



Title of meeting: Cabinet
Date of meeting: 5 September 2023
Subject: Lease of open space at King George V Playing Field
Report by: Director of Culture, Leisure and Regulatory Services
Wards affected: Cosham
Key decision: No
Full Council decision: No

1. Purpose of report

1.1 To update Cabinet on the outcome of the formal advertising of the council's intention to lease land at King George V Playing Field to an operator.

2. Recommendations

2.1 That Cabinet consider the outcome of the consultation exercise and delegate authority to the Director of Culture, Leisure and Regulatory Services to grant a lease to the preferred operator upon consultation with PCC Legal Services and Property Team, once the final terms are agreed.

3. Background

3.1 The Cabinet report dated 21 June 2022 informed Cabinet that the land to be leased to the preferred operator of the newly constructed King George V Football Complex is currently classed as open space land for the purposes of recreation (Open Spaces Act 1906).

3.2 The leasing of such land is treated in the eyes of the law as being a "disposal" and hence the Council has a statutory obligation to formally advertise such "disposal" in a local newspaper and conduct a consultation exercise.

3.3 The Council's Constitution governs that the power of management over all land owned by the Council (including disposal of land) is an executive function. Cabinet was recommended to authorise the carrying out of such advertisement and consultation process. The Legal comments within the 21 June 2022 report advised that Cabinet should be further updated on the outcome of the consultation exercise, with details of any objections raised.



- 3.4 In compliance of the Local Government Act 1972 Section 123, a Notice of intended disposal of land was placed in The News for 2 consecutive weeks on 12 and 19 July 2023 and also displayed on the city council's website.
- 3.5 The Notice references the extent of land that is proposed to be included within the lease and that is currently under construction to create two new artificial grass pitches, a new pavilion and revised car park facilities. A lease of this land will enable the appointed operator to operate the pitches and pavilion, that will serve as a community facility. The lease is proposed to run for up to 15 years from 1 July 2024, plus the months between actual completion (expected to be December 2023) and 1 July 2024.
- 3.6 The Notice also references the land laid out as grass pitches on the site where a licence is proposed to be granted to run in tandem with the lease. With the exception of when booked football matches are taking place, the grass pitches and surrounding open space will remain publicly accessible for community use and events.
- 3.7 The deadline for all objections was the 26 July 2023. The Parks Development Manager received one email in response to the advertised Notice. This was not an objection to the proposed disposal of land, but an expression of interest in the site as operator and who was advised of the advertised procurement process that had been concluded.
- 3.8 In conclusion of the advertised procurement, Hampshire Football Association has been identified as the preferred operator and the city council is currently working to confirm this appointment. Hampshire Football Association also operate the Front Lawn Community Hub in Havant, Stoneham Football Complex in Eastleigh and Winklebury Football Complex in Basingstoke.
- 3.9 Hampshire Football Association has commenced early engagement with local football clubs to refine local community club needs and develop the usage plan for the site. Their appointment at this stage of the development will also enable valuable input into the design and finish of the pavilion.
- 3.10 The pavilion is scheduled to be complete in November 2023, with operator mobilisation and soft-opening taking place in December and for the facility to be fully operational in January 2024. The city council and Hampshire Football Association are looking into whether there is opportunity to utilise the AGPs in some form in advance of the full facility being open.

4. Reasons for recommendations

- 4.1 The advertised Notice has not resulted in any objections to the proposed disposal of open space land.



4.2 The King George V Football Complex is a priority project for the organisation and it is important the authority is in a position to progress the formal appointment of the preferred operator swiftly.

5. Integrated impact assessment

5.1 There are no additional impacts as a result of these recommendations that have not already been considered as part of the wider scheme development.

6. Legal implications

6.1 As the advertised Notice has not resulted in any objections to the proposed disposal of open space land the council may now proceed to agreed final terms for the lease and to grant it.

7. Director of Finance's comments

7.1 There are no specific financial implications arising from the content of this report. The development of the new football facility is fully funded from a mixture of Council resources and external contributions. The operation of the facilities under the lease by the preferred operator is expected to be at no revenue cost to the Council.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Cabinet Report - King George V Playing Fields Development (21 June 2022)	https://democracy.portsmouth.gov.uk/documents/s38807/KGV%20Cabinet%20report.pdf

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

Appendices:

Appendix A - Notice of Intended Disposal of Land

APPENDIX A:

**LOCAL GOVERNMENT ACT 1972 SECTION 123
NOTICE OF INTENDED DISPOSAL OF LAND**

Notice is hereby given under section 123 (1) (2A) of the Local Government Act 1972 that Portsmouth City Council intends to grant a lease of open space. The extent of the land is shown edged in red on plan number **KGV/03/NOS1** ("the Plan") and it forms part of the King George V Playing Fields Cosham Portsmouth PO6 3TE ("the Land").

It is intended to develop the Land to create new artificial grass pitches and a pavilion with facilities for users of the pitches. A Lease would be granted to an operator of the area edged red on the Plan, when the development is completed so that the operator can operate the pitches and pavilion.

The Lease would provide as follows:

1. rent of a peppercorn; and
2. run for 15 years and 6/7 months assuming occupation commences in Dec 2023/Jan 2024.

A licence would also be granted to run in tandem with the Lease of the pitches edged in green on the Plan. The pitches will remain accessible to the public save for when football matches are being played on them.

This is a formal notice given insofar as the Land consists of open space within the meaning of section 123 (1) (2A) of the Local Government Act 1972, being land laid out used for the purpose of public recreation.

Plan number KGV/03/NOS1 may be inspected free of charge during normal office hours, Monday to Friday inclusive (bank and other public holidays excluded), in reception at the Civic Offices, Guildhall Square, Portsmouth PO1 2AL.

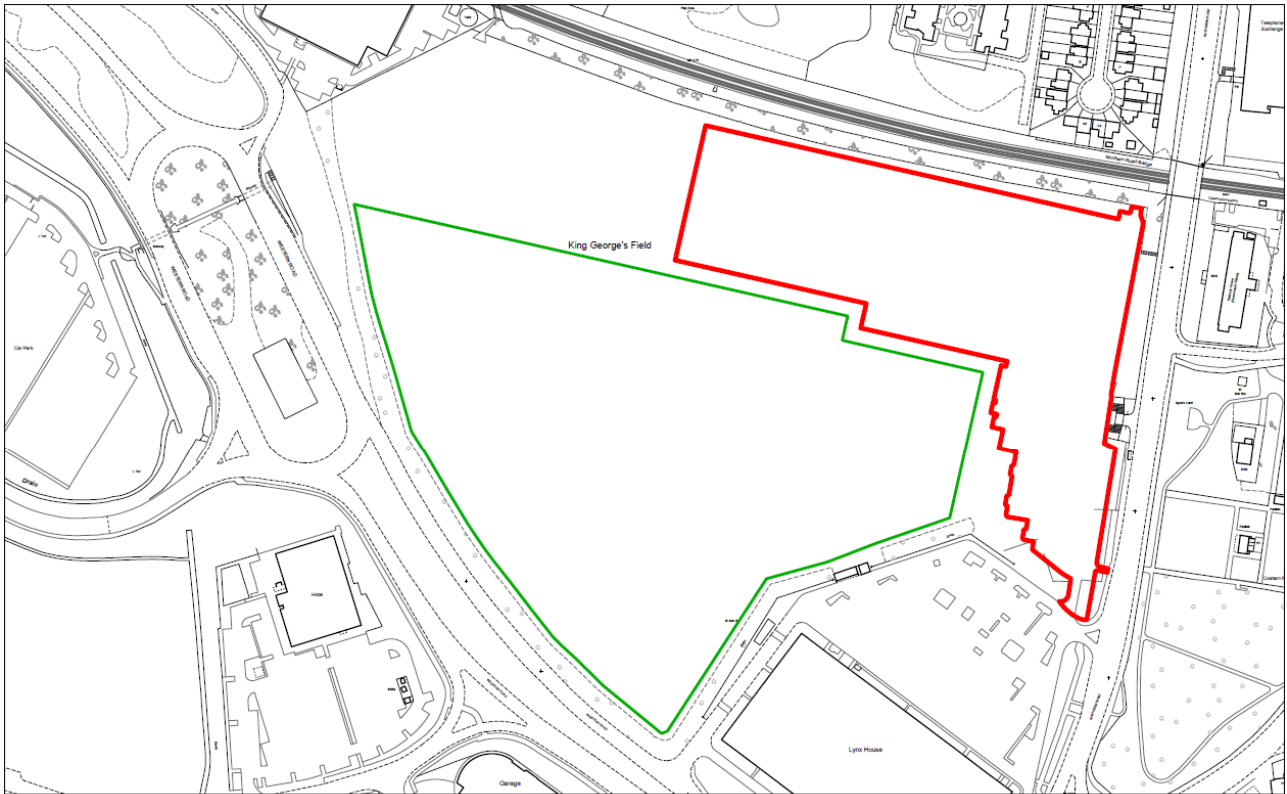
This Notice and the Plan are also available on the Council's website via the following link:

<https://www.portsmouth.gov.uk/services/development-and-planning/notice-of-intended-disposal-king-george-v-playing-fields/>

If you are unable to visit the Civic Offices and do not have internet access, please telephone Victoria Stevens-Hicks on 023 9243 7953 who will post a copy to you.

Any person who objects to the proposed disposal of the above mentioned Land should notify Adrian Rozier Parks Development Manager of Civic Offices, Guildhall Square, Portsmouth PO1 2AL, of the said objection by writing or by email (Adrian.Rozier@portsmouthcc.gov.uk) by 12 noon on 26th July 2023.

PLAN KGV/03/NOS1



**KING GEORGE V PLAYING FIELD, COSHAM
OPEN SPACE NOTICE PLAN**



Scale : 1 : 2500 @ A4

Created : 9 June 2023

Dwg. No. : KGV/03/NOS1

Revised :



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