

TRAFFORD COUNCIL

Report to: Executive
Date: 23 September 2013
Report for: Decision
Report of: Executive Member for Economic Growth and Prosperity

Report Title

Disposal of land at St. Mary's Road, Bowdon and replacement of the Jubilee Community Centre.

Summary

This report sets out the context for the disposal of plot of land that will allow a small development of residential properties land at St. Mary's Road, Bowdon. This disposal will provide a capital receipt for the Council and will support the replacement of the Jubilee Community Centre.

Recommendations

That the Executive:

1. Authorise the appropriation of the land edged blue and red on Plan No.708/301H attached to planning purposes under the provisions of Section 227 of the Town and Country Planning Act 1990.
2. Authorise the Corporate Director (Economic Growth and Prosperity) to take all necessary steps to sell the land edged red on Plan No. 708/301H including adding the site to the Land Sales Programme.
3. Agree the proposals for the building of a replacement community centre on the land edged blue on Plan No. 708/301H attached.
4. Authorise the Director of Legal and Democratic Services to complete all necessary legal documentation accordingly.

Contact person for access to background papers and further information:

Name: Phil Pennington
Extension: 4256

Background Papers: None

Implications:

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| Relationship to Policy Framework/Corporate Priorities | This report relates to the corporate priority for economic growth and development. |
| Financial | This is detailed in Part 2 of the report |
| Legal Implications: | The appropriation of land to planning purposes under Section 227 of the Town and Country Planning Act 1990. Entering in to a new 25 year lease with Bowdon Community Association. |
| Equality/Diversity Implications | None associated with the residential development. Facilities support all sectors of the community, all equality strands will be considered further in the development of the project |
| Sustainability Implications | The new development will be in line with the Council's sustainability requirements for new housing. Will also result in improvements to the community centre which will lead to enhancement of the physical environment and sustainability of the building in the longer term. |
| Staffing/E-Government/Asset Management Implications | Asset Management implications are set out in the report. |
| Risk Management Implications | Contract documentation will minimise risks to the council associated with the development and offer remedies should progress be frustrated. |
| Health and Safety Implications | Improvements due to enhancement and modernisation of buildings and infrastructure |

1. Introduction and Context

- 1.1 Following an appraisal of its property holdings in this locality the Council has identified a development opportunity to secure a significant capital receipt from the disposal of the informal car park off St. Mary's Road, Bowdon shown edged red on the attached plan, Plan No. 708/301H.
- 1.2 The proposals for the residential development site assume a maximum of 4 detached houses in line with planning advice received. This site is not currently contained within the Land Sales Programme. In addition to the capital receipt the proposal will also provide associated New Homes Bonus for six years.

2.0 Appropriation

- 2.1 To facilitate the proposed redevelopment of the site it is recommended that all of the land be appropriated to be held for planning purposes under Section 227 of the Town and Country Planning Act 1990. That power authorises the Council to acquire land or hold land which, amongst other things is suitable for and required in order to secure the carrying out of development, redevelopment or improvement.
- 2.2 It should also be noted that there are historic covenants attached to the land. Appropriation for planning purposes would allow the development to proceed without the threat of challenge or block and will also provide a statutory indemnity under Section 237 of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Planning Act 2008, for the Council's successors in title. The beneficiary of those covenants may still be entitled to compensation if they come forward and can demonstrate that the restrictive covenants are still enforceable and of beneficial value.

3.0 Jubilee Centre

- 3.1 The Jubilee Community Centre is managed by Bowden Community Association (BCA) who are currently holding over on their lease and have a right of renewal under Landlord and Tenant provisions.
- 3.2 BCA are seeking a lease renewal for a 25 year lease to provide grant opportunities to help with improvements to the centre and its facilities. However, it is considered unviable and uneconomic to continue to maintain the current building over this longer term due to the techniques used in its construction (wall panels and ceiling contain both white and blue asbestos). It has already far exceeded its forecasted lifespan.
- 3.3 The replacement of the community centre on a smaller footprint presents an opportunity for the Council to realise a capital receipt, and to save on future capital and revenue expenditure associated with the community centre.

4.0 Next steps

- 4.1 The land edged red on Plan No. 708/301H will be offered for sale by tender for residential use and the successful developer will enter into a development agreement to build and pay for a replacement community centre on the land edged blue on the plan by a specific long-stop date. The developer will provide temporary accommodation on the land edged red for the Jubilee Centre to decant to during the construction period. Once the new building is completed to

our satisfaction the developer will be permitted to build out the residential element of the development, on payment to the Council of the agreed price.

- 4.2 The proposals also include c19 car parking spaces within the land edged blue on the plan. The Jubilee Centre currently has no car parking spaces dedicated within its lease. These spaces could be for the exclusive use of the Jubilee Centre or shared with the Cinnamon Club at their busy times.
- 4.3 BCA would take a new 25 year lease of the replacement building on full repairing and insuring terms. All future costs associated with the new Jubilee Centre would be borne by BCA saving the Council future capital and revenue expenditure.

5.0 Financial Issues

- 5.1 The disposal of the development site will provide the Council with a capital receipt. More detail is included in the Part 2 report.

Consultation

Consultation has taken place with Bowdon Community Association and the Manager of the Jubilee Centre. If these proposals are agreed then further consultation will take place with the users of the centre and the wider public through the planning process.

Reasons for Recommendation

These proposals allow the Council to secure a capital receipt and also provide a sustainable community facility.

Key Decision

This is a key decision currently on the Forward Plan: Yes

Finance Officer Clearance (type in initials).....GB.....

Legal Officer Clearance (type in initials).....JLF.....



[CORPORATE] DIRECTOR'S SIGNATURE (electronic).....

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.