

Bath & North East Somerset Council

DECISION MAKER:	Cllr Kevin Guy, Cabinet Member for Children and Young People and Cllr Richard Samuel, Cabinet Member for Resources
DECISION DATE:	On or after 29th November 2019 E 3184
TITLE:	Asset transfer of Peasedown St John Youth Hub
WARD:	Peasedown
AN OPEN PUBLIC ITEM	
List of attachments to this report: <ul style="list-style-type: none">➤ Service Level Agreement between Bath and North East Somerset Council and the Parochial Church Council of St John's Church, Peasedown St John➤ Heads of Terms for grant of lease	

1 THE ISSUE

1.1 Bath and North East Somerset proposes to lease Peasedown St John youth hub to the Parochial Church Council of St John's Church, Peasedown St John, at a nominal rent for a period of 30 years under the provisions of the Community Asset Transfer policy. This decision will authorise the Head of Property to deal with the disposal of the asset because there are no current delegations or resolutions to allow such a transfer to take place at less than best consideration; best consideration being based on market values.

The decision will contribute towards achievement of the saving of £500,000 from the Youth Connect budget, whilst retaining the three youth hubs they previously managed as community assets and ensuring continued provision of open access positive activities for young people in each setting.

2 RECOMMENDATION

The Cabinet Members are asked to agree that:

2.1 The Head of Property be authorised to enter into a lease on the Heads of Terms set out in the Appendices to St John's Church, Peasedown St John as an asset transfer for a period of 30 years;

2.2 The lease reserves a market rent which is abated to nil, subject to the tenant satisfying the landlord that the conditions set out in the agreed Service Level

Agreement, including the provision of open access positive activities for young people, will be fulfilled for the same term as the lease.

3 THE REPORT

- 3.1 Re-structuring of the Council's Youth Connect Service in 2018 necessitated an end to their management of three youth hubs situated on the London Road and Kelston View in Bath and in Peasedown St John, together with their delivery of open access youth work in these buildings and elsewhere in the community. Therefore, the Council sought expressions of interest for the management of these buildings from organisations who would ensure open access positive activities for any young people who wanted to access them, whilst continuing to make the buildings available for wider community use. St John's Church, Peasedown St John, expressed an interest in taking over the management of Peasedown St John youth hub on this basis.
- 3.2 St John's Church's vision for Peasedown St John youth hub, which they would like to re-name The Hive Community Centre, is "to be the centre for excellence for community activities and events in Peasedown St John and surrounding areas and to be the first choice for those planning activities, events, training and meetings and to provide a safe environment in which members of the community of Peasedown St John, of all ages, can be encouraged to realise their maximum potential."
- 3.3 Having explored the detail of the Church's intention, including having sight of its business plan, the Council is willing to enter into an asset transfer of these premises. The Church has a positive track record of managing projects at 'arm's length' for the benefit of the whole community, including a food bank. Following a similar model, it has established a dedicated committee to oversee all aspects of running the building, including fundraising, under the auspices of its Parochial Church Council which is a registered charity (Registered Charity Number 1154112).
- 3.4 The Council is also willing to abate the commercial rent that would otherwise be charged, upon fulfilment of certain requirements set out below throughout the term of the lease:
- a. St John's Church will ensure delivery of two evenings per week (for 2 hours per evening, for 44 weeks per year) of accessible, 'open access' positive activities for young people aged 13-19. Although the nature of these activities is not closely defined, they are to be designed with the full participation of young people for the improvement of their well-being as defined by the outcomes in the local Children and Young People's Plan (children are safe, children are healthy (physically and emotionally), children have fair life chances and children are active citizens within their own community). The activities are to be open to all young people in this age group;
 - b. The premises are to be used for the direct benefit of a diverse range of people from Bath and North East Somerset, and particularly Peasedown St John, including children, young people, families and older people. This will primarily take the form of provision of public rooms for recreational and educational purposes, together with ancillary office space and catering facilities. Organisations that already make regular use of the premises will be allowed to

remain for at least 12 months from the date of the lease agreement and be given 3 months' notice of any change in terms. In particular, Peasedown St John Primary School is to have full use of the sports hall and the outside multi-use games area throughout school terms, from Monday to Friday, throughout the school day, until it has its own suitable facility (estimated to be in spring 2021). An agreed annual rent will be paid for this use;

- c. St John's Church agrees to the Council's use of the premises as a Polling Station for local and national elections. This is subject to reasonable notice being given in order to allow other arrangements to be made for long-term community users and the provision for young people.
 - d. All use made of the premises is to be consistent with the Council's commitment to ensuring that no resident of, or visitor to the area, job applicant, employee or other person associated with the Council is treated inequitably or in an unlawful or unjustifiably discriminatory manner;
 - e. All use of the premises is to be consistent with and complement the Council's published corporate priorities, vision and values at the time the lease is signed.
- 3.5 The Council and St John's Peasedown St John have therefore agreed to work together in the operation of Peasedown St John youth hub for the benefit of residents of Bath and North East Somerset, particularly for young people and adults living in the Peasedown St John area.
- 3.6 A Single Member Decision is sought due to the length of the proposed lease. Strategic Officer level decisions have been taken in respect of Riverside youth hub which is being leased to Mentoring Plus and Southside youth hub which will be leased to Youth Connect when it becomes a public service mutual, both for 5 years with rent abated upon fulfilment of the same requirements to ensure provision of open access positive activities for young people and continued wider community access.

4 STATUTORY CONSIDERATIONS

- 4.1 Under s123 of the Local Government Act 1972, any disposal by the Council of an asset in excess of 7 years (including leasehold interests) must obtain "best consideration", unless the General Disposal Consent (England) 2003 can be applied or a specific consent is obtained.
- 4.2 The General Consent allows specified circumstances where the consent can be applied:

the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area;

- i) the promotion or improvement of economic well-being;
- ii) the promotion or improvement of social well-being;

- iii) the promotion or improvement of environmental well-being.

4.3 Under section 507b Education Act 1996 and statutory guidance on securing access for young people to positive activities, the Council is responsible for ensuring recreational and educational leisure-time activities for the improvement of young people's well-being, and sufficient facilities for such activities. These activities make a significant contribution towards achieving the Council's intended outcomes for all children and young people and form an important part of its universal and 'early help' offers of support.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The commercial rent for Peasedown St John youth hub and its grounds has been calculated as £43,000 (reviewed every 5 years in accordance with the Retail Price Index). This rent is to be abated upon fulfilment of the terms set out in the Service Level Agreement.

5.2 The Council previously estimated that it cost a minimum of £19,774 per annum to provide the required level of positive activities for young people. St John's Church is intending to invest £38,000 per annum and appoint 2 part time Youth Workers to oversee this provision and offer additional support to young people outside the core evening sessions. It already has most of this funding in place for the first 3 years. This represents an increased level of resources for young people.

5.3 Operation of The Hive will require paid staff to manage, caretake, clean and maintain the premises. St John's Church is finalising its model for delivering this, perhaps through the appointment of 2 part-time staff, and has estimated the cost of this to be £35,000 per annum. This represents a saving to the Council which previously undertook these functions.

5.4 With a focus on generating sufficient income to cover all the running costs of The Hive, the Church's promotion of the building will enable the community to benefit from an enhanced programme of activities. There will also be opportunity to lease space for a range of activities from children's parties to developing commercial initiatives (including keep fit and arts activities). This will contribute to community wellbeing, the local economy and to addressing crime and anti-social behaviour. Given this, it is considered that the benefits accrued from the transfer will be in excess of the abated rent.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 CLIMATE CHANGE

- 7.1 Keeping the premises open, in good repair and available to the community is a responsible use of resources;
- 7.2 Responsible management of the premises is included in St John's Church business plan, including a commitment to energy efficiency and recycling;
- 7.3 Local young people have asserted their commitment to climate change as a key priority and providing a place where they can continue to meet can support their continued participation, learning and action.

8 OTHER OPTIONS CONSIDERED

- 8.1 Leasing the building to St John's Church for a shorter period: St John's has demonstrated through their business plan that a long lease provides the best opportunity to make the building financially viable. It will help them to attract funding from outside bodies and they will consider it worth their while to invest in the building materially.
- 8.2 Leasing the building to another party: initial expressions of interest were made by three organisations, two of whom subsequently withdrew. No other party has expressed an interest in leasing the building since then.
- 8.3 The Council continuing to manage the building itself: The reduced Youth Connect did not have resources to continue to manage the building itself and no other Council Department has been identified that would have been able to make it financially viable. The Council does not need to continue to provide a service where the community is ready and willing to step in and an independent body is better placed to attract charitable and other funding.

9 CONSULTATION

- 9.1 The Section 151 Officer and Monitoring Officer have previously advised on aspects of this initiative and have approved this report for publication.

Contact person	Sally Churchyard, Head of Young People's Prevention Services
Background papers	None
Please contact the report author if you need to access this report in an alternative format	