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**Ernest Stevens Trust Management Committee**

**Draft Report of the Strategic Director Public Realm (Place)**

**The Knott Welfare Building at Seager's Lane Marsh Park Brierley Hill**

**Purpose**

1. To inform the Management Committee about the condition of the Knott Welfare building and to discuss the future plans for the building.

**Recommendations**

2. It is recommended:-
  - The Committee note the contents of this report.
  - Discuss the issues and decide on any future plans for the building; following a recent arson attack.

**Background**

3. The Knott Welfare centre is situated at Marsh park Seagers Lane Brierley Hill. Marsh park is registered under title number WM893182 and the registered owner is The Borough Council of Dudley. A small part of the Knotts Centre is also included in the Council's title WM943007.
4. Restriction to use the land for the purposes of a public park and pleasure grounds and the Conveyance is registered at the Charities Commission, charity number 219683. By way of a Deed of Release dated 19th June 1944, this restriction was varied allowing the Council to build and construct a Civic Centre on the site of Marsh Park. By way of a Deed of Release dated 21st November 1955 the restriction was further varied to the extent that the Council could lease a small portion of the park to the Trustees of the Brierley Hill & Brockmoor Old People's Welfare Committee for the purposes of erecting a pavilion for the use of the old people of Brierley Hill and Brockmoor, the Knott Welfare Centre.



5. In 2006 a request was received from the Brierley Hill & Brockmoor Old People's Welfare Committee to surrender the lease they hold of the land on which Knott Welfare Centre is situated. At the time only five trustees remained, and they were all elderly. They had previously maintained the building in good condition, however. The use of the building has declined considerably over recent years. At the time the lease of the land was for 75 years from 1955 and in 2009 when the lease was surrendered it still had a period of 25 years to run. The building was owned by the Brierley Hill & Brockmoor Old People's Welfare Committee and there is a Restrictive Covenant limiting the use of the site for the purposes of a pavilion or club house for the recreation, entertainment and benefit of the aged people of the district and for no other purposes whatsoever. It was at the recommendation of the Brierley Hill Area Committee that the surrender of the lease was accepted by the Council and the property bought back into council ownership, (Appendix 1).
6. At this point the Council took on the responsibility for the building. Due to the restrictive covenants and the lack of parking available, which has been a disadvantage to reletting the building. Minimal maintenance has been completed on the building, only to repair vandalism and to ensure the building is structurally sound and secure.
7. In August 2020 the building suffered an arson attack, as a result the fire brigade attended to extinguish the fire. The fire spread through the roof space of the building. The structure of the building remains intact; however, the building and its contents suffered an amount of water and smoke damage, (Appendix2).
8. To bring the building back into a usable standard would cost a considerable amount of resources, as the damage caused by the fire would need to be repaired. In addition to this the building and its facilities require modernising, to ensure the building meets the current regulations and the expected standards if we were to try to find a new tenant which would be difficult with the current restrictions. At the present time there is no interest from the local community to use this building, in line with the covenant or for any other purpose.
9. Due to the buildings current condition and unlikely prospect of identifying a suitable tenant, it is recommended that the building is demolished. The cost to demolish the building was estimated at £50,000, but this was established several years ago, and a firm quote would need to be acquired for budget setting purposes.
- 10 The Friends of Marsh Park have previously utilised the building to store garden equipment and hand tools as they maintain a number of the herbaceous flower beds within the park, but these are now being stored at one of the Friends Members homes. The Friends Group may wish to install a new facility which would be addressed with the group in future



11. A resident from Seager's Lane has raised a Stage one corporate complaint with the Council, regarding the condition of the building and the council's failure to maintain the building at a reasonable standard.
12. It is recommended, the committee investigate the practicalities of demolishing the building and incorporate the space into the park.

### **Finance**

13. When the building was returned to the council, it came with no maintenance budget and no budget has ever been identified to allow Corporate Landlords to take over the repairs and maintenance. This has meant that any repairs have been completed on an add-hoc basis and have only been carried out when funding has been available from Green Care's revenue budgets. Currently Green Care does not hold the budget to support this type of maintenance and all other repairs for Parks Buildings are carried out by Corporate Landlords. This means that all costs have been absorbed through the Parks Development budget which has put additional pressure on service delivery in other areas.
14. Due to the condition of the building, it may be more cost effective to demolish it at an approximate cost in excess of £50,000. However, the Council does not currently have the resources or budget to complete this work either.
15. The cost of refurbishing the building would be considerably higher but again there is no budget currently identified to complete this or the ongoing maintenance once complete.

### **Law**

16. Section 111 of the Local Government Act 1972 which allows the Council to do anything that is calculated to facilitate or conducive to the discharge of statutory functions. Section 1 of the Localism Act 2011 which provides Councils with the general power of competence to do anything that individuals generally may do, subject to Sections 2 to 4, and Section 105, 117-123 of the Charities Act 2011 which gives power to authorise dealings with charity property.

### **Equality Impact**

17. None applicable to this report



## **Human Resources/Organisational Development**

18. None applicable to this report

## **Commercial/Procurement**

19. Any works undertaken on the building will be managed by the Councils Corporate landlord services, in line with their framework agreements.

20. The procurement of any goods or services will comply with the Councils Contract Standing Orders and governance arrangements in place which could include submission of options to Procurement Management Group (PMG).

## **Health, Wellbeing and Safety**

21. None applicable to this report



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**Tim Johnson**  
**Insert Signature(s)**

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## **List of Background Documents**

*Appendix 1 – Brierley hill Area Committee – 9<sup>th</sup> March 2006 – Applications in respect of land and property owned by the Council*

*Appendix 2 – Photographs of the building*

*Appendix 3 – Letter of Complaint*

