

**Land and Asset Management
Committee**

22nd July, 2015 at 5.15 pm
at the Sandwell Council House, Oldbury

Present: Councillor Gavan (Chair);
Councillors Crompton, Edis, P Hughes, Moore and
Taylor.

Apology: Councillor Costigan.

Business Matter

1/15

Terms of Reference

The Deregulation Act 2015 received Royal Assent at the end of March. One of the potential outcomes of the Act was that functions may pass between being an executive function, i.e. a function that can only be undertaken by the Executive and a non-executive function, i.e. a function that cannot be undertaken by the Executive. One such function related to the disposal or acquisition of land or property assets of a value of £500,000 or more.

At the Annual Meeting of Council, the Land and Asset Management Committee was established to provide the strategic direction for all matters relating to the effective use of land and property assets within the Borough to maximise social and economic benefits and regeneration.

The Terms of Reference for the Committee were:-

“Within approved Council policy and in accordance with the overall aims and objectives of the Council and where authority has not otherwise been delegated to another body or person under any combined, joint or other relevant management arrangements:

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- (a) to provide the strategic direction for all matters relating to the effective use of land and property assets within the Borough to maximise social and economic benefits and regeneration;
- (b) to develop and consider all matters relating to land and property assets and to make recommendations to the Executive or Council, as appropriate, to ensure the delivery of social and economic benefits and regeneration through:
 - land and property disposal;
 - land and property acquisition;
 - innovative land and property usage;
 - the development and management of a revolving capital fund;
- (c) to recommend changes or exceptions to land use policies and statements in support of the aims and objectives of the committee;

The quorum of the Committee would be two members.

The recommendations of the Committee would be subject to the approval of the Cabinet.

2/15

Exclusion of the Public

Resolved that the public and press be excluded from the rest of the proceedings to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 relating to the financial or business affairs of any particular person (including the authority holding that information).

Key Decisions

3/15

Windmill Lane Community Centre, Smethwick (Key Decision Ref. No. LAM001)

Consideration was given to the grant of a 25 year voluntary body lease to SAFS, Caring Family Support, for the Windmill Lane Community Centre, Messenger Road, Smethwick.

The Centre became surplus to Council requirements following the reduction in the Youth Services budget during 2013/14 and the property had been under the interim management of the Director - Education pending its reallocation or disposal.

A substantive local management committee existed, consisting of ward members and representatives of both the community and users of the centre, who would continue to work with SAFS to set the long term vision of the centre to meet future community needs.

SAFS was a registered charity and a company registered by guarantee originally established to meet the needs of the Asian community in Smethwick and wished to expand health related services in the Windmill Lane area. A 25 year voluntary body lease would allow SAFS to attract non council funding to improve the fabric of the building and expand the range of community services available from the centre.

It was proposed that SAFS would sign a two year grant agreement offer with the Council which would establish the range of services to be provided from the Centre and the minimum number of residents from the area that could make use of the centre. No further grant would be available from the Council at the end of the grant agreement offer.

The proposed voluntary body lease to be granted to SAFS would be at an annual reduced rental which would be subject to review every five years with any future income surplus invested back in to the building or used to expand services provided from the Centre.

Revenue liability to the Council in respect of the Centre would end once SAFS were awarded a voluntary body lease.

The lease to SAFS would mean that the Centre could remain as a community facility while at the same time cease to be a revenue pressure on the Council.

An equality impact assessment had been carried out.

Resolved to recommend to Cabinet:-

- (1) that the Director – Governance grant a lease in respect of the Windmill Community Centre, Messenger Road, Smethwick, to SAFS, Caring Family Support, on terms to be agreed by the Director – Regeneration and Economy;
- (2) that the Director – Governance award SAFS, Caring Family Support, a two year grant agreement offer on terms and conditions to be agreed by the Director – Neighbourhoods, in consultation with the Director – Regeneration and Economy;
- (3) that the Director - Governance enter into or execute under seal, if necessary, any related documentation in connection with the land and property referred to in resolution (1) and (2) above, on terms and conditions agreed by the Director - Regeneration and Economy.

4/15

Disposal of Council Owned Public Pay and Display Car Parks, Cradley Heath (Key Decision Ref. No. LAM004)

Consideration was given to three Council owned public pay and display car parks in Cradley Heath being declared surplus to Council requirement and to disposal of the freehold interest in the land.

A review in relation to Council owned public car parking provision in Cradley Heath had been undertaken and identified the Council owned public pay and display car parks at Lower High Street, Highgate Street South and Haden Road, Cradley Heath, as no longer viable as pay and display car parks. Each car park had alternative car parking provision nearby.

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The Council had no strategic interest in the Council owned car parks identified for disposal, although the land may be of interest to the private sector. It was, therefore, recommended to declare the car parks surplus to Council requirements and to seek authority to dispose of the freehold interest in the site.

An equality impact assessment had been carried out.

Resolved to recommend to Cabinet:-

- (1) that the land of the Council owned public car parks at Lower High Street, Highgate Street South and Haden Road, Cradley Heath, as shown on Drawing Nos. SAM/30500/001, SAM/24460/001 and SAM/21440/001 be declared surplus to the Council's requirements;
- (2) that, subject to resolution (1) above, the Director – Governance dispose of the freehold interest in the land of the Council owned public car parks at Lower High Street, Highgate Street South and Haden Road, Cradley Heath, on terms and conditions to be agreed by the Director – Regeneration and Economy;
- (3) that the Director - Governance enter into or execute under seal, where necessary, any other legal documentation in connection with the disposal of the land referred in resolution (2) above, on terms to be agreed by the Director - Regeneration and Economy.

(Meeting ended at 5.45 pm)

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