

 <p>Brent</p>	<p>Executive 19 August 2013</p> <p>Report from the Strategic Director of Regeneration and Growth</p>
<p>For Action</p>	<p>Wards affected: Willesden Green</p>
<p>Disposal of open land adjacent to 19 Dudden Hill Lane & 290 High Road, Willesden NW10 2EU</p>	

Appendix 2 is not for publication ('below the line') as it contains the following category of exempt information as specified in Schedule 12A of the Local Government Act 1972, namely:

"Information relating to the financial or business affairs of any particular person (including the authority holding that information)"

1.0 SUMMARY

- 1.1 An investment opportunity has arisen to provide a high quality table tennis centre including the possible development of residential accommodation, proposals provide for the regeneration of land that is currently in a poor state at Dudden Hill Lane and High Road, Willesden.

2.0 RECOMMENDATIONS

That Members approve:

- 2.1 To a sale by private treaty with Greenhouse Charity.
- 2.2 That Officer's negotiate and enter into an agreement for a lease on the subject lands, as per the attached plan to enable the construction of a table tennis centre with, if required, residential development.
- 2.3 That on satisfactory completion of building works, the Council enters into a 250 year lease with Greenhouse Charity in accordance with the terms set out in the confidential note in appendix 2.

- 2.4 That Members agree that authority be delegated to the Operational Director Property and Projects to agree such terms that are in the best interests of the Council.
- 2.5 That Members ask Officers to advertise (at the appropriate time) the proposed letting of public open space (as set out in paragraph 5.3 below) under Section 123 of the Local Government Act 1972 and if in the opinion of the Operational Director – Property and Projects, there are significant objections, to report back to the Executive for it to consider.
- 2.6 That Members note that the Brent Indian Community Centre (BICC) have enjoyed informal use of an adjacent play area, the Greenhouse proposal will terminate such arrangement and Officers will involve BICC in future consultation.

3.0 DETAIL

- 3.1 The Dudden Hill open space is a freehold site acquired by Brent Council in 1984 and is about 996 m² (0.294 acres) and shown vertically hatched on the plan. The land is controlled by the Sports & Parks service. It has been a problem area for many years and has generally been a difficult area to manage. Permission was granted in 1981 for a play area. Officers understand that it has not been open to the public since at least 1999. The site has been in a poor state or repair for a number of years.

- 3.2 The planning Core Strategy 2010 has the following site allocation and states:

Allocation: A small mixed use development with community, leisure or retail use on the ground floor with residential above. Financial contributions will be sought towards provision of a new play area and open space improvements in the vicinity, namely Learie Constantine Open Space on Villiers Road, and Willesden Communal Gardens, Dudden Hill Lane. The indicative development capacity is 20 units and development phasing 2011-12.

Justification: The playground is a former brownfield site which was given permission as a play area in 1981, however it currently has no play equipment and is disused as a play area. The site is maintained by Brent Sports and Parks Service but no funding is available to redevelop the site as a playground. In terms of meeting the needs of local residents the site is not well positioned as it is next to a main intersection and busy road.

- 3.3 The land is at the end of a retail pitch and located at a busy road junction close to Willesden Bus Depot and 400m from Dollis Hill Tube (Jubilee Line). The site has the potential, with the right building design and use, to make a real improvement to the area and lift the surrounding environment. The existing urban fabric is largely made up of the original Victorian development of the late 19th century which in many cases is looking tired, particularly the commercial premises. There have been aspirations going back many years to improve the area.

Greenhouse

- 3.4 The Council has been approached by Greenhouse Charity who requested assistance in seeking to secure a site for a state of the art table tennis centre of excellence, large enough for between 20 and 30 tables. Their requirement has been known to Brent Council following their unsuccessful underbid to acquire the Council's former Charteris Sports Centre in Kilburn over 18 months ago which ultimately was sold to a private school.
- 3.5 Greenhouse are a charity whose charitable purpose is enshrined in its objectives to "improve the conditions of life of children and young people in the UK who are deprived or disadvantaged or who do not ordinarily have access to sports and arts facilities by the provision of sports and arts programmes. In 2012 they had a gross income of £4.7m and have a wide range of support, including from businesses.
- 3.6 Greenhouse was founded in 2002 by their Chief Executive, Michael de Giorgio who set up a multi-sport pilot to give young people on a local housing estate something positive to do in the school holidays. Using the sports facilities at St Paul's School, an independent school in West London, the pilot programme helped troubled teenagers with support from the Metropolitan Police. It was so successful and continued in demand that it continued over the following years and merged with Table Tennis for Kids (TTK).
- 3.7 Greenhouse empowers young people in London's most disadvantaged communities to realise their potential through high quality, intensive sport and performing arts programmes delivered by inspirational coaches. By working full time in schools and in the community Greenhouse coaches develop strong relationships with young people. They help them to improve their health and fitness whilst mentoring them to improve their engagement with their education and community.
- 3.8 Greenhouse puts inspirational coaches into schools and community clubs to work with 8 to 18 year old across 10 areas: football, basketball, table tennis, volleyball, judo, swimming, drama, multi-sports for young people with special educational needs, tennis and athletics. The coaches run full time programmes, working with young people before, during and after school and in the holidays. This means they can intensively engage young people over long periods of time and for a number of years as they move through school. Their programmes are open to everyone but the coaches target young people most in need of support, such as those struggling with their education or behavior. They set high expectations of self discipline, attitude and time keeping.
- 3.9 Greenhouse coaches try to deliver three major outcomes:
1. Improved effort with education, leading to better educational achievement;
 2. Improved engagement with their community (avoiding negative influences such as crime, drugs, anti-social behaviour); and

3. Improved health and wellbeing (a reduction in obesity, better health and happiness)
- 3.10 All the coaches are specialists in their fields and include current and former Olympians, Commonwealth and national champions. Currently they run 49 programmes across London, working with between 7,500 to 10,000 young people on a weekly basis.
- 3.11 Greenhouse has a strategic ambition to develop a high quality table tennis centre in West London. Their aims are set out below;
- To design and deliver programmes to promote participation of young people at risk of social institutional exclusion in order to encourage and support their re-engagement, re-integration and the development of motivation;
 - To enable young people to develop personal, social and life skills;
 - To promote tolerance, social inclusion and an appreciation of diversity amongst young people;
 - To set high standards, Greenhouse believes that the young people it engages have a right to good quality facilities, high quality coaching and to effective and sensitive mentoring and support.
- 3.12 Greenhouse has been in discussions with a variety of owners and Councils in the West London area seeking to secure a site or buildings. They already work with a number of Brent schools in the local area. Given the potential benefits of such a use to the borough, Officers from Property & Projects and Sports & Parks have reviewed a range of Brent landholdings in an attempt to identify a suitable site. In particular the Sudbury Court Pavilion, East Lane located on the edge of the Vale Farm – the area was considered but ultimately discounted because it failed to meet Greenhouse's locational criteria and because there is an on-going need to retain changing provision in support of the outdoor pitches.

The Proposal & Planning

- 3.13 Utilising our site, Greenhouse propose to build a high quality table tennis centre of sporting excellence. The centre will be open seven days a week and used predominantly for training and the occasional tournament. It will be open for use by schools that they work with and the local community. The facility would be about 1500-2000 m² and will cost in the order of £3m. Greenhouse is considering whether they need to incorporate an element of residential into the scheme in order to provide an income stream to support the running of the centre. Although at this stage they believe it will probably not be necessary to incorporate residential.

- 3.14 Outline proposals have been discussed with the planning department who consider that the proposals for the table tennis centre broadly meet the requirements of the site allocation. In particular the provision of a community sporting facility makes the loss of the open space more acceptable. Some of the receipt should be made available if appropriate to improve other open spaces in the area.

Sale by Private Treaty

- 3.15 The Council usually seeks to market surplus property on the open market or through developer framework agreements. The subject site, because of its location, has been a problem area for many years. It is located in an area with generally poor public/community facilities. Attempts over the years have failed to produce any exciting proposals that could give a real boost to this end of the High Street. The current proposal offers a one off opportunity to secure considerable private investment in community infrastructure, as well as a capital receipt for the Council.
- 3.16 Whilst it is impossible to say a better community offer might not come along, on balance the advantage of the proposed use, the credibility of the applicant and their financial resources present the Council with a one off opportunity to receive a capital payment, helping to regenerate this part of Willesden and provide a high quality community sporting facility.

Benefits to Brent

- 3.17 Greenhouse's preference is to be as close as possible to public transport links and to be easily accessible from a wide part of the borough. Whilst no site is ever going to be ideal, Brent's site represents a very good compromise. The Charity have received a large anonymous donation to develop and purchase a dedicated table tennis centre. Greenhouse is now looking to secure a site relatively quickly and if this site cannot be made available the search will be extended to cover alternative locations outside Brent.
- 3.18 The proposal represents an excellent opportunity to deliver improvements to young people's health and well being and it meets with the Council Sport and Physical Activity strategy that aims to:
- Increase provision of appropriate facilities;
 - Get more people active;
 - Develop local sports providers; and
 - Increase sports opportunities for young people.
- 3.19 The provision of these sports facilities when set against the demographic profile of Brent further strengthens the case for the facility. Brent has a very high population of young people. 311,200 (Census 2011) people live in Brent. The child population in Brent is 77,500 (Census 2011). 23 per cent of the

population is 19 or under. Health inequalities are also greater in Brent, with significantly high levels of child obesity, particularly affecting children living in Harlesden and Willesden and children of black Caribbean and black African backgrounds. There has also been a reduction in crime over the last four years with significant reductions in gun crime, knife crime, robberies and youth violence, although they remain at a higher rate (per capita) than Brent's statistical neighbours and the London average.

- 3.20 This proposed scheme represents a very significant investment in sporting/community facilities in the borough. The location is highly accessible by public transport for young people there are many bus routes and Dudden Hill Tube station (Jubilee Line) is only a short distance away. The College of North West London is close by.

Adjoining land owners (as illustrated in the site plan in appendix 1)

- 3.21 Adjacent to the Council's site on the north western boundary is an adjacent property (site area 455 m²) shown cross hatched on the plan, sold by Brent on a long lease for term of 99 years from 1997 at £1 pa to the BICC. The site is fully covered by a two storey hall. In the past (2010) plans were prepared by Family Mosaic, who were one of the Brent Council's preferred partners for social housing development schemes. The plan was to incorporate a community centre on part of the ground floor which could have been occupied by BICC assuming terms could have been agreed. The proposals were later found to be unviable. In the context of current proposals we refer Members to the plan attached. It is noteworthy BICC have enjoyed informal use of the adjacent play area shown outlined by the broken black line, the Greenhouse proposals will terminate such arrangement and Officers will involve BICC in future consultation.
- 3.22 The eastern boundary is a back-land site of about 334 m². This site is owned by Jabac Finances Limited shown dotted on the attached plan. Planning consent was granted 14/3/2008 for the development of a car free 3 storey scheme that provides 3 x 1 bed units and 2 x 2 bed units (ref 06/2852). The building on site is burnt out and the site is extremely untidy and a significant eyesore. If the Council's site can be developed this should send out a positive signal which will hopefully result in this owner now seeking to develop their site and attracting further investment into the area.
- 3.23 Recently the adjacent property owners, BICC and Jabac have had aspirations to redevelop their respective sites utilising the Council's land for the construction of a 1,110 m² community centre along with around 27 residential units (20 x 2 beds and 7 x 1 bed). The financial proposal was for a very modest payment to the Council. The confidential appendix sets out the lack of any reasonable financial offer that would support the case for disposing of the site to BICC/Jabac. Subject to consultation there may be an opportunity to incorporate adjoining landowner aspirations within the Greenhouse plan.

Further options

- 3.24 The site is being reviewed by Brent Housing Partnership as to whether it would be suitable for direct development within their development programme. The site as set out in planning policy has the potential for 20 homes. If BHP developed these units they would need to provide an element of community, retail or leisure use on the ground floor. Subject to further review of the powers under which the land is held, an independent valuation would be obtained to ascertain a transfer value to the HRA or another portfolio as appropriate.

Recommendation

- 3.25 The recommended option is a leasehold disposal to Greenhouse and a provisional sum has been negotiated.
- 3.26 Officers recommend that the sum offered represents good value for money when taking account of the planning allocation in the Planning Core Strategy 2010. The sum is probably less than would be achieved if a wholly residential non-affordable housing scheme could be developed on the site, however this would be unacceptable in planning terms. An independent valuation of the land has been commissioned which will be used to satisfy any Audit requirements to demonstrate best value.

Contracting terms

- 3.27 It is proposed that an agreement for a lease will be entered into which will require the construction of the facility and which on satisfactory completion will require that the Council then grants a long lease. This helps guard against the situation where a building might only be half built and full control of the site has been passed out of the owner's control.
- 3.28 A 250 year lease is proposed as this is sufficiently long to give trustees the confidence to invest. The peppercorn rent requires no on-going administration. The lease does give the Council the ability to control the site and certainly prevents any redevelopment that could lead to the owner making large financial gains at the expense of the previous owner.
- 3.29 The proposed lease will restrict the use to sports facility and community centre.

Next steps

- 3.30 The proposed scheme will make a fantastic landmark entrance to a presently rather run down part of the High Road, Willesden and early proposals have demonstrated the great potential for a brand new quality building. It is a unique one off opportunity for the Council to secure a wide range of regeneration benefits and social benefits.
- 3.31 Greenhouse is keen to engage in a public consultation and present their proposals for the area. This would include local residents and Councillors,

sport Officers, schools, and those working with young people and adjacent landowners including BICC.

- 3.32 It is recommended that a suitable scheme is agreed within certain parameters with Council Officers. Greenhouse would contractually commit in the agreement for the lease to build out a certain scheme and on satisfactory completion the Council would be legally required to complete the lease.

4.0 FINANCIAL IMPLICATIONS

- 4.1 A capital receipt will be received as set out in the confidential note in appendix 2. This property is not included within the Capital Disposals Programme and as such this will constitute an additional receipt to the funding of the Capital Programme and could reduce the requirement to undertake an equivalent level of unsupported borrowing for a balanced position on the overall Capital Programme.
- 4.2 A part of this capital receipt could be allocated to help improve other open spaces in the local area.
- 4.3 If the recommendation for disposal is agreed this will prevent Brent Housing Partnership from utilising the site for any direct development and rental income to the HRA will be forgone.

5.0 LEGAL IMPLICATIONS

- 5.1 Under Section 123 of the Local Government Act 1972 the Council has a general power to dispose of properties including by way of the sale of the freehold or the grant of a lease. The essential condition is that the Council obtain (unless it is a lease for 7 years or less) the best consideration that is reasonably obtainable.
- 5.2 Disposals on the open market, either by way of auction or by way of appointing a marketing agent, will satisfy the best consideration requirement. In this case the disposal will seek an external Valuer to provide valuation advice in addition to Council internal RICS Registered Valuer recommendation.
- 5.3 Since the land is held as public open space the disposal of the same will need to be advertised at the appropriate time under Section 123 of the Local Government Act 1972 in a local newspaper for two weeks and any objections which are made will need to be considered.

6.0 DIVERSITY IMPLICATIONS

- 6.1 An equalities analysis has been completed (appendix 3).

7.0 STAFFING/ACCOMMODATION IMPLICATIONS

- 7.1 None

8.0 BACKGROUND PAPERS

- Planning Core Strategy 2010
- Plan for Children and Families 12-15
- INRA

9.0 APPENDIX

- Appendix 1: Plan
- Appendix 2: Confidential note
- Appendix 3: Equalities analysis

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