

Leicester
City Council

**WARDS AFFECTED:
SPINNEY HILL WARD**

CABINET

1 SEPTEMBER 2003

SPINNEY HILL PARK – PROPOSED SITE FOR POLICE STATION

Report of the Corporate Director of Resources, Access and Diversity

1. Purpose of Report

- 1.1 This report outlines the current position and background with regard to the proposal to construct a Local Policing Unit on Spinney Hill Park and its impact on the availability of potential lottery funding.
- 1.2 Seeks Cabinets views with regard to the way forward in relation to the disposal.

2. Summary

- 2.1 In December 2002 the Police Authority were granted planning permission for development of 1590 square metres (1900 square yards) of land within Spinney Hill Park as indicated edged on the attached plan for the provision of a local policing unit (LPU) to replace the existing facility at Asfordby Street.
- 2.2 Negotiations have been continuing with the Police Authority for the disposal of the land to them by way of long lease although agreement to the terms has not yet been reached.
- 2.3 The Council submitted a Heritage Lottery Fund (HLF) bid for £1million for restoration and upgrading of Spinney Hill Park but the application became time expired due to continuing uncertainty with regards to design and development of the LPU. Consequently on the advice of the HLF, LCC formally withdrew the application in March 2002. A further bid could still be submitted and with the design improvements subsequently made to the LPU the HLF have confirmed that a further bid could be made but they would expect evidence of broad based community support for the LPU to be included within the park.

3. Recommendations

3.1 Cabinet are asked to consider whether the Council should:-

- a) Continue to negotiate terms for the disposal of land to the Police Authority to facilitate the development of a new local policing unit.
- b) Withdraw from negotiations and retain the land as public park or
- c) Undertake a public consultation exercise to seek the views of the community with regard to the proposals.

4. Financial and legal Implications

4.1 Financial Implications

Negotiations with the police are ongoing for the disposal of a site at Spinney Hill Park, although detailed terms including the price are not yet agreed. It is anticipated that the site would realise approximately £120,000.

The heritage lottery fund (HLF) have stated that they would not support any future bid for upgrading and restoring Spinney Hill Park that included a police station if it did not have broad based community support that was evidenced. It is expected that a bid in excess of £1m would be anticipated though details have yet to be worked out. The HLF would support a maximum of 75% of any bid, and thus at least 25% of the funding would have to be found from other sources. There is currently no provision in the corporate capital programme for this scheme.

4.2 Legal Implications

The local police authority is within the definition of a local authority for the purposes of a long leasehold of property within the present General Disposal Consents but the provisions of S.123 of the Local Government Act 1972 regarding the obtaining of best consideration will apply unless the express authority is given in accordance with the necessary procedures.

The intended site lies within a public open space and any intended disposal will require to be advertised. The original conveyance of the park to the Council in the 19th century made it subject to covenants as to its use as a park but the site lies within the strip of land which is 150 feet wide on the road boundary of the park where these covenants were binding on the Council only for the first fifteen years from acquisition and the proposed construction of a local policing unit would not therefore be in breach of covenant.

The local police authority has already obtained planning permission and there is no statutory form of consultation required. Representations are likely to be received in any consultation process from special interest groups, e.g. the Victorian Society, as well as from local residents as to the suitability of the proposed development and its use.

Any grant funding which the Council receives will be subject to terms and conditions which may affect the terms of any disposal and/or the use of the proceeds

5. Officer to contact:

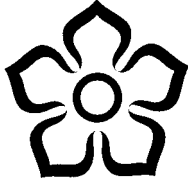
Neil Gamble
Valuation Services & Operational Property Manager
Extn. 5043

Richard Welburn
Head of Parks & Environmental Services
Extn. 7389

Financial Implications Author – Nick Booth
Legal Implications Author – David Jones

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)



Leicester
City Council

**WARDS AFFECTED
SPINNEY HILL WARD**

CABINET

1 SEPTEMBER 2003

SPINNEY HILL PARK – PROPOSED SITE FOR POLICE STATION

Report of the Corporate Director of Resources, Access and Diversity

SUPPORTING INFORMATION

1. Report

- 1.1 Spinney Hill Park is located within the Spinney Hill Park Conservation Area which was declared in 1982 and at its meeting on 2nd September 2002 Cabinet adopted the Spinney Hill Park Conservation Area Character Statement as supplementary planning guidance to the City of Leicester Local Plan.
- 1.2 Local policing in the Spinney Hill area of the City is currently provided from Asfordby Street Station which was constructed in 1899 as a joint police and fire station. The building is Grade II listed and has outdated and cramped facilities, is difficult to find and has a low profile. The building has limited parking facilities and now houses 68 staff compared to its complement of 27 20 years ago.
- 1.3 In order to overcome these difficulties, the Police Authority wish to construct a new station in the area and in December 2002 were granted planning permission for a development within Spinney Hill Park, fronting East Park Road as identified on the attached plan. The site amounts to approximately 1590 sq. metres (1900 square yards) in area and would provide a two storey property with 24 parking spaces. The police favour the site as it is central within the local policing unit boundary and opposite a 24 hour filling station thereby reducing the disruption to residents of policing activities. It would be of much higher profile and would be expected to reduce crime in the park.
- 1.4 Negotiations continue for the disposal of the site to the Police Authority by way of long lease although the detailed terms, including the price, are not yet agreed. Long leasehold disposal is preferred as the terms of the lease can be used to protect the amenity of the surrounding park.

- 1.5 The Heritage Lottery Fund (HLF) stage 1 grant application for £1 million for the restoration and upgrading of Spinney Hill Park was, on the HLF's recommendation, withdrawn by the Council in March 2002. This arose largely because of the LPU's impact within the park ("the proposed police station damages or detracts from the heritage merit of the park, and its design does not harmonise with, or enhance, the landscapes historic character").
- 1.6 The Police Authority and its architects have continued to liaise with the HLF to make external design changes which will enable a resubmission of a funding bid by the Council to the HLF. No such bid has yet been made but it is clear that the HLF will expect any bid to evidence broad based community support for the LPU.
- 1.7 At its meeting on 19 September 2002, Finance, Resources and Equal Opportunities Scrutiny Committee considered a 250 signature petition on behalf of the Leicester Group of the Victorian Society strongly objecting to the building of a police station on the park. They asked the Council not to allow this and not to lease, rent or sell land belonging to Spinney Hill Park to the Police Authority. Committee noted the petition and undertook to continue to liaise with the Police to seek a design which lessens the impact in the park and enables resubmission of a HLF bid and will consider any objections received arising from the advertising procedure necessary for the disposal of public open space.
- 1.8 If the sale of the land is to be progressed it is clear that there are potential implications on future funding for the park. It is necessary to advertise the disposal of public open space in accordance with the provisions of Section 123 of the Local Government Act 1972 and consider any objections received. This procedure has not yet been undertaken.
- 1.9 However, it is felt unlikely that this procedure will provide sufficient evidence of public opinion in the area to satisfy the HLF and in order to do so, it is felt that a separate public consultation exercise would be necessary. It is suggested that this should involve house to house leafleting within the LPU boundary area seeking preferences and providing a stamped addressed envelope return service to ease reply. The leaflet would give sufficient outline of the issues to enable opinions to be offered and would also inform of specific venues and times when displays of proposals could be seen and more information could be obtained. Local representative bodies and organisations would be specifically included within the process.
- 2.0 For the consultation exercise to be of use, it must be balanced and while support from the Police may be forthcoming this can only be accepted in a manner which would not jeopardise the openness of the process.

Conclusion

- 2.1 In view of the potential impact on any further bid for HLF funding to improve the park, it was felt appropriate to seek Members views on the way forward in relation to the disposal.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1. Financial Implications

Negotiations with the police are ongoing for the disposal of a site at Spinney Hill Park, although detailed terms including the price are not yet agreed. It is anticipated that the site would realise approximately £120,000.

The heritage lottery fund (HLF) have stated that they would not support any future bid for upgrading and restoring Spinney Hill Park that included a police station if it did not have broad based community support that was evidenced. It is expected that a bid in excess of £1m would be anticipated though details have yet to be worked out. The HLF would support a maximum of 75% of any bid, and thus at least 25% of the funding would have to be found from other sources. There is currently no provision in the corporate capital programme for this scheme.

2. Legal Implications

The local police authority is within the definition of a local authority for the purposes of a long leasehold of property within the present General Disposal Consents but the provisions of S.123 of the Local Government Act 1972 regarding the obtaining of best consideration will apply unless the express authority is given in accordance with the necessary procedures.

The intended site lies within a public open space and any intended disposal will require to be advertised. The original conveyance of the park to the Council in the 19th century made it subject to covenants as to its use as a park but the site lies within the strip of land which is 150 feet wide on the road boundary of the park where these covenants were binding on the Council only for the first fifteen years from acquisition and the proposed construction of a local policing unit would not therefore be in breach of covenant.

The local police authority has already obtained planning permission and there is no statutory form of consultation required. Representations are likely to be received in any consultation process from special interest groups, e.g. the Victorian Society, as well as from local residents as to the suitability of the proposed development and its use.

Any grant funding which the Council receives will be subject to terms and conditions which may affect the terms of any disposal and/or the use of the proceeds.

3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	NO		
Policy	YES	Whole report	
Sustainable and Environmental	YES	Whole report	
Crime and Disorder	YES	Whole report	
Human Rights Act	NO		
Elderly/People on Low Income	NO		

4. Background Papers – Local Government Act 1972

None.

5. Consultations

Cultural Services and Neighbourhood Renewal.

6. Officer to contact:

Neil Gamble
Valuation Services & Operational Property Manager
Extn. 5043

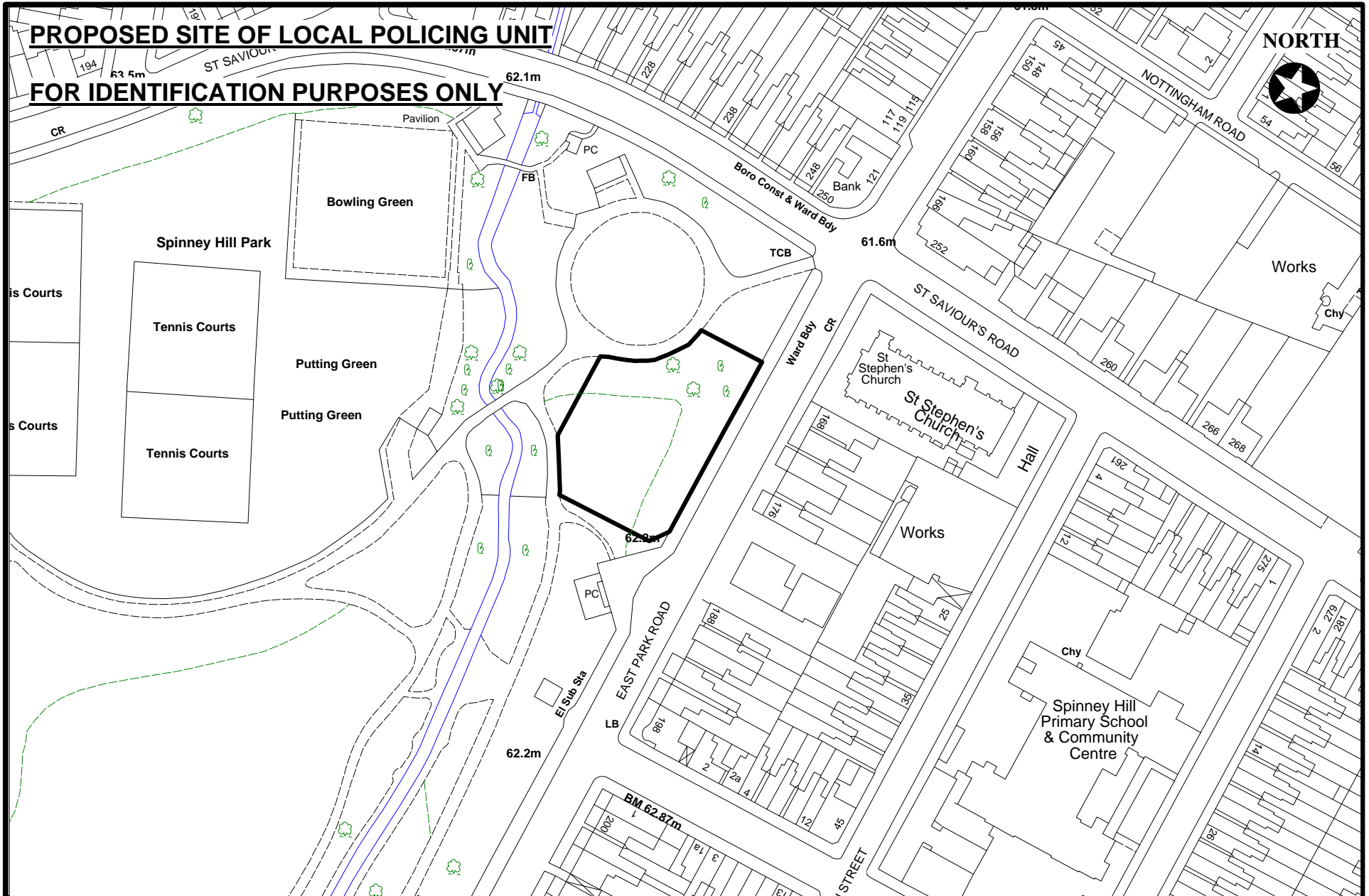
Richard Welburn
Head of Parks & Environmental Services
Extn. 7389

Tom Stephenson
Corporate Director of Resources, Access and Diversity

PROPOSED SITE OF LOCAL POLICING UNIT

FOR IDENTIFICATION PURPOSES ONLY

NORTH



BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF H.M. STATIONARY OFFICE. CROWN COPYRIGHT RESERVED. LICENCE No.LA078417

DRAWN BYRF..... PLAN No 2002/124
CHECKED BY.....SCI..... DATE 21/06/2002

NOT TO SCALE

PETER CONNOLLY, DIRECTOR OF ENVIRONMENT, DEVELOPMENT AND COMMERCIAL SERVICES
LEICESTER CITY COUNCIL