

Minutes of a meeting of the Regulatory and Appeals Committee (sitting as Trustees) held on Thursday 10 August 2017 at City Hall, Bradford

Commenced 3.00 pm
Concluded 4.05 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Brown Ellis	Warburton Wainwright	Griffiths

Observer: Councillor Pennington (Minute 29)

Apologies: Councillors Amran, Rickard and Watson

Councillor Warburton in the Chair

27. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

28. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

29. **PRIESTHORPE ANNEXE, MORNINGTON ROAD, BINGLEY** **Bingley**

Previous reference: Minute 78 (2016/17)

A report was submitted by the Strategic Director, Corporate Services (**Document “S”**) in relation to Priesthorpe Annexe, Mornington Road, Bingley which was held by the Council as Trustee of the former Bingley Science Arts and Technical School.

The report explained that the building had been empty since 2002 and was in a poor state of repair. The Council had been unable to find a use for it that would promote the objectives of the Trust (for the educational benefit of the people (children and adults) of Bingley) or to provide a revenue budget to maintain it.

Members recalled that proposals to dispose of the property had been discussed at the meeting of the Committee held on 9 March 2017, when it had been resolved:

- '(1) That the Strategic Director, Corporate Services seek representations from the public in respect of the proposed disposal of Priesthorpe Annexe, Mornington Road, Bingley.*
- (2) That, having given due consideration to the representations received, the Strategic Director, Corporate Services refer the matter back to this Committee for further consideration or, if no objections are received, progress the disposal of the property and, subject to further legal advice, use the net sale proceeds for the educational benefit of the people of Bingley.'*

The Strategic Director's report detailed the representations received since the last meeting for Members' consideration. The Strategic Director also reported on a further representation received since the publication of his written report. Photographs illustrating the current state of the building were tabled for Members' information.

In response to questions from Members, the Strategic Director clarified that:

- No approaches had been made to the Planning Department in respect of planning permission for any change of use or re-development of the building/site.
- The Trustees were entitled to dispose of the property as they saw fit; for example this could include selling it and using the resultant funds to promote the Trust's objectives.
- The Trustees would have to assess any offers made on the basis of which would best promote the educational benefit of the people (children and adults) of Bingley.

A Ward Councillor put forward the following views:

- A six month wait before proceeding was considered to be a long time and would entail the building standing empty through another winter, it was already dilapidated.
- The main aim was to save the building; it was in a very poor state.
- It was believed that the best thing to do would be to put the property on the open market on an 'as is' basis.

A Member commented that six months was not that long a period if negotiation was necessary with the Planning Department and an end use was assured. The suggestion that it should perhaps be placed on the open market was accepted. In respect of the use of the proceeds if it was sold, similar schemes operated in other areas of the district where local people could bid for funding for projects or make suggestions for appropriate schemes/activities.



In response to a question, the Strategic Director said that enquiries would have to be made of the Government in respect of whether any of the original grant would have to be paid back and he undertook to do this. He considered that it would be less likely that monies would have to be repaid if the property was disposed of for a use which accorded with the objectives of the Trust.

A representative of Bingley Town Council put forward the following concerns:

- This building continued to be the cause of much concern for local people. The situation was a complex one.
- Details of the efforts that had been made by the Council to find a use for the building would be helpful.
- The building had been empty since 2002 and had become dilapidated; the report stated that it was now considered to be beyond economic repair. The recommendation appeared to suggest that the Council would put it back into the position that it had been when it ceased to be used and clarity was needed on this issue.
- The Town Council had not been given much notice of the proposal to dispose of the property; the notices had only been displayed in the local area in July.
- Clarification was needed about how much of the original grant might need to be re-paid (to the Government) and how widely the educational remit could be interpreted.
- The independent valuation and the valuer's report were useful documents.
- The Town Council had suggested that the possibility of transfer of ownership should not be restricted to the Town Council alone.
- In terms of the potential options for disposal, other bodies should not be excluded from the process and if the property was put on the open market any agreement for transfer/sale should include a condition that the building was not to be permitted to remain in its current condition as if it continued to deteriorate this would cause problems.
- If the Council did reinstate the property this would give a lot more potential and add variables to the potential business case.
- The Committee could make a site visit to the property.
- A financial contribution by the Council would be helpful.
- It was considered that a blurring of the lines between the role and responsibility of the Council and that of the Trustees had caused a number of problems. No funds had been provided by the Council during 30 years of use of the building.
- The Town Council would do its best to support the efforts to bring the property back into use.

The Assistant Director clarified that it was not proposed that the Council would reinstate the building. An application could be made, however, for a sum to contribute to the Trust to compensate for any diminution in value/ reduction in potential sale price.

The Town Council representative answered questions from Members:

- Groups had come forward on an informal basis with some good ideas for the



future use of the building but there had been no viable plans for implementation or how they would be funded.

- The Town Council would have difficulty in responding within the suggested timescales with a business case.
- The alternative was to sell the property, perhaps for community housing, and use the proceeds for other educational establishments in the area.

Members discussed the benefits of placing the property on the open market immediately because of concern about delaying action but also the desire to allow the Town Council time to consider its position. It was noted that planning advice would probably need to be sought by interested parties and sufficient time would be needed to allow for this, further to which it was

Resolved –

- (1) **That the Assistant Director, Estates and Property be requested to treat the Priesthorpe Annexe as an Asset of Community Value.**
- (2) **That the Assistant Director, Estates and Property be requested to place the property on the market for sale as soon as possible, seeking expressions of interest and the submission of business cases, in the context of the terms of the Trust, by no later than 26 January 2018.**
- (3) **That the City Solicitor be requested to submit a further report to the March 2018 meeting of this Committee that includes a review, by the Assistant Director, Estates and Property, of each of the business cases that have been submitted.**
- (4) **That the City Solicitor be requested to make contact with Central Government to establish whether and in what circumstances a repayment of grant, including interest or otherwise, may be required.**
- (5) **That the City Solicitor be requested to make an application to the Council's Project Appraisal Group for a financial contribution to the Trust in compensation for the loss in value of the building between 2002 and the present time.**
- (6) **That the expressions of interest already received from Bingley Town Council and the Managing Director of Superfood Market be noted and that they be invited to submit a business case as proposed in (2) above.**

ACTION: *City Solicitor*
Assistant Director, Estates and Property



Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

