



# **Asset and Enterprise Committee**

## **Agenda**

### **Part One**

Council Chamber - Town Hall

Tuesday, 18 November 2014 at 7.00 pm

#### **Membership (Quorum – 3)**

##### **Councillors**

Cllrs Quirk (Chair), Sapwell (Vice-Chair), Aspinell, Clark, Cloke, Mrs Coe, Hirst, Kerslake, Morrissey and Sleep

**Committee Co-ordinator:** Claire Hayden (01277 312 741)

#### **Additional Information:**

##### **Substitutes**

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Substitutes for quasi judicial Committees must be drawn from members who have received training in quasi-judicial decision making. If a casual vacancy occurs on a quasi judicial Committee it will not be filled until the nominated member has been trained.

##### **Rights to attend and speak**

Any Member may attend any body to which these Procedure Rules apply.

A Member who is not a member of the committee may speak at the meeting if they have given prior notification by no later than one working day before the meeting to the Chair and advised them of the substance of their proposed contribution.

The member may speak at the Chair's discretion, it being the expectation that a member will be allowed to speak on a ward matter.

## **Point of Order/Personal explanation/Point of Information**

### **8.3.14 Point of order**

A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the point of order will be final.

### **8.3.15 Personal explanation**

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Chair on the admissibility of a personal explanation will be final.

### **8.3.16 Point of Information or clarification**

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Chair. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Chair gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Chair on the admissibility of a point of information or clarification will be final.

## **Information for Members of the Public**

### **Access to Information and Meetings**

You have the right to attend all meetings of the Council and its Boards and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk) or from Democratic Services (01277 312739).

### **Webcasts**

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

### **Private Sessions**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Board or Committee does so, you will be asked to leave the meeting.

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

### **Access**

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### **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

## Part I

(During consideration of these items the meeting is likely to be open to the press and public)

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5	<b>Action Plan &amp; Asset Review Update</b>	All Wards	<b>19 - 28</b>
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9	<b>London Road &amp; Woodman Road Cemetery Lodges, Brentwood</b>	Brentwood West; Warley	<b>57 - 60</b>
10	<b>Urgent Business</b> An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.		
11	<b>Local Government Act</b>		

**1972 - Exclusion of Press  
and Public**

A handwritten signature in black ink, appearing to read "J. Keirsey". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Acting Chief Executive

Town Hall  
Brentwood, Essex  
10.11.2014

## Minutes

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### **Asset and Enterprise Committee** **Wednesday, 17th September, 2014**

#### **Attendance**

Cllr Quirk (Chair)	Cllr Hirst
Cllr Sapwell (Vice-Chair)	Cllr Kerlake
Cllr Aspinell	Cllr Morrissey
Cllr Clark	Cllr Sleep
Cllr Cloke	

#### **Apologies**

Cllr Mrs Coe

#### **Substitute Present**

Cllr Mrs McKinlay

#### **Also Present**

Cllr Le-Surf	
Cllr Baker	
Cllr Chilvers	
Cllr Hossack	
Cllr Lloyd	
Cllr McCheyne	
Cllr Mynott	
Cllr Parker	
Cllr Kingsford	Herongate and Ingrave Parish Council

#### **Officers Present**

Jo-Anne Ireland	Acting Chief Executive
John Parling	Strategic Asset Manager
Adrian Tidbury	Asset and Technical Manager
Brett Regan	Project Manager - Business Transformation
Claire Hayden	Governance and Member Support Officer
Phil Ruck	Contract and Corporate Project Manager

#### **140. Apologies for Absence**

Apologies have been received by Cllr Mrs Coe and Cllr Mrs McKinlay is substituting.

The Chair asked that items 8 and 9 be brought forward in the agenda and will follow item 3.

**RESOLVED:** That the order of the agenda be varied accordingly.

#### **141. Minutes from previous meeting**

The minutes of the meeting were approved and signed by the Chair as a correct record subject to the amendments from Cllr Sleep.

#### **76. Bell Mead, Ingatestone – Update on disposal of a surplus asset**

2.1 *That conditional contracts for the sale of the property are exchange with the party that submits the highest ~~complaint~~ compliant and deliverable bid to provided 14 homes of mixed format with additional 10 parking spaces*

#### **78. Hallsford Bridge – Land transfer to Housing Revenue Account**

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sleep Sapwell to receive the recommendations as set out in the report subject to a suggested alteration by the mover after a full discussion.

#### **142. Progress Update**

Members were updated on investigation work being undertaken on issues identified by the Committee. The Chair of Audit & Scrutiny advised that a report on Hutton Community Centre would be presented to Audit and Scrutiny Committee in October, and that meeting regarding William Hunter Way were in progress.

The Chair has asked the committee for feedback on the possibility of the developing Westbury Road Car Park for 6 Independent shops (3 to be retained by the Council) and Residential use.

The Chair will meet with Ward Members to discuss ideas for the site.

#### **143. Herongate Village Hall**

The report considers the history, current condition and future of the Herongate Village Hall.

The Chair invited Cllr Kingsford, Chair of Ingrave and Herongate Parish Council to speak on this item. He informed the Committee of the poor



condition of the hall and that no bookings for hire have been placed since 2006.

The feedback from the residents is that that hall is a blot on the landscape and would like it demolished.

After a full discussion a motion was **MOVED** by Cllr Mrs McKinlay and **SECONDED** by Cllr Hirst to amend the recommendation.

2.1 *To defer this item until the next meeting of Asset and Enterprise, so that Ward Members and the Chair of Asset and Enterprise Committee can liaise to discuss the views and ideas relating to the Hall from the residents within the village.*

A vote was taken by a show of hands and in accordance with Rules 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the Motion was **LOST**.

A motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to receive the recommendation in the report.

A vote was taken by a show of hands and was **RESOLVED UNANIMOUSLY** to:

2.1 **To seek the Charity Commission's further advice and timely intervention as there are no Managing Trustee now willing to act the Council has no power to take a decision on behalf of the Charity to dispose of the property and to deal with the proceeds of any disposal.**

#### **144. Commercialism of Council Services**

Following the report of the East of England Local Government Association (EELGA) and an agreement in principle from Members to further scope and develop this work, officers have been exploring, scoping and testing potential areas of Council activity that could (in the short to intermediate term) be delivered in a commercial space with the aim of income generation.

This report performs three key functions:

- i) It outlines progress in all of the main activity areas;
- ii) It summarises the new powers available to councils to trade and generate profit in the market; and

- iii) It sets out proposals to create a Local Authority Trading Company for Brentwood.

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sapwell to receive the recommendation as set out in the report.

Voting took place by a show of hands and in accordance with 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the MOTION was CARRIED.

**2.1 Members are asked to note operational progress in modelling and incubating services towards maturity for commercialisation.**

**2.3 Members are asked to agree in principle to create a Local Authority Trading Company (LATCO) and to refer a recommendation to Full Council for approval.**

A motion was MOVED by Cllr McKinlay and SECONDED by Cllr Hirst to make an amendment to 2.2 of the recommendations.

2.2 Members are asked to ~~agree~~ *explore* the proposed common approach to Alternative Service Delivery models set out at Appendix A.

Voting took place by a show of hands and in accordance with 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the MOTION was LOST.

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sapwell to receive the recommendation 2.2 as set out in the report.

Voting took place by a show of hands and in accordance with 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the MOTION was CARRIED.

**2.2 Members are asked to agree the proposed common approach to Alternative Service Delivery models set out at Appendix A.**

#### **145. Warley Training Centre**

The Asset & Enterprise Committee on 15 July 2014 resolved “That conditional contracts for the sale of the property are exchanged with the highest and most compliant bidder (Bid B), with the Council then negotiating to retain 5 units for revenue purpose.”

The Council's solicitors have been instructed regarding the sale and negotiations have been undertaken to retain 5 units at a discount to current values.

The proposed acquisition of the 5 units will be reported to Council on 22 October 2014 and approval sought to proceed.

No member MOVED a motion on this item.

### **Termination of Meeting**

During the preceding item, in accordance with Rule 28 of Part 4.1 – Council Procedure Rules, the business of the meeting not having concluded by two hours after its start, Members voted to agreed to continue with the meeting for a further 30 minutes.

### **146. Hutton Community Centre**

*The meeting was adjourned for 5 mins for a comfort break.*

The report provides an update on this subject which was presented to the Committee on the 15 July 2014 as "Urgent Business".

The Committee on 15 July 2014 resolved that:

1. An investigation to be undertaken by the Audit & Scrutiny Committee on how, why and whether the funds were allocated in the correct fashion for the refurbishment of the building
2. Report to a future Finance & Resource Committee with regards to the funding of any necessary further repairs
3. To undertaken a Health & Safety Inspection on Hutton Community Centre immediately and report back to either Audit & Scrutiny or Asset & Enterprise Committee

The report deals with Item 3 and sets out the findings of the inspection and also an independent survey of the roof of the facility. The remaining items above are considered by other Committees.

After a full discussion. An amendment to the recommendation was MOVED by Cllr McKinlay and SECONDED by Cllr Hirst.

- 2.1 Members are asked to note the finding of the inspection and also the independent survey of the roof to the facility *both of which confirm the Hall is safe for use.*

Voting took place by a show of hands and in accordance with 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the MOTION was LOST.

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sapwell to approve the recommendation set out in the report.

A vote was taken by a show of hands and was **RESOLVED UNANIMOUSLY** to:-

- 2.1 Members are asked to note the findings of the inspection and also the independent survey of the roof to the facility.**

### **Termination of Meeting**

During the preceding item, in accordance with Rule 28 of Part 4.1 – Council Procedure Rules, the business of the meeting not having concluded by two hours after its start, Members voted to agreed to continue with the meeting for a further 30 minutes.

### **147. Lease Expiries & Rent Reviews**

The report provides an update in general terms on the progress that has been achieved in concluding outstanding lease expiries and rent reviews.

The Chair personal congratulated Mr Parling and Officers on identifying an extra £62k income.

No member MOVED a motion on this item.

### **148. Asset Review**

The Asset Management Strategy 2014/15 was approved by the Asset & Enterprise Committee on the 15 July 2014 - that report set out the aims and objectives for the forthcoming year for the Councils property asset portfolio. Appendix A (Action Plan Update) to this report sets out the progress achieved on the more significant work flows.

The Strategy highlighted the entrepreneurial approach to the Councils management of its assets and this objective is being adopted as opportunities arise.

No member MOVED a motion on this item.

**149. Urgent Business**

There were no items of Urgent Business.

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**18 November 2014**

## **Asset & Enterprise Committee**

**Report Title:** 6, 8 & 8a Harewood Road, Pilgrims Hatch, Brentwood –  
**Rent Review**

**Report of:** John R Parling

**Wards Affected:** Pilgrims Hatch

**This report is:** Public

### **1. Executive Summary**

- 1.1 This property is let and subject to an outstanding rent review as at 10 April 2012. Provisional agreement has been reached to settle the outstanding rent review and approval is sought from the Committee to conclude and record the settlement.

### **2. Recommendation (s)**

- 2.1 Members are asked approve the settlement of the outstanding rent review.**

### **3. Introduction and Background**

- 3.1 The property is situated in a terrace of three small shop units comprising the subject property, an Indian takeaway and a vacant unit. The subject property has a gross internal area of 2,557 sf (237.57m<sup>2</sup>) with ancillary accommodation.
- 3.2 The property was originally let to Saxon Convenience Stores Limited, now the CO-OP, on the basis of 20 year full repairing and insuring lease from 10 April 1997 with rent reviews every 5 years. The current passing rent is £13,750pa, agreed at the last rent review 10 April 2007.

- 3.3 An external rent review surveyor, Bidwells, was appointed in January 2014 by the Council to commence negotiation with the tenant to agree the outstanding rent review. Negotiations have been protracted and the process of appointing an independent surveyor to determine the review has been instigated.
- 3.4 As part of the negotiation process the tenant was served with a Calderbank offer by the external rent review surveyor. A Calderbank offer is an offer before action to assist the independent surveyor in determining his decision regarding the awarding of costs against the parties.
- 3.5 The tenant has responded with a counter proposal to settle and the external rent review surveyor has recommended settlement at this level.
- 3.6 The recommended settlement represents a significant increase on the current passing rent. The increased rent will be payable from the rent review date.
- 3.7 Details of the financial negotiations are included as a confidential appendix to this report.

#### **4. Issue, Options and Analysis of Options**

- 4.1 If the recommendation is not approved it is likely that the matter will have to be determined by an independent expert appointed by the President of the Royal Institution of Chartered Surveyors. This will result in increased costs and delay and also uncertainty as to the reviewed rent. The independent expert will seek supporting reports from both parties but is under no obligation to accept any evidence.
- 4.2 The Council's external rent review surveyor has recommended acceptance of the tenant's offer.
- 4.3 The external rent review surveyor has confirmed that the provisionally agreed rent offers best value to the Council to comply with s123 of the Local Government Act 1972.

#### **5. Reasons for Recommendation**

- 5.1 To conclude an outstanding rent review.



6. **Consultation**

6.1 None at this stage

7. **References to Corporate Plan**

7.1 The key criteria for the disposal of the freehold of the freehold interest in this site are linked directly to the Corporate Plan 2013 –16, specifically:

- a) A Prosperous Borough
- b) Set planning policy that supports discerning economic growth and sustainable development
- c) Promote a mixed economic base across the Borough, maximising opportunities in the town centres for retail and balanced night time economy

8. **Implications**

8.1 **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Acting Chief Executive (s151 Officer)  
**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

The asset is within the HRA commercial portfolio and the increase in rental and receipt of any back rent will be included within the HRA revenue budget.

8.2 **Legal Implications**

**Name & Title:** Christopher Potter, Monitoring Officer & Head of Support Services  
**Tel & Email** 01277 31/ christopher.potter@brentwood.gov.uk

The Council's disposal powers are contained in section 123 of the Local Government Act 1972, and section 1 of the Localism Act 2011 also provides local authorities with a general power of competence. Under section 123 of the Local Government Act 1972 the Council has the power to dispose of land in any manner that they wish. The main constraint is that the disposal must be for the best consideration reasonably obtainable unless there is ministerial consent or the transfer is to further local well being.

8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

**9 Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

**10 Appendices**  
Confidential – Financial negotiations.

**Report Author Contact Details:**

**Name:** John R Parling, Strategic Asset Manager

**Telephone:** 01277 312690

**E-mail:** john.parling@brentwood.gov.uk

**18 November 2014**

## **Asset & Enterprise Committee**

**Report Title:** Action Plan & Asset Review Update

**Report of:** John R Parling, Strategic Asset Manager

**Wards Affected:** None

**This report is:** Public

### **1. Executive Summary**

- 1.1 The Asset Management Strategy 2014/15 was approved by the Asset & Enterprise Committee on the 15 July 2014 - that report set out the aims and objectives for the forthcoming year for the Councils property asset portfolio. The Appendix (Action Plan Update) to this report sets out the progress achieved on the more significant work flows.
- 1.2 The Strategy highlighted the entrepreneurial approach to the Councils management of its assets and this objective is being adopted as opportunities arise.

### **2. Recommendations**

**2.1 That the update in the Appendix to this Report be noted.**

### **3. Introduction and Background**

- 3.1 The key actions for 2014/15 set out in the Asset Management Strategy were:
  - Asset Challenge Review
  - Delivery of Major Projects
  - Develop Housing for Social and Private Tenants
  - Maximise Revenue and Capital Receipts
- 3.2 Asset Challenge Review - the Strategic Asset Management Team (SAMT) will undertake a forensic review of all the Council's assets with the exception of HRA dwellings to determine usage and whether assets are being put to best use and whether there are alternative and better solutions to deliver the same outcomes.

- 3.3 Delivery of Major Projects – the SAMT will endeavour to progress and complete the principal projects including sales.
- 3.4 Develop Housing for Social and Private Tenants – SAMT will work closely with Housing to identify sites and opportunities for the Council to acquire residential units and also develop where appropriate.
- 3.5 Maximise Revenue and Capital Receipts – SAMT will ensure that best value is achieved in acquisitions and disposals. SAMT will identify opportunities for the Council to generate additional revenue by acquisition or better use of the existing portfolio.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The Asset Management Strategy 2014/15 outlines a change in the way that the council's assets are managed. It puts forward a comprehensive and coordinated structure and implementation solutions to ensure that the Council's asset portfolio is efficiently and effectively managed to ensure best use and to maximise revenue and capital receipts.

#### **5. Reasons for Recommendation**

- 5.1 Members need to be kept updated as to performance and the recommendation requests Members to note.

#### **6. Consultation**

- 6.1 None at this stage

#### **7. References to Corporate Plan**

- 7.1 Corporate Plan 2013 –16, specifically:
  - a) A Prosperous Borough
  - b) Set planning policy that supports discerning economic growth and sustainable development
  - c) Promote a mixed economic base across the Borough, maximising opportunities in the town centres for retail and balanced night time economy

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Acting Chief Executive

**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 There are no direct financial implications at this stage, although future reports on individual transactions/recommendations will detail relevant implications

### **Legal Implications**

**Name & Title:** Christopher Potter, Monitoring Officer and Head of Support Services

**Tel & Email** 01277 312860 / christopher.potter@brentwood.gov.uk

- 8.2 None

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.3 None

## **9. Background Papers**

- 9.1 None

## **10. Appendices to this Report**

- 10.1 Action Plan Update (November 2014)

### **Report Author Contact Details:**

**Name:** John R Parling, Strategic Asset Manager

**Telephone:** 01277 312690

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# ACTION PLAN UPDATE

PROGRESS UPDATE:	November 2014	V 1.0
R	Target date likely to be missed. Caution	
A	On target to meet completion date. Monitor	
G	Action completed.	

**TITLE:** Asset Management Strategy  
**LEAD OFFICER:** Strategic Asset Manager

This Action Plan sets out a timetable for developing and implementing the objectives of the Councils Asset Management Strategy. It identifies the key projects, tasks, resources, opportunities, milestones and outcomes for each objective. It suggests the lead responsibility for each Action.

START DATE:	Q2 2014/15	FINISH DATE:	As indicated	NO. WEEKS	
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REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE	RESPONSIBLE	PROGRESS UPDATE
<b>A – CAPITAL &amp; REVENUE INCOME</b>						
AM1.	Warley Training Centre	A	Q2 2015/16		JRP	Heads of Terms agreed for the sale of the asset and acquisition of 5 residential units. A report on the proposed acquisition will be submitted to Council on 22 October 2014 and Finance & Resources Committee on 29 October 2014. <b>Acquisition of 5 units approved. Negotiations ongoing with preferred developer</b>
AM2.	Bell Mead	A	Q2 2015/16		JRP	Terms agreed and approved for the sale of the asset. <b>Conditional contracts exchanged.</b>
AM3.	Old House	A	Q2 2015/16		AJT	Proposed sale being reviewed. Investigations into other options including possible retention and refurbishment being undertaken. <b>Report to be presented to Council regarding refurbishment and use.</b>

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Appendix A

REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE		RESPONSIBLE	PROGRESS UPDATE
AM4.	Hallsford Bridge		Q 2015/15			JRP/AJT	Proposed sale being reviewed. Potential for housing development being investigated, consultations with HRA being undertaken. <b>HRA have declined opportunity..</b>
AM5.	Acquisition of Assets for Revenue purposes		Ongoing			JRP	Identification of assets that will produce appositionive revenue return to BBC , strategic acquisitions that will enhance the value of existing assets and those that will benefit BCC in the medium and long term. <b>Policy being prepared to provide process for acquisitions.</b>
<b>- CORPORATE PROJECTS</b>							
AM6	Town Hall		Ongoing			Phil Ruck	Refurbishment project- Space planning and surveys being updated and commissioned to determine works programme. Ongoing discussions with potential tenants and partners. <b>Report to be presented to Council</b>
AM7	William Hunter Way		Ongoing			Phil Ruck	Public consultation commenced September 1 <sup>st</sup> . <b>Consultation completed 5 November</b>
AM8	Cross Rail		Ongoing			Roy Ormsby	Park & Stride project under review. Discussions ongoing with Cross Rail. <b>Working Group meeting with Cross Rail 11 November</b>



REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE		RESPONSIBLE	PROGRESS UPDATE
AM9	G & T Sites		Ongoing			JRP	Investigation being undertaken into availability of G & T sites. <b>None identified to date</b>
<b>C – ESTATES MANAGEMENT</b>							
AM10	Review of HRA non housing assets		Ongoing			GO	Management of HRA non housing assets now under SAM. Portfolio being investigated to identify assets where revenue can be improved. <b>Vacant units, lease expiries and outstanding rent reviews being pursued.</b>
AM11	Review of General Fund Leased Assets		Ongoing			GO	Review of leased assets to determine opportunities to action outstanding rent reviews and lease expiries. <b>Ongoing</b>
AM12	Hutton Community Centre		Ongoing			KA/TR	Future robust long term options being considered. <b>Ongoing</b>
<b>D – FACILITIES MANAGEMENT</b>							
AM13	Town Hall – review of surveys/investigations previously undertaken		Q3 2014/15			GM	As part of the proposed refurbishment previous surveys being updated and additional surveys being undertaken Various occupations by tenants and partners being reviewed. <b>Restacking of staff commenced to improve efficiency and save costs.</b>

REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE		RESPONSIBLE	PROGRESS UPDATE
AM14	Repairs & Maintenance Contract		Ongoing			TR	Repairs and maintenance recently outsourced to Wates Living. Quality, cost and effectiveness of new contractor being monitored to ensure compliance with brief and service level agreement. <b>Monitoring continuing</b>
AM15	Capital Works		Q4 2014/15			JRP	Various projects being reviewed and assessed including: Brentwood Leisure Centre – Swimming Pool plumbing – <b>Works to commence December 2014</b> Multi-storey Car Park – concrete repairs <b>Works to commence Jan 2015</b> Warley Depot – MOT facility Warley Football Pavilion – refurbishment King Georges Playing Fields Pavilion – refurbishment Parks Depot - extension
<b>E – ESTATES MANAGEMENT SYSTEMS GOVERNANCE AND GOOD PRACTICE</b>							
AM16	Review of electronic data management systems to determine system to be adopted for SAM		Q3 2014/15			GM	Systems being reviewed include: Pythagoras/Yardi/Qube/Uniform/Tramps /EstateMan/Argus/. <b>System to be adopted – Argus identified and installation awaited</b>
AM17	Community Transfer Policy		Q3 2014/15			JRP	Draft report prepared and issued for comment. <b>Other policies relating to the acquisition/disposal of assets prepared</b>

REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE		RESPONSIBLE	PROGRESS UPDATE
AM18	Business Rates		Q2 2014/15			GM	Review progress with retained advisers Wilkes Head Eve. <b>Ongoing – investigation being undertaken into empty rates relief at Town Hall</b>
AM19	Corporate Landlord		Q4 2014/15			JRP	Develop concept for discussion. Objective to establish a culture whereby assets are valued and put to their best use to achieve best value or contribute to the community wellbeing to the maximum. <b>Ongoing</b>
<b>- COMMUNICATION</b>							
AM20	Deliver a comprehensive communications plan that is based on the Asset Management Strategy and this Action Plan.		Ongoing			JRP	To ensure that the Council, members and staff are aware of processes and responsibility and accountabilities. <b>Ongoing</b>
<b>G – ASSET CHALLENGE</b>							
AM21	Westbury Road Car Park		Q4 2014/15			JRP	Review of the use that the car park is put to and alternative options. <b>Options prepared for consideration</b>
AM22	Brentwood Leisure Centre & Community Centres		Ongoing			GO	Review of responsibilities and other potential opportunities. <b>Meeting held with CE and quarterly meetings arranged</b>

REF	TASK DESCRIPTION	RAG	TARGET FINISH DATE	REVISED FINISH DATE		RESPONSIBLE	PROGRESS UPDATE
AM23	Warley Depot		Q4 2014/15			JRP	Review as to use and potential alternative locations to undertake services currently carried out there. <b>Ongoing</b>
AM24	Herongate & Ingrave Community Centre		Q4 2014/15			AJT	Identify Trustees/ or potential users of facility to ensure best use. <b>Ongoing</b>
AM25	Review of potential HRA development sites, including garage sites		Q4 2014/15			JRP	6 sites identified as phase 1. Schemes prepared and two are being investigated further. HRA need to prepare a policy regarding tenure/management and procurement. <b>3 sites identified and progressing with planning application process.</b>

**18<sup>th</sup> November 2014**

## **Asset & Enterprise Committee**

### **Hallsford Bridge**

**Report of:** *John Parling, Strategic Asset Manager*

**Wards Affected:** *Tipps Cross*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 At the 17 July 2014 Asset & Enterprise Committee it was resolved “ That in principle the land should be transferred at an appropriate value and by a compliant mechanism to the Housing Revenue Account and to request that an appraisal be prepared and submitted to the next Housing and Health Committee to enable that Committee to make an in principle assessment as to whether affordable housing can be provided”.
- 1.2 A report was presented to the Housing & Health Committee on 10 September and it was resolved “That the investigations into the possible development of the site for residential use are progressed and that a report is presented to the next Housing & Health Committee on 5 November 2014 with recommendations.
- 1.3 A further report was presented to the Housing & Health Committee on 5 November and it was resolved that “ That the Hallsford Bridge site be referred back to the Asst and Enterprise Committee with a request from the Housing & Health Committee to sell and the proceeds to be used for affordable housing within the Tipps Cross Ward if land and sites are available”.

This report seeks the approval of the Committee to sell the site to achieve best value for the Council. Any proceeds will be attributable to the General Fund Capital Programme for the reasons outlined in the report.

## **2. Recommendation(s)**

- 2.1 That delegated authority be granted to the (Acting) Chief Executive to dispose of the Hallsford Bridge for best consideration.**
- 2.2 That the proceeds of the sale be utilised to fund current and/or future schemes within the General Fund Capital Programme.**

## **3. Introduction and Background**

- 3.1 The subject land is of 1.11 acres, rectangular in shape and situated at the northern boundary of the borough adjacent to the Ongar Road (not A128) and the Hallsford Bridge Industrial Estate, in close proximity to the Springfields PNEU School.
- 3.2 The site had originally accommodated 8 semi detached residential properties known as Edwards Terrace, now demolished.
- 3.3 Site investigations have revealed the part of the site as formed of made ground at varying depths and there is evidence of Japanese Knotweed.

## **4. Issue, Options and Analysis of Options**

- 4.1 The Council's selling agents had advised the Council that offers in the region of £450,000 should be expected for employment use.
- 4.2 The site is designated as employment land in the existing Brentwood Replacement Plan (2005) and any deviation from this designation would require a change in policy which would require substantiation in the form of lack of demand.
- 4.3 Offers to purchase the site have been received from several parties that would use the land for employment use. The offers are currently being analysed to determine which presents best value to the Council.
- 4.4 Financial information is contained within a confidential Appendix to this report.

## **5. Reasons for Recommendation**

- 5.1 To grant delegated authority in relation to the Hallsford Bridge site to permit the disposal of land for a capital receipt where there is no prospect of receiving a revenue stream.

## **6. Consultation**

- 6.1 The site is allocated as Employment General (E1) in the existing development plan, Brentwood Replacement Local Plan (2005). This reflects changes that have occurred in the since residential properties were demolished. A planning application for residential use would be contrary to adopted Local Plan Policy. The site is also proposed to be allocated for employment uses in the emerging Local Development Plan (Local Plan 2015 – 2030 Preferred Options for Consultation, July 2013). This is to contribute to the employment need over the 15 year Plan period, which is prioritised in the National Planning Policy Framework (NPPF) alongside the requirements to meet housing needs.
- 6.2 The Stondon Massey Parish Council have commented on the fact that the site had contained 6 Council houses and questioned the need for more industry instead of affordable housing. In addition thy shared their concerns that if additional industry was to be provided on the site there would be the inevitable increase in heavy goods traffic through the village.
- 6.3 In addition a Ward member has also indicated that that it would be preferable for “a residential development to replace the affordable houses that were demolished on the site”.

## **7. References to Corporate Plan**

The key criteria for the disposal of the freehold to the site are linked directly to the Corporate Plan 2013-16, specifically:

- a) A Prosperous Borough.
- b) Set planning policy that supports discerning economic growth and sustainable development.
- c) Promote a mixed economic base across the Borough, maximizing opportunities in the town centers for retail and a balanced night-time economy.

## **8. Implications**

### **Financial Implications**

**Name & Title: Jo-Anne Ireland, Acting Chief Executive.**

**Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk**

- 8.1 It was originally anticipated that this asset would generate a capital receipt in the region of £450,000 and this is the value which has been assumed in the financing of the General Fund Capital Programme. Any amount received below this value may impact on the Council's ability to fund its Capital Programme without the need to borrow.
- 8.2 The Housing & Health Committee of the 5 November 2014 requested that the capital receipt from the sale of the land should be used for the provision of affordable housing within the Tipps Cross Ward. As a general principle authorities do not have discretion to transfer expenditure and income between the HRA and the General Fund, although there is a limited number of specific instances where this can, or sometimes must, occur. Given that there are current and future capital programme schemes which require funding, it is recommended that the proceeds be earmarked and utilised for General Fund capital projects.

## **9. Legal Implications**

**Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services**

**Tel & Email 01277 312860 / christopher.potter@brentwood.gov.uk**

None

## **10. Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.**

- 10.1 A habitat survey has not raised any significant issues enabling the intrusive Geo-Environmental ground investigation to proceed. Apart from the made ground and Japanese Knotweed being present the investigations have not identified any other issues. The Japanese Knotweed has been treated in October 2014 as part of a programme to eradicate from the site.



**11. Background Papers**

- a. 5 November 2014 – Housing & Health Committee
- b. 10 September 2014 – Housing & Health Committee
- c. 15 July 2014 – Asset & Enterprise Committee
- d. 5 March 2014 Ordinary Council
- e. 27 September 2012 – Assets, Infrastructure and Localism Panel
- f. Development Brief, Hallsford Bridge Industrial Estate

**12. Appendices to this report**

Confidential – financial information.

**Report Author Contact Details:**

**Name:** John R Parling, Strategic Asset Manager

**Telephone:** 01277 312630

**E-mail:** john.parling@brentwood.gov.uk

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**18<sup>th</sup> November 2014**

## **Asset & Enterprise Committee**

### **Westbury Road Car Park, Brentwood**

**Report of:** *John Parling, Strategic Asset Manager*

**Wards Affected:** *Brentwood West*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 This land is currently used as a permit car park. Until recently the car park was under-utilised, however, a contract has been agreed with a company known as IFDS for a period of 2 years for up to 60 spaces. The site layout is annexed to this report (Appendix 1).
- 1.2 An architect has been commissioned to determine how the site could be utilised better by developing it for mixed scheme of residential and retail units. They have produced two options which are annexed to this report (Appendix 2)

#### **2. Recommendation(s)**

- 2.1 That further investigations should be undertaken to determine the viability of this site for development and that the preferred options are presented to the next Asset & Enterprise Committee with recommendations as to how it should be progressed.**

#### **3. Introduction and Background**

- 3.1 The subject land is of 0.68 acres, generally rectangular in shape and situated at the western end of the High Street. The site reduces in height towards the western boundary.
- 3.2 The site is current used as a permit approved car park; the current parking arrangement and revenue are set out below.

Organisation	Brentwood Community Transport	Citizens Advice Bureau	Season Ticket Holders	IFDS	Comments
Car Parking Spaces	10	10	32	60	112 permits though only 97 spaces available
Revenue	£0	£0	£30,400	£20,000	£50,400pa
Comments	55 permits issued but only allowed to use 10 at anytime	54 permits issued but only allowed to use 10 at anytime	Annual contracts	2 year contract with break clause after 12 months	

3.3 Currently no site investigations or planning enquiries have been undertaken. The option schemes have been prepared on the basis of published Planning and Highways requirements.

#### 4. Issue, Options and Analysis of Options

4.1 An indicative analysis of the potential scheme options, including potential values is set out below. If approval is forthcoming to progress the initial feasibility then further analysis will be undertaken to determine the form and mix of any development and also revenue opportunities. Consideration will also have to be given as to the provision of public parking.

4.2 Option 1:

No.	Type	Cost £	Value £	Profit £	Comments
6	3 bed	1,200,000	1,800,000	600,000	
6	1 bed	750,000	750,000	0	Affordable units – cost neutral
9	2 bed	1,200,000	1,800,000	600,000	
6	retail	600,000	1,000,000	400,000	
		<b>3,750,000</b>	<b>5,350,000</b>	<b>1,600,000</b>	

#### 4.3 Option 2:

No	Type	Cost £	Value £	Profit £	Comments
6	2 bed	800,000	1,200,000	400,000	
9	1 bed	1,125,000	1,125,000	0	Affordable units – cost neutral
12	2 bed	1,600,000	2,400,000	800,000	
3	3 bed	600,000	900,000	300,000	
				<b>1,500,000</b>	

#### 5. Reasons for Recommendation

- 5.1 To pursue further investigations to determine viability of promoting the development of this asset.
- 5.1 To demonstrate that the Council is innovative and entrepreneurial in its management of its assets.

#### 6. Consultation

- 6.1 None to date

#### 7. References to Corporate Plan

The key criteria for the disposal of the freehold to the site are linked directly to the Corporate Plan 2013-16, specifically:

- a) A Prosperous Borough.
- b) Set planning policy that supports discerning economic growth and sustainable development.
- c) Promote a mixed economic base across the Borough, maximizing opportunities in the town centers for retail and a balanced night-time economy.

#### 8. Implications

##### Financial Implications

**Name & Title: Jo-Anne Ireland, Acting Chief Executive.**

**Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk**

- 8.1 The financial implications are not known at this stage. These will be established as part of the options appraisal process.

**9. Legal Implications** None

**Name & Title:** Christopher Potter, Monitoring Officer and Head of Support Services

**Tel & Email** 01277 312860 / christopher.potter@brentwood.gov.uk

None

**10. Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

**11. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

11.1 Asset Management Strategy

**12. Appendices to this report**

1. Site
2. Option Designs

**Report Author Contact Details:**

**Name:** John R Parling, Strategic Asset Manager

**Telephone:** 01277 312630

**E-mail:** john.parling@brentwood.gov.uk

Notes:  
 1. This is not a construction drawing and is intended for illustrative purposes only.  
 2. White lining is indicative only.

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT: **Stockland**

PROJECT: **Westbury Road, Brentwood**

DRAWING TITLE: **Proposed layout to Car Park**

SCALES: **1:500 at A3**

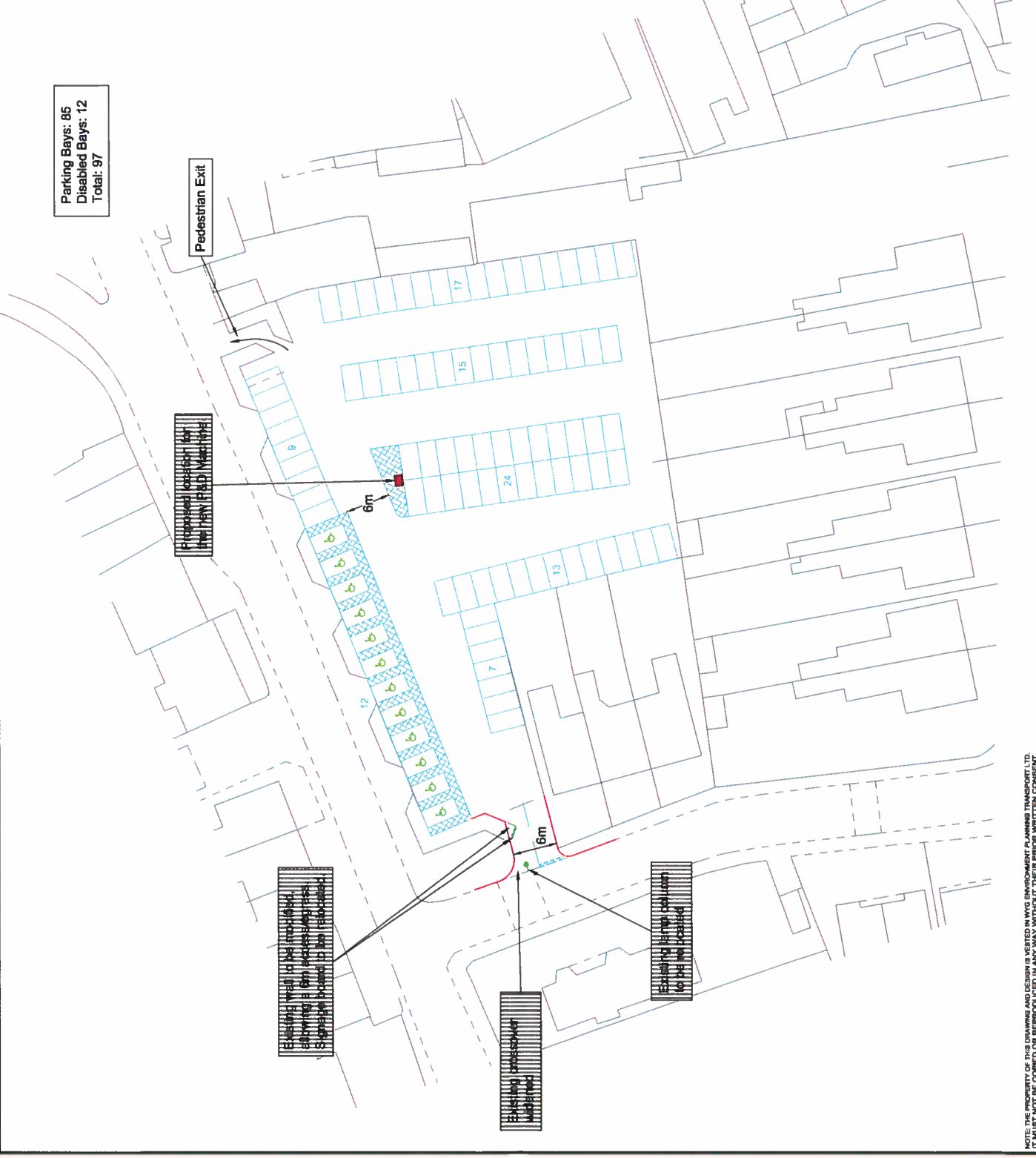
DRAWN: SA    CHECKED: CS    DATE: 25.05.11

**Savell Bird & Axon**  
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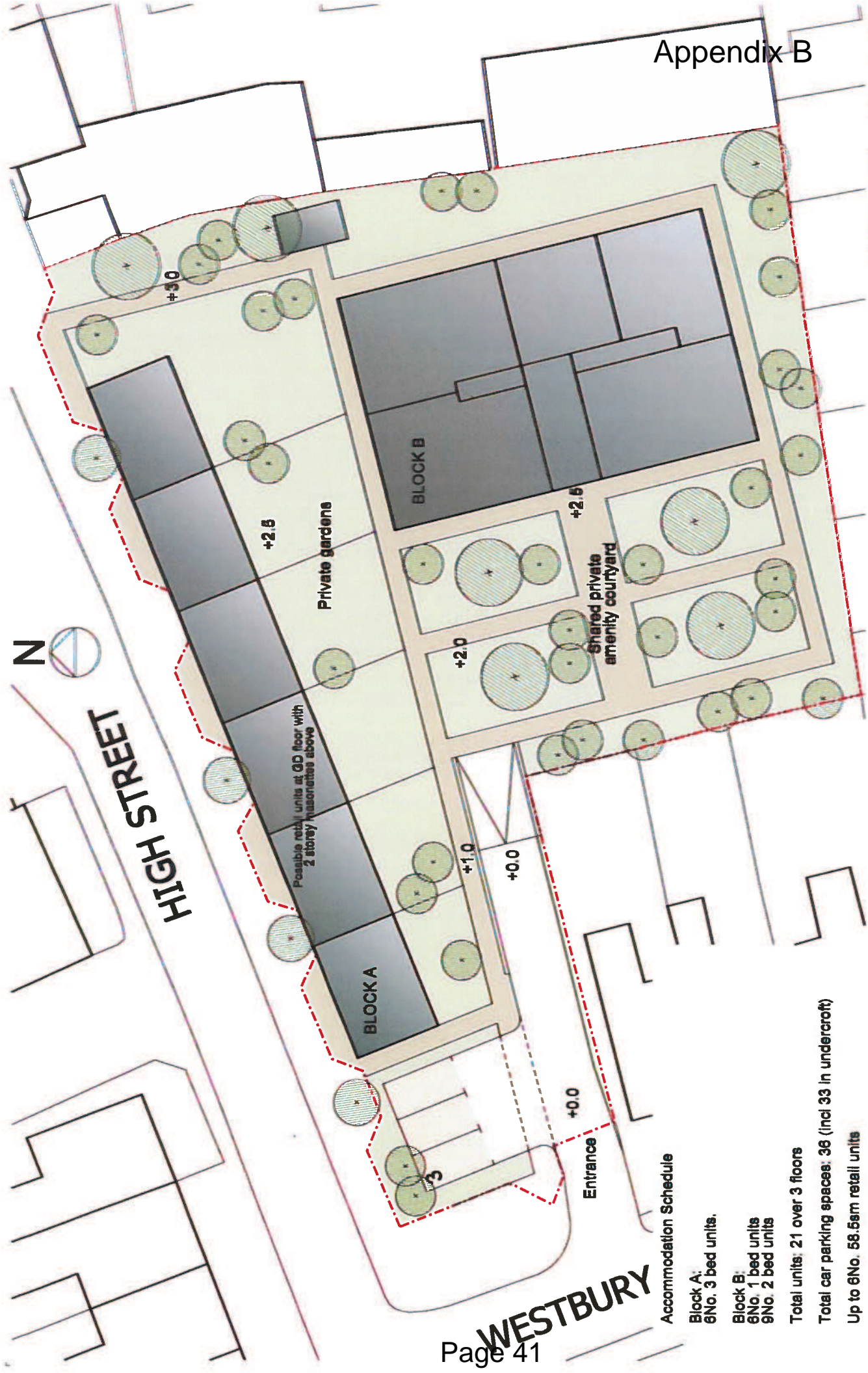
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HIGH STREET

Appendix B



WESTBURY

Page 41

Accommodation Schedule

Block A:  
6No. 3 bed units.

Block B:  
6No. 1 bed units  
9No. 2 bed units

Total units: 21 over 3 floors

Total car parking spaces: 38 (incl 33 in undercroft)

Up to 6No. 58.56m retail units

subject to statutory approvals

SCALE 1:250 @ A3

14029 / BK / 002

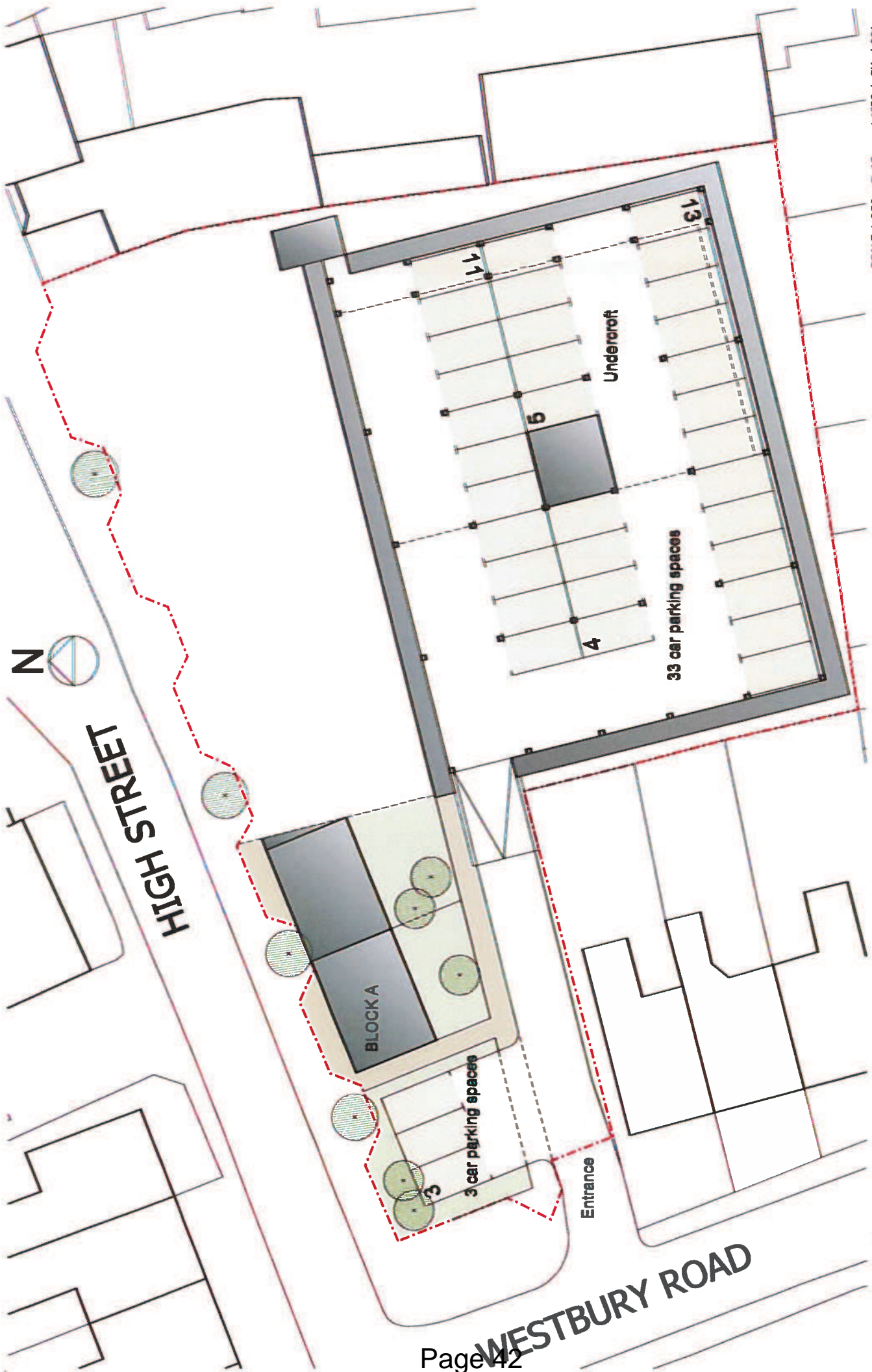
WESTBURY ROAD

FOR INFORMATION

SITE LAYOUT - UPPER FLOORS  
OPTION 1

cornisharchitects October 2014  
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Subject to Statutory approval.

**cornisharchitects** October 2014  
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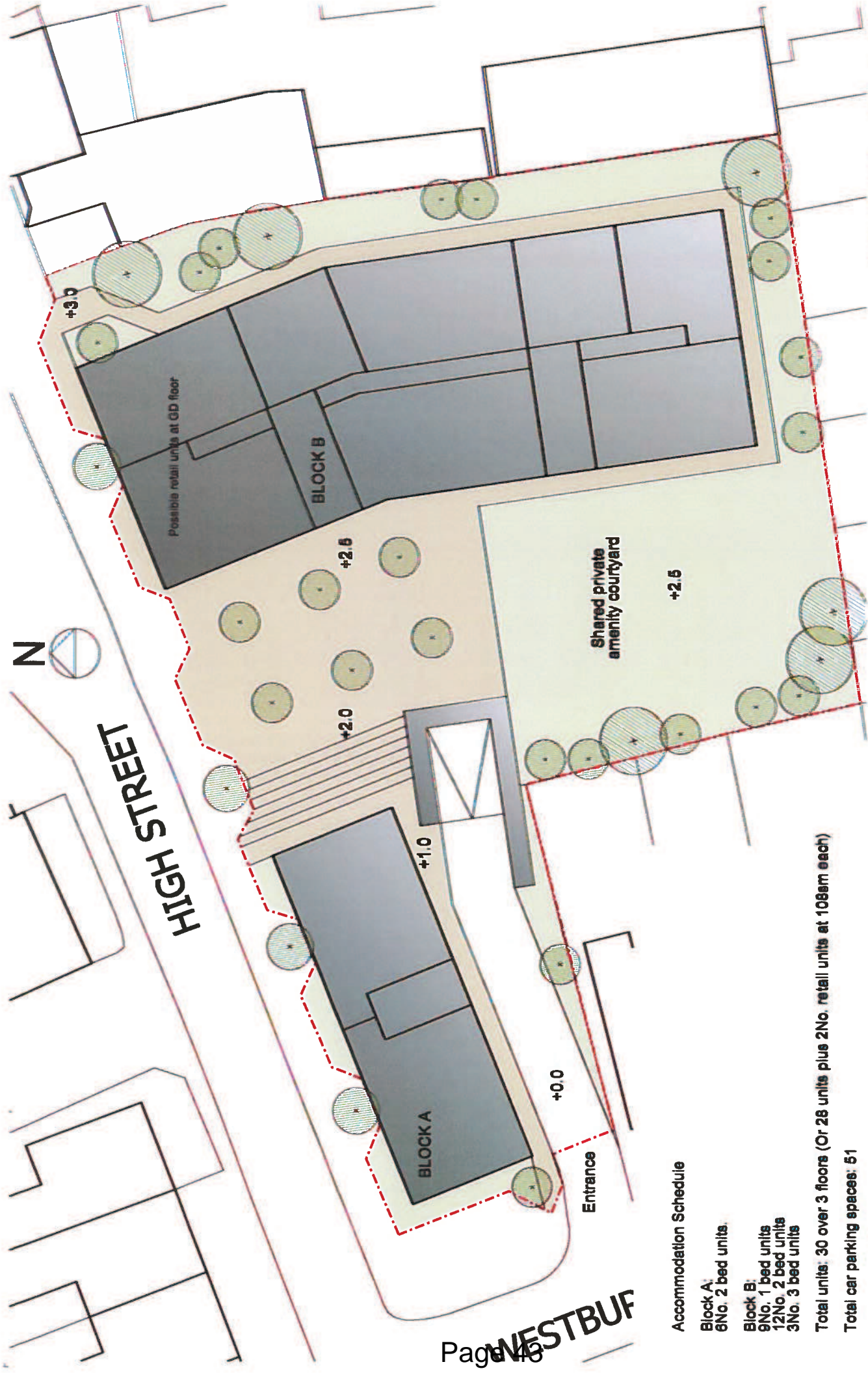
**SITE LAYOUT - LOWER FLOOR  
 OPTION 1**

SCALE 1:250 @ A3

14029 / SK / 001  
 WESTBURY ROAD

FOR INFORMATION





14029 / BK / 004  
 WESTBURY ROAD  
 FOR INFORMATION

SCALE 1:250 @ A3

**SITE LAYOUT - UPPER FLOORS  
 OPTION 2**

**Accommodation Schedule**

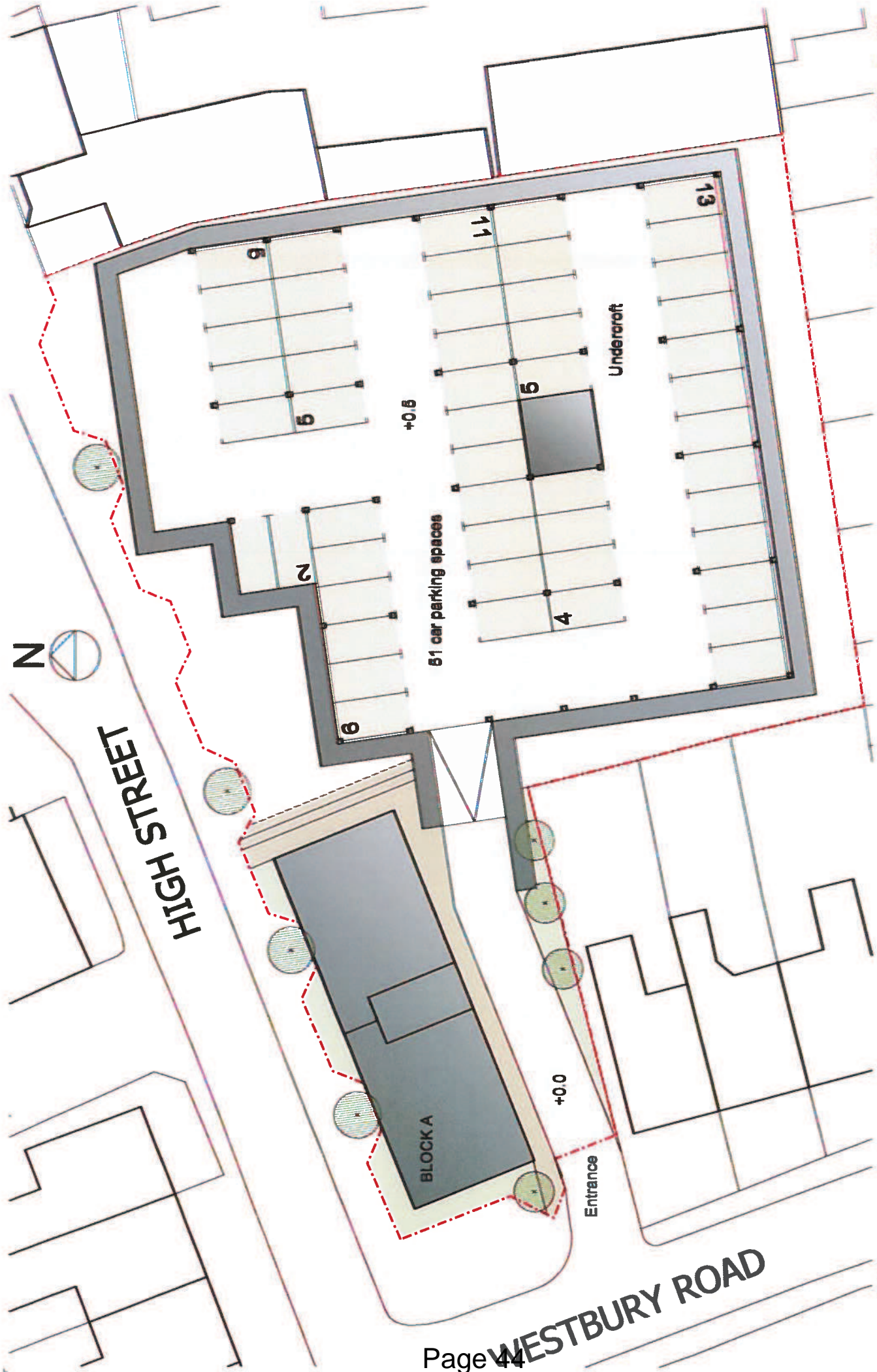
- Block A:  
6No. 2 bed units
- Block B:  
9No. 1 bed units  
12No. 2 bed units  
3No. 3 bed units

**Total units: 30 over 3 floors (Or 28 units plus 2No. retail units at 108sm each)**

**Total car parking spaces: 51**

Subject to statutory approvals.





HIGH STREET

WESTBURY ROAD

Subject to statutory approvals

**cornish**architects October 2014  
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**SITE LAYOUT - LOWER FLOOR  
OPTION 2**

SCALE 1:250 @ A3

14029 / BK / 003  
WESTBURY ROAD

FOR INFORMATION

**18<sup>th</sup> November 2014**

## **Asset and Enterprise Committee**

### **Hutton Community Centre**

**Report of:** *Adrian J Tidbury Estates and Valuation Surveyor*

**Wards Affected:** *Hutton North*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 This report outlines the next phase of work following the re-opening of the Hutton Community Centre, with specific regard to the consideration of any future lease.

#### **2. Recommendation(s)**

- 2.1 To actively publicise the availability of the property to lease to community groups, to test the response received and to then report back to the Committee with the proposals received to determine the best proposal for the Council, the property and the community.**

#### **3. Introduction and Background**

- 3.1 Members will be aware that the Hutton Community Centre was first considered by the Asset, Infrastructure and Localism Panel on 21st November 2012 where Members considered the recent closure of the building to community use. Within that report, the Council had stated its primary objective with the property was to get the building back into full community use, noting that working with local associations and organisations would achieve this outcome.
- 3.2 A further update to Members was reported to the Community Services Committee on 5th June 2013 where the phased approach to the re-

opening of the Hutton Community Centre was approved as was the endorsement of the progress made by the Working Group.

3.3 The phased approach agreed by the Community Services Committee set out 3 phases:

- Phase 1 - Building repaired/rebuilt (if a cheaper and better option), open and being run by the Council.
- Phase 2 - Development of a community based organisation to run the centre.
- Phase 3 - lease of the centre to an independent organisation.

3.4 The report also considered the criteria for the future usage of the Centre in that its primary usage will be a balance between community and sports use. A copy of the report is attached as Appendix A.

3.5 Currently the Community Centre is managed by the Council, with Community Services providing the day to day management. A Manager is in place and the facility is used by the following groups:-

**Type of activity**

Pilates  
Pre School  
Pilates  
Religious group  
Table Tennis  
Meetings  
Karate  
Dance School  
Football(Changing  
Rooms)  
Sports Sessions  
Zumba  
Children's Activities  
Fitsteps  
Diddi Dance  
Community Safety Day  
Yoga  
Beats Surgery  
Tai Chi  
Jazzercise

3.6 The estimated annual cost of the centre is £41,165 and includes staffing and initial setup costs for the year. Income from the centre is currently

£13,247 and reflects 6 months income to date since the centre opened. In addition, interest from a local nursery and also a community cafe for a future arrangement on rooms in the property adding to the level of income currently being received.

#### **4. Issue, Options and Analysis of Options**

- 4.1 In order for the Council to ensure that best value is achieved the Council is required to seek and evaluate proposals for the site.
- 4.2 Any lease greater than 7 years will need to be on a best consideration basis to satisfy section 123 of the Local Government Regulation Act 1972 ( s123(2)) "Except with the consent of the Secretary of State, a Council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can be reasonably obtained".
- 4.3 If the Council decide to let the property on a lease less than 7 years then consideration should be given to include in the lease yearly rent reviews utilising the Retail Price Index at the time.
- 4.4 In order to provide a lease of less than best consideration the Council would need to follow the advice given in Circular 06/03 Local Government Act 1972 General Disposal Consent (England) 2003 - disposal of land for less than the best consideration that can be reasonably received. In such cases a valuation of the property by a Chartered Surveyor will need to be obtained taking into account the requirements of the RICS Appraisal and Valuation Standards (Fifth Edition). Leases in this respect would be less than 7 years duration.
- 4.5 Members will be aware that issues were raised concerning the process leading to the surrender of the property in January 2013 and in this respect, the Council have sought the advice of the Charity Commission on the way forward and await their response.

#### **5. Reasons for Recommendation**

- 5.1 In order that the Council deals with the disposal of the property in accordance with current legislation, Members are recommended to widely canvas community organisations with a view to the provision of a lease and to test the responses received and to then report back to the Committee with the proposals made and to determine the best offer for the Council, the property and the community.

## **6. Consultation**

- 6.1 Members will be aware that in the process leading up to the refurbishment of the property a working group was set up to give a 'steer' to the project and as part of this procedure two public meetings were held to advise the public on the progress being made to reopen the centre. One on 6th March 2013 and the second on 27th June 2013 to discuss future options for the property.

## **7. References to Corporate Plan**

- 7.1 Value for Money: policies that invest in key services to create opportunity for all provide better value for Brentwood's taxpayers and enhance the borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Acting Chief Executive

**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 The procedure to advertise and evaluate proposals for future arrangements will be contained within existing resources. Any financial implications arising from a lease will be considered at a future meeting.

### **Legal Implications**

**Name & Title:** Christopher Potter, Monitoring Officer and Head of Support Services

**Tel & Email** 01277 312860 / Christopher.potter@brentwood.gov.uk

- 8.2 The Council has approached the Charity Commission and is currently awaiting a response as to its view of the way forward.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)



## **10. Appendices to this report**

5th June 2013 Community Services Committee

### **Report Author Contact Details:**

**Name:** Adrian J Tidbury

**Telephone:** 01277 312678

**E-mail:** [adrian.tidbury@brentwood.gov.uk](mailto:adrian.tidbury@brentwood.gov.uk)

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## Community Services Committee 5 June 2013

### 3 HUTTON COMMUNITY CENTRE

(Appendix 2)

**Report of:** *Head of Localism and Partnership*

**Author:** *Brian Partridge*

**Telephone Number:** *01277 312689*

**Email:**

*brian.partridge@brentwood.gov.uk*

**Wards Affected:** *Hutton North*

#### 1. Executive Summary

1.1 The purpose of this report is to update members on events at the Hutton Community Centre since the decision of the Asset, Infrastructure and Localism Panel on 21<sup>st</sup> November and to agree a phased approach to the re-opening of the Centre.

#### 2. Recommendation(s)

2.1 That the phased approach to the re-opening of Hutton Community Centre as set out in section 4.1 be agreed

2.2 That the progress made by the working group be endorsed (as set out in section 4.3) and that a report be brought back to the next meeting of this committee upon the proposals for the Centre (which will have first been consulted upon at the public meeting)

2.3 That opportunities for external funding for the Centre continue to be explored

#### 3. Background

3.1 This matter was considered by the Asset panel in November 2012 when authority was sought to recover the lease of the building from the Hutton Community Association. The recommendation was to take formal action to recover the lease and it was resolved unanimously that, if necessary, formal action should be commenced to recover the lease for Hutton Community Centre. This was not necessary as the lease was surrendered to the Council.

3.2 Once the surrender of the lease had been affected internal discussions took place about the future of the building. It was agreed to set up a

stakeholders meeting to discuss with interested parties the possibility of reinvigorating the building as a thriving community hub. The aim was to talk to people interested in joining with the Council to take a part in the future management of the centre as well as potential users of the building. The first meeting took place on Thursday 28<sup>th</sup> February at 9.30am at Brentwood Town Hall with the Leader of the Council, the Chair of the Asset panel and Officers. Following that a public meeting took place, a subsequent stakeholders meeting was held, and a working group has been established to take matters forward. See section 4 below.

#### **4. Context**

4.1 As mentioned in 3.2 above a working group has been established to work with the Council in overseeing the re-opening of the Centre. This is inclusive and has generated significant community involvement in the project. The membership and terms of reference of the group are set out in Appendix 2. The purpose of the group is to support and to provide direction to the Council in delivering a phased approach to the re-opening and running of Hutton Community Centre. Decisions will be taken by the Council as required by Committee or under delegated powers whilst the building is under the operation of the Council, with advice and support from the working group. The phases are proposed as:

- Phase 1 – Building repaired/rebuilt (if a cheaper and better option), open and being run by the Council
- Phase 2 – Development of a community based organisation to run the Centre
- Phase 3 – Lease of the Centre to an independent organisation

4.2 Criteria for the future usage of the Centre have been discussed including:

- a) That the primary usage will be a balance between community and sports use
- b) That there should also be a balance between fee paying and drop in use (to be looked at as part of the process of developing the business case)
- c) A café will be provided and space will be made available to provide a limited bar facility but the public's views will be sought on this
- d) The centre needs to be sustainable in each phase
- e) Facilities management arrangements will need to be put in place, and
- f) That the Council will look after the structure and exterior of the building whilst it is running the Centre

**4.3 Some of the issues the working group has been addressing to date have included:**

- a) Proposed usage and users of the Centre and any impact this will have upon the final specification for repairs to the building. It should be noted that the boxing club have now found alternative accommodation**
- b) The desire for this to be a community run facility and a thriving community hub. (The Essex Boys and Girls Club are part of the group but expressed a desire to take a lease of the whole building or to purchase the freehold. This has not been pursued at this stage as the working group wants to see this run as a community facility. It has been suggested that they would be able to commit funding to the building but they have confirmed in writing that they would be unable to commit to a figure at this stage).**
- c) The specification for the works (and as part of this a Mechanical and Electrical survey is being commissioned to identify the extent of those works required and likely costs)**
- d) Preparation of a brief for the building and the commissioning of architects to take this forward. Two options are being considered – bringing the building as it is back into repair and an option which would divide the building into two with shared internal community facilities. The costs of the architect are being funded through the asset management revenue budget (cost £2250 plus VAT). These proposals will be developed and costed (along with an outline cost for a rebuild) and will be consulted on at the public meeting. A report on the outcome of this will be presented to the next meeting of this committee.**
- e) Establishment of a Community action day (taking place on 8<sup>th</sup> June) which will be supported by the depot at a minimal cost to be met through the asset management revenue budget**
- f) Management of the gates following completion of the fencing contract**
- g) Facilities management and the possibility of bidding for funding to enable this to occur**
- h) Ability to attract external funding into the Centre – both the boxing club and the football club had been exploring opportunities for this and in addition there are other potential opportunities being explored such as the Sport England Improvement Fund and the County Community Builders programme**
- i) Communications including proposals for a further public meeting to be held on 27<sup>th</sup> June**
- j) Business case for the Centre**
- k) Ability to use volunteer labour to support the main contractor (subject to appropriate checks, risk assessment, insurance, supervision etc)**
- l) Family Fun Day on 2<sup>nd</sup> August to be geared around the Centre and proposals for its future**

- m) Exploring how other centres have organized and run e.g. at Hannakins farm
- n) Possibility for an extension although as the boxing club have found alternative accommodation and may not need space in the building in the future, this is less pressing
- o) Hutton FC are very keen to move ahead with the refurbishment of the changing rooms as these are ideally required for the next football season. It is proposed that these works will be the first phase of the wider refurbishment programme.

4.4 Whilst good progress is being made on the Centre and we are engaging well with the local community, the project does have a number of risks and in particular that:

- a) The budget allocation may not be sufficient given that additional vandalism has occurred at the Centre since the original survey. This will only become clear once the specifications have been completed, tenders obtained and we are clear whether voluntary work can assist the centre. There has also been an insurance claim in respect of some of the damage. A report will be brought back to this committee should this risk occur.
- b) Use of volunteer labour is in itself a risk and something which is being considered with the working group
- c) Whether the business plan can demonstrate the viability and sustainability of the Centre – this needs to be established alongside any tendering procedures and before any major works are commissioned
- d) Security of the site – given the significant vandalism which has occurred at the Centre

4.5 The working group has not spent a significant time at this stage as regards the setting up of a new association as this comes in Phase 2 but Members should be aware that emerging from the working group are proposals for a new Hutton Community partnership, which could possibly be a future tenant for the Centre. Any proposal for leasing the building will go to the Performance and Resources Committee for approval.

## **5. Financial Implications – Comment from S151 Officer**

5.1 A budget provision of £165,000 has been included in the Council's Capital Programme for 2013/14. If the costs cannot be contained within this budget, a further report will need to be compiled detailing the source of additional funding.

## **6. Implications and References to Corporate Plan**

6.1 The Hutton CC project fits well with the Councils localism priority through working closely with local community partners, supporting local communities to run local services and developing new approaches to the use of community assets. The project is also identified in the Asset Management plan.

6.2 Headline risks are already identified in the report. The project will also have implications on staff time in supporting the project and will have asset and legal implications in assisting with the setting up of a new association and leasing the building to them.

## **7. Background Papers**

None





**18<sup>th</sup> November 2014**

## **Asset & Enterprise Committee**

### **London Road & Woodman Road Cemetery Lodges, Brentwood**

**Report of:** *John Parling, Strategic Asset Manager*

**Wards Affected:** *Brentwood West & Warley*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 These two Lodges, which are held within the General Fund, have recently become vacant and advice has been sought regarding letting them to the private rented sector.
- 1.2 We have been advised that rentals between £1,200 and £1,400 per month may be achievable in the market place.

#### **2. Recommendation(s)**

- 2.1 That when the two Lodges have been put into an acceptable condition the units are marketed and let at the best rental obtainable.**
- 2.2 That the units are let on business tenancies with the business tenant having the ability to let the units on Assured Shorthold Tenancies.**

#### **3. Introduction and Background**

- 3.1 London Road Cemetery Lodge has been vacant for several months and a partial refurbishment has been carried out. To put in a lettable condition the decorations have to be completed, carpets fitted and a cooker provided.
- 3.2 Woodman Road Cemetery Lodge became vacant in October and requires additional refurbishment works including replacement kitchen fixtures and bathroom suite as well as redecoration.

- 3.3 Both Lodges are 3 bed detached units just within the boundary of the Cemeteries. The tenants will require access to Lodges outside the Cemetery opening hours and a management arrangement will be included in any tenancy to protect and safeguard the Cemetery.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The Lodges were previously occupied by employees of the Borough on service tenancies. This arrangement has significant risks to the Borough including the risk of any tenant securing the right to buy an asset within an operational facility and also contravening the principles of Single Status Harmonisation of ensuring equality on remuneration and benefits to staff.
- 4.2 The sale of the Lodges is likely to be difficult to achieve because of their position within the boundary of the Cemeteries and therefore the opportunity to let them to private rental sector is the most appropriate course of action.
- 4.3 The estimated revenue and expense of letting option is outlined below:-

<b>Lodge</b>	<b>Cost of Refurbishment Works</b>	<b>Rental pa</b>	<b>Letting Fee</b>	<b>Management Cost</b>	<b>Net Revenue in First Year(excluding refurb costs)</b>
London Road	£5,000	Say, £14,000	£1,200	£1,400	£11,400
Woodman Road	£10,000	say, £12,000	£1,000	£1,200	£9,800

- 4.4 The cost of the refurbishment will be met from the expected under-spend of the existing Asset Management Repairs & Maintenance budget.

#### **5. Reasons for Recommendation**

- 5.1 To generate a revenue stream for the Council and to ensure that its assets are put to best use.
- 5.1 To demonstrate that the Council is innovative and entrepreneurial in its management of its assets.

#### **6. Consultation**

- 6.1 None to date

## 7. References to Corporate Plan

The key criteria for the disposal of the freehold to the site are linked directly to the Corporate Plan 2013-16, specifically:

- a) A Prosperous Borough.
- b) Set planning policy that supports discerning economic growth and sustainable development.
- c) Promote a mixed economic base across the Borough, maximizing opportunities in the town centers for retail and a balanced night-time economy.

## 8. Implications

### Financial Implications

**Name & Title: Jo-Anne Ireland, Acting Chief Executive.**

**Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk**

- 8.1 The initial costs of £15,000 can be met from within existing budgets. The real financial benefit of this proposal comes from the potential revenue income of £21,200 per annum.

## 9. Legal Implications None

**Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services**

**Tel & Email 01277 212860 / christopher.potter@brentwood.gov.uk**

None

- 10. **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

- 11. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 11.1 Asset Management Strategy

## Report Author Contact Details:

**Name:** John R Parling, Strategic Asset Manager

**Telephone:** 01277 312630

**E-mail:** john.parling@brentwood.gov.uk

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## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.



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## **Asset and Enterprise Committee Terms of Reference**

### **General Powers of Committees**

This scheme of delegation sets out the functions of the Council to be discharged by its Committees and Sub- Committees and includes the terms of reference of statutory and non statutory bodies set up by the Council.

Each committee or sub committee will have the following general powers and duties:

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;
- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the Committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the Committee;

### **Asset and Enterprise Committee**

The functions within the remit of the Asset and Enterprise Committee are :

- 1) To manage any lands or property of the Council and provide strategic property advice relating to the Council's Housing Stock

#### The Council's Asset Management Plan

- 1) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.

- 2) The granting variation renewal review management and termination of leases licenses dedications and easements
- 3) Promoting the use of Council owned assets by the local community and other interested parties.
- 4) To manage any lands or property of the Council;
- 5) To include properties within the Council's Asset Management Portfolio including Halls etc.
- 6) To take a strategic approach to asset management, ensuring that the use of all of the Council' s Property assets achieves Value for Money and supports the achievement of the Councils corporate priorities.
- 7) To review the Corporate Asset Management Plan annually.
- 8) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
- 9) Disposal of land (including by lease) surplus to the requirements of any Panel or Committee.
- 10)Appropriation of land surplus to the requirements of a Committee.
- 11)Promote the use of Council owned assets by the local community and other interested parties where appropriate
- 12)Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.

#### Enterprise

- 1) To take a strategic approach to commercial activity, both existing and new, ensuring the council realizes revenue generation opportunities and supports the achievement of the Council's corporate priorities.
- 2) Promoting a culture of entrepreneurialism and building the required skills and capacity.
- 3) To consider, and approve, business cases and commercial business plans for commercial activity.