

**To:** City Executive Board

**Date:** 9<sup>th</sup> September 2009 **Item No:** 16

**Report of:** Interim Head of Property & Facilities Management

**Title of Report:** Dawson Street, Jericho – Update on proposed site for new Community Centre/ Former Jericho Boatyard

### Summary and Recommendations

**Purpose of report:** To update members on progress on the proposals to facilitate a relocation of Jericho Community Centre, and to provide an update on recent developments in relation to the intended development of the former Jericho Boatyard.

**Key decision?** No

**Executive lead member:** Councillor Bance, Social Inclusion and Young People  
Councillor Oscar van Nooijen, Service Transformation.

**Report approved by:** Mel Barrett, Executive Director, City Regeneration

**Finance:** Sarah Fogden/Penny Gardner  
**Legal:** Jeremy Thomas

**Policy Framework:** Local Plan 2001-16  
Stronger and More Inclusive Communities  
Transform Oxford City Council by improving value for money.

**Recommendation(s):** City Executive Board is recommended to:

- (i) Reaffirm support for continuing negotiations for disposal of the Dawson Street site (Parcel 1 on the plan), to Jericho Community Association (JCA) as detailed in the report.
- (ii) In the context of possible wider redevelopment proposals for the main boatyard site, to note that a further report will be submitted before any commitment is made by the Council.

- (iii) To support the Associations efforts to acquire the additional land (Parcel 2) required for the scheme.
- (iv) To note the proposals from Jericho Living Heritage Trust to acquire and develop the boatyard site sustainably.

### Background

1. The plan at Appendix 1 shows the three parcels of land referred to in the report, numbered and shown by bold edging:
  - Parcel 1 - Garage Court (12 garages) and adjoining land owned by Oxford City Council. (Area 450m<sup>2</sup>). All the garages are let, one to a person with a disability, one to a Council tenant, and ten to others.
  - Parcel 2 - Additional land required to build a new centre, currently owned by Spring Residential (Area 500m<sup>2</sup>).
  - Parcel 3 - Remainder of former boatyard site owned by Spring Residential. (Area 0.33ha, [0.81 ac]).
  
2. Also shown on the plan is the location of the existing Community Centre, owned by the Trustees of St Barnabas Church. ('The Trustees'), and leased to the Council. This lease has now expired and the Council is holding over. The current centre is a three storey Victorian building which no longer meets the standards required in respect of accessibility, and the amount of space available for community uses is insufficient.
  
3. There have been a number of earlier reports on the proposal to relocate Jericho Community Centre, the most recent being considered by various committees in autumn 2006. In summary members have approved the following in principle:
  - To make the site of 12 lock up garages at Dawson Place available to assist in site assembly for a replacement community centre.
  - The earmarking of a capital contribution of £100K from the capital programme.
  - Instructed officers to enter into negotiations with other parties involved and to report back with a detailed proposal for the procurement and operation of the new Community Centre.
  - To endorse a strategy for the procurement, future ownership and management of a new centre by JCA, and

- To await a further report on agreed terms for the disposal of the Councils land, and a major project approval to release the capital allocation of £100,000.

#### Community Centre Development Proposals - Progress Since 2002

4. Parcel 2 is part of the boatyard site, which was formerly owned by British Waterways, and was the subject of an unsuccessful planning application and appeal in 2004/5. The site was subsequently acquired by Spring Residential. JCA entered into a conditional contract with Spring to acquire Parcel 2, which, when combined with the Council's land, provides a viable site for a new centre. Under this agreement the transfer of the land is subject to the grant of planning consent for a new centre, and also on planning consent being obtained for the main boatyard site. These conditions must be satisfied by May 2017.
5. Planning permission for the Spring Residential scheme on the remainder of the boatyard site was refused in early 2008, and then subsequently turned down on appeal in September 2008. Meanwhile Spring Residential and its parent company went into receivership. The receivers are Price Waterhouse Coopers.
6. In May this year, JCA submitted an outline planning application for a new centre on Parcels 1 and 2. This was necessary to comply with the terms of its agreement to acquire Parcel 2. Whilst events over the last 2 years have delayed negotiations in respect of the City Councils land, JCA is now keen to finalise provisional agreement on terms for this transaction, on a similar basis to the terms it agreed for the Spring land. When negotiations have progressed, these matters will be the subject of a further report to the Board.

#### Report

7. The Jericho Living Heritage Trust (JLHT) has been involved in campaigning against the recent development proposals for the boatyard site. The Trust has now produced a prospectus inviting participation in the acquisition of the boatyard site, via a community share scheme, for a 'community led development', which would include provision of a new community centre, as well as open space, offices, workshops, social housing, and boating facilities.
8. In order to support JLHT and JCA in their negotiations with the Receivers for the purchase of the site, the City Council has submitted a proposal under the Sustainable Communities Act provisions, with a view to enhancing its powers of compulsory purchase. The Act encourages local communities, via their Local Council, to bring forward proposals to promote the economic, social or environmental well-being of their areas. If the proposal is approved by the selector body, (the Local Government Association), it will be included in the final shortlist

of proposals for consideration by the Secretary of State for Communities and Local Government.

9. At this stage, the JLHT proposals for the whole site are at a relatively early stage whilst the JCA scheme for relocation of the Community Centre is further advanced, particularly so if the current planning application for the Dawson Street site is approved. The Council may therefore continue its negotiations towards a conditional agreement for the disposal of its land for the JCA scheme, but in the meantime monitor progress of the JLHT proposals to ensure that any opportunity for a holistic development of the whole site is not prejudiced.

#### Equalities Impact

10. Development of a new centre at Dawson Place will result in improved community facilities in Jericho. The new centre will comply with the access requirements of the Disability Discrimination Act.
11. Compliance with recent legislation will be a major liability for the City. In 2005/2006 the Disability Discrimination Act (DDA) requirements were waived for the current centre, on the basis that a new centre was being planned. If the Centre were to be retained, DDA work (e.g. a lift) would be required, with costs possibly totalling £100,000, (budget figure). The removal of these liabilities is a key consideration in supporting the enabling role for this project.

#### Climate Change/Environmental Impact

12. The new centre will meet the building regulation standards on insulation, energy and water usage.

#### Financial Implications

13. Development of the site would result in a net loss of income of £6,000 per annum for the Housing Revenue Account. Therefore the 12 garages either need to be replaced, or a contribution made to offset the revenue loss to the HRA.
14. The value of plot 1 is approximately £80,000 based on its existing use as Council garages. If the garages were sold in the open market, they could realise up to £250,000. A disposal for nil consideration or below market value would therefore result in a lost receipt to the HRA, and reduced funding for Decent Homes.
15. There is an implication for the General Fund budget, as the Council will no longer have liabilities under the lease to maintain the old centre, saving £3,000 per annum, nor would it have to bear the cost of DDA compliance(see para 11).

16. The previously agreed contribution of £100,000 from the City Council is now programmed for 2010/11 and is subject to an equivalent capital receipt being available.

#### Legal Implications

17. The garages are held within the Housing Revenue Account. A disposal at less than market value will require consent under Section 32 of the 1985 Housing Act, from the Secretary of State for Communities and Local Government.

#### Planning Implications

18. The City Council's Local Plan 2001-2016 was adopted in November 2005. Policy DS13 (p157) identifies a new community centre as one of the required uses for any redevelopment of the larger boatyard site.
19. A S106 contribution of £100K towards a new community centre is allocated through the planning system following residential development of the former Lucy's site in Jericho. (This is in addition to the capital contribution of £100K referred to in paragraph 3 above).
20. In planning terms the loss of the garages is outweighed by the opportunity to develop a new community centre. Planning consent would be unlikely to be forthcoming for any other use of the garage site.

#### Level of Risk

21. A risk assessment has been undertaken, and the risk register is attached as Appendix 2.

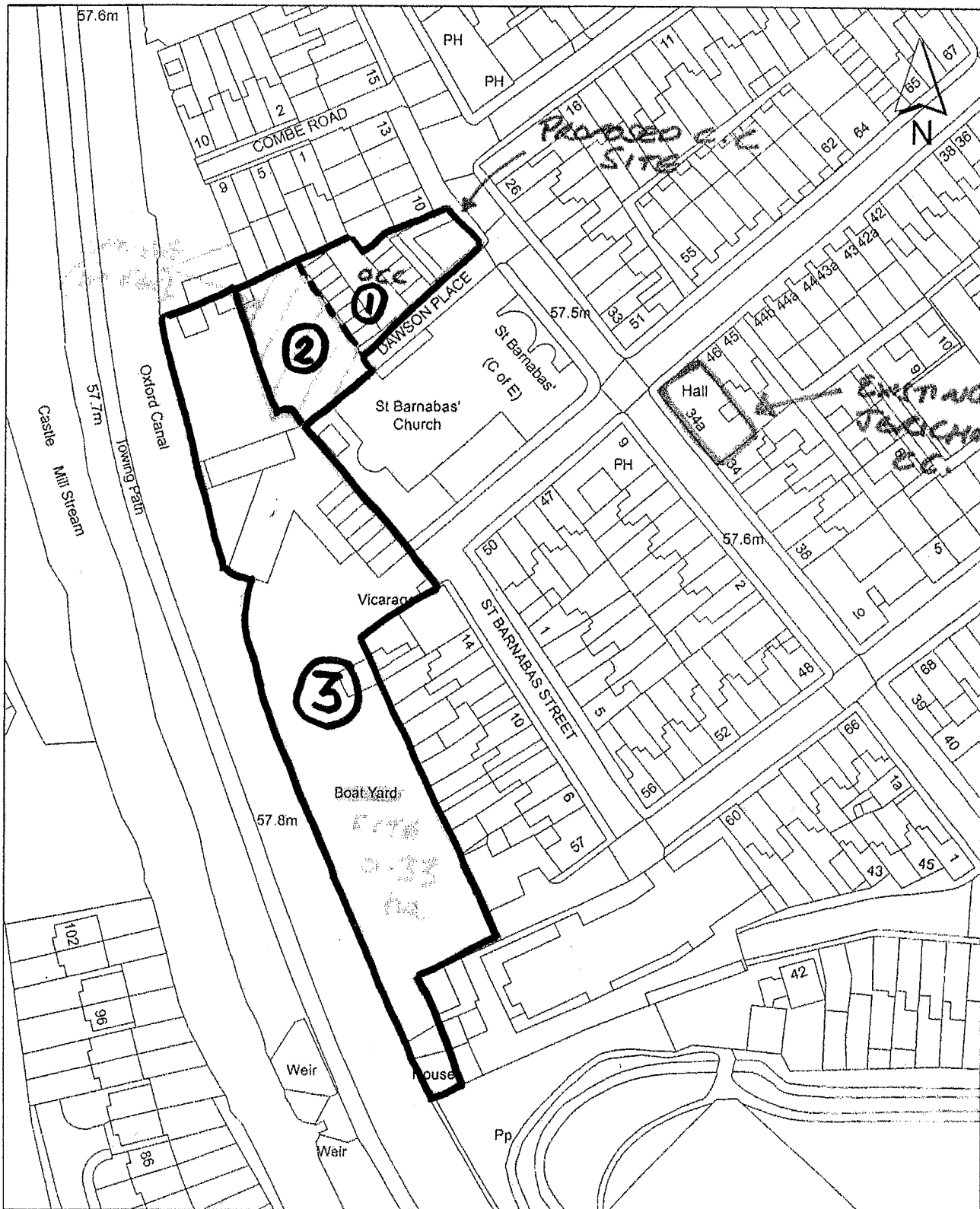
#### Recommendations

22. To reaffirm support for continuing negotiations for the disposal of the Dawson Street site (Parcel 1 on the plan), to JCA as detailed in the report.
23. In the context of possible wider redevelopment proposals for the main boatyard site, to note that a further report will be made before any commitment on disposal is made by the Council.
24. To support the Associations efforts to acquire the additional land (Parcel 2) required for the scheme.
25. To note the proposals from Jericho Living Heritage Trust to acquire and develop the boatyard site sustainably

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**List of background papers:** 1. Reports to various Committees  
September/October 2006  
2. Sustainable Communities Act

**Version number:** 2



Title

Scale: 1:1,000

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Property & Facilities Management

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**CEB Report Risk Register – DAWSON STREET, JERICHO**  
**Update on proposed site for new Community Centre/Former Jericho Boatyard**

Risk Score      **Impact Score:** 1 = Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic  
**Probability Score:** 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain

No.	Risk Description Link to Corporate Objectives	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk	
		I	P			I	P	Action:	Outcome Required:	Q	Q	Q	Q	I	P
1.	Failure to agree terms for disposal of land.  <b>16-8</b>	4	3	Requirements of third party site owners/former owners	Mitigating Control: JCA and OCC Property Officers to maintain communication with all third parties. on progress Level of Effectiveness: Medium	3	2	Action: Maintain dialogue with all parties. Action Owner: Martin Lyons  Mitigating Control: Regular meetings to monitor and review. Control Owner: Martin Lyons	Outcome Required:  Milestone Date:	1 ⊗ ☹ ☺	2 ⊗ ☹ ☺	3 ⊗ ☹ ☺	4 ⊗ ☹ ☺		
2.	Gap funding for scheme not obtained.	4	3	Funders budgets reduced .Scheme does not meet funding criteria.	Work with JCA to monitor all funding opportunities Ensure funding requirements are met. Level of Effectiveness: Medium			Action: Maintain dialogue with all parties. Action Owner: Martin Lyons  Mitigating Control: Regular meetings to monitor and review. Control Owner: Martin Lyons							
3.	Outline Planning permission for new community centre not given.	3	3	Objections to application.	JCA and OCC Property officers to discuss solutions with objectors. (Possible amendment or insertion of conditions) Regular review and monitoring. Level of Effectiveness: Medium			Action: Maintain dialogue with all parties. Action Owner: Martin Lyons  Mitigating Control: Regular meetings to monitor and review. Control Owner: Martin Lyons							