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EXECUTIVE – 06 February 2007

Feltham Arenas

Report by: Councillor Mark Bowen, Deputy Leader of the Council
Councillor Adrian Lee, Executive Member for Leisure Services
Councillor Gerald McGregor Executive Member Finance

Summary

At the request of the Deputy Leader, this report is to advise Members of an approach by Feltham Football Community Club to re-establish the Club's presence at Feltham Arenas. The Club's proposals suggest a three-phased development programme Phase 1 is centred on the Stadium area and is just to re-provide the football pitches for 2007/2008 season.

1.0 RECOMMENDATION

That the Executive agrees: -

- 1.1 To the Director of Project Co-ordination and Corporate Property granting a Tenancy-at-Will at nil consideration to the Feltham Football Club for the area edged red on the attached plan to enable the Club to enter the land for the purpose of having the football surfaces ready for the start of the 2007/2008 season.
- 1.2 That since there maybe a potential disposal of all or part of the land in excess of 7 years, then the Council complies with the statutory legislation that governs such disposal of Public Open Spaces as set out in the report.
- 1.3 To the sum of £24,000 being paid to the Club once works have commenced to carry out demolition works to the derelict Clubhouse
- 1.4 To consult with the West Area Committee on the future development of the whole of the Arena's site. (See attached plan).

2.0 BACKGROUND

- 2.1 The Feltham Arena site covers 14.07 hectares (34 acres). Blenheim Park is on the western boundary and Feltham Park on the eastern corner. It is a short walk from Feltham Station and the Town Centre. The Arena at present consists of a dilapidated 600 seater-floodlit stadium containing artificial sand filled grass turf pitch. The roof has been removed on health and safety grounds In addition, there is a 400m all weather athletics track with ancillary facilities, [declared unfit for use] and four grass pitches and a baseball diamond.

- 2.2 The principal vehicular access to the site is via Shakespeare Avenue. As this area is primarily residential, improving the access will be a significant issue for comprehensive redevelopment. An access/feasibility traffic study was carried out in July 2004 as part of a previous study of the site. The purpose of which was to establish the capacity of the site recognizing that the overall site was of a significant size, but was restricted in what could be considered owing to the surrounding access issues.
- 2.3 The last major investment in to the arenas, was the installation of the athletic track in the early nineteen eighties. The Athletic facilities combined with the stadium and grass football pitches represented a major sporting centre for Hounslow and were heavily used by local Clubs and schools during that period. However, with a reducing revenue budget, the arena site has in fact been in a gradual decline with the effective closure of all facilities during 2004. As is often the case, the demise was closely followed by a spate of vandalism and anti social behaviour causing significant damage
- 2.4 Feltham Football Club originally held a 30 year lease on this site, which expired in 2004. The lease was not renewed owing to the redevelopment proposals being explored at the time and continual vandalism to the Club House. The Council sought to relocate the Club firstly on the De Brome site, which fell through owing to the occupation of West Thames College and then Green Lane. All the documentation is in place for the Club to occupy the Green Lane site, but the Club has expressed a preference to return to Feltham Arena.
- 2.5 During the last 18 months of the Clubs occupation of the Feltham Arena site, the Club got into financial difficulties owing to its uncertain future. The financial backer withdrew funding and consequently the Club accrued arrears of rent, which the Council agreed to write off.
- 3.0 FELTHAM FOOTBALL CLUB PROPOSALS
- 3.1 Recently the Deputy Leader called a meeting in his capacity as a local ward Councillor with Councillor Lee, Executive Member for Leisure Services and Councillors Hills and Nakamura, Chairs of the West Area Committee, to discuss a business plan which had been prepared by Feltham Football Club to occupy the stadium area of Feltham Arenas. The purpose of which is to re-establish Feltham Football Club in the heart of Feltham and to undertake a range of works to both the pitch and stadium buildings, to an estimated value of £160,000. Feltham Football Club has confirmed that the Club will provide the funding for these works if the Club could secure an appropriate legal agreement.
- 3.2 The Feltham Football Club's business plan suggests a three-phased development independent of each other, but if combined, represents a long-term aspiration of a community based sport centre covering the whole of the Arenas.
- 3.3 The first phase is the removal of the artificial turf pitch replacing it with a natural grass pitch. The area within the stadium site is sufficient to hold a full size football pitch and four, 5-a-side pitches. This work is critical to the Clubs plans both in terms of the pitches needed but also the timing of the works.
- 3.4 To be ready for the beginning of the next football season, commencing August of this year, the Club needs occupation of the site by the beginning of February at the latest, so that work to the pitch can commence in early March. If approved, the existing artificial turf pitch will be replaced with a natural grass pitch. The plan is to sow grass

seed by early March giving the maximum time for establishment before the football season commences.

- 3.5 Phase Two is the refurbishment of the stand and the changing room accommodation. It is anticipated that this work would take 6 to 9 months to complete; the Club itself would carry out the majority of this work. Once completed this will represent the essential requirements of the Club and will allow the Club to re-establish itself in the area and reintroduce its football in the community programme.
- 3.6 Phase Three proposes to develop the old athletic track with a provision for a multi sport [artificial turf], which would also be floodlit. The use would be based around a five-a-side football development, which is currently a highly popular activity and could provide a positive cash flow to the Club to support other activities. This normally consists of a number of five-a-side pitches [4-6 pitches are normally a minimum], which are hired out to local teams who take part in a competitive league programme.
- 3.7 Finally, the Club's aspiration encompasses the possibility of extending the community management to the whole of the Feltham Arenas with a view to providing a comprehensive range of activities.
- 3.8 West Area Committee Members have provided a wish list of sporting facilities they would like to see, but are equally open minded how the redevelopment could be financed. It is clear that any proposal will need to have the objective of being self-financing both in the construction phase but equally operationally. Some initial thought has been given to the need for enabling development but has not been expanded upon within the report.
- 3.9 The regeneration of Feltham Arenas has been identified by the West Area Committee as a key priority within their local plan.
- 4.0 TENANCY-AT-WILL AND LEASE
- 4.1 A Tenancy-At-Will, will enable the Club to access the site to carry out works to the pitch areas.
- 4.2 Following this, heads of terms need to be agreed for a lease. A lease to the Feltham Football Club for 25 years is required in order to satisfy the funding criteria of the Football Foundation. It is envisaged that the terms of the lease will be similar to those already negotiated subject to contract, on the Green Lane site.
- 4.3 Feltham Arenas is public open space and subject to statutory procedures involving the giving of public notice (in consecutive weeks) of the Councils intention, if a disposal of all or part of it is contemplated. As the Executive will recall any objections to the disposal must be considered before a disposal may take place. (Heston Leisure Complex being a recent example). For the purposes of the legislation the grant of a 25 year lease is a disposal.
- 4.4 The Executive will be advised of the outcome of the public consultation and will need to consider any objections, if received, to its proposals before a decision whether or not to grant a lease to the Club.
- 4.5 Members will then need to approve the terms of the new lease.

- 4.6 The Club will need to provide audited accounts, to evidence sufficient funding to carry out the works or satisfy the Council that it is able to attract the level of funding needed. Similarly the Club will need to provide evidence of adequate insurance cover.
- 4.7 Leisure Client side will need to monitor the works [as specified within the Club's Business Plan].
- 4.8 The Club is prepared to forgo any monies from the Council if the Council contributes the sum of £24,000 for demolition of the derelict Clubhouse. The demolition is necessary, as the Council has identified the building as a risk to the public on health and safety grounds. The £24,000 has been allocated from this financial year's Corporate Property Maintenance Budget. The Club will therefore be carrying out essential works that otherwise the Council would be obliged to undertake.
- 4.9 Although the Club has aspiration to develop the whole of the Feltham Arenas site to provide a wide range of sporting and training facilities needed to attract further funding, they understand that this will be in competition with other providers. The Club accepts that the Council will need to seek expressions of interest and tender the remainder of the site, in order to ensure compliance with Standing Orders. This does not affect the Clubs Phase one plan for the stadium area.
- 5.0 EQUALITIES IMPACT ASSESSMENT
- 5.1 The grant of lease has been assessed as to how well it contributes to or adversely impacts on the Council's Five Strategic Equalities and Diversity Objectives. The main considerations are that the risks are minimized and the Feltham Football Club's development will have a positive impact on these objectives.
- 6.0 COMMENTS OF THE DIRECTOR OF PLANNING
- 6.1 The Director of Planning has had no previous discussion with the Club on its ambitions for the Arenas site and is aware only of the outline proposals as now set out in section 3 above. It is unclear from this description how extensive the building and engineering operations would be in the various phases and therefore, what planning permissions would be required. Further advice should be sought, and any necessary permissions obtained, before works commence.
- 6.2 In general terms, the proposals described above are in accordance with many of the principles set out in the Council's adopted planning brief and to some extent they are more modest than the brief envisaged. For example, the brief advocates replacement of the existing structures rather than their refurbishment. To this extent, the development proposals might well be possible within the physical constraints of the site and its access limitations.
- 6.3 Reference is made in this report to "enabling development". The Executive will recall that the present planning brief expresses the view that the site should be used solely for sporting based activities and states that "it is not the Council's intention to allow uses which are more commercial in their outlook", such as bars, restaurants, hotel / conference facilities and nightClubs. The extent of any enabling development, and the justification for it, is likely to be the most contentious aspect of the proposals in planning terms.
- 7.0 COMMENTS OF THE DIRECTOR OF LEGAL SERVICES

7.1 Section 123 of the Local Government Act 1972, requires the Council to obtain the best consideration reasonably obtainable when it disposes of any land, unless exempted by express consent to do so by the Secretary of State. The Secretary of State has issued a General Disposal Consent (England) 2003 which authorises disposal at less than best consideration in the following circumstances:

a) The Local Authority considers that for the purpose the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area or of all or any persons resident or present in its area;

- i) The promotion or improvement of economic well-being
- ii) The promotion or improvement of social well-being
- iii) The promotion or improvement of environmental well-being; and new

b) The difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2m

There is a technical valuation exercise that must be carried out to ensure the proposal falls within the financial terms of this Consent

7.2 The Executive must take into consideration the likely impact of this proposal on the prospects for the remainder of the Arenas and how it might affect the prospects for the remainder of this site.

7.3 The Director advises that on the face of it this proposal could place the Council at risk of legal challenge if care is not taken in making any decision to dispose of this land.

8.0 Comments of the Director of finance

8.1 Members attention is drawn to the comments of the Director of Legal Services.

Background Papers: File Ref: V/W/239 Local Government Act 1972
This report has been or is due to be considered by: Executive
This report is relevant to the following wards/areas: Feltham North