
DECISION REPORT – PIERREMONT PARK COMMUNITY CENTRE LEASE

To: **Councillor Clive Hart – Leader of the Council**
Cllr Iris Johnston – Cabinet member for Community Services

Main Portfolio Area: **Commercial Services**

By: **Mark Seed – Director of Operational Services**

Classification: **Unrestricted**

Wards: **Viking**

Summary: To confirm the agreement to the granting of a lease within Pierremont Park for the construction of a new community centre following the advertisement of a notice under Section 123 of the Local Government Act 1972.

For Urgent Decision

1.0 Introduction and Background

1.1 The proposal to seek the construction of a new community centre in Pierremont Park, Broadstairs was considered at the Cabinet meeting held on 26th July 2012. At the meeting the following relevant recommendations were approved:

- **A notice under Section 123 of the Local Government Act 1972 is advertised.**
- **Representations under this notice are considered by the Cabinet members for Commercial Services and Community Services (Community Development).**
- **Delegated authority is granted to these cabinet members to make a final decision on the proposal affecting Pierremont Park and the granting of a lease for just less than 25 years.**
- **A Decision Notice is subsequently reported to a future meeting of Cabinet.**

1.2 A notice under Section 123 was advertised on 19th September with a closing date of 5th October, which led to 77 responses being received. A summary of these responses was provided to the Cabinet Members for Commercial Services and Community Services on 9th October, and both members confirmed agreement to taking forward the granting of a lease for the community centre.

1.3 This decision notice reflects the formal record of this agreement.

2.0 The Current Situation

2.1 The construction of a community centre is still subject to the submission of applications for planning and listed building consent as the leased area is different from the original proposals for the centre. A lease would not be agreed finally until these planning and listed building consents were achieved.

2.2 The proposal is also reliant on the receipt by the council of Section 106 funding arising from the Ellington and Hereson school site. This has not yet been received by the council and again before granting a lease the council would need a demonstration that the required funding for the proposal was assured. If it goes ahead there is also a requirement that 3 trees are planted in the park for every tree removed as part of the

construction of the community centre (even though these will only be large sycamores). This requirement will form part of any lease agreement.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 The council has agreed to assist the development with £600,000 of Section funding from the Ellington and Hereson school site if the project goes ahead and the funding is received. This is in addition to the £42,000 of support that was previously agreed by the council. In addition, the lease for the site will conform to the council's policy of seeking best value for its property.

3.2 Legal

3.2.1 The lease will be for a period of just under 25 years and as such it does not constitute a disposal under the terms of the council's interim Asset Disposal Plan.

3.3 Corporate

3.3.1 The proposal supports the council's corporate plan aims of seeking to improve facilities for the community in Thanet.

3.3.2 The proposal has been contentious with representations both in favour and against the proposals having been received on both occasions that Section 123 notices have been advertised. As such the decision to proceed with the granting of a lease has been taken with these in mind, and reflects a balance between the competing views.

5.4 Equity and Equalities

5.4.1 The public service equality duty has been assessed in relation to this stage of the disposal process, but it is not considered that the proposed lease will compromise the rights and requirements of any protected group. The final design for the proposed community centre will need to be undertaken to support the needs of people with disabilities, and provide facilities for members of protected groups.

6.0 Recommendation

6.1 That agreement is given to the granting of a lease in Pierremont Park on the area of land as defined by the published Section 123 notice, subject to the achievement of planning and listed building consents for the proposals, and demonstration of sufficient funding to undertake the development.

Contact Officer:	Mark Seed, Director of Operational Services
Reporting to:	Sue McGonigal, Chief Executive

Decision Record – Pierremont Park Community Centre Lease

I confirm my agreement to the proposals as set out in the report above having taken into consideration the implications associated with this decision:

Signed

Date:

Cllr Clive Hart – Leader of the Council (on behalf of Cllr Alan Poole - Cabinet Member for Commercial Services)

Signed

Date:

Cllr Iris Johnston - Cabinet Member for Community Services

Decision confirmed

Signed

Date:

Mark Seed – Director of Operational Services