

TITLE OF REPORT: Surplus Declarations – Disposal and Community Asset Transfers

REPORT OF: Colin Huntington, Strategic Director, Housing, Environment and Healthy Communities

Purpose of the Report

1. To seek approval to (i) the properties listed below being declared surplus to the Council's requirements and (ii) the future proposals for the properties after being declared surplus.
 - Land adjacent to former Clasper Village, Teams
 - Playing Field and Changing Room at Axwell View, Winlaton
 - Former Changing Room, South Street, High Spen

Background

2. The properties, which are shown edged black and hatched (Clasper Village), on the plans provided, are no longer required by the Council for service delivery for the reasons set out in the Appendices.

Proposal

3. It is proposed that the properties be declared surplus to the Council's requirements, and thereafter dealt with in accordance with the proposal set out in the appendices.

Recommendations

4. Cabinet is asked to approve the recommendations set out in the appendices of this report.

For the following reasons:

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To encourage the building of sufficient new homes using land sustainably and prioritising the use of brownfield land.
- (iii) To encourage asset transfers of changing rooms/ football pitches as part of Playing Pitch Strategy

APPENDIX 1: Land adjacent to former Clasper Village, Teams

Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive. In particular, investing in our economy to provide opportunities for employment, innovation and growth and will help deliver the Gateshead Housing Strategy, in particular; ensuring a supply of new housing that best meets current and future needs and aspirations to create thriving, mixed communities.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, growing the economy (jobs) and providing housing choices.

Background

3. At its meeting on 19 January 2016, Cabinet declared the land shown edged black (excluding the hatched area) on the plan provided, surplus to Council requirements, so that it could be disposed of for residential development with an option for small ancillary retail.
4. The land shown hatched and shaded grey on the plan is held for Education purposes, but has not been used for this purpose since 2008 when the Clasper Towers Adventure Play Area, was provided . The Play Area was closed in 2015 due to lack of resources and for safety reasons, and it has been secured with fencing for the last 8 years. As the land has not been used as a school playing field for more than 10 years, section 77 of the School Standards and Framework Act 1998 does not apply and Secretary of State consent to the disposal will not be required.
5. When the adjacent site was declared surplus, the intention was to allow the developer to adapt and use the former Adventure Play Area as part of the open space provision for the housing site to be developed on the adjacent site. However, it has more recently been suggested that the land be included within the site to be sold to provide the developer with greater flexibility in relation to the layout/ design of the overall development site.
6. The land shown shaded grey on the plan is to be retained to provide a forest school area for the adjacent school.

Proposal

7. It is proposed that the property shown edged black and hatched on the plan provided be declared surplus to the Council's requirements, so that it can be sold for development on the open market as part of the larger site shown edged black on the plan.

Recommendation

8. It is recommended that Cabinet declare the property surplus to the Council's requirements so that it can be sold for development on the open market as part of the larger site shown edged black on the plan.

For the following reasons: -

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To encourage the building of sufficient new homes using land sustainably and prioritising the use of brownfield land.

Consultation

9. In preparing this report consultations have been carried out with the Leader, Deputy Leader, and Housing Portfolio holder. Ward Councillors have also been consulted

Alternative Options

10. The alternative option of retaining the land for use as public open space has been discounted as the land has been identified as being suitable for residential development.

Implications of Recommended Option

11. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Resources & Digital confirms that there no financial implications arising from the recommendations of this report.
 - b) **Human Resources Implications** – There are no human resources implications arising from the recommendations in this report.
 - c) **Property Implications** - The future disposal of the land will meet the requirements of the Corporate Management and Asset Strategy Plan by bringing forward a site for development.
12. **Risk Management Implication** - There are no risk management implications arising from the recommendations in this report.
13. **Equality and Diversity Implications** - There are no equality and diversity implications arising from the recommendations in this report.
14. **Crime and Disorder Implications** – There are no crime and disorder implications arising from the recommendations in this report.
15. **Health Implications** – There are no health implications arising from the recommendations in this report.
16. **Climate Emergency and Sustainability Implications** - There are no sustainability implications arising from the recommendations in this report.
17. **Human Rights Implications** - There are no human rights implications arising from the recommendations in this report.
18. **Ward Implications** - Dunston and Teams

Background Information

19. Council Min C147(2016)

APPENDIX 2: Playing Fields and Changing Room at Axwell View. Winlaton NE21 6NF

Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive. In particular, supporting communities to support themselves and each other and will help deliver the Gateshead Health and Wellbeing Strategy, in particular the policy objective to create and develop healthy and sustainable places and communities.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, the rationalisation of the estate through the disposal of an uneconomic asset.

Background

3. At its meeting on 19 December 2016 Cabinet decided to further develop partnerships and asset transfer arrangements with sustainable, development minded clubs to manage their own sites and/ or facilities as part of the Gateshead Playing Pitch Strategy (Minute No. C141), but at that time there was no club in a position to progress with this site.
4. Winlaton Community Football Club Community Interest Organisation (CIO), however, currently use the property by way of a licence and have expressed an interest in taking a Community Asset Transfer of the property, so that they can develop the facilities to continue to provide community football and support healthy recreation and community activities. As part of their proposals, the Club wish to enclose the playing fields with fencing and following discussions with local Councillors specific terms have been agreed in relation to this aspect. The Club has also been working on its business plan and is now in a position to proceed with a community asset transfer of the property.
5. The property, shown edged black on the plan, is held for Leisure purposes and is used for recreation/ open space. Section 123 (2A) of the Local Government Act 1972 provides that the Council may dispose of land consisting of an open space, for any purpose for which it is authorised, to acquire land by agreement, if it advertises its intention to do so in two consecutive weeks in a newspaper circulating in the area in which the land is situated and considers any objections which may be made to it.
6. Therefore, the disposal of this land may be advertised, then (depending on the decision taken in respect of any objections/representations made to the advert), the land can be declared surplus and disposed of in accordance with section 123 of the Local Government Act 1972.

Proposal

7. It is proposed that, subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, the property, shown edged black on the attached plan, be declared surplus to the Council's requirements and a 35-year lease subject to an annual rent of £1,565 and five yearly rent reviews, be

granted to Winlaton Community Football Club CIO pursuant to the Council's Community Asset Transfer policy.

Recommendations

8. It is recommended that subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, Cabinet:
 - (i) Declares the property surplus to the Council's requirements.
 - (ii) Authorises the Strategic Director, Housing, Environment and Healthy Communities to grant a 35-year lease subject to an annual rent and 5 yearly rent reviews pursuant to the Council's Community Asset Transfer policy to Winlaton Community Football Club CIO.

For the following reason:

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To encourage asset transfers of changing rooms/ football pitches as part of Playing Pitch Strategy

Consultation

9. In preparing this report consultations have taken place with the Leader, Deputy Leader and Ward Councillors for Blaydon and Winlaton and High Spen.

Alternative Options

10. The option of retaining the property has been discounted as the maintenance of the playing fields and changing room have been identified as an efficiency saving. There are currently no alternative viable options for the use of the site.

Implications of Recommended Option

11. Resources:

- a) **Financial Implications** - The Strategic Director, Resources and Digital confirms that the proposed annual rent will lead to an increase in the income of Property, Assets and Traded Services.
- b) **Human Resources Implications** - There are no direct staffing implications arising from the recommendations in this report.
- c) **Property Implications** - The grant of a lease of this property will result in a reduction in the Council's operational property portfolio and reduce operational costs.

12. **Risk Management Implication** – There are no risk management implications arising from this recommendation.

13. **Equality and Diversity** - There are no implications arising from this recommendation.

14. **Crime and Disorder Implications** - The grant of a lease of this property will reduce opportunities for crime and disorder, especially vandalism and theft.
15. **Health Implications** – There are health implications arising from this report, as the activities provided by the tenant will provide both physical and mental health benefits to people who participate in the activities delivered.
16. **Climate Emergency and Sustainability Implications** - The future grant of a lease will reduce the level of the Council's operational maintenance, which will subsequently result in a reduction in the Council's carbon footprint.
17. **Human Rights Implications** - There are no implications arising from this recommendation.
18. **Ward Implications** – Blaydon and Winlaton and High Spen.
19. **Background Information** – None

APPENDIX 3: Former Changing Room at South Street, High Spen NE39 2HF

Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive. In particular, supporting communities to support themselves and each other and will help deliver the Gateshead Health and Wellbeing Strategy, in particular the policy objective to create and develop healthy and sustainable places and communities.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, the rationalisation of the estate through the disposal of an uneconomic asset.

Background

3. At its meeting on 19 December 2016 Cabinet decided to further develop partnerships and asset transfer arrangements with sustainable, development minded clubs to manage their own sites and/ or facilities as part of the Gateshead Playing Pitch Strategy (Minute No. C141), but at that time there was no Club in a position to progress with this site.
4. High Spen Social Action Community Interest Company (CIC) have however, now expressed an interest in taking a Community Asset Transfer of the property so that they can develop the facilities to create a community hub providing family support, a family pantry and wardrobe activities. The organisation has been working on its business plan and is now in a position to proceed with a community asset transfer of the property.
5. The property, shown edged black on the plan, is held for Leisure purposes and is used for recreation/ open space. Section 123 (2A) of the Local Government Act 1972 provides that the Council may dispose of property held for recreation/ leisure, for any purpose for which it is authorised to acquire land by agreement, if it advertises its intention to do so in two consecutive weeks in a newspaper circulating in the area in which the land is situated and considers any objections which may be made to it.
6. Therefore, the disposal of this property may be advertised, then (depending on the decision taken in respect of any objections/representations made to the advert), it can be declared surplus and disposed of in accordance with section 123 of the Local Government Act 1972.

Proposal

7. It is proposed that, subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, the property, shown edged black on the attached plan, be declared surplus to the Council's requirements and a 35-year lease at nil consideration be granted to High Spen Social Action CIC pursuant to the Council's Community Asset Transfer policy.

Recommendations

8. It is recommended that subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972, Cabinet:
 - (i) Declares the property surplus to the Council's requirements.
 - (ii) Authorises the Strategic Director, Housing, Environment and Healthy Communities to grant a 35-year lease pursuant to the Council's Community Asset Transfer policy to High Spen Social Action CIC.

For the following reason:

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To encourage asset transfers of changing rooms/ football pitches as part of Playing Pitch Strategy.

Consultation

9. In preparing this report consultations have taken place with the Leader, Deputy Leader and Ward Councillors for Winlaton and High Spen.

Alternative Options

10. The option of retaining the property has been discounted as the maintenance of the changing room have been identified as an efficiency saving. There are currently no alternative viable options for the use of the property.

Implications of Recommended Option

11. Resources:

- a) **Financial Implications** - The Strategic Director, Resources and Digital confirms there are no financial implications arising from this recommendation.
- b) **Human Resources Implications** - There are no direct staffing implications arising from the recommendations in this report.
- c) **Property Implications** - The grant of a lease of this property will result in a reduction in the Council's operational property portfolio and reduce operational costs.

12. **Risk Management Implication** – There are no risk management implications arising from this recommendation.

13. **Equality and Diversity** - There are no implications arising from this recommendation.

14. **Crime and Disorder Implications** - The grant of a lease of this property will reduce opportunities for crime and disorder, especially vandalism and theft.

15. **Health Implications** – There are health implications arising from this report, as the activities provided by the tenant will provide mental health benefits to people who participate in the activities delivered.

16. **Climate Emergency and Sustainability Implications** - The future grant of a lease will reduce the level of the Council's operational maintenance, which will subsequently result in a reduction in the Council's carbon footprint.
17. **Human Rights Implications** - There are no implications arising from this recommendation.
18. **Ward Implications** – Winlaton and High Spen.
19. **Background Information** – None

