

## **REGENERATION SCRUTINY AND PERFORMANCE PANEL**

Thursday 2 April 2014 at 6.00 p.m. at the Council House

**Panel Members Present:** Councillor L. Harrison (Chair)  
Councillor I. Azam  
Councillor D. Barker  
Councillor K. Phillips  
Councillor D. Anson  
Councillor M. Longhi  
Councillor S. Wade

**Officers Present:** Simon Neilson – Executive Director, Regeneration  
Jackie Hodgson – Team Manager, Asset Management  
Jay Patel – Voluntary and Community Sector Officer  
Matthew Scudamore – Solicitor and Built Environment Manager,  
Legal and Democratic Services  
Matt Underhill - Committee Business and Governance Manager

**Invitees Present:** Member signatories to the call in notice: Councillors: A Young; R. Thomas; J. Fitzpatrick  
Pam Spinks – Chair, Dartmouth Neighbourhood Forum  
Councillor P. Smith

**Portfolio Holder Present:** Councillor A. Andrew – Regeneration

### **330/13 APOLOGIES**

Apologies were received for the duration of the meeting from Councillor Worrall and Councillor Flower.

### **331/13 SUBSTITUTIONS**

Councillor Longhi substituted for Councillor Flower and Councillor Phillips substituted for Councillor Worrall for the duration of the meeting.

### **332/13 DECLARATIONS OF INTEREST AND PARTY WHIP**

There were no declarations of interest or party whip for the duration of the meeting.

### **333/13 MINUTES**

The Panel considered the minutes of its previous meeting.

### **RESOLVED:**

**That the minutes of the meeting, held on Thursday 6 March 2014, be approved as a true and accurate record.**

### 334 /13 CALL IN: GRANT OF LEASE TO RYECROFT NEIGHBOURHOOD RESOURCE CENTRE

The Chair invited officers to provide background guidance in relation to the call in. The following is a summary of the guidance provided and subsequent discussion:

- Officers explained that the recommendations of a report to Cabinet on 19 March relating to Ryecroft Neighbourhood Resource Centre and Dartmouth House were approved. This included: **That authority for the Executive Director for Regeneration in consultation with the Portfolio Holder for Regeneration to approve the terms of the lease of the New Forest Road site to Ryecroft Neighbourhood Resource Centre and for the disposal of Dartmouth House.** In addition: **That to minimise void costs (business rates, security costs etc.) Dartmouth House be demolished and the site cleared.** It was also explained that during this same period an application made by community groups, led by Dartmouth Neighbourhood Forum , was approved which resulted in Dartmouth House being awarded listed status as an Asset of Community Value. However, officers stressed that the award of this status did not prevent the council as the owner of the property from ultimately disposing of the property as it wishes to do so. It was also explained that recent case law supported this position;
- The call in Members explained that the focus of concern for the interested parties was the decision made by Cabinet on 19 March 2014 relating to Dartmouth House;
- The call in Members expressed concern that the submission of 123 letters of support from local residents, regarding the application seeking approval for Dartmouth House to be listed as an Asset of Community Value, were not reflected in the report to Cabinet of 19 March 2014. In response officers explained that the letters of support had formed part of the listing application which was a separate process. It was also explained that approval for listing of Dartmouth House as an Asset of Community Value had occurred after submission of the report to Cabinet and therefore a verbal update had been provided at the Cabinet meeting confirming the listing;
- The maintenance and repair costs of £287,500 identified as required by Dartmouth House were challenged by the call in Members. This included the cost and amount of strip lighting being queried by the call in Members who explained that they had sought separate quotes for this work which were significantly lower than the costs identified by officers. Officers and the Portfolio Holder explained that an independent condition survey was commissioned from CIPFA. The required repairs were itemised and costed using industry accepted schedules of rates;
- The call in Members expressed concern regarding guidance provided in the report to Cabinet of 19 March that the Walsall NHS Trust had determined that Dartmouth House no longer provided suitable accommodation for the rehabilitation service. It was the view of the call in Members that the Walsall NHS Trust had been required to vacate the premises by Walsall Council. The call in Members also referred to a leaflet that they advised the meeting had been distributed to local residents by Walsall Council informing them that the Walsall NHS Trust had chosen to remove its services from Dartmouth House;
- The call in Members expressed concern regarding the fact that the Police had previously occupied a room at Dartmouth House free of charge. It was explained that the local community had found the presence of the Police very reassuring. However, the Police were now required to pay £50 per week for

accommodation at the Ryecroft Community Hub, which given budget pressures would be very difficult for the Police to fund. In response the Portfolio Holder explained that he had received guidance from the Police that they were very pleased with how they were working with the local community and people were being referred to the Ryecroft Community Hub;

- Councillor Smith highlighted that The Cottage, a former warden's residence, was actively used by the local community and was only around one hundred yards from Dartmouth House. However, the Chair of the Dartmouth Neighbourhood Forum explained that The Cottage was quite a small building and did not offer the range of services previously provided at Dartmouth House, and whg had attached a significant number of conditions to the lease. This included a recent restriction regarding the use of the cooker which threatened the ability of the community groups to supply hot meals to local residents. In addition, the length of the lease had meant it had proven difficult to raise external funding to help develop services at the site. Panel Members and the Portfolio Holder expressed concern regarding the lease. The Portfolio Holder indicated he would contact whg regarding the lease, while officers agreed to provide advice and guidance to the community groups regarding the conditions contained within the lease;
- Councillor Smith explained that funding had been available for improving local community facilities two years ago. Dartmouth House had not been available for the use of this funding at the time so instead Ryecroft Community Hub had been developed. He expressed the view that it had been important to make use this funding while it was available rather than miss the opportunity. Councillor Smith also suggested that the Dartmouth House site represented a very good opportunity for the development of one bedroom properties which were in demand;
- Bob Lloyd, adviser to the Dartmouth Neighbourhood Forum, agreed that Walsall Council was in a position to dispose of Dartmouth House as it wished. However, he pointed out that decisions relating to Dartmouth House must still satisfy the Wednesbury Reasonableness test and that the community should have the right to develop a business model and secure external funding to be able to successfully operate from the site. He highlighted that he had been involved with a group that had successfully bid for Big Lottery and other funding totalling more than £1m which had been used to renovate and maintain a community facility in Tipton;
- The Chair of the Regeneration Scrutiny and Performance Panel noted that the Ryecroft Community Hub, New Forest Road also offered local facilities for residents. Councillor Smith pointed out that the Ryecroft Community Hub was no more than a five minute bus journey from the Dartmouth House area. In response the Chair of Dartmouth House Neighbourhood Forum explained that it was the view of service users that the Ryecroft Community Hub was difficult to access due to the steep incline, together with the need to walk approximately fifteen minutes to get to the site and that there was no bus route. In addition, it was felt that the range of services on offer at the Hub were not suited to the older residents who had previously used Dartmouth House;
- A Panel Member raised a query in relation to a number of consultation events undertaken in 2013 which were noted in the report to Cabinet of 19 March 2014. Officers explained that the consultation related to proposed and potential services that can be delivered from the Ryecroft Community Hub as opposed to proposals for Dartmouth House. Councillor Smith noted that the consultation events had been well attended by the local community and

residents had been very positive about the proposed developments for the Ryecroft Community Hub. This included a range of social, welfare and health based activities for different groups within the community;

- In response to a Panel query officers explained that no decision had been made regarding disposal of the site and no further action would be taken before the conclusion of the scrutiny and associated Cabinet process. It was also explained that it was costing around £120 per day to secure the site. In addition, while an invitation to tender had not been produced by the council at this time it was estimated that the cost of demolition was expected to be around £50,000. A Panel Member expressed concern regarding the overall costs for security which he noted were £26k over a six month period. He also pointed out that redecoration and repair work would always be necessary where a new tenant was sought. A further Panel Member noted the importance of achieving best value for local tax payers and suggested that should Dartmouth House be demolished the site could be used for one bedroom properties with s.106 money be ring fenced for supporting local community facilities;
- A number of Panel Members proposed that the community groups be given the opportunity to put together a business plan to enable them to undertake the operation of Dartmouth House.

**It was moved and seconded, that:**

- 1. The local community groups, including the Dartmouth Neighbourhood Forum, be given the opportunity to put a business plan together for the operation of community services from Dartmouth House; &**
- 2. guidance be provided to Cabinet setting out the reasons for the 123 letters from residents, supporting the application for listing of Dartmouth House as an Asset of Community Value, not being included in the report to Cabinet of 19 March 2014.**

The recommendations were approved by the Panel with 3 votes in favour and all other Panel Members abstaining.

**RESOLVED:**

- 1. That the local community groups, including the Dartmouth Neighbourhood Forum, be given the opportunity to put a business plan together for the operation of community services from Dartmouth House; &**
- 2. guidance be provided to Cabinet setting out the reasons for the 123 letters from residents, supporting the application for listing of Dartmouth House as an Asset of Community Value, not being included in the report to Cabinet of 19 March 2014.**

**335/13 DATE OF NEXT MEETING**

The Chair noted that the next meeting of the Panel would be 22 April at 6:00pm.

*The meeting closed at 7:10 p.m.*

Chair:

Date: