

OFFICER DECISION FORM

DECISION TO BE TAKEN BY: Director of Regeneration and Place.

KEY DECISION NO

DIRECTORATE: Regeneration and Place.

WARDS AFFECTED: Seacombe

SUBJECT: Place in The Park, 109 Liscard Road, Wallasey.

1.0 DECISION:

- 1.1 That the Director of Regeneration and Place has approved the grant of a 20-year lease at a peppercorn rent of the property known as The Place in The Park, 109 Liscard Road, Wallasey to Hype (Merseyside) Limited.

2.0 REASONS FOR THE DECISION

- 2.1 To facilitate the continued operation of the vacant community building at 109 Liscard Road, Wallasey to Hype (Merseyside) Ltd by granting a 20-year lease at a peppercorn rental.

3.0 STATEMENT OF COMPLIANCE

- 3.1 The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4.0 DECLARATION OF INTEREST

- 4.1 There are no interests to declare.

Signed:

Officer: Alan Evans

Title: Director of Regeneration & Place

Date: 7th January 2022

A list of background papers on this issue is held with:

Contact Officer: David Dickenson daviddickenson@wirral.gov.uk
Date: 10 January 2022

Date of Publication: 10 January 2022
Date of Expiry of Call-In Period: Not applicable.

Report Title:	Place in The Park, 109 Liscard Road Wallasey.
Report of:	Manager of Assets and Surveying

REPORT SUMMARY

This report requests The Director of Regeneration and Place to approve the grant of a lease on the basis of a Community Asset Transfer to Hype (Merseyside) Ltd for the community facility known as The Place in The Park, 109 Liscard Road, Wallasey.

The matter is not a key decision.

This report meets the following aspects of the Wirral Plan :

- Brighter futures for all regardless of their background.
- Healthy and active lives for all, with the right care, at the right time.

RECOMMENDATION

That the Director of Regeneration and Place is requested to approve the granting of a 20-year lease at a peppercorn rent of the property known as The Place in The Park, 109 Liscard Road, Wallasey to Hype (Merseyside) Limited.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To facilitate the continued operation for community use of the vacant community building at 109 Liscard Road, Wallasey to Hype (Merseyside) Ltd by granting a 20-year lease at a peppercorn rental.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 As the site forms part of the Urban Greenspace, redevelopment of the property is unlikely to be permitted under current planning policy.
- 2.2 It would be possible to seek to let the premises out on a shorter lease but any organisation seeking to bid for such opportunity would not have the security of a long lease which could limit the attractiveness of the opportunity.
- 2.3 It may be possible to seek to let the premises out on a commercial basis, but this would result in the loss of a community facility.

3.0 BACKGROUND INFORMATION

- 3.1 The Place in the Park, 109 Liscard Road, Wallasey is located on the edge of Central Park, shown on the plan attached as Appendix 1 to this report. The plan shows the location of the property at the eastern most point of Central Park with a frontage to Liscard Road. A lease was originally granted in October 1956 to the Trustees of the Wallasey Round Table for a 21-year term with automatic 7-year renewals. The Wallasey Round Table constructed the single storey building on the site in circa 1956. The lease was assigned to various community organisations and in 2017 the lease was surrendered back to Wirral Council. A new 20-year lease at a peppercorn rent was granted in 2017 to Community Spirit, a Community Interest Company for use as a community building. Community Spirit CIC was dissolved in October 2020 and therefore the lease terminated, and the vacant building has reverted as an unencumbered freehold interest of Wirral Council.
- 3.2 As the building is located on the edge of Central Park and forms part of the Urban Greenspace, re-use of the property for an alternative commercial use is unlikely to be permitted under current national and local planning policies. The building is also an established community facility, and it is recommended that it should continue to be used for community use.
- 3.3 The proposed lease is for a 20-year term at a peppercorn rent, for community use with the tenant being responsible for all repairs, outgoing, insurance and maintenance of the building and external areas, except the trees on the site which will remain the responsibility of the Council.
- 3.4 The building has been offered to community groups through the Neighbourhood and Engagement Team and eleven organisations received application forms. Three applications have been submitted.
- 3.5 The three applications have been scored against the criteria for community asset transfer by the Asset Management and Neighbourhood and Engagement Teams. The standard of applications was good and the submission with the highest score was from Hype (Merseyside) Ltd.

3.6 Hype (Merseyside) Ltd is based in Birkenhead and has operated for 13 years and built a track record as a provider of youth and community services. The proposal includes the following commitments: -

- To provide a community building;
- To establish a club for juniors and seniors and use the building and utilise other areas of the park for sport and recreation;
- To deliver a calendar of social events in the park engaging people of all ages and backgrounds;
- To expand and provide training, work experience and employment opportunities in horticulture, recycling, event management and sports coaching;
- Provision of a Social Supermarket providing families with healthy food at a discounted rate locally;
- Breakfast clubs every day of the week to keep families active and provide a healthy breakfast;
- Offer of mental health support for children and young people and adults; and
- Creation of a community cycling club.

3.7 Under s123 of the Local Government Act 1972, except with the consent of the Secretary of State, the Council shall not dispose of land for a consideration less than the best reasonably obtainable including leases over 7 years. The Secretary of State has issued the General Disposal Consent (England) 2003 ("the General Disposal Consent") which applies where the Council consider the purpose of disposal is likely to contribute to the achievement of any one or more the following in respect of any part of its area or any persons resident in its area:

- (i) promotion or improvement of economic well-being;
- (ii) promotion or improvement of social well-being; or
- (iii) promotion or improvement of environmental well-being

In addition, the difference between the best price as assessed in line with the guidance in the consent and the price to be paid must not be in excess of two million pounds.

3.8 In light of the activities proposed by Hype, it is considered that the terms of the lease meet the terms of the General Disposal Consent in that the activities to be pursued by Hype (Merseyside) Ltd. Clearly promote or improve economic or social well-being of the area and residents within it.

4.0 FINANCIAL IMPLICATIONS

4.1 The proposed lease for community use, is for a 20-year term at a peppercorn rental with the tenant responsible for all repairs, outgoings, maintenance and insurance.

4.2 The liability for maintaining and securing this building will be with a third party rather than reverting back to the Council. The Council has never operated this building so does not have accurate running costs however these would include, business/water rates, security, insurance, maintenance and energy costs.

- 4.3 The premium that could be sought for a 20-year lease of the property would be in the region of £25,000. The proposal to lease the property at a peppercorn rent £0 is therefore within the threshold of the General Disposal Consent.

5.0 LEGAL IMPLICATIONS

- 5.1 The transactions will require the preparation of appropriate legal documentation for the new lease.
- 5.2 The proposed lease is in keeping with the General Disposal Consent as set out in paragraphs 3.7 to 3.9.
- 5.3 Under s123 of the Local Government Act 1972, except with the consent of the Secretary of State, the Council shall not dispose of land for a consideration less than the best reasonably obtainable including leases over 7 years. The Secretary of State has issued the General Disposal Consent (England) 2003 ("the General Disposal Consent") which applies where the Council consider the purpose of disposal is likely to contribute to the achievement of any one or more the following in respect of any part of its area or any persons resident in its area:
- (i) promotion or improvement of economic well-being;
 - (ii) promotion or improvement of social well-being; or
 - (iii) promotion or improvement of environmental well- being

In addition, the difference between the best price as assessed in line with the guidance in the consent and the price to be paid must not be in excess of two million pounds.

- 5.4 In light of the activities proposed by Hype, it is considered that the terms of the lease meet the terms of the General Disposal Consent in that the activities to be pursued by Hype (Merseyside) Ltd. Clearly promote or improve economic or social well-being of the area and residents within it.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no IT or staffing implications arising from this report. The asset implications are as described in the report.

7.0 RELEVANT RISKS

- 7.1 Failure to grant a new lease of the building could put the future operation of this community facility at risk creating negative publicity.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 The opportunity to operate this building was promoted through the Neighbourhood and Engagement Team and Community Action Wirral and eleven community groups expressed an interest, with three submitting applications for the lease of the building.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no direct quality implications from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The granting of a new lease will have no direct environmental or climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The granting of this lease will enable the continued operation of this facility delivering activities and services to the community. Hype (Merseyside) Limited has three impact goals.

Create more opportunities for young people.

To support young people to reach their potential.

To strengthen local communities.

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APPENDICES

The PDF file below may not be suitable to view for people with disabilities, users of assistive technology or mobile phone devices. Please contact daviddickenson@wirral.gov.uk if you would like this document in an accessible format.

Appendix 1 Location plan

BACKGROUND PAPERS

Community Asset Transfer submissions from the three parties (these are commercially confidential).

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	