

Decision Maker: EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Thursday 8 October 2015

Decision Type: Non-Urgent Executive Non-Key

Title: LAND ADJACENT TO 41 BROW CRESCENT, ORPINGTON

Contact Officer: Paul Cahalan, Valuer
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Chief Officer: Director of Regeneration & Transformation

Ward: Orpington;

1. Reason for report

The building on this site is in poor condition and not suitable for letting to a third party. Because of its age and construction, it is not worthy of refurbishment, and so a decision needs to be made on its future.

2. **RECOMMENDATION(S)**

The Executive and Resources PDS Committee is asked to scrutinise this report; and

The Resources Portfolio Holder is recommended to authorise the Head of Strategic Property to arrange the demolition of the building and the removal of the fence along the northern boundary so that the land is incorporated into Grassmeade Recreation Ground.

Corporate Policy

1. Policy Status: Existing Policy: Maximising the Council's assets
 2. BBB Priority: Excellent Council:
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Financial

1. Cost of proposal: Estimated Cost: Demolition costs £11,500
 2. Ongoing costs: Recurring Cost: None
 3. Budget head/performance centre: Strategic Property Services
 4. Total current budget for this head: £635,490
 5. Source of funding: Existing revenue budget 2015/16
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Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement: S.123 of the Local Government Act 1972
 2. Call-in: Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: All comments received will be reported verbally at the meeting.

3. COMMENTARY

- 3.1 The triangle of land measuring 565m² (0.13 acre) to the side of 41 Brow Crescent was occupied for approximately 40 years by the 1st Ramsden Scout Group. They erected a small hall constructed of brick, breeze block and timber and used this for their regular meetings. A metal fence was also installed around the perimeter.
- 3.2 The Group closed in 2008 and returned the land to the Council. In August of that year, a 3 year lease was granted to Orpington Football Club, who used the hall for storage purposes, a toilet facility, and for making refreshments when they played matches on the adjacent Grassmeade Recreation Ground.
- 3.3 At the expiry of this lease, a Tenancy at Will was granted to regularise their continued occupation of the land whilst they submitted a bid to become the Delegated Managers of Goddington Park. This bid was successful, and so the Club moved its activities to that location.
- 3.4 The possibility of re-letting the hall has been considered, perhaps to a community based organisation such as another scout group, or the Delegated Manager for Grassmeade Recreation Ground, however in view of the following factors, this is not believed to be a viable option.
- 3.5 Firstly, the hall was constructed using some asbestos containing materials. An inspection by the Council's asbestos contractor has recommended that certain items, such as insulation boards and floor tiles, should be encapsulated and/or removed in order for the building to remain in use. The cost of this has been estimated at between £3,000 and £4,000.
- 3.6 Secondly, the building is in a poor condition and requires attention to such things as the roof, rainwater goods, electrics, lighting and external ply sheet cladding. An estimate for replacing the defective elements and refurbishing the property has been provided by the Head of Operational Property in the sum of £79,750.
- 3.7 Thirdly, if the aforementioned works are carried out, and the hall is rendered fit for occupation, it is thought that the potential rental income will not be significant. As an indication, Orpington FC was paying £380 pa.
- 3.8 Lastly, the football club and, to a lesser extent, the 1st Ramsden Scout Group stated that they had experienced incidents of vandalism and attempted or actual break-ins to the property. In their view, it was considered wise not to leave anything of value or importance within the hall.
- 3.9 A decision now needs to be made on the future of the land and it is considered that there are potentially three options.
 - i) The Council could demolish the hall and remove the fence along the northern boundary so that the land is incorporated into Grassmeade Recreation Ground.
 - ii) The land could be declared surplus to requirements and marketed for sale.
 - iii) The third option is to do nothing. However, given that the property is vulnerable to vandalism and children gaining access, and that the Council has an owner's liability, this is not recommended.
- 3.10 It should be noted that the land has no road frontage or vehicular access and could not be developed in isolation. The adjoining property is owned by Affinity Sutton and let to one of

its housing tenants, but it is not interested in purchasing the land. Otherwise, there are no obvious potential purchasers, other than perhaps someone who might want it for a private allotment or a leisure plot. If a disposal of the site could be achieved, and thus the Council would avoid the cost of demolition, there is a possibility that the land could become disused or be used for a purpose contrary to acceptable planning use. Given the limitations on development and the liabilities of the building, any potential capital receipt from a sale is likely to be nominal.

3.11 Furthermore, along with Brow Crescent and the surrounding streets, it is classified as an Area of Archaeological Significance. It is therefore subject to policy BE16 of the Unitary Development Plan. If a planning application is made for redevelopment, Heritage England would be consulted and, depending upon their response, a survey may have to be conducted prior to building work getting underway.

3.12 The Council's Assistant Director for Street Scene and Greenspace has been consulted, and is in agreement with the land being incorporated into the Recreation Ground.

3.13 It is therefore recommended that the Resources Portfolio Holder agree that the building is demolished and the northern boundary fence is removed. These costs are estimated to be £11,500.

4. POLICY IMPLICATIONS

4.1 The Council's aims include being an authority which manages its assets well.

5. FINANCIAL IMPLICATIONS

5.1 The current cost of maintaining the land is about £500 per annum, which includes standing charges for utilities and cutting back of vegetation. Officer time is also spent checking the condition of the land and building from time to time, and to see that no unauthorised occupation has occurred.

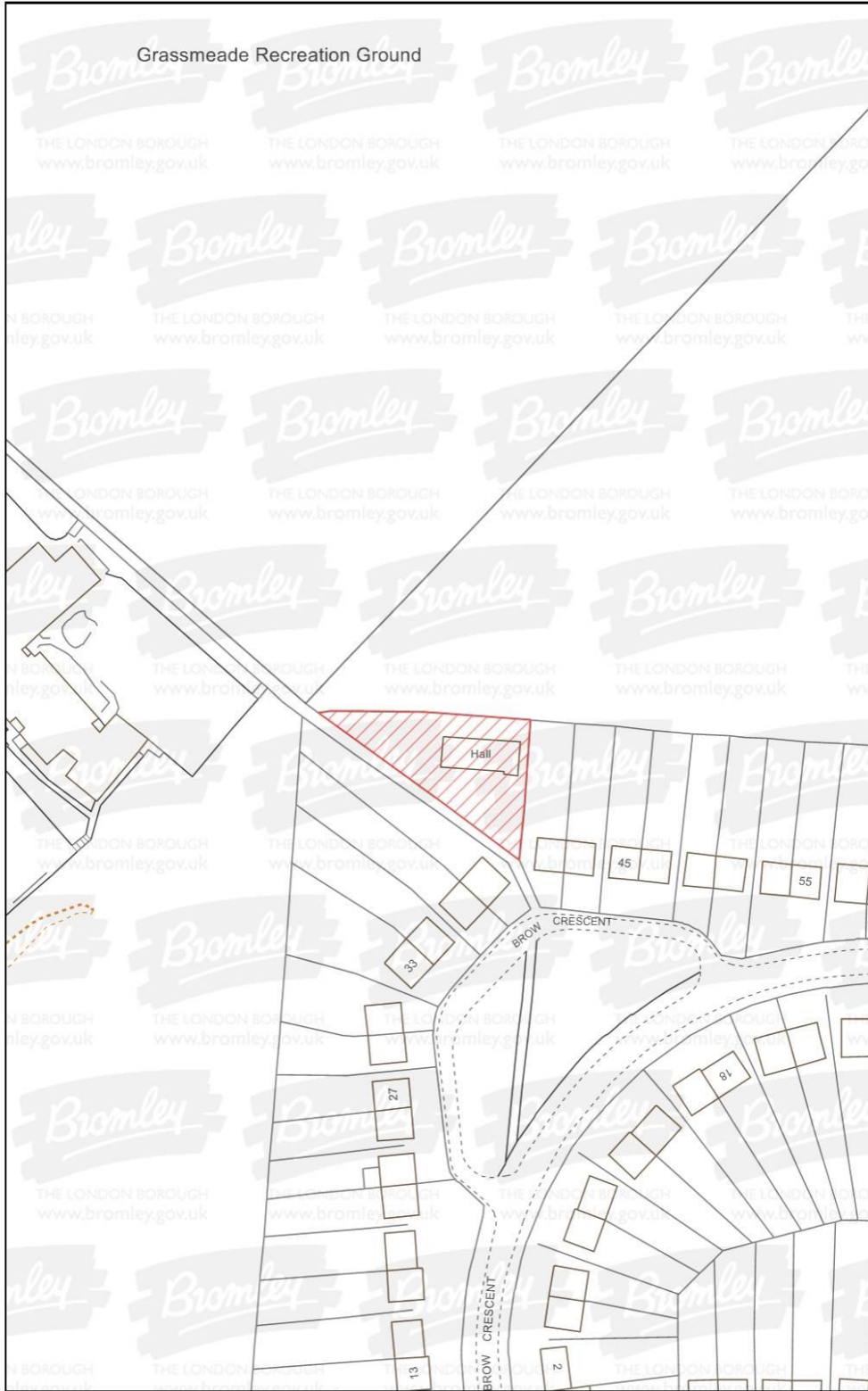
5.2 To demolish the building, remove the fencing on the northern boundary, and incorporate the land into the Grassmeade Recreation Ground is likely to cost in the order of £11,500. This would be met from the Strategic Property budget. The land would then be maintained along with the rest of the Recreation Ground at no additional cost.

6. LEGAL IMPLICATIONS

6.1 Section 123 of the 1972 Local Government Act requires a local authority to secure the best consideration reasonably obtainable when disposing of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of State.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	

Grassmeade Recreation Ground



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