

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Single Member Decision Councillor Paul Roper - Cabinet Member for Economic and Cultural Sustainable Development	
MEETING/ DECISION DATE:	On or after 28th June 2025 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3616
TITLE:	Bishop Sutton Football Fields and Surrounds, Wick Road, Bishop Sutton, Bristol BS39 5XD – Recommendation for a Community Asset Transfer	
WARD:	Chew Valley	

AN OPEN PUBLIC ITEM

List of attachments to this report:

- Exempt Appendix One - Expression of Interest
- Exempt Appendix Two - Business Plan
- Appendix Three – Maintenance Plan
- Exempt Appendix Four – Draft Heads of Terms
- Exempt Appendix Five - Draft Partnership Agreement
- Exempt Appendix Six - Social Value Calculation

The exempt appendices contain exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemptions are set out below.

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

1 THE ISSUE

- 1.1 Agree that Bishop Sutton Football Club and Surrounds is a suitable asset for transfer to the Bishop Sutton Football Club CIC, by way of a Community Asset Transfer.

2 RECOMMENDATION

The Cabinet Member for Economic and Cultural Sustainable Development is asked to;

- 2.1 Determine that the subject asset be transferred to Bishop Sutton FC CIC via a Community Asset Transfer.
- 2.2 Delegate to the Head of Corporate Estate in consultation with the Section 151 Officer the power to enter a Community Asset Transfer.

3 THE REPORT

- 3.1 A Community Asset Transfer application has been submitted by Bishop Sutton CIC in respect of Bishop Sutton Football Fields and Surrounds.
- 3.2 There are currently two competitive football teams within Bishop Sutton AFC: 1st and Reserve.
- 3.3 In the last 24 years the facilities have been developed to include;

A clubhouse with bar, skittle alley, toilets, and a kitchen, Home, Away and referees dressing rooms, Floodlights, 1500 ground capacity with a 100+ seat stand, an untarmacked car park, continual pitch improvements e.g. new drainage
- 3.4 This 45-year journey was financed by local people and the efforts of staff, players, and supporters and sponsors. No money was borrowed, and a single £5000 grant was received from the FA to assist with the floodlight works.
- 3.5 Who benefits from Bishop Sutton Football Club work? The primary beneficiaries are the local and wider community as follows;
- 3.6 Local young people whose mental and physical health will improve by training and playing football with Bishop Sutton AFC by aiming to develop the existing sports facilities and increase the number of local women and older people who are physically active thereby improving their physical and mental health.
- 3.7 Local community groups who will have access to low-cost local facilities for meetings to manage their organisations and a location to hold educational, social, and recreational activities
- 3.8 An asset that is used by local and wider sports groups as a hub for their regular events; for example, the Chew Valley 10k use the car park and the ground as a hub for the annual Chew Valley 10K race for pre-race registration, post-race fair, children's 1k and other fun activities for preschool children, and local people by the provision of an economic location for birthday parties, anniversaries, wakes, christenings etc.
- 3.9 The services Bishop Sutton Football Club intend to deliver are detailed below.

A secure long-term lease will allow access to significant funding from the Football Association and other related football bodies. Create additional teams to expand the benefit of this local asset to an even wider cross-section of the local community via the creation of the following:

Mixed walking football team, women's football team, other sports teams after completion of a MUGA e.g. netball, providing an economic and easily accessible community meeting hub; supporting the fight against racism in sport and the wider

community by promotion of the FA Respect campaign, Increase support for large annual events, e.g., Chew Valley 10k., Increase provision for less able members of the community, Provide an exemplar local sustainability asset by making Bishop Sutton AFC carbon negative by using the money saved not paying annual rates to assist in the development of green energy sources and systems e.g. photovoltaic panels to generate electricity.

- 3.10 The CAT application has progressed via the Council CAT Policy with other Service Areas confirming they do not have a requirement for the site.
- 3.11 Council Officer Panels have sat and reviewed an initial Expression of Interest and subsequently Business and Maintenance Plans submitted by Bishop Sutton FC CIC. The Council Officers have unanimously agreed that the application should be progressed by way of a 30-year leasehold interest to the Football Club. One point to consider is that the Football Club's application to become a CIC (Community Interest Company) and which has yet to be ratified requires to be complete and in place before the CAT can complete.
- 3.12 Becoming a Community Interest Company (CIC) will mean more monitoring and evaluation will be introduced. This includes oversight by the CIC regulator appointed by the relevant UK Government Secretary of State, and preparation of an annual CIC Report to be filed with accounts. The purpose of the Report is to show that the CIC is still satisfying the community interest test. The CIC Regulations prescribe minimum requirements in each report. These include: details of what the CIC has done to benefit the community, details of how it has consulted its stakeholders on its activities, detailed financial information, and details of stakeholder engagement.

4 STATUTORY CONSIDERATIONS

- 4.1 Since the Quirk Report 2007 and the introduction of the Localism Act 2011, there has been a growing interest by both local Councils and the third sector in transferring property assets into community ownership. Councils and central government have recognised that community assets can provide better outcomes, offer better value as well as create greater freedoms for partner organisations to tailor services and draw down external investment.
- 4.2 Under s123 of the Local Government Act 1972, any disposal by the Council of an asset in excess of 7 years (including leasehold interests) must obtain "best consideration", unless the General Disposal Consent (England) 2003 Circular 06/03 can be applied or a specific consent is obtained. The General Consent allows specified circumstances where the consent can be applied:
- a) the local authority considers that the purpose for which 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;

b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).

4.3 The Council has undertaken several Community Asset Transfers over the last eight years with various organisations where they have demonstrated that they are delivering services in our area and that their proposals can fulfil the following criteria:

- That they are an appropriate, not for profit legal entity, with a suitable governance structure to ensure effective management of the asset;
- There is an alignment between the work and objectives of the organisation and the Council's own Corporate Strategy and;
- Opportunities are created for enhancing the capacity of the third sector and empowering them to deliver their objectives.

4.4 The B&NES CAT policy document builds upon the work already undertaken by the Local Authority and follows the principles set out in the guidance document produced by "Locality" on Community Asset Transfer. This policy creates a straightforward process for organisations to apply for a Community Asset Transfer. This is essential to ensure that the wider community interests are safeguarded and that the overall objectives agreed for each asset transfer will continue to be delivered in the longer term.

4.5 The BANES Property Records Coordinator has confirmed the CAT is subject to the requirement to advertise and place an Open Space Notice on the land prior to final legal agreement.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 A CAT of the football fields and surrounds to the football club will have a major benefit to the club and community but also to B&NES.

5.2 With responsibility and liability of the asset transferring to the football club, B&NES will encounter reduced liabilities, reduced holding costs and management costs.

5.3 As evidenced by the social value calculation undertaken, the value created by the CAT far outweighs the market rent achievable and therefore B&NES are securing better value as a result of the transfer.

5.4 A CAT will provide better outcomes all round and enable the football club more freedom to develop facilities and secure long-term funding in the knowledge they have secured a guaranteed longer tenure (subject to ongoing assessment that community value is maintained).

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.
- 6.2 Community Asset Transfer usually involves a transfer at less than market value. The level of subsidy applied to the asset transfer, will be determined by the social, economic, or environmental benefits generated by the transfer and the market value of the asset. The value of the transfer will vary. It cannot be assumed that this will automatically be reduced to nil, as the subsidy will be dependent upon the benefits demonstrated.
- 6.3 The Leisure and Public Health Team has undertaken a social value calculation which evidences the market rent to be below the social value produced, resulting in a peppercorn rent being applicable.

7 EQUALITIES

- 7.1 Bishop Sutton Football Club will ensure the premises, and its services operate in a non-discriminatory way. This is demonstrated by the club signing up to delivering the FA Equality Policy which is included in the submitted Business Plan. This policy addresses;
 - all nine protected characteristics of the Equality Act 2010.
 - how the club will proactively work to promote equality, eliminate discrimination, foster good relations, and encourage new groups to form to meet community needs.
 - How the club will offer a neutral and accessible space that is welcoming to all sections of the community.
 - How the club plans to ensure that all sections of the community are included and potential barriers to access are identified and addressed.
 - The club's legal obligations for working with children, young people or vulnerable adults are covered within the Safeguarding Children Policy in the Business Plan.

8 CLIMATE CHANGE

- 8.1 A CAT to Bishop Sutton FC CIC will result in several environmental and climate benefits detailed as follows:
 - maintaining an openly accessible usable community green space in an expanding village with few other accessible managed green assets.

- providing an exemplar local sustainability asset by making Bishop Sutton AFC carbon negative, using the money saved paying annual rates to assist in the development of green energy sources and systems e.g. photovoltaic panels to generate electricity.
- reducing car journeys to other more distant sports facilities thus reducing carbon consumption and air pollution.
- targeting redevelopment of the underutilised area behind the existing stand for local allotments for local people or rewilding with local naturally occurring flora and fauna thus connecting the whole community / local children to the natural environment.

9 OTHER OPTIONS CONSIDERED

9.1 Initially, discussions took place on granting either a new short-term lease, or a long leasehold interest to the football club. A third party RICS Red Book was procured and proposals put to the football club on both bases. Due to their inability to secure available funding, due to not being able to evidence a substantive lease agreement, the club confirmed it could not afford either option. Therefore, matters not progressed on this basis.

9.2 This was when a CAT was suggested, which if finalised will open multi revenue streams for the football club and provide them with a good chance of securing funding due to them having secured a secure long-term lease of 30 years.

10 CONSULTATION

10.1 Consultation has been carried out with the Chief Operating Officer, S151 and Monitoring Officer, as well as the Cabinet Member for Economic and Cultural Sustainable Development and the Ward Councillors for Chew Valley.

Contact person	Richard Holden Head of Corporate Estates & Development
Background papers	Exempt Appendix One - Expression of Interest Exempt Appendix Two - Business Plan Appendix Three – Maintenance Plan Exempt Appendix Four – Draft Heads of Terms Exempt Appendix Five - Draft Partnership Agreement Exempt Appendix Six - Social Value Calculation
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