

EXECUTIVE DECISION RECORD SHEET

Name of decision maker:	Councillor Nick Tiley
Portfolio:	Finance & Resources
Date of Portfolio Holder Decision:	15 May 2009

Title of Decision:
GABLE HALL

Decision made and reasons:

Decision:

- 1 That, following a consultation exercise and the consideration of proposals received, it is agreed that Option B (to demolish the site and seek to award a short term licence to Victoria First Primary School as detailed below) be selected as the Council's solution for the future use of the Gable Hall site following its closure on 31 March 2009.
- 2 That any lease or licence that may be agreed shall be: (a) contracted out of the Landlord & Tenant Act 1954 and (b) all responsibility for rates, taxes, utilities and outgoings along with any maintenance or repairing liabilities are transferred
- 3 That the Head of Resources be instructed to give effect to this decision and take all necessary steps to conclude matters.

Reasons

At its meeting on 16 December 2008, Cabinet considered an options appraisal in respect of the Community Buildings portfolio; namely, Gable Hall and Lagley Hall. To that end, it agreed to close both buildings from 31 March 2009 on the grounds that:

- 1 The buildings were uneconomical to run
- 2 Lagley Hall was incurring a large deficit and was scheduled to continue to do so
- 3 Gable Hall required significant capital expenditure to continue using the property.

Following the decision to close both premises, Berkhamsted Town Council requested that the demolition of Gable Hall be placed on hold and a consultation exercise take place as the Town Council believed that there may be some additional proposals for the site. The Borough Council consented to this and enabled a consultation window until 30 April 2009 for the receipt of proposals.

The discussions that took place are set out in the background information supporting this Decision.

Upon evaluating the proposals, the preferred option is B which is to:

1. Demolish the structure
2. Grant a short term licence at a nominal rent of the Gable Hall site to Victoria First Primary School for a use complimentary to the school site
3. That officers agree the exact use taking into account any necessary planning / regulatory consents that may be required

EXECUTIVE DECISION RECORD SHEET

No proposals have been received that offer to take the Gable Hall building on in its current condition given the extent of work that is required to bring it into good order.

Reports considered: (here reference can be made to specific documents)

Cabinet – Community Buildings report – 16 December 2008
Asset Management Plan
Revenue Budget – 25 February 2009

Officers/Councillors/Ward Councillors/Stakeholders Consulted:

Dacorum Borough Council
Cllr Laws – Berkhamsted East

Berkhamsted Town Council
Colin Westwood – Town Clerk

Victoria First Primary School
Rowena Pike – Chair of Governors
Anna Brown – Head Teacher
Teresa Mitchell – Office Manager

Hertfordshire County Council
Deborah Hulme – Childrens, schools and families department

Dacorum Heritage Trust
Roger Hands – Trustee
Eric Edwards – Trustee

National Childbirth Trust
Cathy Johnson

Monitoring Officer/Chief Financial Officer Comments:

Section 151 Officer:

Failure to complete this project to schedule, will mean there will be a potential 'budget gap' at the end of the 2009/10 financial year.

Therefore, this project is consistent with achieving the revenue savings that were incorporated within the 2009/10 general fund budget.

Monitoring Officer:

No Comments

Implications:

Risk:

EXECUTIVE DECISION RECORD SHEET

The Cabinet decision of 16 December 2008 took into account the balance between: building conditions, financial viability and the future prospects for use. At that point in time, closing both sites was considered to be the most appropriate method of mitigating risk.

The Council needs to avoid having empty and unused buildings where they could be vulnerable to vandalism and/or break-ins.

Value for Money:

The Council has previously identified financial savings from the proposal to close Gable and Lagley Halls and they were incorporated into the 2009/10 General Fund budget.

Procurement:

There are no procurement issues arising from this Decision

Legal:

Any future use of this site would be subject to planning and development control and, to that end, any organisation taking on the site would need to secure the necessary regulatory consents.

Options Considered and reasons for rejection:

Consideration of options

The options that were considered have been set out in the background information to this Decision.

Do nothing

A "do nothing" approach cannot be entertained as this would create a property liability that could generate a risk to the Council.

Portfolio Holders Signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

For Member Support Officer use only

Date Decision Record Sheet received from portfolio holder: 13 May 2009

Date Decision Published: 15 May 2009 Decision No: PH/029/09

Date of Expiry of Call-In Period: 22 May 2009

Date any Call-In received or decision implemented:

EXECUTIVE DECISION RECORD SHEET

BACKGROUND

The consultation exercise with regard to the future of Gable Hall considered the following options:

Option A – Hertfordshire County Council

An enquiry was received from Deborah Hulme of Hertfordshire County Council's Childrens, Schools & Families Department about hiring Gable Hall on a sessional basis. They are looking to develop children's centres and have been considering various premises options.

The key elements arising from the subsequent meeting were:

- 1 Any hire would be as a sessional user and not involve taking on responsibility for a building
- 2 Any venue would need to be Disability Discrimination Act compliant, have no asbestos and be in a good general order
- 3 There is no ability to enter into a medium term hire commitment
- 4 There are no funds available to undertake any repairs
- 5 Upon inspecting the premises, it was clear that they would be unsuitable for the potential use that had been identified.

At the conclusion of the meeting with Deborah Hulme, she confirmed that a proposal was unlikely to be forthcoming in respect of Gable Hall. This has proven to be the case and, accordingly, this option fails.

Option B – Victoria First Primary School

The Chair of Governors at the School contacted the Council with an enquiry and tentative proposal about using the Hall for additional space, after school clubs and similar activities. In order to develop this, a meeting took place between representatives of the Council and School.

A very good discussion took place whereby the School were interested in the short term use of space for after school clubs and some activities. Furthermore, they identified various ideas for the longer term although these required funding.

In the course of a site inspection, it became clear that the current building would be unsuitable given that it is not Disability Discrimination Act compliant, is in a poor state of repair and has inadequate toilet facilities. However, the School identified that if the site were to be cleared, alternative uses could benefit the school and its work (subject to any necessary planning / regulatory consents).

With regard to short term uses, the School have proposed three options:

- B1. To use the site as an outdoor classroom. The site would be fenced off and trees, plants and outdoor furniture could be brought in and taken out again at the end of the licence. The School is an ECO school and this would be a very welcome temporary addition to our facilities.
- B2. To convert the current school car park in to additional play space and move the car park onto the Gable Hall space. The additional play space would be beneficial to the children and it would be easier to ensure the safety of playing children on the current premises with both staffing supervision and CCTV.
- B3. To use the Gable Hall site as a sports area. The site would be fenced off and surfaced appropriately. Goal posts and netball/basketball posts could be installed.

EXECUTIVE DECISION RECORD SHEET

The School have considered options that could deliver benefits, but also recognise that the use of the site is time limited. However, the additional space would be beneficial to the School and its activities and develop its role as a town centre educational centre.

It is recommended that Officers work with the School to secure the most appropriate short term use of the site subject to any planning and regulatory controls that may apply.

Option C – National Childbirth Trust

A telephone enquiry was received from Cathy Johnson of the National Childbirth Trust who were seeking use of premises within Berkhamsted for their work. The concept of Gable Hall was discussed, but given the condition of the property, it was clear that the Trust were not in a position to undertake any works and would continue to seek premises. An offer has been made in respect of the sessional hire of other Council premises and this will be followed up.

BERKHAMSTED TOWN COUNCIL CONSULTATION EXERCISE

In its letter of 19 February 2009, the Town Council advised that their working party were considering the following options in respect of Gable Hall:

1. Demolish
2. Demolish and create car park
3. Demolish and replace with new community centre
4. Upgrade existing building to acceptable standards for community use.

The Town Council working party that endeavoured to find a solution for Gable Hall reported back on 16 April 2009 that,

“[The Town Council] would urge the Borough Council to give serious consideration to the expressions of interest received and to make a favourable lease available to an interested party in terms of length and cost. You will deduce from these comments that it is the favoured option of the Town Council that Gable Hall is retained as a usable asset for the town assuming that an interested party can be found and that the building can be brought up to acceptable standards.”

When considering the feedback from the Town Council and correlating them with the proposals received, the following observations can be made:

1. No proposals were received that enable Gable Hall to be refurbished to an acceptable standard
2. There is no further use for the Gable Hall structure
3. A proposal has been received from Victoria First Primary School for a short term use of the site following demolition
4. The proposed resolution delivers a short term solution that appears to benefit all parties
5. The proposed decision does not require any amendment to the Cabinet resolution of 16 December 2008 and matters relating to this site can be dealt with under existing delegated authorities.