



Council Excellence Overview and Scrutiny Committee

Date: Wednesday, 8 December 2010

Time: 6.15 pm

Venue: Committee Room 2 - Wallasey Town Hall

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AGENDA

CALL-IN OF DELEGATED DECISION - DISPOSAL OF HOYLAKE LIFEBOAT STATION CAR PARK

On 16 November 2010, the Cabinet Member for Corporate Resources considered a report of the Director of Law, HR and Asset Management, which requested approval to the proposed sale of the car park adjoining the original Lifeboat Station in Hoylake, in accordance with provisionally agreed terms that were set out in an exempt appendix to the report.

The Cabinet Member noted that the time that had been recommended by the Council Excellence Overview and Scrutiny Committee and endorsed by the Cabinet to enable a proposition to come forward for a viable museum project had now elapsed; that proposals for a lifeboat museum were not at a sufficiently advanced stage; and that the owners of the Lifeboat building had indicated their intent to proceed with the sale of the former lifeboat building independently of any decision the Council may make with respect to the car park.

Therefore, in the circumstances, he had approved the disposal of the car park adjoining the original Hoylake Lifeboat Station in accordance with the provisionally agreed terms set out in the report of the Director of Law, HR and Asset Management.

That decision has been called in by Councillors J Hale, G Ellis, G Watt, P Kearney and D McCubbin, on the grounds that "... there has been a new development viz a member of the public, interested in developing a lifeboat museum, has come forward and is prepared to buy the former Lifeboat Station directly from Peel Holdings and with a view to establishing a lifeboat museum but would be looking to the Council to let the adjoining land, (which was included in the original sale arrangements), to the Lifeboat Museum Trust to be established, at a peppercorn rent."

1. **CHAIR'S OPENING REMARKS**
2. **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they are.

Members are reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

3. **EXPLANATION OF CALL-IN BY LEAD SIGNATORY**
4. **EVIDENCE FROM CALL-IN WITNESSES**
5. **EVIDENCE FROM CABINET MEMBER'S WITNESSES**
6. **SUMMING UP BY MOVER OF CALL-IN**
7. **SUMMING UP BY CABINET MEMBER**
8. **COMMITTEE DEBATE**
9. **COMMITTEE DECISION**
10. **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

The public may be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information.

RECOMMENDED – That in accordance with section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.

11. **EXEMPT APPENDIX TO HOYLAKE LIFEBOAT STATION REPORT (Pages 7 - 8)**

Agenda Annex

To:

With reference to the decision, by the Cabinet Member for Corporate Resources, to proceed with the sale of the old Lifeboat Station, Hoylake and adjoining land.

We, the undersigned, wish to call-in this decision, as there has been a new development viz a member of the public, interested in developing a lifeboat museum, has come forward and is prepared to buy the former Lifeboat Station directly from Peel Holdings and with a view to establishing a lifeboat museum but would be looking to the Council to let the adjoining land, (which was included in the original sale arrangements), to the Lifeboat Museum Trust to be established, at a peppercorn rent.

Signed



..... Cllr John Hale



..... Cllr Gerry Ellis



..... Cllr Geoffrey Watt



..... Cllr Peter Kearney



..... Cllr Don McCubbin

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HOYLAKE LIFEBOAT STATION, HOYLAKE

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to approve the sale of the car park adjoining the original Lifeboat Station in Hoylake.
- 1.2 The financial implications are an exempt item as the terms of sale are part of a commercial contract between Peel Ports and the purchaser Mr M Rice. The disclosure of the sale price could affect the future marketing of the site if the sale does not complete.

2. Background

- 2.1 On 15th April 2010, Cabinet approved terms for the sale of the car park adjoining the original lifeboat station in Hoylake.
- 2.2 This followed a joint marketing exercise conducted by Mason Partners involving the Lifeboat Building owned by Peel Ports and the car park adjoining, owned by the Council.
- 2.3 On 30th April 2010, the decision was called in on the grounds that:-
- “The proposal runs counter to the criteria for regeneration of the area and that the proposal for use would not be consistent with this designation. The proposal would also be detrimental to The Kings Gap Conservation Area.”
- 2.4 The matter was considered by the Council Excellence Overview and Scrutiny Committee on 8th July 2010 and referred to the Cabinet on 22nd July 2010 where it was resolved that:-
- 1) The decision to dispose of the land at the former Hoylake Lifeboat Station be deferred for a period of three months from the date of the Council Excellence Overview and Scrutiny Committee meeting on 8th July 2010.
 - 2) Officers seek to facilitate discussions between Peel Holdings and the proponents of a Hoylake Lifeboat Museum in this time; and
 - 3) A report on these discussions be prepared to the Cabinet Portfolio Holder for decision under delegated powers.

3. Progress of the Resolutions

- 3.1 A meeting was held on 2nd August 2010 attended by the Head of Asset Management, the Chief Estates Surveyor of Peel Ports Group and Mr John Parr, who is interested in setting up a Hoylake Lifeboat Museum. Mr Parr outlined his proposals and was advised of the three month deadline set by Cabinet. At the meeting, Peel Ports stated

that the building would not be available at a peppercorn rent. Mr Parr agreed that he would have to either put together a viable scheme or decide not to progress and that he would let the Council know of his intentions.

- 3.2 It was also explained at the meeting that, whilst Peel Ports was a subsidiary of Peel Holdings, it was autonomous and it would make a decision on disposal independent of the parent company.
- 3.3 However, in order to be certain of the Company's position, the Interim Chief Executive, wrote to Peel Developments (UK) Ltd, requesting the Company consider disposing of the property on a peppercorn basis. The Company has now confirmed to him that it would not do so, because it needs to maximise capital receipts from its surplus assets to help drive forward its strategic projects on the Wirral.
- 3.4 The three month deadline set by Cabinet expired on 8th October 2010. Mr Parr has not advised Asset Management of his intentions or submitted any scheme to progress this project, since the meeting on 2nd August.
- 3.5 However, on 11th October 2010, Asset Management was advised by Ms H Britton that she had made an application to the Heritage Lottery Fund for funding to purchase the building and for five years running costs. Ms Britton confirmed by email on 18th October that, in partnership with Mr Parr, they wish to turn the lifeboat building into a working museum with Victorian tea rooms. The land adjacent would have a replica of an old Victorian seating area with benches and railings. Although the Director of Technical Services has concerns about most uses falling within Class A3 (restaurants and cafes) of the current Use Classes Order within the Primary Residential Area, it may be that an unobtrusive café use might be considered suitable, provided it does not harm residential amenity.
- 3.6 Ms Britton is currently understood to be publicly fund raising to support the project.
- 3.7 Local Ward Members have supported Mr Parr's proposal to use the building as a Lifeboat Museum. They are also concerned that any alternative use of the building and land may not be appropriate, given the location of the site and the building's individual nature.
- 3.8 One of the original bases of the joint disposal, agreed by the Portfolio Holder for Corporate Resources on 30th June 2009, was that the Council would not preclude, by imposition of covenants, any alternative use of the property, but rely on the purchaser securing a satisfactory consent. Given that the building and the car park are located within the Kings Gap Conservation Area, it is considered that the risk of obtaining permission for an inappropriate alternative use is highly unlikely.
- 3.9 Ultimately, it will be for the successful purchaser to satisfy the Planning Committee as to the appropriateness of any future use and Ward Members and local residents will have an opportunity to register their views as part of the planning application process.
- 3.10 Peel Port Group is very concerned over the delays and has advised that it wishes to see an immediate commercial disposal of its interest in the lifeboat building. If the Council is unable to commit to the sale of the car park, the Company will proceed with a sale of its building alone.
- 3.11 The car park has been declared a surplus asset and the Council has no operational use for the land. The successful original bidder still wishes to proceed with a joint

purchase of the building and car park, in accordance with terms set out in the Financial Implications, which are exempt. In the circumstances, it is recommended that these terms of sale be approved.

4. Financial Implications

4.1 These are included in the exempt Appendix 1 to this report.

5. Staffing implications

5.1 None

6. Equal Opportunities/Equality Impact Assessment

6.1 None, the property has been advertised on the open market.

7. Community Safety implications

7.1 None

8. Environmental Sustainability implications

8.1 The sale of the property will bring back into use a vacant building.

9. Planning implications

9.1 The site is within a Primarily Residential Area allocated in the Wirral Unitary Development Plan (saved September 2007) and the Kings Gap Conservation Area designated in April 2000. However, the Interim Planning Policy 'New Housing Development', October 2005, directs new housing development towards previously developed land with the HMRI and other identified Regeneration Priority Areas. Conversion for residential purposes is not normally permitted unless material considerations can be identified.

9.3 Conversion for small scale non residential uses can be considered under UDP Policies HS15 and CH2, which have criteria to protect the neighbour's amenity and the character of the area. Special regard will be given to detailed design in preserving or enhancing the character of the area.

10. Anti-poverty implications

10.1 None

11. Human Rights implications

11.1 None

12. Local Member Support Implications

12.1 This matter will be of interest to Ward Members in Hoylake and Meols.

13. Social Inclusion implications

13.1 None

14. Background Papers

14.1 Delegated Report – 30th June 2009
Cabinet Report – 15th April 2010
Council Excellence Overview and Scrutiny Committee – 8th July 2010

15. RECOMMENDATION

15.1 That approval is given to the disposal of the car park in accordance with the provisionally agreed terms set out in this report.

Bill Norman

Director of Law, HR and Asset Management

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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