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**Meeting:** Executive  
**Date:** 27 November 2013  
**Subject:** Roker Park, Stotfold  
**Report of:** Cllr Maurice Jones, Deputy Leader and Executive Member for Corporate Resources

**Summary:** The report proposes that Central Bedfordshire Council releases the covenant restricting use of Roker Park, Stotfold, to enable Stotfold Town Council (STC) to sell the land and build a new football ground stadium on a new site off Arlesey Road.

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**Advising Officer:** Deb Clarke, Director of Improvement and Corporate Services  
**Contact Officer:** Andrew Gordon, Head of Estate Management  
**Public/Exempt:** Public  
**Wards Affected:** Stotfold  
**Function of:** Executive  
**Key Decision** Yes  
**Reason for urgency/  
exemption from call-in  
(if appropriate)** Not applicable

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

- Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.
- Improved educational attainment.
- Promote health and wellbeing and protecting the vulnerable.
- Better infrastructure – improved roads, broadband reach and transport.
- Great universal services – bins, leisure and libraries.
- Value for money – freezing council tax.
- Taking the action outlined in this report would facilitate the delivery of elements of the Council's Leisure Strategy.

### **Financial:**

1. See Exempt Report set out in the Agenda for full financial details.
2. Essentially this arrangement meets the needs of STC, the football club and Central Bedfordshire Council (CBC).

**Legal:**

3. The agreement to release the covenant will be conditional on STC repaying the outstanding loans to CBC from the proceeds of the sale immediately after sharing the proceeds (in accordance with the Funding Proposal) and before STC spend any money on the new football ground / stadium.
4. A new 99 year lease at a peppercorn rent will be granted by CBC to STC for 24 acres of land off Arlesey Road, Stotfold for the provision of a new football ground and playing fields. Heads of Terms have been agreed and include use of the land as a football ground or playing fields, provision to sublet part to the football club and a break option for CBC to determine the lease at any time after 10 years, subject to notice, relocation of the football club, stadium and playing fields.

**Risk Management:**

5. The CBC loans have been secured as a charge against the freehold of Roker Park, Stotfold (owned by STC) to safeguard the repayment.
6. Although there is uncertainty over the amount of capital receipt from the sale of Roker Park and also the total construction costs for development of the new football facility in Arlesey Road, there is no financial risk to the Council arising from this scheme, as the Council will only contribute to the scheme when the land has sold and its contribution from its share of the net sale proceeds will be capped.

**Staffing (including Trades Unions):**

7. Not applicable.

**Equalities/Human Rights:**

8. CBC has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
9. The proposal is not likely to have an adverse impact on equality of opportunity, due to the provision of a new football ground and playing fields.

**Public Health:**

10. The new Football ground and associated grass playing fields / pitches will promote sport and leisure activities within the community which will contribute to public health and wellbeing in the area.

**Community Safety:**

11. Under section 17 of the Crime and Disorder Act we have a duty to do all that is reasonable to reduce crime and disorder in our area. The provision of grass playing fields/pitches at Arlesey Road and the sale of Roker Park for residential development will make a positive contribution.

**Sustainability:**

12. Not applicable.

**Procurement:**

13. Not applicable.

**Overview and Scrutiny:**

14. This matter has not been considered by Overview and Scrutiny.

**RECOMMENDATIONS:**

**The Executive is asked to recommend to Council that:**

1. **the Restrictive Use Covenant in favour of Central Bedfordshire Council on land known as Roker Park, Stotfold be released to enable Stotfold Town Council to dispose of the land for residential development on condition that:**
  - (a) **the net proceeds of sale (enhanced value) are to be shared equally between Central Bedfordshire Council and Stotfold Town Council;**
  - (b) **Stotfold Town Council will repay the outstanding loan of £537,000 owed to Central Bedfordshire Council out of its share of the proceeds of sale; and**
  - (c) **Stotfold Town Council will give an undertaking to use the balance of its share of the proceeds of sale to construct a new football ground/stadium off Arlesey Road, Stotfold.**
2. **Central Bedfordshire Council agrees to make a contribution from its share of the proceeds of sale (up to a maximum of £500,000) to assist the Town Council to complete the construction of the new football ground/stadium on land off Arlesey Road, Stotfold; and**
3. **Subject to recommendations 1 and 2 above, Central Bedfordshire Council agrees to grant Stotfold Town Council a 99 year lease at a peppercorn rent of 24 acres of land off Arlesey Road, Stotfold to relocate the new football ground/stadium.**

Reason for  
Recommendations:

*To provide a mechanism whereby CBC will receive a share of the capital receipt (proceeds from STC's sale of the land) for the release of the restrictive covenant together with repayment of two outstanding loans of £537,000 and STC will be able to generate funds to build a new football ground / stadium (with a capped financial contribution from CBC).*

## **Background**

15. In 2007 Stotfold Town Council (STC) made a proposal to the former Mid Bedfordshire District Council to construct a leisure centre in Stotfold, funded in part by grants and proceeds from the sale of land known as the Roker Park football ground. Discussion on the development took place during the time of the local government review (LGR) that resulted in the closure of Mid Bedfordshire Council and the creation of Central Bedfordshire Council.
16. In 2008 STC had commenced the design work for the project and due to lack of resources requested a loan of £500,000 from Mid Bedfordshire Council in order to continue the work. This loan has not been repaid.
17. The LGR resulted in many developments such as the Stotfold leisure centre development being put on hold until the new Central Bedfordshire Council was established. In addition, the recession starting in 2009 saw a collapse of property prices with the result that the leisure centre envisioned by STC was not viable and the project has not progressed.
18. Part of the Leisure project was to relocate the football ground to land off the Arlesey Road in Stotfold. This move would have resulted in the football ground's facilities being upgraded as required by the Football Association (FA). The FA have granted the football club 18 months in order to make the necessary changes and this time will come to an end in 2014.
19. In 2012 CBC entered into an agreement with STC for the Council to pay interest on the first loan. A second loan was made in 2013 to allow an archaeological survey to be carried out on the new site.
20. The new site comprises 24 acres of land off Arlesey Road, Stotfold to accommodate relocation of the new football ground/stadium, together with two full size grass pitches, informal playing fields, parking and w/c facilities. STC will be responsible for the maintenance of the land and facilities.
21. STC have two outstanding loans (totalling £537,000) that are owed to CBC. These loans have been secured as a charge against the freehold title of Roker Park and will be released upon full repayment.
22. STC own the Roker Park football ground however, the land is subject to a Restrictive Use Covenant in favour of CBC restricting its use to playing fields or agriculture.

## **Appendices:**

None

**Background Papers:** (open to public inspection) None