much loved public open space asset. The plans have been developed by a passionate group who want to improve local facilities for local people and involve other residents, community groups and sports clubs in the process. The Council has supported this approach from the beginning of the project. The project supports the Council's Sports and Physical Activity Strategy 2023-2028.

#### **5.0 Environmental Implications**

- 5.1 Part of the proposed land to be disposed of will be built on. Blackbridge CCBS are committed to improving the local environment and constructing a sustainable building

#### **6.0 Alternative Options Considered**

- 6.1 Not to go ahead with this project - This would mean the loss of the opportunity to support the provision of a community sports hub
- 6.2 The Council undertakes the project itself. The Council does not have the resources to undertake this project. The Council would not be able to access same wide sources of grant funding that Blackbridge CCBS have accessed to meaning the project would not be financially viable.

#### **7.0 Reasons for Recommendations**

- 7.1 It is recommended that the site is disposed of to permit the provision of a new community sports hub facility.

#### **8.0 Future Work and Conclusions**

- 8.1 If the disposal is agreed, then the lease to Blackbridge CCBS is to be agreed and completed.

#### **9.0 Financial Implications**

- 9.1 The cost of the project is still subject to confirmation once construction contracts have been tendered and awarded, the estimated cost is £5,000,000.

Funding of £5,167,000 is available via grant funding (Youth Investment Fund, Football Foundation and UK Shared Prosperity) and s106 allocations.

- 9.2 If procurement exercise exceeds funding available, BCCBS could not go ahead with the project unless more funds were raised. There is not an obligation or expectation that the Council has to meet any shortfall in funding.

(Finance were consulted in the preparation of this report)

## **10.0 Legal Implications**

The disposal of land, whether by freehold or the grant of a lease, that does not also entail the supply of goods or provision of services or works is not subject to procurement law governed by the Public Contract Regulations 2015

The Council is not letting a services contract for the management or operation of the new facility and will not be responsible for its construction. Therefore, there was no requirement for a procurement process.

S123 of the Local Government Act 1972 permits a local authority to dispose of land as it sees fit. However, it cannot dispose of land at less than the best consideration reasonably obtainable without the consent of the Secretary of State (which may be specific or general to all local authorities in particular circumstances).

An independent valuation has been obtained and due to the existing restrictions on the land, it has been assessed as having a nominal value only. It is therefore considered that the land is being disposed of at the best consideration that can reasonably be obtained. Secretary of State consent will not therefore be required for this transaction.

(One Legal have been consulted in the preparation this report.)

## **11.0 Risk & Opportunity Management Implications**

- 11.1 There is a risk that Blackbridge CCBS do not complete the lease on the land and the Council are left with the land to manage and maintain. The Council do have the expertise to manage playing fields together with their partners Ubico. There is demand for pitches.
- 11.3 There is a risk that Blackbridge CCBS do not complete the building or fail in the running of the facility. If the building is part built a decision will have to be made whether the Council wish to take over the project or whether another body can be found. If they fail in the management of the building, there would be the option of adding it to the Council's leisure property contract or leasing it directly to another community group or sports club.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

- 12.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact; therefore, a full PIA was not required.

### **13.0 Community Safety Implications**

13.1 None

### **14.0 Staffing & Trade Union Implications**

14.1 None

**Background Documents:** None