

## Cabinet

16 July 2014

### Transfer of Land Held in Trust at Peases West, Crook



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#### Report of Corporate Management Team Ian Thompson, Corporate Director for Regeneration and Economic Development Councillor Neil Foster, Cabinet Portfolio Holder for Economic Regeneration

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#### Purpose of the Report

1. The purpose of this report is to obtain approval from Cabinet in their capacity as Trustees to disposing of an area of land held on trust by the Council at Peases West Crook to Crook Community Leisure.

#### Background

2. In 2012 the Council took the decision to hold a participatory budget event in Crook to allow the community to decide where they would like to see a resource of £500,000 allocated to assist community groups and associations to develop locally based initiatives and schemes.
3. The funding had been originally earmarked for Elite Hall in Crook, but had become available as the increased costs for the refurbishment of that building had made such a scheme unviable.
4. Following the public vote in 2013, Crook Community Partnership were awarded in principle, subject to the project fulfilling a number of requirements set as part of the bidding process, the full funding provision of £500,000 towards the first phase of a three phase project to develop new leisure provision in the town.
5. Phase one of the project is to develop a fitness suite and dance studio for the residents of Crook and the surrounding area. Phase two will include a sports hall and the final phase a swimming pool. The latter stages are subject to further funding being obtained.
6. The partnership has created a charitable organisation known as Crook Community Leisure (CCL) and it is this organisation that seeks the necessary land to deliver this project.

## **Proposal**

7. The initial proposal was to develop the project on a former school site situated at Croft Street, however, after detailed consideration of the scheme it was concluded that this location was not a viable option for the proposal and alternative sites were considered with a site at Peases West, shown verged on the attached plan, considered the most suitable alternative.
8. Throughout the development of this process County Council officers have met regularly with CCL to receive updates on progress on the initiative including aspects such as Business Planning and the attraction of match funding. This process is still ongoing and as yet, no funding has been released from the £500,000 allocated in principle.
9. In order to gauge public opinion on the potential relocation of the proposed leisure facility, a single question survey took place from the 8<sup>th</sup> of April to 29<sup>th</sup> April to ascertain whether the members of the 3 Towns AAP Forum were in favour or against relocating the proposed leisure facility from Croft Avenue to the Peases West site. The survey was sent out to 696 email addresses and to 784 postal addresses, a total of 1480. 449 people responded (30.3%) and a large majority of nearly 70% were in favour of relocating the leisure facility to the Peases West site.
10. The majority of this site was transferred to the Urban District Council of Crook and Willington by the Miners Welfare Committee Trustees on 5<sup>th</sup> April 1966. It was to be held upon trust as an open space for the benefit of the inhabitants of the Township of Crook and the neighbourhood thereof.
11. Those responsibilities transferred to the County Council from Wear Valley District Council on 1<sup>st</sup> April 2009. In order to transfer those responsibilities to CCL, the Council will need to seek the consent of the Coal industry Social Welfare Organisation. It will also be necessary to seek approval from the Charity Commission for the transfer of the land and trust responsibilities.
12. Peripheral land required for the project will be sold or leased to CCL upon terms to be agreed, and processed through the normal procedures relating to disposal/lettings of this nature subject to all approvals being obtained in relation to the Trust land.
13. The delivery of the project meets the overall objectives of the Council in working towards its Altogether Healthier objective through the increased participation in physical activity the new facilities will provide. It also contributes to both the children and young people and altogether wealthier objective through the provision of both opportunities to play sport and to be employed in sport

## **Recommendation**

14. It is recommended that the Cabinet, acting as Charity Trustee, approve the transfer of the site at Peases West to Crook Community Leisure subject to

- I. any necessary approvals being obtained from CISWO and the Charity Commission, and,
- II. the provision of a satisfactory Business Case from Crook Community Leisure for the project, as supported at the participatory budget event, with this decision delegated to the Corporate Director Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.

**Background papers**

None

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## **Appendix 1: Implications**

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### **Finance –**

The scheme will require additional Council land which may result in the Council receiving a capital receipt or rental income. A transfer will also obviate the necessity of incurring further estate management costs.

### **Staffing –**

Not Applicable

### **Risk –**

The Council has a duty as charity trustee to consider the best interests of the beneficiaries when deciding whether to hand over responsibility for the site. It is however considered the proposed use is consistent with the objectives of the Trust.

### **Equality and Diversity/ Public Sector Equality Duty –**

The scheme will enhance access to Leisure facilities in the area.

### **Crime and Disorder –**

Not applicable

### **Human Rights –**

Not applicable

### **Consultation –**

The funding approved for this project was subject to public vote and extensive consultation with the community. Local ward members have also been consulted and the Portfolio Holder for Neighbourhoods and Local Partnerships has been briefed on the proposals

### **Procurement –**

Not Applicable

### **Disability Issues –**

Not Applicable

### **Legal Implications –**

Covered in report