



## CABINET – 2ND NOVEMBER 2016

**SUBJECT: FORMER NELSON BOYS AND GIRLS CLUB**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND S151 OFFICER**

---

### 1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of actions taken in accordance with the terms of the lease of the above premises to Nelson Development Trust (NDT).

### 2. SUMMARY

- 2.1 At its meeting of the 2<sup>nd</sup> July 2014 Cabinet agreed to lease the former Nelson Boys & Girls Club to Nelson Development Trust for a minimum period of 25 years, subject to conditions. One of those conditions was that “the lease should include a time limit (18 months) after which, if adequate funding has not been secured, the lease will revert back to the council.”
- 2.2 A further decision from the same meeting was that “All former recommendations (Cabinet Meeting 4<sup>th</sup> September 2012) be retained but the time limits previously being 24 months from the date of the issue of the Letter of Intent being extended to within 18 months of the signing of the lease.
- 2.3 The NDT has failed to provide evidence of securing funding and despite two requests for a progress update from the Head of Property Services there has been no communication from the NDT and the 18 month time limit elapsed on the 25th July 2016. Consequently the lease has been terminated.

### 3. LINKS TO STRATEGY

- 3.1 This report links to the following Well-Being Goals within the Well-Being of Future Generations (Wales) Act 2015:
- A Wales of cohesive communities
  - A prosperous Wales
  - A healthier Wales

### 4. THE REPORT

- 4.1 The future of the former Nelson Boys & Girls Club has been debated by Cabinet for some time now, going back as far as 2007. On the 31<sup>st</sup> July 2007 the Trustees of the Nelson Boys & Girls Club surrendered the lease. The property has remained empty since that time.
- 4.2 The following is a snapshot of decisions taken by Cabinet since that time:  
**25<sup>th</sup> November 2008:** Cabinet agreed in principle to lease to Nelson Community Council

subject to them providing a formal proposal and Business Plan within 3 months. That 3 month period was later extended to 17<sup>th</sup> April 2009. This date was again extended to 31<sup>st</sup> December 2009 to “allow funding matters to be further explored”. No Business Plan was provided.

**2<sup>nd</sup> August 2011:** Cabinet agreed that the former Nelson Boys and Girls Club be appropriated out of the HRA for development purposes. The reason for this was to allow the site to be brought into beneficial use.

**4<sup>th</sup> September 2012:** Cabinet agreed to issue a Letter of Intent to lease the site to the Nelson Development Trust for a minimum period of 25 years subject to the Trust demonstrating that it has sufficient funding to restore the building to a condition suitable for its planned use and that its Business projections are realistic and robust and the provision of a youth facility was sustainable. A progress update was to be presented to the appropriate Cabinet Member and Head of Service within a maximum period of 24 months from the date of the Letter of Intent.

Cabinet also agreed that should the Trust fail to satisfy the Council following that period of 24 months, or are not prepared to consider alternative options for youth provision on the site, the former Boys & Girls club building will be demolished and the site offered for development in accordance with the council’s LDP.

**2<sup>nd</sup> July 2014:** Cabinet agreed to enter into a 25 year lease with the Nelson Development Trust to allow them to pursue funding opportunities. The lease to revert back to the council if adequate funding had not been secured within a period of 18 months from the date of the lease. All other former recommendations be retained but the time limits previously being 24 months from the date of issue of the Letter of Intent being extended to within 18 months of the signing of the lease.

- 4.3 The 18 month period referred to above expired on the 25th July 2016 and the Nelson Development Trust has failed to provide any update of progress on securing funding despite the Head of Property Services writing to them on two occasions asking them for an update of progress.
- 4.4 Consequently the Head of Property Services wrote to the Leaseholders giving notice of the Council’s intention to terminate the lease on the 22<sup>nd</sup> July 2016 in accordance with the terms of the lease.

## **5. WELL- BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

- 5.1 This report contributes to the Well-Being Goals as set out in the Links to Strategy above. It is considered with the five ways of working as defined within the sustainable development principle in the Act in that:
- The intention of the council has been to bring this site into beneficial use
  - The Council has worked with local community organisations to bring the site into beneficial use
  - The Council has supported the principle of encouraging youth provision on the site.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council’s Strategic equality Plan and supplementary guidance. No potential for unlawful discrimination has been identified therefore a full EIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no direct financial implications associated with this report.

## **8. PERSONNEL IMPLICATIONS**

8.1 there are no personnel implications associated with this report.

## **9. CONSULTATIONS**

9.1 The results of all consultations have been incorporated into this report

## **10. RECOMMENDATIONS**

10.1 In light of the termination of the lease to the Nelson Development Trust Cabinet note the contents of this report and reaffirm their previous decision of 4<sup>th</sup> September 2012 that the former Boys & Girls Club building be demolished and the site offered for development in accordance with the council's LDP.

## **11. REASONS FOR THE RECOMMENDATIONS**

11.1 To bring the site into beneficial use.

## **12. STATUTORY POWER**

12.1 Local Government Acts 1974 – 2000. This is a Cabinet function.

Author: Colin Jones, Head of Property Services; [jonesrc@caerphilly.gov.uk](mailto:jonesrc@caerphilly.gov.uk)  
Consultees: Corporate Management Team  
Cllr D. Hardacre, Cabinet Member for Performance, Property and Asset Management  
Cllr S. Morgan, Ward Member  
Cllr A. Blackman, Ward Member

### Background Papers:

25<sup>th</sup> November 2008: Former Nelson Boys & Girls Club: Cabinet Report

2<sup>nd</sup> August 2011: Former Nelson Boys & Girls Club: Cabinet Report

4<sup>th</sup> September 2012: Former Nelson Boys & Girls Club: Cabinet Report

2<sup>nd</sup> July 2014: Former Nelson Boys & Girls Club: Cabinet Report