

# WIRRAL COUNCIL

## CABINET

17 MARCH 2011

<b>SUBJECT:</b>	<b>COMMUNITY ASSET TRANSFER – NOCTORUM COMMUNITY CENTRE</b>
<b>WARD/S AFFECTED:</b>	<b><i>CLAUGHTON</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF LAW, HR AND ASSET MANAGEMENT</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR HOLBROOK</i></b>
<b>KEY DECISION?</b>	<b><i>NO</i></b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks approval for a transfer by lease of Noctorum Community Centre, Noctorum, in accordance with the Council's Community Asset Transfer Policy.
- 1.2 The transfer will promote a number of the Council's Corporate Policies including: Increased enterprise and promotion of greater independence and choice.
- 1.3 There will be a small saving in the Council's budget as a consequence of this transfer.
- 1.4 The transfer is not a Statutory duty.

### 2.0 RECOMMENDATIONS

- 2.1 That a transfer by lease of the Noctorum Community Centre be approved and the Director of Law, HR and Asset Management be authorised to complete the necessary legal documentation, on the terms set out in this report.
- 2.2 That the repair works and the transitional costs for the first year of operation be funded from the Community Fund.

### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 Noctorum Community Centre is located within the grounds of Ridgeway High School. It is operated by a team of volunteers who are unwilling to take a transfer of the facility on their own, but support a proposal by Ridgeway High School to operate the building with community activities. The School already promotes a number of community activities and is keen to develop this area and to take a transfer of the building to retain and develop the existing community activities. This proposal is considered to be the most suitable way of securing the community activities at this facility for the long term.

## **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 Cabinet, at its meeting on 15th January 2009, identified a number of facilities, including Noctorum Community Centre, which should be transferred to community management, where the community expressed an interest.
- 4.2 Cabinet, at its meeting on 19th March 2009, approved the Community Asset Transfer policy. The policy sets out the mechanism to pass over the ownership and control of assets to community based groups and explains in detail the key principles and basis for transfer. The minute also resolved that Community Centres first be offered to the established and viable Joint Management Committees.

### **NOCTORUM COMMUNITY CENTRE**

- 4.3 Noctorum Community Centre is situated within the grounds of Ridgeway High School, Noctorum and is shown edged black on the attached plan.
- 4.4 The Centre is a purpose-built single storey community centre, and has been operated by a group of volunteers who have developed a range of activities at the centre including:

Bingo  
Line Dancing  
Play Scheme  
Majorettes  
Morris Dancers  
Lunch club  
Parties

### **TRANSFER PROPOSAL**

- 4.5 The users have not formed a Joint Management Committee, but were given the opportunity to pursue a transfer of the centre. They were unwilling to take a transfer on their own, but support a proposal developed by Ridgeway High School to incorporate the building in to the school complex and operate the centre as community facility.
- 4.6 The school elected to become a Foundation school which required the transfer of ownership of the land and buildings from the Council to the school, the documentation for which is yet to be completed, however, the community centre does not form part of this transfer.
- 4.7 The school's proposal to operate the facility is to incorporate a management board for the Community Centre into its established Governance and management framework. Existing community volunteers will be invited to be members of this board. Members of the volunteer group have already developed a strong collaborative approach to community partnership work as evidenced through the recent highly successful Bonfire and Fireworks event. Further collaborative work can be evidenced through the partnership work which was jointly undertaken by pupils and members of the community to identify suitable activities and colour schemes for the proposed refurbishment of the centre.

- 4.8 To develop this proposal the school has requested support for one year to cover the cost of employing a centre manager/caretaker and all outgoings, in the sum of £41,500. After year one the school would operate the centre within its wider business model for the school.
- 4.9 An independent property condition survey of the Centre has been undertaken and identifies a number of essential items of repair. Even after addressing these repairs, the school has identified further works which it believes are necessary for it to operate the facility, which include a few new windows, an upgrade of the CCTV system, improved lighting and an upgrade of toilets which are considered appropriate for a transfer of this nature.
- 4.10 The Community Asset Transfer policy advises that the Council will not normally seek payment of rent under a lease from community based groups, unless substantial commercial use of buildings generates large profits in excess of the running costs of the property. However, the Council will normally expect community based groups to be responsible for the running costs of the building, including repairs, maintenance and all insurance. In light of the proposal and the community benefits described later in this report, the main terms of the proposed lease are as follows:
- Term: 99 years
  - Rent: Peppercorn
  - Liabilities: The lessee to be responsible for all outgoings and maintenance.
  - User clause: Education and Community Activities
- 4.11 Members will be aware of the Council's obligation to obtain the best price reasonably obtainable on the disposal of its land and property. However, under the General Consent, the Council does have the power to restrict the value of land by imposing restrictions as to its use on the grounds that to do so is in the interest of the economic and / or environmental and / or social well being of the inhabitants of the Borough and provided also that any such restriction in value does not exceed two million pounds, per transaction.

## **COMMUNITY BENEFITS**

- 4.12 The School has identified the following benefits which will arise after transfer:

The transfer will:

- Enable the premises to be more effectively and efficiently managed under the shared leadership and management of the school
- Generate further inward investment in the local area
- Provide a hub for further development of a wider range of activities and services which meet the needs of the users and stakeholders
- Raise and meet local aspirations of the pupils and wider community
- Contribute to the commitment to promoting a more positive community based neighbourhood

- Build further capacity of the local community to deliver a wider range of community activities
- Widen access by all members of the local community to a wider range of leisure and lifelong learning activities for all users
- Provide an additional 'safe space' for pupils of the school to use during the school day when not being used by established users
- Promote and extend further community cohesion, parental engagement and partnership work
- Reduce anti-social behaviour in the area
- Provide an ideal location for the extended Health in schools initiative
- Promote social inclusion
- Promote and increase the accessibility of local and mainstream services for members of the local community
- Promote employability by creating a new post
- Demonstrate best practice by providing high quality, accessible services and activities for all users.

## **5.0 RELEVANT RISKS**

- 5.1 In light of the Centre's location within Ridgeway High School and the School's commitment to community cohesion, the risks involved in the transfer are low.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 The proposed transfer is in accordance with the resolution of Cabinet of 15 January 2009 which resolved that the facility should be transferred to community management, where the community expressed an interest. As the school is willing to proceed with a transfer, incorporating the activities of the existing users, no other options have been considered.

## **7.0 CONSULTATION**

- 7.1 The school is very active in the community having achieved an 'Outstanding' judgement for community cohesion in its recent Ofsted inspection. In addition the school has recently won a National Award called Accord which recognises inclusion and demonstrates the school's commitment to Community engagement. Additionally the school has consulted with the users.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 The centre is currently operated by volunteers who will be encouraged to remain active in the centre and to broaden its use.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

### **9.1 FINANCIAL IMPLICATIONS**

- 9.2 The Council will support use of Community Fund monies for a grant for the following items:

The repairs identified in the report, together with the additional works described, have an estimated cost of £49,000 (ex VAT) plus fees and contingencies.

The support required to cover the first year's running costs is £42,000.

- 9.3 The transfer of this asset on the terms described will result in revenue savings to the Council in running costs of approximately £7,000 per annum, although no specific budget exists for this property.
- 9.4 If the Council retained Noctorum Community Centre it would have to address the Backlog maintenance estimated at £40,000 from its own resources. Future life cycle maintenance costs are estimated at £51,000 over the next 10 years, which the Council will no longer be responsible for after transfer.

#### IT IMPLICATIONS

- 9.5 None arising directly from this report.

#### STAFFING IMPLICATIONS

- 9.6 The user groups currently make their own arrangements for cleaning and janitorial services. There are therefore no staffing implications arising directly from this report.

#### ASSET IMPLICATIONS

- 9.7 Given the location of the property, within the grounds of Ridgeway High school, it is unlikely to be of any interest if offered for sale on the open market. The centre is therefore unlikely to have any significant alternative value.

### **10.0 LEGAL IMPLICATIONS**

- 10.1 Approval of the recommendations will require the Council to prepare appropriate legal documentation to enable the transfer to proceed. The School is now a Foundation School which requires the transfer of ownership from the Council to the school. The legal documentation for this will also need to be completed.

### **11.0 EQUALITIES IMPLICATIONS**

- 11.1 The transfer lease will require the group to adhere to current legislation including equal opportunities.
- 11.2 Equality Impact Assessment (EIA)
- |                                       |  |
|---------------------------------------|--|
| (a) Is an EIA required?               | Yes  |
| (b) If 'yes', has one been completed? | An assessment has been undertaken in respect of the wider Community Asset Transfer process. An assessment in respect of this transfer is currently being undertaken. |

### **12.0 CARBON REDUCTION IMPLICATIONS**

- 12.1 The works which will be funded by the Council as part of the transfer process will improve the energy efficiency of the building and reduce its carbon footprint. Post transfer, the School will need to operate the facility in a cost effective manner and will need ensure that energy bills are kept to a minimum.
- 12.2 The transfer will result in a saving in the Council's CO2 emissions.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 There are no planning implications arising directly from this report.

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## **APPENDICES**

A location plan is attached identifying the building.

## **REFERENCE MATERIAL**

Reference has been made to the Council's Community asset Transfer Policy which can be viewed through the Council's website.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Transforming Wirral	15 January 2009
Cabinet – Asset Management Update	19 March 2009
Cabinet - School Categories and Characteristics	13th March 2008
Cabinet - Foundation and Trust Schools - Update	12th June 2008