

DISPOSAL OF RANSOM STRIP AT ST IVES

To: **Commercial and Investment Committee**

Meeting Date: **14 December 2018**

From: **Tom Kelly, Head of Finance**

Electoral division(s) **St Ives South and Needingworth**

Forward Plan ref: **N/a** *Key Decision:* **No**

Purpose: **To consider the disposal of a ransom strip at St Ives**

Recommendation: **It is recommended that:-**

- (1) Members approve of the joint sale of land owned by the Council and St Ives Football Club with final terms to be agreed by the Chairman of Commercial & Investments Committee together with Tom Kelly, Head of Finance.**

<i>Officer contact:</i>		<i>Member contact:</i>	
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1. BACKGROUND

- 1.1 An outline planning application (Ref: 16/01485/OUT) for a residential development of the St Ives Football Club ground at Westwood Road, St Ives was successful on 10th September 2018. It was promoted by a developer on behalf of the football club. The planning application included land in the ownership of the County Council.
- 1.2 The football ground site was sold by the County Council in 1961 with a restrictive covenant for sports use only.
- 1.3 Access to the new development will also require utilising an area of County Council freehold land, part of which has access enjoyed by the school and shown cross hatched on the attached plan.
- 1.4 There is an opportunity for the County Council to realise some value by releasing the restrictive covenant and disposing of approximately 0.37 acres or thereabouts of freehold land shown hatched green, including the cross hatched land over which the school enjoy an access.

2 NEXT STEPS

- 2.1 The developer now wishes to sell the land on behalf of the football club, together with the County Council's land. In this situation using the test case known as Stokes v Cambridge Water Company as a guide, the Council would be entitled to 33% of the sale value.
- 2.2 The County Council is currently undertaking due diligence regarding to legal title, leasehold rights and obligations in context to the approved planning application.
- 2.3 The last discussions with the school were in 2016 and further discussions between the developer, the Council and the school are planned for January 2019.
- 2.4 Following discussion with the developer This Land have been offered the opportunity to purchase the site based on an independent Red Book valuation but have declined.
- 2.5 The site is expected to be worth in the region of £3m. The St Ives Football club have obtained planning consent for alternative pitches and training areas but will require in the region of £2m to finance their proposed move so the move is not a certainty.
- 2.6 The football ground, together with the County Council's land, would be jointly marketed in the New Year with the aim to complete by the end of March 2019 which is a very tight timetable.
- 2.7 For this reason delegation is sought to sell, subject to successful due diligence checks and negotiation with the school, with final terms being delegated to the Chairman of Commercial & Investments Committee together with Tom Kelly, Head of Finance.

3.0 ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

There are no significant implications for this priority

3.2 Helping people live healthy and independent lives

There are no significant implications for this priority

3.3 Supporting and protecting vulnerable people

There are no significant implications for this priority

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The report above sets out the implications for this priority in 2.5

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

4.3 Statutory, Legal and Risk Implications

The sale will be subject to successful due diligence investigations to allow the removal of a restrictive covenant and the release of land from the schools lease.

4.4 Equality and Diversity Implications

There are no significant implications within this category.

4.5 Engagement and Communications Implications

There are no significant implications within this category.

4.6 Localism and Local Member Involvement

The Local Member has been informed.

4.7 Public Health Implications

There are no significant implications within this category.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Tom Kelly
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	N/A
Has the impact on statutory, legal and risk implications been cleared by Legal?	Name of Legal Officer: Fiona MacMillan
Have the equality and diversity implications been cleared by your Service Contact?	N/A
Have any engagement and communication implications been cleared by Communications?	Yes
Have any Public Health implications been cleared by Public Health	N/A