

# WIRRAL COUNCIL

## CABINET

21 JUNE 2012

<b>SUBJECT:</b>	<b>LEASE OF LAND AT THE OVAL LEISURE CENTRE – OBJECTION TO DISPOSAL</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report brings to Cabinet's attention an objection to the proposed disposal of land at The Oval to Wirral Metropolitan College, and seeks approval to the proposed way forward.
- 1.2 It also seeks Members' approval to the call in period being waived to enable site works to commence immediately to facilitate the opening of the new College accommodation at the start of the first 2013 term.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 A Delegated Decision was made on 1 December 2011 to grant a 99 year lease to Wirral Metropolitan College of the land shown on the attached plan for the development of classroom accommodation for Sports Studies courses.
- 2.2 This development is to be one third funded by The Skills Funding Agency and will replace outmoded temporary accommodation already occupied by the college in the grounds of The Oval. This will also enable the relocation of associated activities at the College's Carlett Park Campus to allow consolidation at The Oval.
- 2.3 This proposal would see up to 150 students on site on any particular day, which would generate additional income for The Oval and make use of facilities during off-peak times.
- 2.4 The proposed scheme involves new build accommodation comprising 1250 sq metres of gross floor area, and will comprise the following:- a teaching classroom, IT suite, science lab, drop in learning hub, staffrooms, changing rooms/showers, fitness room, social space/café, boat store, general storage and first aid room.
- 2.5 The buildings will be of single storey steel frame construction finished externally with brick, rendered panel, or a composite insulated cladding system. Significant areas of glazing would be provided to produce high levels of natural light and to showcase key facilities within the building. In addition, refurbishment works at the College's Twelve

Quays and Conway Park Campuses will be undertaken. Total investment in the Oval will amount to £2.4M.

- 2.6 Planning permission for the proposed development (subject to consultations) was granted on 24 May 2012.
- 2.7 A condition of the grant required that agreement be in place for a 99 year ground lease and this was approved by the Delegated Decision made on 1 December 2012. A draft development agreement and lease have been prepared and detailed negotiations have all but been finalised. The process for disposing of open space however required that its sale be advertised in the local press.
- 2.8 The proposed disposal of the land was advertised in the Wirral Globe on 14 and 21 March last to comply with the Council's statutory procedure pursuant to Section 123 of the Local Government Act 1972.
- 2.9 A formal complaint has been made which, in part, raises an objection against the sale of the land. The complaint is reproduced in full in the appendix and is being dealt with in keeping with the Council's complaints procedure.
- 2.10 In respect of the proposed disposal, the objector states in point 3 of the complaint that 'The proposed development has very significant impact on The Oval which is a designated area for recreation and sport with a very significant historical value to the whole community of Wirral'.
- 2.11 The land to be leased comprises two areas of grass verge divided by an access track to a service compound. It comprises approximately 1.5% of the total site area of the Oval. The Director of Technical Services advises that it has not been used for any recreational or sporting use in the past 25 years, and so members are requested to consider the objection and, having considered it, decide whether the proposed disposal of the land should proceed.
- 2.12 Further, the college has requested that the call in period is waived due to the need to commence site works immediately if the proposed opening date for the new accommodation at the start of the first 2013 term is to be met. There are adverse effects and financial implications for the College if it is not.
- 2.13 The build programme anticipates completion by 10 December 2012 which necessitates a start on site the week commencing 25 June 2012. This would allow students to occupy the building and commence training from the new term at the start of January 2013. This does however allow only a minimum contingency for any slippage in the build programme itself.
- 2.14 Failure to meet the completion date would negatively impact the student experience for those who will use this building who have already been in contingency arrangements for one term from the start of the new academic year in September 2012. Clearly, delay causes uncertainty and could affect the retention and achievement of what is a high performing ('outstanding' in Ofsted terms) area of the College and a high priority group of 16-18 year olds for the Local Authority

2.15 There are cost implications for the College which has contingency arrangements to retain one block at Carlett Park until the new build is available. The cost is approximately £15,000 per month but delays beyond December 2012 would make it less certain that the contingency arrangements remain available if a buyer for Carlett has been identified and wants to complete the purchase of the site and start to build there.

### **3.0 RELEVANT RISKS**

3.1 Failure to grant the lease will prevent the development of additional classroom accommodation on the site.

3.2 Failure to waive the call in period will likely result in the opening being delayed beyond the start of the first 2013 term.

### **4.0 OTHER OPTIONS CONSIDERED**

4.1 None.

### **5.0 CONSULTATION**

5.1 This report advises Cabinet of the outcome of public consultations on the proposed disposal of public open space.

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

6.1 None.

### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

7.1 The proposed development will be on currently unused land and will be externally funded. When completed the activities it will house are expected to generate additional income for the Oval.

### **8.0 LEGAL IMPLICATIONS**

8.1 None.

### **9.0 EQUALITIES IMPLICATIONS**

9.1 An EIA has been produced by the college.

9.2 (a) Yes and impact review is attached – <http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

### **10.0 CARBON REDUCTION IMPLICATIONS**

10.1 None

### **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 None

## 12.0 RECOMMENDATIONS

12.1 That the Council notes the objection and proceeds with the disposal of the land on the terms previously reported.

12.2 That call in be waived to allow works to commence immediately.

## 13.0 REASON FOR RECOMMENDATIONS

13.1 To enable the lease to be completed to facilitate the development of the new Wirral Metropolitan College facility.

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## APPENDICES

Full Formal Complaint  
Plan

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Delegated Decision	01/12/12
Planning Committee	24/05/12