

**TITLE OF REPORT:** Surplus Declaration of Sports Pitches at Smith Terrace

**REPORT OF:** Kevin Scarlett, Interim Strategic Director Housing,  
Environment and Healthy Communities

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### **Purpose of the Report**

1. To seek approval to (i) the property listed below being declared surplus to the Council's requirements and (ii) the future proposal for the property after being declared surplus.
  - Sports Pitches at Smith Terrace, Abbeyfield Close, Teams, NE8 2PS

### **Background**

2. The property, which is shown edged black on the plan provided, is no longer required by the Council for service delivery for the reasons set out in **Appendix 1**.
3. The Council have considered alternative options for the property but, for the reasons outlined in Appendix 1, a Community Asset Transfer has been identified as the preferred option.

### **Proposal**

4. It is proposed that the land be declared surplus to the Council's requirements and disposal of the site via Community Asset Transfer, in accordance with the proposal set out as **Appendix 1**, as this is believed to be in the best interest of the public and the Council.

### **Recommendations**

5. Cabinet is asked to approve the recommendations set out in Appendix 1 of this report.

For the following reasons: -

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To realise savings identified through rationalisation of the playing field portfolio.

## **APPENDIX 1: Sports Pitches at Smith Terrace, Abbeyfield Close, Teams, NE8 2PS**

### **Policy Context**

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive. It helps to deliver the Council's Gateshead Health and Wellbeing Strategy, in particular the policy objective to create and develop healthy and sustainable places.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, the rationalisation of Council assets to reduce costs.

### **Background**

3. At its meeting on 19th December 2016 Cabinet decided to further develop partnerships and asset transfer arrangements with sustainable, development minded clubs to manage their own sites and/ or facilities as part of the Gateshead Playing Pitch Strategy (Minute No. C141).
4. Gateshead Redheugh 1957 (also known as Redhugh Boys Club), who currently lease Eslington Park sports pitches and use the subject sports pitches on a licence agreement, have expressed an interest in taking on responsibility for Smith Terrace sports pitches.
5. Gateshead Redheugh 1957 have worked on their business plan to continue to use the sports pitches field to provide community football and supporting healthy recreation and community activities and are now in a position to proceed with a community asset transfer of the property.
6. The property, shown edged black on the plan, is held for Leisure purposes and is used for recreation/ open space. Section 123 (2A) of the Local Government Act 1972 provides that the Council may dispose of property held for recreation/leisure, for any purpose for which it is authorised to acquire land by agreement, if it advertises its intention to do so in two consecutive weeks in a newspaper circulating in the area in which the land is situated and considers any objections which may be made to it.
7. Therefore, the disposal of this property may be advertised, then (depending on the decision taken in respect of any objections/representations made to the advert), it can be declared surplus and disposed of in accordance with section 123 of the Local Government Act 1972.
8. The sports pitches known as Smith Terrace are also shown outlined in red on the attached lease plan. The lease will be subject to Northumbrian Water Limited's right of access over the land coloured brown and blue on the plan, together with its right to maintain the pipeline coloured yellow and their equipment on site. The Council also reserves a right to use the access route coloured brown and the land coloured green as a meadowland and the land shown hatched on the plan for trees/ shrubland.
9. The premises are to be used for community football and supporting healthy recreation and community activities. However, it should be noted that neither the area shown green, blue or brown may be used for parking of vehicles at any time or

for the storage of any materials or equipment. (Any damage caused to these areas by the Tenant will need to be reinstated to the Council's satisfaction.)

10. The Council will remain responsible for the trees/shrub land within the area shown hatched on the plan which will be maintained as and when required and the meadowland shown green on the plan, which will be subject to a single annual late summer/early autumn cut, with arisings raked off and composted on site at the site boundary.

## **Proposal**

11. It is proposed that, subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, the property, shown edged black on the attached plan, be declared surplus to the Council's requirements and a 88-year lease at £770 per annum be granted to Gateshead Redheugh 1957 (Charity number: 1091078) pursuant to the Council's Community Asset Transfer policy. The lease will be from a date to be agreed to be co-terminus with the lease of Eslington Park Sports Pitches dated 29 February 2012.
12. As per the Community Asset Transfer of sport pitches, a 3-year rent free period is to be granted, which will commence on completion of the lease or on entry by way of a licence whichever is earlier. (The rent has been calculated using the net area 1.6 ha). This rent free period will aid the club's success by providing the club with an opportunity to access funding and develop their plans in the early stages of their tenancy.

## **Recommendations**

13. It is recommended that subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, Cabinet: -
  - (i) Declare the property surplus to the Council's requirements;
  - (ii) Authorise the Strategic Director, Housing, Environment and Healthy Communities to grant a 88-year lease at £770 per annum, with a 3-year rent free period and pursuant to the Council's Community Asset Transfer policy, to Gateshead Redheugh 1957.

### **For the following reason: -**

- (iii) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (iv) To encourage asset transfers of football pitches as part of Playing Pitch Strategy.
- (v) To realise savings identified through rationalisation of the playing fields portfolio as agreed by Cabinet (Minute No. C62).

## Consultation

14. In preparing this report consultations have taken place with the Leader, Deputy Leader and Ward Councillors for Dunston and Teams.

## Alternative Options

15. The option of retaining the property has been discounted as the maintenance of the playing field had been identified as an efficiency saving. There are currently no alternative viable options for the use of the site.

## Implications of Recommended Option

### 16. Resources:

a) **Financial Implications** - £770 per annum, payable quarterly in advance. A 3-year rent free period to be granted, which will commence on completion of the lease or on entry by way of a licence whichever is earlier. (The rent has been calculated using the net area 1.6 ha).

b) **Human Resources Implications** - There are no direct staffing implications arising from the recommendations in this report.

c) **Property Implications** - The grant of a lease of this property will result in a reduction in the Council's operational property portfolio and reduce operational costs.

17. **Risk Management Implication** – There are no risk management implications arising from this recommendation.

18. **Equality and Diversity** - There are no implications arising from this recommendation.

19. **Crime and Disorder Implications** - The grant of a lease of this property will reduce opportunities for crime and disorder, especially vandalism and theft.

20. **Health Implications** – There are health implications arising from this report, as the activities provided by the tenant will provide both physical and mental health benefits to people who participate in the activities delivered.

21. **Sustainability Implications** - The future grant of a lease will reduce the level of the Council's operational maintenance, which will subsequently result in a reduction in the Council's carbon footprint.

22. **Human Rights Implications** - There are no implications arising from this recommendation.

23. **Ward Implications** – Dunston and Teams.

24. **Background Information** – Minute No. C62 (2017)

**APPENDIX 2: Site Plan**



<b>Title</b> <b>Land at Smith Terrace</b>		<small>© Crown Copyright and database rights 2015. Ordnance Survey (license number 100019132)</small>		 <b>Gateshead Council</b>
<b>Scale</b> <b>1:2500</b>	<b>Date Created</b> <b>25th July 2023</b>	<b>Drawn By</b> <b>Joe Davies</b>	<b>Drawing Number</b>  <b>Rev</b> <b>00</b>	
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