

To: Planning & Property Policy Board

On: 23 August 2016

Report by: Director of Finance & Resources

Heading: Ardgryffe Football Park Houston – Proposed lease to Houston United

1. Summary

The purpose of this report is to

- 1.1 seek consent to lease to Houston United the football park at Ardgryffe Park Houston along with an ancillary area for proposed changing facilities to Houston United

2. Recommendations

It is recommended that the Board

- 2.1 authorise the Head of Property Services together with the Head of Corporate Governance to conclude a lease of Ardgryffe Football park with an additional area for changing facilities, with Houston United subject to the terms and conditions set out within this report and any other terms and conditions considered necessary by the Head of Property Services and the Head of Corporate Governance to protect the Council's interest.
- 2.2 note that the proposed lease plan will be amended to reflect the area set aside for the proposed changing facilities which exact location has not as yet been determined.

- 2.3 authorise the Head of Planning & Housing to advertise the potential lease of an open space area in terms of the Town & Country Planning (Scotland) 1959 Act.
- 2.4 note that the Board can anticipate that it will be asked to consider a future planning application for this site from Houston United or their agents at a later date.

3. Background

- 3.1. The land shown on the attached plan (E2496) is the football field at Ardgryffe Park, Houston, which the Community & Family Care Policy Board at its meeting on the 26 May 2009 identified as a surplus pitch which could be made available for lease to local clubs in terms of the approved Playing Field Strategy. The pitch was not included with those transferred to Renfrewshire Leisure when the Cultural Trust was established and remains with the Council, maintained as a kick about/open space area.
- 3.2 Houston United a local football team has approached the Council and asked whether it could lease the football pitch, with a view to improving the pitch such that it can be utilised by the club for football activities.
- 3.3 Houston United is a local Community Club established in 2005 for the enjoyment of football for Children and youths in Houston and the surrounding area. It currently has 180 male and female members, with players over 9 age groups along with 25 coaches. They are holders of the Scottish Football Association Quality Mark, which details the clubs ethics, duty of care, equality and child protection policy and codes of contact. Their constitution requires that all officials are Disclosure checked with details submitted to the Scottish Youth FA protection officer. They have submitted their Constitution, Equality policy, Health & Safety Policy, Welfare Guide along with a note of their current financial position. They are a well organised and solvent club managed from subscriptions which serves the local community. In addition they have managed to secure funding with a local area grant of £10,000 for the installation of utilities for the 2 changing facilities they have secured and would propose to install at the Park for their use.
- 3.4 The Council obtained Ardgryffe Park in 1984 when the area was disposed to the Council from Taylor Woodrow, house builders, subject to the title condition that the area be maintained for all time coming and remain for use as open space, amenity ground, roads or footpaths.
- 3.5 The Head of Corporate Governance does not believe that the title condition would prohibit the Council from granting a lease to Houston United, so long as the club do not fence off the area, and accept that members of the community will be able to access the playing field when not in use by the club. However, the installation of any protacabin changing facilities may necessitate the consent of the successor to Taylor Woodrow.

3.6 The following Heads of Terms have been provisionally agreed for the grant of a lease :-

- Renfrewshire Council will lease to Houston United the football pitch at Ardgyffe Park, Houston as shown on the attached Plan E2496 along with an area to be determined for the location of portacabin changing facilities.
- The club will be responsible for the installation, and future maintenance & repair of the portacabin changing facilities.
- The initial lease will be for a period of 10 years. The tenant will have a break option, at the end of year 5, on the provision of 1 year's prior notice.
- The football pitch is leased for use by Houston United for Football and Community related activities and for no other purpose.
- Given this is a community lease, the annual rent shall be the sum of £1, if asked, so long as the club utilise the pitch for Community purposes.
- Recognising the title restriction, the club will not fence off the football pitch and acknowledge that the area of ground will be available to members of the public, when not in use by the club
- Houston United will be responsible for obtaining all necessary statutory consents for the proposed 2 portacabins changing facilities. The location of which will be determined, dependent upon the location of existing services.
- The club shall meet the cost of any open space notice required in terms of the Town & Country Planning (Scotland) Act 1959.
- Community Services will continue to cut the various grass areas at Ardgyffe Park in accordance with their current maintenance regime, including the pitch to be leased to Houston United. However, the club will be responsible for any additional grass cutting to meet their own needs, the installation of any football goals & equipment along with the lining of the pitch for matches.
- Each party will bear their own professional and legal expenses in concluding the lease agreement, with the tenant responsible for meeting any Stamp Duty, Land transaction tax or registration dues applicable.

Implications of the Report

1. **Financial** – None.
2. **HR & Organisational Development** – Not Applicable.
3. **Community Planning** –
 - a. **Children and Young People** – An area of amenity ground will be improved and developed for the Community at large in the Houston area.
 - b. **Community Care, Health & Wellbeing** – The improvement of the football pitch by Houston United will allow them to take forward health related activities for the benefit of the local community.
 - c. **Empowering our Communities** – The pitch will be leased to a community group who will be able to improve the area for the benefit of the local community.
4. **Legal** – Conclusion of a lease with Houston United, and submission of a request to relax the title conditions to enable the installation of portacabin changing facilities.
5. **Property/Assets** – As per report.
6. **Information Technology** – Not Applicable
7. **Equality & Human Rights**.
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – Not Applicable.
9. **Procurement** –Not Applicable.
10. **Risk** – Not Applicable.
11. **Privacy Impact** – Not Applicable.

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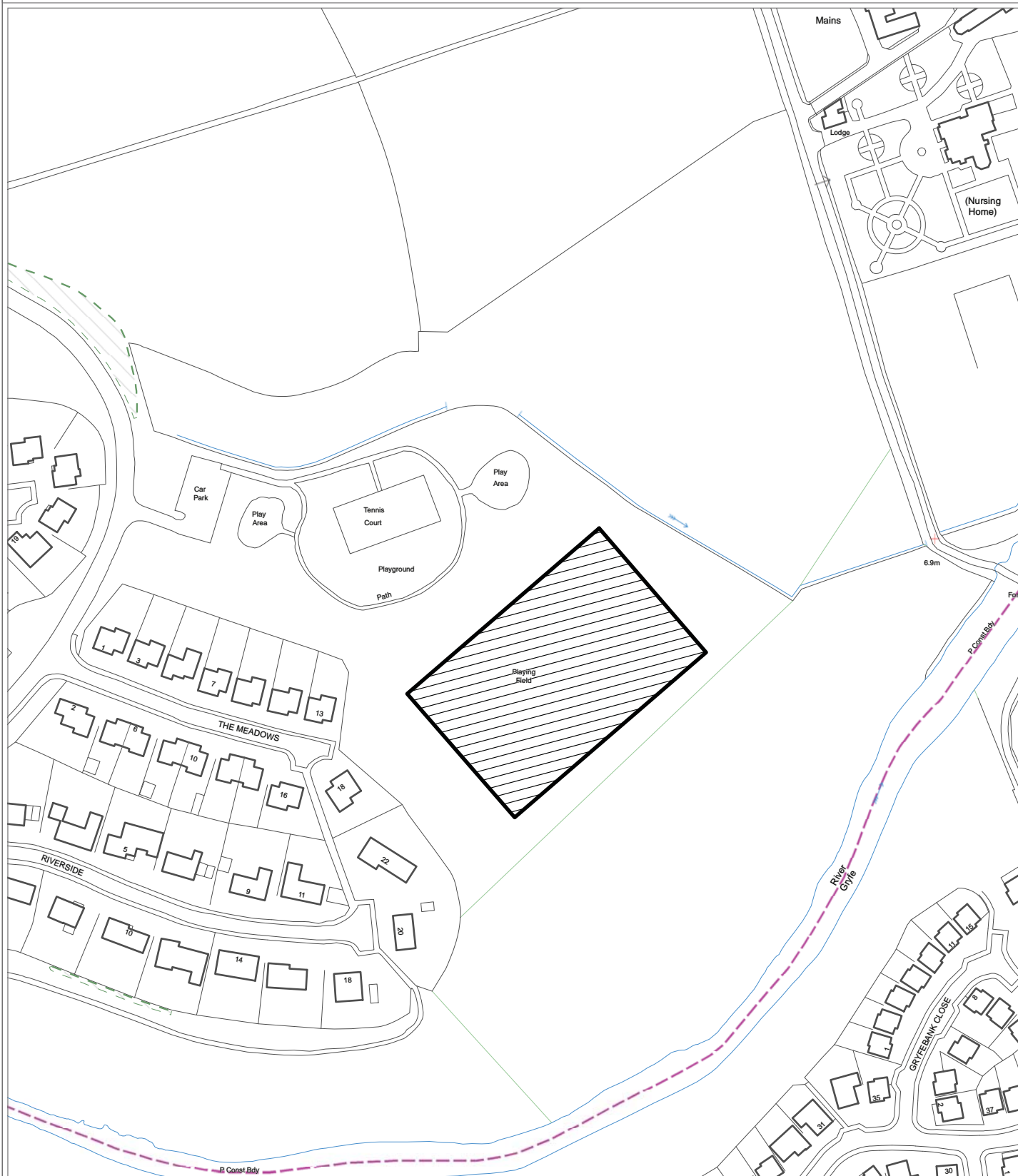
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Date: 29/07/2016



Notes:

Proposed lease to Houston United shown outlined and hatched.