

# Heritage Culture and Leisure Committee

4<sup>th</sup> April 2017

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## DISPOSAL OF LAND ADJACENT TO THE GALLAGHER STADIUM, NORTH WARD.

|                                       |   |
|---------------------------------------|---|
| <b>Final Decision-Maker</b>           | HCL Committee                                 |
| <b>Lead Head of Service</b>           | Head of Regeneration and Economic Development |
| <b>Lead Officer and Report Author</b> | Jason Taylor, Parks and Leisure Manager       |
| <b>Classification</b>                 | Public  |
| <b>Wards affected</b>                 | North Ward                                    |

### This report makes the following recommendations to this Committee:

1. That the Committee considers declaring the open space adjacent to the Gallagher Stadium as outlined in red on the attached plan in **Appendix I**, as surplus to operational requirements
2. If it is considered appropriate to designate the land adjacent to the Gallagher Stadium as surplus to operational requirements, that the Committee authorises the placing of a Public Notice pursuant of Section 123 of the Local Government Act 1972.

### This report relates to the following corporate priorities:

- **Securing a successful economy for Maidstone Borough** – The football stadium regularly brings large numbers of football fans to the stadium. Many of these visitors will then go into the town, supporting the local economy.

### Timetable

| <b>Meeting</b>                         | <b>Date</b>   |
|--|---|
| Heritage Culture and Leisure Committee | 4 <sup>th</sup> April 2017  |
| Policy and Resources Committee         | If the option to declare this land as surplus to operational requirements is progressed then the final decision to dispose of the land would be passed to Policy and Resources Committee. |

# DISPOSAL OF LAND ADJACENT TO THE GALLAGHER STADIUM, NORTH WARD.

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides the committee background information to enable them to take a decision on whether to declare a strip of land adjacent to the Gallagher Stadium surplus to operational requirements.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone United Football Club ('the Club') has approached Officers to request that a strip of land, as shown in **Appendix I**, be transferred to the Club to enable it to be used as a foot path as part of a new pedestrian exit from the stadium.
- 2.2 The Club was promoted at the end of last season to the National Conference and as a result of this the Club has had to increase the capacity of the ground from 3,000 to at least 4,000.
- 2.3 The Club has done this by building a new North stand which increases the capacity of the Gallagher Stadium to 4,200.
- 2.4 To enable this stand to be safely accessed the Club has requested that the freehold title to this strip of land which is 2.3 meters wide is transferred to them for the construction a new footpath.
- 2.5 The strip of land is approximately 130m x 2.3m, with an additional 20 meters to connect the new footpath to the existing footpath. The total area will be approximately 330 square meters in total.
- 2.6 The land is currently consists of an informal grass path.
- 2.7 The disposal of the land would generate a capital receipt for the Council.
- 2.8 The Club have given the following details regarding the footpath:
  - 2.8.1 At the Southern end of the new footpath, it will be connected to the bottom end of the existing pedestrian ramp, providing connectivity to the towpath.
  - 2.8.2 In addition a gate and path from the existing car park will be constructed to improve spectator flow and provide alternative routes. This gate will only be opened on match days.
  - 2.8.3 The footpath will benefit from low UV lighting with independent, daylight sensing controls (only to be used on match days) as well as the introduction of Closed Circuit TV coverage at each end.
  - 2.8.4 The Club's ecologist (Dr Lee Brady) will maintain a watching brief during the construction of the footpath to ensure no harm comes to any animals which may stray into the footpath construction zone.

- 2.8.5 The Club would expect to take on responsibility for maintaining the newly constructed footpath.

Officers have met with representatives from the Club and their ecologist and it is clear that the introduction of this new footpath would have minimal impact on biodiversity in the area.

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### **3. AVAILABLE OPTIONS**

- 3.1 The committee has the following options:
- 3.2 To declare a 330 square meter strip of land adjacent to the Gallagher Stadium, outlined in red on Appendix I, as surplus to operational requirements, and authorise the placing of a Public Notice pursuant of Section 123 of the Local Government Act 1972. Any comments from the public notice will then be passed to Policy and Resources Committee, or the Chief Finance Officer under delegated authority if appropriate, to make the final decision on the disposal.
- 3.3 To not declare a 330 square meter strip of land adjacent to the Gallagher Stadium as surplus to operational requirements and for MBC to continue to maintain the open space in the future.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 Declaring this land as surplus to operational requirement would enable the Club to better serve both their own, and visiting, fans.
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### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 Consultation will be through the publication of the Section 123 Notice.
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### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 Following the placing of a public notice, pursuant with Section 123 of the Local Government Act 1972, the final decision on disposal of the land will be taken either by Policy and Resources Committee or the Chief Finance Officer under delegated authority if appropriate.
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### **7. CROSS-CUTTING ISSUES AND IMPLICATIONS**

| <b>Issue</b>                          | <b>Implications</b> | <b>Sign-off</b> |
|---------------------------------------|---------------------|-----------------|
| <b>Impact on Corporate Priorities</b> | No Implication.     |                 |

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| <b>Risk Management</b>                       | No Implication.  |  |
| <b>Financial</b>                             | If MBC no longer maintain the land there will be a very minimal saving. If the Council proceeds to dispose of the land there would be a capital receipt. | Section 151 Officer & Finance Team     |
| <b>Staffing</b>                              | No Implication.  |  |
| <b>Legal</b>                                 | To consider any objections to the s123 notice as part of any report to Policy and Resources Committee.   | Team Leader, Property and Regeneration |
| <b>Equality Impact Needs Assessment</b>      | No Implication.  |  |
| <b>Environmental/Sustainable Development</b> | No Implication.  |  |
| <b>Community Safety</b>                      | No Implication.  |  |
| <b>Human Rights Act</b>                      | No Implication.  |  |
| <b>Procurement</b>                           | No Implication.  |  |
| <b>Asset Management</b>                      | This asset will transfer to another organisation.  | Parks and Leisure Manager              |

## 8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- **Appendix I:** Plan showing 330 square meter strip of land adjacent to the Gallagher Stadium which the committee could decide to declare as surplus to operational requirements.

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## 9. BACKGROUND PAPERS

***No background papers.***