
FUNDING PROVISION FOR WORKS IN DEFAULT - FEETHAMS

**Responsible Cabinet Member(s) - Councillor Stephen Harker,
Consumer and Environmental Services Portfolio
Councillor David Lyonette, Regeneration and Planning Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To seek approval to allocate sufficient Council funds to undertake demolition works either in default or by agreement at the derelict Feethams football stadium to ensure the site is made as safe as is reasonably practicable.

Information and Analysis

2. Following the opening of the new stadium at Neasham Road and the transfer of all football that used to be played at Feethams stadium to the new venue the original stadium at Feethams has become increasingly derelict.
3. There have been no alternative uses for this facility being brought forward since the transfer of football to the new stadium and the owners have found it increasingly difficult to keep the site secure to prevent unauthorised access to the remaining buildings.
4. Prior to the transfer to the new stadium George Reynolds removed most of the fixtures and fittings from the Feethams site and installed them within the new stands at Neasham Road, this included kitchen equipment, toilets, lighting and other mechanical and electrical plant. Since the relocation there has been significant vandalism, there have been thefts and attempted thefts from the site, which included lights from the lighting towers which have now been demolished by the Cricket Field Trust and there have been numerous arson attempts.
5. The site has been monitored on a regular basis by staff of the Borough Council and appropriate action has been taken in the past to try to ensure improved site security and safety but a further review in December by officers quite clearly identified that there was very little scope for ensuring the site safety whilst the buildings remained as a significant attraction to vandals.
6. It was therefore with reluctance and very careful and detailed consideration of the issues that we concluded that demolition was the only option to make the site safe. Consequently the Cricket Field Trust were advised of this in writing, by letter, prior to Christmas and subsequently discussions are taking place with a view to seeking agreement as to how to achieve the required site clearance. The Cricket Field Trust agree with the Council that demolition is the most sensible way forward but they do not have the funds to undertake the work and it is therefore anticipated that the Council will need to undertake the demolition

either under our powers of default under the terms of a Notice if one has to be served, or if not by agreement with the owners.

7. The anticipated cost of demolition is in the order of £200,000 which will include all fees and ancillary costs. This estimate has been produced following visits to the site by a licensed demolition contractor who has given us a guide price in the order of £150,000 for the demolition itself.
8. The demolition, if undertaken by the Council, will be done by a contractor following competitive tender and the Council would pay for the works and recover the costs subsequently from the Cricket Field Trust when they have sufficient funds to repay to the Council the cost of demolition. In order to ensure that this money is repaid a charge on the property will be imposed which means that the Council has first call on the value of the land if the cost of demolition is not repaid to the Council within a reasonable time period.
9. To ensure progress it would be helpful if delegated powers were granted to the Director of Development and Environment to either enter into agreement or the authority to undertake work in default.

Outcome of Consultation

10. No formal consultation was undertaken in the preparation of this report.

Legal Implications

11. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

12. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

13. The issues contained within this report are required to be considered by Council.

Recommendation

14. Council are requested to :-
 - (a) Authorise funding of up £200,000 to enable the works in default, if they prove necessary, to be undertaken.

- (b) Delegated powers be granted to the Director of Development and Environment to either enter into agreement to undertake the works or to undertake the works in default.

Reasons

15. The recommendations are supported for the following reasons:

- (a) to ensure that at the earliest opportunity the site is made as safe as is reasonably possible, and
- (b) to ensure the works are undertaken at the earliest opportunity if the owner is unable to do them.

John Buxton
Director of Development and Environment

Background Papers

No background papers were used in the preparation of this report.

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