

Cabinet (Resources) Panel

25 May 2022

Report title	Community Asset Transfer – Bilston Town Football Club	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Bhupinder Gakhal City Assets and Housing	
Key decision	No	
In forward plan	Yes	
Wards affected	Bilston East	
Accountable Director	Julia Nock, Deputy Director Assets	
Originating service	Assets	
Accountable employee	Luke Dove Tel Email	Head of Assets 01902 557121 Luke.Dove@wolverhampton.gov.uk
Report to be/has been considered by	City Assets Leadership Team Asset Management Board	23 March 2022 8 June 2022

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the Community Asset Transfer of Bilston Town Football Club Stadium, Queen Street, WV14 7EX to Bilston Town Community Football Club for a term of 35 years subject to terms.
2. Approve the Community Asset Transfer of land adjoining Bilston Town FC Stadium, Queen Street, WV14 7EX to Bilston Town Community FC for a term of 35 years subject to further a feasibility assessment and subject to terms.
3. Delegate authority to the Cabinet Member for City Assets and Housing in consultation with the Deputy Director Assets to approve the terms of the Community Asset Transfer and lease.

1.0 Purpose

- 1.1 To propose that Bilston Town FC Stadium and adjacent land be leased to Bilston Town Community Football Club (FC) on a 35-year lease on the basis of a Community Asset Transfer (CAT).

2.0 Background

- 2.1 In November 2020 Cabinet agreed the revised Community Asset Transfer Strategy in relation to all property transactions between the Council and Voluntary and Community Organisations (VCOs).
- 2.2 The CAT Strategy aims to achieve a fair and transparent process for asset transfer between the City of Wolverhampton Council and local community groups. The Strategy assists communities to measure their state of preparedness in taking on greater management responsibility of assets. This Strategy reflects recent experience with the voluntary sector to make it more responsive to the needs of the sector and also risk manage the landlord position of the Council should a charity have difficulties in sourcing grant funding during the early stages of its development.
- 2.3 Community Asset Transfers are essentially the transfer of public land to a community organisation (such as a Development Trust, a Community Interest Company or a social enterprise) for less than market value – to achieve a local social, economic or environmental benefit.
- 2.4 Bilston Town FC Stadium is an active sports ground comprising of a single playing pitch, spectator stands and ancillary buildings for welfare / administrative provision located on Queen Street, Bilston.
- 2.5 The stadium is currently occupied by Bilston Town Community FC by virtue of a lease which was granted in 2013 for a term of 25 years at a rent of £1 per annum.
- 2.6 The stadium is the current home ground for Bilston Town FC.
- 2.7 The land adjacent to Bilston Town FC is a derelict piece of land recently re-acquired by the Council following a previous disposal which was subject to conditions. The land is also located on Queen Street, Bilston
- 2.8 The adjacent land asset is being managed currently as a void property.
- 2.9 As part of the lease renewal negotiations with the Council, Bilston Town Community FC expressed interest for the CAT of the stadium along with the adjacent land (subject to viability) for which a full business case was subsequently received and evaluated.

3.0 Bilston Town Community FC

- 3.1 Bilston Town Community FC is a semi-professional club playing at step 6 in the football pyramid. The club has been in existence for 128 years and has a rich history. The story of the football club is indelibly interlinked and interwoven with the social, cultural and

industrial history of the town of Bilston. More information on the story of a club that has periodically managed to overcome seemingly insurmountable challenges can be found at the website as detailed below.

<https://thehistoryofbilstontownfc.wordpress.com/>

- 3.2 The governance of the football club is conducted by a Board of Directors. The Honorary President is Pat McFadden, the MP for the constituency of which Bilston forms part. The day-to-day management of the football team and associated matters is undertaken by a board of directors.
- 3.3 Under its current management the Board has consciously and clearly recognised that the role of a football club like Bilston should and must be wider than putting a team on the pitch on a Saturday. The club has therefore sought and been awarded charitable status in recognition of its wider remit as a community club. It could be a community resource with potentially extensive wider benefits accessible by the entire community. To oversee and guide this work the club has appointed a board of Charity Trustees.
- 3.4 Bilston Town Community FC is also in the process of setting up a Membership Scheme for supporters. This will enable members to elect a representative to the Board who will then be eligible to vote at the Annual General Meeting.
- 3.5 Bilston Town Community FC is a company limited by guarantee (Company number 08690255) and also a registered charity (Charity number 1155508). It is committed to continuous improvement and working in partnership to adapt to the ever-changing environment whilst working to their core values as detailed below.
- Respect – We respect each other and our tenants. We celebrate diversity of our community and will serve all residents in both a respectful, fair and equitable manner.
 - Teamwork – Together (Board, staff, members, residents and partners) can achieve more.
 - Tenant Focused – Run by tenants for tenants. To provide services reflective of our residents needs and priorities. To value our residents' opinions and to encourage involvement and participation.
 - Excellence – Tenants striving for excellence. To provide the best possible service to our residents.
 - Commitment – We are committed to providing an excellent service to our tenants and committed to a continuous improvement approach.
- 3.6 Bilston Town Community FC operate under a robust set of policies concurrent with the City of Wolverhampton Council values which include safeguarding, anti-bullying, equality and code of conduct.

4.0 Proposed Future Development

- 4.1 The Board will create a Community Development Committee made up of Board members to manage the stadium and ensure the site is fully utilised. The Committee would also be tasked with seeking further funding for three projects via Sport England, The Football

Foundation, The Premier League Development Fund and The National Lottery. The projects are:

- To install a 3G pitch
- To convert the adjacent land into a car park to support the club growth
- To improve the facilities at Bilston Town Football Club

- 4.2 The FA, Sport England and the British government are trying to boost participation in grassroots football around the country, and one of initiatives they are pursuing is a 3G pitch building programme. A 3G pitch is an advanced artificial playing surface that comes close to replicating the experience delivered by a traditional turf pitch.
- 4.3 The installation of a 3G pitch is integral to the club's overall strategy. It will allow football to be played regardless of the weather conditions and will allow the pitch to be used multiple times per day. It would be transformational in allowing the organisation to open up Bilston Town Community Club to any community group, school, college or group who wanted to come and use our facilities.
- 4.4 The transfer of the adjacent land and its subsequent conversion into a car park will improve safety and security in the immediate area. It will replace the current unsightly and overgrown site with a clean and well-maintained car park for the football club improving the appearance of the area.
- 4.5 The proposed transfer of the adjacent land is subject to an assessment currently being undertaken by the Council due to knotweed treatment, known ground conditions and the identification of several mineshafts across the site. This may result in initial expenditure being incurred by the Council to ensure the site can be transferred to the club in a manner suitable for future development. Due to the knotweed treatment and removal, the minimum period required prior to any site development is 12 months. If the grounds conditions prove to be prohibitive for parking provision, a further report will be brought forward to look at alternative options for the same.
- 4.6 Once the CAT has completed and a car park has been constructed and funding for the installation of the 3G pitch has been obtained, the pitch would be moved out to the current area of land towards the Black Country Route that is currently used for car parking. This will create space for the club to improve the existing stand, social club and changing rooms.
- 4.7 Further funding, possibly via the National Lottery, will be sought for this work alongside undertaking a feasibility study to incorporate a gym alongside the side of the main stand. The gym would be bookable by any individual or group, but the club would target advertising the facilities towards underrepresented groups within the community to promote the use of the space for keep fit classes and other forms of physical activity in promoting better public health.
- 4.8 The club would also seek to improve the social club to make it a safe welcoming space for users, to improve the dressing and changing rooms and to upgrade the overall spectator experience at the club.

5.0 Benefits of the proposed CAT

- 5.1 Bilston Town Community FC will expand its role and remit as an integral community asset in a relatively deprived part of the city. Their vision is a club that is open to all, used by all and valued by all.
- 5.2 The club recognises that delivering their vision requires the active participation and involvement of both political and community leaders and so have already widened out the number of positions on the Board to open it up to community leaders and others local groups. They are keen to expand this further and will continue to reach out to all parts of the local community to ensure an inclusive approach.
- 5.3 Bilston Town Community FC and Queen Street Stadium will be a sustainable resource for the town and the community in and around Bilston.
- 5.4 There will be increased opportunity for use of the club facilities for the local community and give all sections of it the chance to use both an indoor and outdoor football pitch and gym facilities with a focus on extending the participation and open up access to underrepresented groups. These include young people, minority ethnic communities, those with disabilities, senior citizens (walking football) and to schools and colleges.
- 5.5 To promote health and fitness for all age groups in the city and help to tackle public health issues through the use of a new community gym.
- 5.6 The CAT will offer the club opportunity to widen its remit to include City of Wolverhampton Council, local community Groups and others to participate in delivering our vision and making Bilston Town FC a genuinely democratic, inclusive and strategic community asset with an embedded vision to play an active role in building community cohesion through sport and fitness.
- 5.7 In addition, there are several benefits to be derived from the transfer and development of the adjacent land into a car park as detailed below.
 - There would be a reduction of on-street parking which can be a nuisance to through traffic, pedestrians and bus services.
 - The transfer of the land and putting it to productive use - would help reduce crime, anti-social behaviour, potential health hazards and fly tipping all present given the current disused state of the site.
 - Bilston Town Community FC will take responsibility to maintain the site, keeping it free of litter and undergrowth.
- 5.8 Following consideration of the business case as received from Bilston Town Community FC, it provides a robust structure both operationally and financially that would ensure the property is correctly maintained in future and provides a valuable asset within the community that would bring excellent benefits to the local economy.

- 5.9 Bilston Town Community FC will oversee the management of the property and will ensure that the property and all associated health and safety regulations and legal requirements are adhered to at all times.
- 5.10 To allow Bilston Town Community FC opportunity to successfully secure grant funding and corporate sponsorship and to support delivery of their community involvement, a long lease would be required with a minimum term of 35 years at peppercorn consideration.

6.0 Supporting Delivery of the Strategic Asset Plan

- 6.1 City Assets have developed a Strategic Asset Plan that was completed and approved by Cabinet on 17 October 2018. This provides the structure and management of the Council's land and property portfolio over following five years, to 2023, and incorporates the Our Assets principle. The plan is structured into three parts:
- Asset Management Policy
 - Asset Management Strategy
 - Asset Management Action Plan
- 6.2 The Asset Management Policy establishes a clear mission with supporting principles for the management of land and buildings, ensuring it is fit for purpose and benefits the people of the City of Wolverhampton and to use land and buildings following rationalisation and disposal of land and buildings, that will enable a financial return to stimulate development and growth, support and encourage local businesses and promote joint-working.
- 6.3 The transfer of Bilston Town FC and the adjacent land supports the policy as outlined and in particular delivery of items A3, A5 and A9 of the Action Plan.

7.0 Evaluation of alternative options

- 7.1 Should the CAT not be approved, the club will not have a long-term solution for the development of the asset as proposed and the associated benefits will not be realised.
- 7.2 If the adjacent land asset was retained as a void property, further revenue costs would be incurred by the Council including, security, insurance and statutory compliance costs. In addition, vacant buildings continue to attract negative public comments and their condition will continue to deteriorate further.
- 7.3 The asset could be re-let on commercial terms, however this would limit the clubs ability to attract grant funding to support the proposed developments.

8.0 Reasons for decision

- 8.1 The CAT of Bilston Town FC stadium and adjacent land supports delivery of the Council Plan in ensuring that a successful, local organisation are empowered to actively improve community facilities in an inclusive manner to support the wellbeing of those it serves.
- 8.2 Should authority be given to transfer the asset, revenue efficiencies will be made through reduction in the holding costs for the adjacent land.

- 8.3 The transfer of the asset provides Bilston Town Community FC with the opportunity to bring the adjacent land back into beneficial use thereby improving the local community and environment meeting the needs of the same.
- 8.4 The club will have exceptional growth potential with the installation of the artificial pitch and development of the car park that will be derived for the CAT.
- 8.5 The current board is being expanded to include community members of standing, and partnerships are being actively sought with other local community based associations. This will ensure the Club is always governed by those who have the best interests of the Club at heart, and no one involved who is there for purely personal gain.

9.0 Financial implications

- 9.1 The proposed CAT of Bilston Town FC stadium to Bilston Town Community FC will transfer responsibility for any future investment requirements to the Club over a 35-year lease period for peppercorn consideration. The stadium is currently leased to the Club on a full repair basis so there will be no impact on the Council's revenue budget.
- 9.2 The proposed CAT of the land adjacent to the stadium will transfer responsibility for any upkeep of the site to the football club. The land has an estimated value of £2,000 as derived from a recent valuation undertaken by the Council's City Assets Estates Team in line with applied land values for amenity land. The Council would forego a revenue receipt of this value if the proposal were approved.
- 9.3 The overall CAT proposal will ensure that a valuable community service continues to operate with enhanced accountability and investment potential, whilst transferring the risk of potential future revenue and capital costs from the Council to the Club.
[RT/18052022/J]

10.0 Legal implications

- 10.1 The terms of the lease must comply with S.123 Local Government Act 1972 which states that local authorities are obliged to obtain the best consideration reasonably available unless Secretary of State consent has been given. There is a general consent that allows disposals at an undervalue provided that the undervalue is for a sum of less than £2.0 million and promotes that social, economic or environmental wellbeing of the area. Leases for a term of more than seven years are deemed to be a disposal.
- 10.2 This disposal will therefore need to be at an undervalue of less than £2.0 million and promote the economic, social or environmental wellbeing of the area.
[TC/08042022/E]

11.0 Equalities implications

- 11.1 All development plans will consider and meet the needs of all people within the local community and an all-inclusive approach will be taken by the City of Wolverhampton Council.

12.0 All other implications

- 12.1 The approval of a CAT of the asset (with regards to the adjacent land) listed in this report will prevent it falling into further disrepair and avoid anti-social behaviour.
- 12.2 The CAT will allow City Assets to prioritise and target expenditure on operational assets that require investment resulting in a reduced maintenance backlog liability for the Council and ensuring assets remain compliant with all relevant legislation.
- 12.3 Transfer of this property will reduce the quantity of void stock requiring management and assist with the regeneration within the Bilston East Ward.
- 12.4 The transfer of the asset will provide an inclusive and positive impact on health and wellbeing within the local community.

13.0 Schedule of Background Papers

- 13.1 [Strategic Asset Plan 2018-2023](#) – Report to Cabinet on 17 October 2018 including:
- Asset Management Policy 2018-2023
 - Asset Management Strategy 2018-2023
 - Asset Management Action Plan

14.0 Appendices

- 14.1 Appendix 1 – Bilston Town FC Stadium Location Plan
- 14.2 Appendix 2 – Land adjacent to Bilston Town FC Plan