

WIRRAL COUNCIL

CABINET 7 JULY 2014

SUBJECT:	<i>LAND REAR OF PENSBY PARK RESOURCE CENTRE, PENSBY</i>
WARD/S AFFECTED:	<i>PENSBY AND THINGWALL</i>
REPORT OF:	<i>HEAD OF UNIVERSAL & INFRASTRUCTURE SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>COUNCILLOR ADRIAN JONES</i>
KEY DECISION?	<i>NO</i>

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to declare the former school playing fields, to the rear of Pensby Park Resource Centre, Fishers Lane, Pensby a surplus asset and seek authority to its disposal. Permission from the Secretary of State to dispose of former community school land is also required. The matter is being reported to Cabinet as the potential sales receipt is anticipated to be well in excess of the threshold for delegated decisions.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Pensby Park Resource Centre is currently used as Council offices and also includes the Pensby and Thingwall Children's Centre. The property was originally built as Pensby Park Primary School which ceased to operate as a school in 2009. The current uses of the building do not include the former playing fields to the rear, which consequently are surplus to requirements.
- 2.2 It is proposed that a marketing exercise for this site be undertaken on the Council's behalf by its appointed property consultants, and the site be sold on the best terms reasonably achievable.
- 2.3 In order to provide access to the site it is proposed that the extent of land to be sold is as indicated in black edging on the attached plan and extends to just over 1 Hectare (2.5 Acres). This includes an area of land, shown shaded on the plan, which currently provides outdoor play space for the Children's centre. It is therefore proposed that funding, in the sum of £15,000, be set aside from the proceeds of sale to meet the cost of remodelling the outdoor play area and possibly relocating some play equipment to the unused land to the front of the site.
- 2.4 As the land has been used for school purposes within the last 8 years, in accordance with the guidance provided by the Department for Education, the Council will need to seek approval from the Secretary of State to the disposal of school land in accordance with Schedule 1 to the Academies Act 2010.

3.0 RELEVANT RISKS

- 3.1 There is a risk that the property will not sell, in which case the Council will continue to be responsible for its maintenance.
- 3.2 There is a risk that the Secretary of State will not grant permission to dispose the former school land, in which case the Council will continue to be responsible for its maintenance.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 As the property is not required by the Council, a sales marketing exercise by the Council's appointed property consultants is considered to be the most appropriate method of disposal. Consequently no other options have been considered.

5.0 CONSULTATION

- 5.1 The Head of Universal & Infrastructure Services has consulted with other relevant Council departments and the Capital Working Group. In addition, the property consultant will undertake a promotional exercise to advertise the availability of the property.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 The site is not considered to be suitable for transfer or disposal to voluntary, community or faith groups, although such groups would be able to submit an offer.

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

- 7.1 Should the site sell, it will generate a receipt and will also remove any liability for the maintenance/security of the site.
- 7.2 The cost of employing the property consultant will be in line with the approved scale of fees.
- 7.3 The sum of £15,000 is to be set aside from the Capital receipt to meet the costs of alteration of the Children's centre outdoor space.

8.0 LEGAL IMPLICATIONS

- 8.1 The disposal will require the preparation of appropriate legal documentation related to the disposal.
- 8.2 A full marketing exercise by the Council's appointed property consultants is considered to be the best way of demonstrating that the best price reasonably obtainable has been achieved, which satisfies s123 of the Local Government Act 1972.
- 8.3 Consent from the Secretary of State via form SCH1F will be required before the playing fields can be sold.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no carbon reduction implications arising from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 Planning consent for the redevelopment of the site will be required.

11.2 The site is identified as a School Playing Field on the Council's adopted Unitary Development Plan Proposals Map.

11.3 This triggers a requirement for any future planning application to be assessed against Paragraph 74 of the National Planning Policy Framework, which states that existing open space, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements or the loss resulting from proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

11.4 Sport England will be a statutory consultee on any application which, subject to any objection, may then need to be referred to the Secretary of State.

12.0 RECOMMENDATION/S

12.1 That the former Pensby Park playing fields be declared surplus and authority be given to disposal using the Council's appointed property consultants.

12.2 That an application to the Secretary of State is made for the disposal of the land.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To make the best use of the Council's property assets by declaring the property surplus and to seek authority to a disposal.

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APPENDIX

Location plan

REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date