

RECORD OF EXECUTIVE DECISION

Tuesday, 20 December 2022

Decision No: (CAB 22/23 35762)

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| DECISION-MAKER: | CABINET |
| PORTFOLIO AREA: | Cabinet Member for Economic Development |
| SUBJECT: | Mansel Park - Disposal of Open Space Advertisement |
| AUTHOR: | Charles Morgan |

THE DECISION

- (i) To agree the principle of the disposal of land at Mansel Park as identified on the plan at appendix 1 and authorise the Director, Legal & Business Services to advertise the disposal of the open space in accordance with section 123(2A) Local Government Act 1972.
- (ii) To delegate authority to the Executive Director of Place, following consultation with the Cabinet Member for Economic Development, to consider and determine any objections made in response to the advert for the above open space disposal.
- (iii) Subject to the responses to the advertisement above, to delegate authority to the Executive Director of Place following consultation with the Director for Legal & Business Services, agreement of new lease terms to the existing tenant of the land and authority to do anything necessary to give effect to the recommendations above.
- (iv) Subject to recommendation (ii) above, to authorise the Executive Director of Place to dispose of the Land at Mansel Park in accordance with section 123(2A) Local Government Act 1972 and at less than best consideration if appropriate.

REASONS FOR THE DECISION

1. The Council is required by law, under section 123(2A) Local Government Act 1972, to advertise a loss of open space and consider any objections before making any decision on disposal.
2. It is a requirement from the Football Association for the Millbrook Football Club to improve its ground and facilities to become graded as a step 6 ground to move up the leagues and progress as a football club. The requirements for a Step 6 ground include but are not limited to a fully enclosed playing area, safe standing and seating for spectators. These enhancements will result in an improvement to the sporting facilities for the local community.

DETAILS OF ANY ALTERNATIVE OPTIONS

Refuse to grant a new lease to the tenant with an alteration to the demise. The tenant would therefore be unable to implement the planning decision approved as the application is for an area outside of their demise which they hold no rights over. The tenant could re-submit a planning application for improvements within their demise and apply for landlord consent not to be unreasonably withheld. However, it is understood that the requirements of a Step 6 ground cannot be accommodated within their site areas. Alternatively, the tenant could review other locations around the city. Currently the club in partnership with other clubs and currently have short term arrangements with another landlord and could seek to pursue a longer-term agreement although it is understood the landlord is not agreeable hence the need to develop Mansel Park.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date:20 December 2022

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

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| Call-In Period expires on |
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| Date of Call-in <i>(if applicable) (this suspends implementation)</i> |
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| Call-in Procedure completed <i>(if applicable)</i> |
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| Call-in heard by <i>(if applicable)</i> |
| |
| Results of Call-in <i>(if applicable)</i> |
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