



Wyre Forest District Council

Record of a Council Decision delegated to be made by an Officer

This includes a record of an Executive Decision made by an officer under Regulation 13, Part 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Item decided: To confirm disposal of interest in land at Bewdley Leisure Centre (comprising termination of the dual use agreement, management agreement, trust deed and cesser agreement) following consultation under section 123 of the Local Government Act 1972	
Officer who has taken the decision	Ian Miller, Chief Executive
Date of the decision	20/3/2024
Reason for the decision/alternatives considered	<p>The disposal of interest in the land comprising open space was advertised in <i>The Shuttle</i> on 20 April and 27 April 2023. Four responses were received – see attached summary including commentary on objections.</p> <p>The objections raise issues that will be addressed through suitable legal agreements.</p>
Date and source of Delegated Decision (if appropriate)	<p>21/03/2023 Cabinet decision, paragraph 2.3 of the report on “Localism including Bewdley Leisure Centre”</p> <p>See also medium term financial strategy, 2022-2025, paragraph 2.1.2, approved by full Council on 23 February 2022.</p>
Council/Cabinet member consulted – if applicable	<p>Cabinet Member for Culture, Leisure, Arts and Community Safety (The portfolio includes localism which was in the portfolio of the then Leader in March 2023)</p>
Any interest declared by the Consultee or officer	None



Summary of response received	Comment
<p>Chair of The Bewdley School Foundation</p> <p>Fully support the principle of terminating the dual use and other agreements, and placing the Leisure Centre under the control of the Foundation</p>	<p>The Foundation's support for the proposed disposal is noted.</p>
<p>Chairman of Bewdley Town Football Club</p> <p>Object to lack of involvement. Concern about being under control of a group of publicly unelected people with no agenda for maintaining existing level of sports facilities. Open spaces must not be lost.</p>	<p>The comments are noted. The Council's proposals were the subject of a public report as well as the formal consultation about disposal of interest in land comprising open spaces.</p> <p>The future availability of the playing pitches for hire by groups and individuals, including the Football Club, at the same times/days of the week as now is to be addressed through a suitable legal agreement.</p> <p>Implementation of the proposal does not affect the number of playing pitches.</p> <p>There will be an area around the edge of the field that will remain open to public access at all times, which will also be addressed through a suitable legal agreement.</p> <p>The reduction in the area of open space available at all times to the public is considered acceptable when balanced against the community value, such as continued accessibility to sports provision for the school, sports clubs etc, and the future safety and welfare of the students.</p>
<p>Chairman of Rock Sports Youth Football Club</p> <p>Rent pitches on a weekly basis during the football season, and have used the indoor hall for younger sessions. Currently have a set of goals padlocked and secured to the building, along with various kit stored in the kit room.</p> <p>Not adverse to the change in management but have concerns about</p>	<p>The comments are noted. The Council's proposals were the subject of a public report as well as the formal consultation about disposal of interest in land comprising open spaces.</p> <p>The proposal does not affect ownership of the Football Club's equipment and kit.</p> <p>The future availability of the playing pitches for hire by groups and individuals, including the Football Club,</p>



securing the ongoing community use of the pitches and public open space.

Would appreciate wider public consultation before any decision that may result in the loss of both community facilities and public open space. Seek reassurance that the space will remain open and accessible to the public and local community groups.

at the same times/days of the week as now is to be addressed through a suitable legal agreement.

Implementation of the proposal does not affect the number of playing pitches.

In line with safeguarding arrangements commonly found at school sites, access to the pitches by the public may be restricted during school hours.

There will be an area around the edge of the field that will remain open to public access at all times, which will also be addressed through a suitable legal agreement.

The reduction in the area of open space available at all times to the public is considered acceptable when balanced against the community value, such as continued accessibility to sports provision for the school, sports clubs etc, and the future safety and welfare of the students.

Councillor Calne Edington-White

Response as resident and member of Bewdley Town Council.

Objection that the District Council will cease provision of public community leisure and recreation facilities on Bewdley Leisure Centre site. May be safeguarding issues and more restrictions on public access to these publicly funded assets in the future.

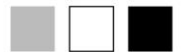
The public notice falls short of openness and transparency and does not enable the public to appreciate the consequences of “terminating agreements” and “other documents”, including termination of a 125 year lease with WCC and sacrificing the proportional pay back to WFDC of the original costs incurred.

“Releasing the Council’s rights under the various agreements” does not

The comments are noted.

The objections made are not directly relevant to the question of disposal of land interest in open space. The Council has approved the intention to end its involvement in Bewdley Leisure Centre. The Council’s proposals were the subject of a detailed public report which was considered at a meeting held in public. The report spelled out the implications of terminating the agreement including paragraph 4.6.3 which set out fully the position with respect to the pay back provision. It was not necessary to include all this publicly available information in the statutory notice.

The future availability of the playing pitches for hire by groups and individuals, at the same times/days of the week as now, is to be addressed



specify what these rights are nor the implications for continued community use of facilities which have existed for 33 years.

“enable the Bewdley School Foundation to have full operational control of the site” is misleading as the organisation that will have control is a private limited company.

through a suitable legal agreement. Implementation of the proposal does not affect the number of playing pitches.

In line with safeguarding arrangements commonly found at school sites, access to the pitches by the public may be restricted during school hours.

There will be an area around the edge of the field that will remain open to public access at all times, which will also be addressed through a suitable legal agreement.

The reduction in the area of open space available at all times to the public is considered acceptable when balanced against the community value, such as continued accessibility to sports provision for the school, sports clubs etc, and the future safety and welfare of the students. The future availability of the playing pitches for hire by groups and individuals at the same times/days of the week as now is to be secured through a suitable legal agreement. Implementation of the proposal does not affect the number of playing pitches.

The notice accurately identified the intention that the Bewdley School Foundation would have control of the site. The status of the Foundation would not affect the validity or force of the legal agreements mentioned above.