

DRAFT Burraton Field, Saltash Report

1. Purpose of Report

This update outlines the factual background relating to Aldi's interest in the site, Cornwall Council's statutory obligations, engagement with the Rugby Club, and the broader context affecting decision-making.

The report is written to be factual, neutral, and not critical of any individuals or Councils. Some details may be approximate due to the large volume of information received within a short timeframe so please don't hold me to the exact terminology.

Attached is a copy of the Title information relating to the site. Both date from 2022 and therefore the lease referred to for the Rugby Club is their old lease, not the new lease which was granted in May 2024.

2. Cornwall Council Disposal and Procurement Processes

Ordinarily, a site is formally declared surplus before any disposal activity begins. Once identified as surplus, the site progresses through a process designed to ensure best value.

There is no specific obligation for Cornwall Council to undergo a procurement process (tender).

In the case of the Burraton site, it had not been declared surplus when Aldi first approached Cornwall Council expressing interest. Their enquiry prompted internal consideration. As this is a one-to-one disposal, the Council was not legally required to undertake a wider marketing or competitive process.

Cornwall Council does, however, have a statutory duty to ensure it acts in the best interests of the public. If, following internal assessment, a disposal to the Rugby Club were considered the better option, that option would remain open. However, several factors must be considered:

- The existing football pitch is underutilised.
- Aldi will only receive planning consent if the sporting provision in Saltash is maintained or improved.
- If successful, Saltash would benefit from enhanced sports facilities.
- In planning terms, Saltash would be no worse off, and potentially better off.

As a result, the Council must consider the justification for rejecting a significant capital receipt, additional employment opportunities, and improved retail provision, particularly where sporting facilities would not be diminished. If Aldi cannot demonstrate adequate replacement facilities through the planning process, planning permission will not be granted and the disposal will not proceed.

Cornwall Council is confident in this process. The existing Burraton sports provision must be replaced within the Saltash area, and planning is the mechanism through which this requirement is tested. If planning consent is not granted, the land will not be declared surplus and will continue in its current use.

Because Treledan is already progressing and meeting separate needs, improvements there cannot be used as a justification for failing to re-provide the Burraton facility. Aldi may propose contributing to an additional pitch at Treledan or enhancements such as a 4G surface, but they cannot rely on Treledan alone to satisfy the replacement requirement. Any such attempt would likely be challenged.

Cornwall Council expects Aldi to develop and present appropriate proposals. It is Aldi's responsibility to undertake the necessary work, not Cornwall Council. Cornwall Council must also remain neutral as some departments will act as a consultee in the planning process.

Cornwall Council did not intend to include any misleading information in its Directors Report. Officers believed the content provided a fair summary of the meeting; however, Cornwall Council recognises the need for greater care to avoid ambiguity in future reporting.

Cornwall Council has complied with Section 123 of the Local Government Act 1972, which requires public notice in the press before disposing of open space or playing fields. Notices were duly published in the Cornish Times on 9 and 16 July 2025, and no comments were received at that time. Although the notices may have been missed by the public, Cornwall Council's legal team will not permit contract exchange without evidence that Section 123 requirements have been fulfilled. There is no statutory requirement to place notices on site or advertise through any other channels.

The Directors' Report makes clear that the site will only be declared surplus if Aldi obtains planning consent, reflecting Cornwall Council's commitment to maintaining sporting provision. The report does not state that the site will be declared surplus regardless of outcome.

This para is really important, the disposal decision is separate from the planning process. While Cornwall Council and Saltash Town Council understands residents' concerns, those concerns must be submitted via the planning process to ensure they are properly considered. The risk of focusing solely on reversing the disposal decision is that valid issues around recreational use may not be raised at the appropriate stage.

Cornwall Council may informally refer to the Saltash Neighbourhood Development Plan (NDP) from a valuation perspective, but it does not form part of the formal disposal decision. Relevant planning considerations will be dealt with during the planning process (NDP).

On this occasion, the Leader of Cornwall Council had the delegated authority to approve the disposal because the sale value fell within their remit. Higher-value disposals require Cabinet approval, but in this case the Leader was legally empowered to make the decision.

Cornwall Council has not acted outside its powers or obligations.

Disposal Processes

Where a service identifies that it no longer requires an asset, the usual process is:

- The case enters the Asset Management Group (AMG) process, an internal consultation and checking mechanism.
- AMG ensures divisional members can provide their views and that all key Council departments have considered potential internal uses for the site.
- Local councils are invited to express interest in taking on the asset for defined purposes (Saltash Town Council has had experience of this process in the past).
- If no internal or local interest is identified, the site may be marketed or taken to auction.

One-to-one disposals do not follow the AMG route because there is only one realistic party to transact with. This was the case for Aldi.

Cornwall Council has undertaken valuation work to ensure the sale represents best consideration. Independent reviews have confirmed the price is appropriate and that marketing the site more widely would not have generated a higher receipt. The price remains confidential until planning permission is granted but is considered significant.

Capital receipts generally go into a central fund. Section 106 contributions or other planning-related payments, however, may be ring-fenced for Saltash.

3. Rugby Club / Football Club

Around 2020–2021, the Rugby Club sought a longer lease to support eligibility for large external funding (funders requirement being a minimum 21-year term lease). During discussions:

Cornwall Council suggested the possibility of the Rugby Club taking on the entire field – the Rugby Club registered their interest.

Cornwall Council issued the Rugby Club with a letter of intent confirming an intention to continue renting the full-field for 50 years.

Following Aldi's expression of interest, Cornwall Council was required to pause and consider the new proposal, which led to withdrawal of the earlier full-field offer to the Rugby Club.

- Cornwall Council refurbished changing rooms at the Rugby Ground, Warfleton and Chapel Field in exchange to not leasing the full-field. It was a significant investment.
- The Rugby Club assumed responsibility for the changing rooms at the ground as part of their lease.
- The Football Club retain formal rights to shared use of the Rugby Ground changing facility. The football club has reduced its use of the Burraton pitch over time, preferring other facilities, and no longer uses the site regularly.

Cornwall Council has maintained ongoing engagement with the Rugby Club throughout the process.

Two officers were designated to manage stakeholder relationships:

- One acting as the point of contact for the Rugby Club,
- Another leading discussions with Aldi.

The Rugby Club have raised concerns regarding the development to Cornwall Council, such as drainage, lighting, and access, which Cornwall Council shared with Aldi's agent (Stratton Creber).

The Rugby Club have concern that if part of the site becomes an Aldi store, members of the public may redirect their walking routes across the Rugby Club's remaining space and raised their concerns with Cornwall Council in recent days. The Rugby Club were advised to raise their concern through the Planning Application process.

If Aldi's planning application is unsuccessful, Cornwall Council has not yet confirmed what position it would take regarding the land, but it may be that they go back to the Rugby Club.

The Rugby Club have indicated they remain open to taking on the land if the opportunity arises.

4. Financial Pressures and Community Considerations

Cornwall Council has limited financial resources.

Opportunities for tenants to take on maintenance responsibilities can relieve pressure on Cornwall Council budgets and provide the best outcome for the town.

When commercial interest arises, Cornwall Council has a statutory duty to evaluate such offers in order to secure best value and best outcome for the site/town.

While a development could bring investment and local benefits, it may also lead to the loss of an established community green space. This is recognised and managed carefully by Cornwall Council as referred to above.

As a statutory consultee, Sport England's primary duty is to protect, enhance, and ensure the provision of sports facilities, objecting to developments that cause loss of sport, unless the developer improves or replaces provision.

There will be many other consultees involved in the planning process but beyond that public notices will be displayed so it doesn't preclude anyone else from having a say.

The planning process is essential (as stated above), as it provides the mechanism for assessing this requirement. It is vital that everyone understands its importance and feels able to raise any planning-related concerns.

End of report

Town Clerk / RFO