



Submitted on Tuesday, 4 April, 2023 - 13:09

Decision title: Lease of the site at Braywick Park to Maidenhead United FC

Date of decision: Tue, 04th April 2023

Decision maker name: Andrew Durrant

Decision maker job title: Executive Director of Place

Decision maker email: andrew.durrant@rbwm.gov.uk

Authority for delegated decision: Part V of RBWMs Constitution provides for a delegation to chief officers.

Reason(s) for officer decision notice: Any decision which is taken in exercise of an express delegation made to an officer by the Cabinet or a Cabinet Sub Committee

Key decision subject to call-in?: Yes

Part II (Confidential) decision?: No

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Wards affected: Oldfield

Consultation undertaken (internal and external):

The Council approved at Cabinet on 26th November 2020 the release of the land at Braywick Park, subject to planning, for £460,000 as recommended in the s.123 report and delegated authority to Executive Director of Place to undertake the statutory procedure required under Section 123(2A) of the Local Government Act 1972 as required and to negotiate draft agreement for lease, for 999 years at a peppercorn rent.

An Open Space Notice was publicised for two weeks from 28th April 2022 in respect of the proposed disposal of the land at Braywick Park, with objections accepted until 19th May 2022. There is no statutory time constraint on considerations, but consideration should be given to the 22 objections received on balance of the disposal versus the loss of the open space.

Decision made:

That the Executive Director of Place Services having due regard to the objections



received in relation to the Public Open Space Disposal Notice and, subject to the granting of planning permission for a new stadium, agrees to proceed with the lease of the site.

Reasons for decision:

Objections to the disposal of land at Braywick Park, Maidenhead by way of lease for the principal use as a football stadium or community sports stadium together with other associated sports, wellbeing, hospitality and community facilities, have been considered by the Council on balance of disposal of the site versus loss of the open space at Braywick Park.

Taking into account comparative and competing local community needs, the Council has considered the representation received from the public and, on the balance of benefits to the community, confirms that, subject to grant of planning permission for a new stadium, is recommending that the lease of the site proceeds.

Details of any associated risks and mitigation:

The risks associated with this project are limited for the council, as it will only be releasing land to enable the future project to be delivered.

All project costs and project risk will sit with MUFC and the selected development partner for the project.

Should the scheme not get delivered, following terms being agreed, then the Council would not release the land.

The land is being released by way of a long leasehold (999 years) which is a virtual freehold, with the council retaining the ultimate freehold and a caveat that, should the site cease to be used as a football stadium, the land will revert back to the council for nil consideration.

Details of any associated finance considerations:

The council will receive in return for the sale of the land, subject to planning, a capital receipt of £460,000. This will only be paid if planning permission is achieved and is, therefore, a conditional contract.

Name of Finance officer who provided advice: Carter Jonas

Date advice given: Wed, 01st September 2021



Name of legal officer who provided advice: Katherine Lamprell

Date advice given: Wed, 06th April 2022

Details of any associated equality/ sustainability /data protection considerations: Equalities. Equalities. The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, an EQIA will be published on the council website for this project.

Climate change/sustainability. In light of the council motion to declare a climate change emergency, the development of the new stadium will need to meet BREAM standards and demonstrate that sustainable materials and construction methods are used where at all possible. The redevelopment of the existing stadium for residential purposes will also need to take account of social, environmental and economic sustainability.

Data Protection/GDPR. Due regard to the requirements of the Data Protection Act 2018 and the General Data Protection Regulation have been considered and taken into account before making a decision. In this instance, it has not been necessary to carry out a Data Protection Impact Assessment.

Details of any alternative options considered and reasons for rejection:
Do Nothing: MUFC will struggle to continue with its existing facilities, which will not be suitable for future advancement in the football league or be able to bring forward much needed sports facilities to a wide range of groups in the location community.

Associated documents:

Details of any declarations of interest made: none

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