

## Bath & North East Somerset Council

MEETING	<b>Corporate Policy Development &amp; Scrutiny Panel</b>	
MEETING DATE:	<b>27 July 2020</b>	EXECUTIVE FORWARD PLAN REFERENCE
		<b>E 3191</b>
TITLE:	<b>Update on the actions requested following the Call in of decision E3191: Proposed Asset Transfer of Land at North Parade Road to the Bath Cricket Club at Less than Best Consideration.</b>	
WARD:	Bathwick Ward	
<b>List of attachments to this report:</b>		
<ul style="list-style-type: none"><li>• <b>Appendix A: Community Value.</b></li></ul>		

### 1 THE ISSUE

- 1.1 To provide an update on the recommendations made by the Panel, together with actions agreed by the Cabinet Member for Resources to address the call in of decision E3191: Proposed Asset Transfer of Land at North Parade Road to the Bath Cricket Club at Less than Best Consideration.

### 2 RECOMMENDATION

**The Panel is asked to;**

- 2.1 Note and consider the update set out within this report.

### 3 BACKGROUND

#### **THE DECISION:**

On 20th February 2020 it was resolved the original decision made on 8th January 2020 stands, and that the Cabinet Member for Resources acknowledged the recommendations made by the Corporate PDS Panel on 10th February 2020 and has actioned the following:

1. Officers have put in place a new process to ensure that information relating to Council land ownership is clearly communicated to the cabinet member prior to planning applications being determined

2. The Cabinet Member for Resources has satisfied himself that the proposed community benefits relating to the decision have been valued appropriately using the National Themes Outcomes and Measures 2019 Real Estate Plug-In Calculator, which is used by a wide range of public and private sector organisations to measure social value

3. The Cabinet Member for Resources has satisfied himself that the community benefits provided by Bath Cricket Club will be experienced in communities across North East Somerset, not just in Bath, especially through the community cricket coach programme, disability cricket programme and the bursary fund, which will be available to all children and young people in Bath and North East Somerset to purchase equipment and subsidise participation

4. The Cabinet Member for Resources agrees to publish details of the community benefits at the earliest possible opportunity

5. In accordance with paragraph 3.17 of the original decision report the Bath Cricket Club will also enter into a contractual agreement with the Council, by way of a Deed, obliging the Club to deliver the community benefits and will provide evidence to the Council annually of the activities being delivered.

NOTE:

The decision made on 8th January 2020 was Called In, and on 10th February 2020 Corporate PDS Panel held the Call-In meeting. The Panel upheld the Call-In and made the following recommendations:

i) Ask the Cabinet Member to review the process between Property Services and Planning Services to ensure that information relating to land ownership is clearly stated on future applications

ii) Ask the Cabinet Member to satisfy himself that the proposed community benefits relating to the decision have been valued appropriately

iii) Ask the Cabinet Member to seek that the community benefits will be experienced in communities across Bath and North East Somerset, not just in Bath

iv) Ask the Cabinet Member to publish details of the community benefits at the earliest possible opportunity

v) Ask the Cabinet Member to ensure that the community benefits are incorporated as a schedule to the lease and therefore not lost in due course.

On 8th January 2020 the Cabinet Member for Resources made the decision where he agreed to

Delegate to the Head of Estates the authority for the completion of the transfer (as a Community Asset Transfer) of the asset at less than best consideration.

Note that the transfer of the asset will be in compliance with the statutory responsibilities under s123 Local Government Act 1972.

## **4 THE UPDATE REPORT**

Below is an update on the decision acknowledging the recommendations recorded in the amended decision dated 20 February 2020

### **4.1 Item 1.**

A new process has been introduced which involves reviewing the weekly list of planning applications and overlaying the Council's ownership records to identify any sites that involve or adjoin any parcel of land subject to an application. Officers in Estates and various other service areas, as well as the Cabinet Member for Resources are then notified of any sites that are either Council owned or adjacent to a council ownership that are the subject of an application.

### **4.2 Item 2.**

Evidence that the proposed community benefits relating to the decision have been valued appropriately using the National Themes Outcomes and Measures 2019 Real Estate Plug-In Calculator is set out in Appendix A: Community Value attached to this report.

The Cabinet Member for Resources has yet to formally approve this Appendix, but the proposed lease will not be entered into until the Cabinet Member has confirmed he is satisfied with this evidence.

### **4.3 Item 3.**

The Cabinet Member for Resources has yet to formally approve the evidence, but the proposed lease will not be entered into until the Cabinet Member has confirmed he is satisfied with evidence that the community benefits provided by Bath Cricket Club will be experienced in communities across North East Somerset.

### **4.4 Item 4.**

The Cabinet Member for Resources agrees to publish details of the community benefits as soon as he has approved item 4 and prior to the lease being completed.

### **4.5 Item 5.**

The Heads of Terms which formed part A of the non-exempt appendices to the original report made provision that the community uses are to be recorded as an obligation to the council and set out in a Deed, including annual inspection by the Council to ensure the covenants are being delivered relating to the community benefit.

The draft Deed containing these provisions and obligations has since been produced and has been agreed, subject to contract, with Bath Cricket Club.

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<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	

## **APPENDIX A – Community Value**

The Cricket Club has provided the Council with information on the community benefits that the development and subsequent investment would provide.

Benefits include a new indoor cricket school, which will enable a winter training and coaching programme, and act as a hub for Disability Cricket

The extension to the Cricket Club will also provide new teaching and learning space and separate female changing facilities.

There will also be further employment opportunities and improvements to the Bath Cricket Club secondary state school cricket programme.

The investment in the club will also enable it to increase the size of the bursary fund available and improve facilities at their second cricket club site in Lansdown.

Additional Leisure community benefits as a result of the development create a value of around £2 million pa.

The Bath Cricket Club will also enter into a contractual agreement with the Council obliging the Club to deliver these community benefits and will provide evidence to the Council annually of the activities being delivered.

The community benefits are valued at £2,016,440.16 and a premium has been negotiated to enter into a 250 year lease of the land and a figure of £150,000 has been agreed with the Club.

Therefore the Council will receive the community benefits and the cash premium of £150,000.

As this is a Community Asset Transfer, the Club will be bound to provide community benefits over a 30 year period.

The Council will meet with the club on a 6 monthly basis for the first 3 years to assess the benefits they are providing. It will then be an annual event until year 5 where the process will be reviewed.

In addition to the £150,000 premium, if the club do not provide the community benefits then an annual rent of £30,000 (reviewed annually to RPI) will be payable until the benefits are provided. This will cease after a 30 year period, whereby the rent will have covered the loss of the full premium of circa £1,000,000.

## Social Value Calculation

Summary		
Total social value	£1,911,440.16	Excludes local economic value (local jobs, spend with local supply chain) - and includes embedded checks for double counting
Total local economic value	£105,000.00	This includes local jobs and economic value of spend with local supply chain - added value for the local area only
Total social value including local economic value	£2,016,440.16	Social value and economic contribution to local area - value for the local area only
Total investment in social value	£1,800,000.00	total investment as recorded

The figures used to calculate the Social Value via the National Themes Outcomes and Measure (TOM) 2019 Real Estate Calculator were from the Development Plan submitted by Bath CC and officer expertise. Please see Appendix E and summary below

### TOTAL SOCIAL VALUE COMMITTED PA

#### Detail/Evidence

£105,000.00	3 x f/t coaches including dedicated women's and girls' coach (£35K inc on costs)
£15,085.95	1 x Assistant coach
£12,776.32	1 x Grounds staff/assistant
£13,234.70	1 x Grounds staff – Project Search
£5,328.59	Value of Primary and Secondary Schools coaching programme
£9,472.00	Value of Coaching hub for schools x 4 per week x 40 weeks
£7,391.72	NVQ – Administration offered
£10,608.06	Value of Apprenticeship - grounds and admin
£25,083.49	Value of Mentoring Programme 10hrs x 25 attendees
£2,681.08	Value of 18 meaningful work placements or pre-employment course; 1-6 weeks student placements (unpaid)
£2,368.26	Support for other community clubs across Bath and North East Somerset. 2hrs/wk x 4 clubs x 20 wks
£4,449.67	Value of expert hours to be committed
£2,960.33	Value of voluntary hrs committed pa
<b>£209,030.16</b>	

**Additional benefits:**

Capital investment in new Indoor school costs £1.1m

Improvements to club house (women and girls changing; disability access) £500K

Improvements to other sites £200K (Lansdown site)

Minibus - £30K

Bursary Scheme - £50K per annum

**The National Themes Outcomes and Measure (TOM) 2019 Real Estate Plug-In Calculator**

The National Themes Outcomes and Measure (TOM) 2019 Real Estate Plug-In Calculator was used to calculate the social value using the related Measurement Social Value Calculator. It also features a stakeholder engagement tool.

The TOMs have been developed with contributions from organisations representing the full cycle of a development to reflect the opportunity that exists at every from planning, to construction and in-use.

The Calculators should be used consistently with the National TOMs Framework, as outlined in the National TOMs Framework 2019 Guidance document.

The aim of the National TOMs Framework is to provide a minimum reporting standard for measuring social value and provides an easy to use solution that is immediately available, and may be applied to any project.

The principal benefits of a minimum and consistent reporting standard for social value are that it:

Provides a consistent approach to measuring and reporting social value

Allows for continuous improvement

Provides a robust, transparent and defensible solution for assessing and awarding tenders

Allows organisations to compare their own performance by sector and industry benchmarks and understand what good looks like

Reduces the uncertainty surrounding social value measurement for businesses, allowing them to make informed decisions based on robust quantitative assessments and hence embed social value into their corporate strategies

The National TOMs Framework has been designed around 5 principal issues, 20 Core Outcomes and 48 Core Measures:

Themes – The overarching strategic themes that an organisation is looking to pursue

Outcomes – The objectives or goals that an organisation is looking to achieve that will contribute to the Theme.

Measures – The measures that can be used to assess whether these Outcomes have been achieved. For the National TOMs Framework, these are action based and represent activities that a supplier could complete to support a particular desired outcome.

The 5 Themes are as follows:

Jobs: Promote Local Skills and Employment: To promote growth and development opportunities for all within a community and ensure that they have access to opportunities to develop new skills and gain meaningful employment.

Growth: Supporting Growth of Responsible Regional Business: To provide local businesses with the skills to compete and the opportunity to work as part of public sector and big business supply chains.

Social: Healthier, Safer and more Resilient Communities: To build stronger and deeper relationships with the voluntary and social enterprise sectors whilst continuing to engage and empower citizens.

Environment: Decarbonising and Safeguarding our World: To ensure the places where people live and work are cleaner and greener, to promote sustainable procurement and secure the long-term future of our planet.

Innovation: Promoting Social Innovation: To promote new ideas and find innovative solutions to old problems.

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19.02.20