

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET

7th December 2016

1. **Title:** The former Crackley Community Centre
- Submitted by:** Head of Leisure and Cultural Services (primary role at this stage) and Head of Housing, Regeneration and Assets
- Portfolio:** Policy, People and Partnerships (Cabinet member with primary interest re Community Centres review)
- Ward(s) affected:** Chesterton

Purpose of the Report

To enable Cabinet to consider the operational needs for, and of, the former Crackley Community Centre.

Recommendations

- (a) That Members decide that the site of the former Crackley Community Centre is not required for strategic or operational purposes.
- (b) That, subject to approval of recommendation (a), Members authorise officers to undertake a local consultation exercise about the potential disposal of the site for alternative use or development.
- (c) That, subject to approval of recommendation (a) and the outcome of (b), Members authorise officers to enter into a dialogue with the adjoining land owner with the objective being to review the scope for a comprehensive approach to any overall redevelopment of the two parties' land holdings at this location.

Reasons

The former Crackley Community Centre, which has been boarded up since February 2016, is considered surplus to operational requirements because no appropriate or effective community group has come forward in the intervening period to operate the centre.

In these circumstances the Council's approved Asset Management Strategy requires that alternative uses should be explored for sites such as this which no longer serve any strategic or operational purpose to the Council. In addition, by potentially disposing of this asset the Council would remove any ongoing maintenance liabilities.

Importantly, if members accept that the building serves no strategic or operational purpose, this disused site could be used to support a comprehensive approach to the regeneration of the immediate area.

1. **Background**

- 1.1 The former Crackley Community Centre is located next to a site which formerly housed shops and a closed public house. Prior to demolition in autumn 2016 the former Hulstone public house had suffered vandalism and was an eyesore in the area. The former Crackley Community Centre has been boarded up since February 2016. The last formal community centre management committee ceased in 2011 and the building was handed back to the Council. Since that time it has not proved possible to establish a full local management committee so consequently there are no plans to re-open the centre. In 2011 two local individuals came forward with the expectation of establishing a new management committee. Whilst from time to time they received support from other local individuals, a full committee was never established and for a long period of time activities at the community centre were very limited as the responsibilities often fell to just one person. By February of this year, that responsibility had become too much for the individual concerned and it was mutually agreed that the centre should close. Initially interest was expressed from other people in the local community until the scale of the potential undertaking was explained. Although support and advice has been given it is not believed that there is the interest or capacity for a local management committee to be established to operate a sustainable centre.
- 1.2 Unfortunately the closed centre continues to provide ongoing liabilities, with the risk of vandalism increasing the longer the property remains empty. It is important that the Council seeks to minimise both the risk of personal injury as well as any liabilities.
- 1.3 Members should be aware that Aspire Housing are formulating plans for the redevelopment of the site of the former public house and shops adjoining the former community centre; such plans will greatly contribute to the regeneration of the area and the provision of affordable housing in the locality.

3. **Options Considered**

3.1 Option 1 – retain the premises within the Council's portfolio for operational community centre purposes. In view of the passage of time since the centre has been formally and effectively managed as a community centre it is considered that there is no viable option of continuing such use. Consequently if the Council retains this asset then there will be an ongoing maintenance cost associated with the site, on-going business rates liability and the Council may have to consider demolition of the building (to reduce health and safety risks and maintenance/security costs), which would require the allocation of capital funds that are not currently budgeted for.

3.2 Option 2 – consult the community on the potential for alternative use or development of the site. In addition this would provide the community with the opportunity to comment on the loss of the facility as well as identifying any technical or other site constraints. The related consideration - if the loss of the premises is considered acceptable and taking into account the Council's Corporate Priorities (especially the support for regeneration of key estates and the need for affordable housing in the Borough) - is the opportunity of facilitating a more comprehensive scheme of affordable housing by exploring the disposal of the site to the Registered Housing provider that owns the adjoining land (i.e. Aspire Housing). As well as potentially enabling delivery of more affordable housing it would negate the Council's liabilities (including any holding and potential demolition costs).

4. **Proposal and Reasons for Preferred Solution**

- 4.1 Since February 2016 no local residents have come forward to form a new and effective local management committee and no plans for operating a sustainable community centre have been developed. On a related note it may be considered that the community, in the broader

context of Chesterton, is relatively well provided-for in terms of other premises-related assets which serve their needs.

4.2 The site may be considered to have better alternative uses, if it is accepted that it does not serve any strategic, operational or other purpose to the Council. Any such alternative use or development would address what would otherwise be an ongoing maintenance liability to the Council. In addition, through redevelopment the Council could support the delivery of more affordable housing in the locality for the benefit of residents in the Borough.

4.3 The Asset Management Strategy outlines the disposal consultation process, it states:
'The primary purpose of the consultation on potential land disposals is to identify any physical, technical or other constraints that might affect the scope/opportunity for alternative use or development being pursued. The outcome of such consultation exercises, taken together with desktop technical assessments, allows the Council as a landowner to consider the latter approach. Importantly it is considered that the Town Planning processes (Local Plan and Planning Applications) should consider the appropriateness of land or property being developed or used for alternative purposes rather than the Council as landowner making potentially subjective judgements.'

Knowing that there might be the potential for the site to support a comprehensive redevelopment with the adjoining land it would be proposed that this is outlined in the consultation. As such it is recommended that Officers are authorised to undertake initial discussions with the adjoining landowner, thus enabling any proposals to be brought back for consideration at a future Cabinet meeting alongside the outcome of the community consultation. Subject to Cabinet approval it is proposed to run the community consultation until 13th January 2017 in order that the responses can be reported to the next available meeting of Cabinet on 18th January.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 This proposal fits with the corporate priority of a clean, safe and sustainable borough. In addition the future redevelopment of the site would contribute towards the priority of a borough of opportunity.

6. **Legal and Statutory Implications**

6.1 The Council has a duty, both fiduciary and operationally, to utilise its Assets for the benefit of the community.

The Local Government Act 1972 (as amended) – Section 123 - the Council has a duty to achieve best consideration when disposing of its assets.

The Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.

As highlighted above the Council has a legal duty in respect of unauthorised access to sites under the Occupiers Liability Acts of 1957 and 1984.

7. **Equality Impact Assessment**

7.1 There are no issues arising from this report.

8. **Financial and Resource Implications**

8.1 **The cost of safety inspections and repairs or demolition**

Should any safety repairs or general maintenance be required these would be funded from the Council's Repairs and Renewals budget allocation (upon which there are significant demands). Alternatively, if the building were to be demolished provision would need to be made in the capital programme; no such provision has been made.

8.2 **The cost of business rates**

The total business rates payable by the Council in relation to the building is £3,464 p.a. However, under the business rates retention scheme the Council retains, as income, a proportion of all business rates collected. In the Council's current position (i.e. exceeding the business rates baseline established by Central Government) the proportion of business rates retained relating to the former Community Centre premises would be £970. The net reduction in business rates payable, if the building were to be disposed would, therefore, be £2,494.

8.3 **The costs of grounds maintenance**

The Council's Streetscene service is currently incurring staff time for litter picking around the disused building. Currently this cost is being absorbed, as an opportunity cost, by the Streetscene service.

8.4 **Asset value consideration**

Should members authorise Officers to take forward initial discussions with the adjoining landowner Officers can assess the financial viability of any future scheme and complete the necessary checks and negotiations to fulfil any s123 requirements (see section 6).

9. **Major Risks**

9.1 The major risk of retaining the closed building is risk of unauthorised access and the potential associated issues. Unless the land is transferred to a third party the Council carries the risks of maintenance, security and/or demolition; these would be negated if the land were disposed of.

10. **Sustainability and Climate Change Implications**

10.1 Any such issues would be considered through the planning process.

11. **Key Decision Information**

11.1 This is not a key decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None.

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 Asset Management Strategy 2015/16 – 2017/18 available from the Council's website.