

TITLE OF REPORT: Surplus Declaration and Community Asset Transfer of Bowling Greens and Pavilions

JOINT REPORT OF: Mike Barker, Strategic Director Corporate Services and Governance
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Purpose of the Report

1. To seek approval to (i) the properties listed below being declared surplus to the Council's requirements, (ii) the future proposals for the properties after being declared surplus and (iii) providing investment in the sites:
 - Marley Hill Bowling Green and Pavilion
 - Pelaw Bowling Green and Pavilion

Background

2. At its meeting on 19th September 2017 (Minute Number C62), Cabinet approved the rationalisation of the Council maintained stock from 27 to 14 greens as recommended within the Playing Pitch Strategy. This would enable the Council to achieve the proposed 2017/18 budget saving of £75,000. It was agreed, however, to defer implementation until the 1st April 2019 and also undertake a feasibility study to consider the potential asset transfer of 3 sites (Pelaw, Marley Hill and Felling Park).
3. As a result of the feasibility work, two of the associations at Pelaw and Marley Hill are now in a position to proceed with taking on the responsibility of operating independently of the Council. The Felling Park Bowls Club is part of the Friends of Felling Park and Town Centre group and their application is more complex. Further work with the Felling group is required to ensure that they are in a position to proceed with a full community asset transfer of the green and pavilion.
4. The properties at Marley Hill and Pelaw are shown edged black on the attached plans.

Proposal

5. It is proposed that the properties be declared surplus to the Council's requirements and thereafter dealt with in accordance with the proposals set out in the attached appendices (1& 2).
6. To ensure the bowling clubs can operate and become sustainable it is proposed to provide investment at each site. The funding will be used by the volunteers to minimise some of the costs of operating the greens. This will be achieved through the purchase of grass cutting equipment and onsite storage together with essential

site improvements which may arise to complete a Community Asset Transfer. Details of the proposals are set out in attached appendix 3. The investment will be provided through the underspend in the 2018/19 Gateshead Thrive Fund allocation, which fits with the criteria of the fund, namely:

- the development of new ways of working
- capacity building activity, including staff, volunteer and management committee training, strengthening organisational structures and systems
- the costs of asset transfers.

Recommendations

7. Cabinet is asked to approve the recommendations set out in appendices 1 to 3 of this report.

For the following reasons:

- (i) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.
- (ii) To realise savings identified through rationalisation of the bowling green portfolio as agreed by Cabinet in 2017.

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APPENDIX 1: Marley Hill Bowls Pavilion and Bowling Green, Church Street, Marley Hill NE16 5DW

Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where people Thrive, in particular supporting communities to support themselves and each other.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020, in particular, the rationalisation of the estate through disposal of an uneconomic asset.

Background

3. The property known as Marley Hill Bowls Pavilion and Bowling Green, which is shown edged black on the attached plan is held by the Council as trustee.
4. The property is subject to a Trust Deed dated 5 June 1969 which states that the objects of the Trust is for the property to be held “upon trust as a public recreation ground for the inhabitants of the area of Whickham”. The Council must therefore ensure that any decisions made in relation to the Trust property meet this requirement.
5. As the property is held in trust, the consent of the Charity Commission and the Coal Industry Social Welfare Organisation (CISWO) is also required.
6. CISWO will only consent to a lease for a term of 25 years. Terms have, therefore, been provisionally agreed with the Marley Hill Community Bowling Club CIO for a 25 year lease pursuant to the Council’s Community Asset Transfer policy. This is considered to be in the best interests of the Trust and once formal approval is obtained from CISWO the consent of the Charity Commission will then be sought.

Proposal

7. It is proposed that the property be declared surplus to the Council’s requirements and a 25 year lease at a nil rent be granted to the Marley Hill Community Bowling Club CIO, which is considered to be in the best interests of the Trust.

Recommendation

8. It is recommended that Cabinet:
 - (i) Declare the Property surplus to the Council’s requirements;
 - (i) Authorise the Strategic Director, Corporate Services and Governance to grant a 25 year lease at a nil rent pursuant to the Council’s Community Asset Transfer policy.

Consultation

9. In preparing this report consultations have taken place with the Leader, Deputy Leader, Communities and Volunteering Portfolio Holders and Ward Councillors for Whickham South and Sunnyside.

Alternative Options

10. The option of retaining the property has been discounted as maintenance of the green and pavilion had been identified as an efficiency saving. There were no alternative viable options for the use of the site.

Implications of Recommended Option

11. **Resources:**
- a) **Financial Implications** - The Strategic Director, Corporate Resources confirms that up to £13,346 of required resources will be met from the Gateshead Thrive Fund.
 - b) **Human Resources Implications** - There are no direct staffing implications arising from the recommendations in this report, the Street Scene employees will be redeployed to other sites and locations maintained by the service.
 - c) **Property Implications** - The future disposal of this property will result in a reduction in the Council's overall property portfolio thus reducing operational costs.
12. **Risk Management Implication** - The future disposal of this property will remove opportunities for vandalism to a vulnerable property.
13. **Equality and Diversity** - There are no implications arising from this recommendation.
14. **Crime and Disorder Implications** - The future disposal of this property will remove opportunities for crime and disorder, especially vandalism and theft.
15. **Health Implications** - There are health implications arising as result of this report, as the clubs continue to operate and develop, the activities provided should continue to provide both physical and mental health benefits of members of the clubs and other residents who participate in activities delivered at each site.
16. **Sustainability Implications** - The grant of a lease will ensure the future sustainability of the pavilion and use of the bowling green thus fulfilling the Council's obligations in accordance with the Trust.
17. **Human Rights Implications** - There are no implications arising from this recommendation.
18. **Ward Implications** – Whickham South and Sunnyside.
19. **Background Information** – Minute No. C62 (2017).

APPENDIX 2: Pelaw Bowls Pavilion and Bowling Green, Bill Quay Park, Station Road, Pelaw. NE10 0RN

Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive, in particular, supporting communities to support themselves and each other.
2. The proposed declaration will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020, in particular, the rationalisation of the estate through the disposal of an uneconomic asset.

Background

3. The property known as Pelaw Bowls Pavilion and Bowling Green, which is shown edged black on the attached plan, is held by the Council for the benefit improvement and development of the borough pursuant to section 120(1) of the Local Government Act 1972. The Council has the authority to dispose of land at an undervalue of no more than £2,000,000 and that it is likely to contribute to the achievement of the promotion or improvement of the economic, social and environmental well-being of persons residing in the borough. The purpose of the disposal will clearly contribute to the social and environmental well-being of the borough.

Proposal

4. It is proposed that the property be declared surplus to the Council's requirements and a 35 year lease at a nil rent be granted to Pelaw Community Bowling Club pursuant to the Council's Community Asset Transfer policy.

Recommendation

5. It is recommended that Cabinet:
 - (ii) Declare the Property surplus to the Council's requirements;
 - (iii) Authorise the Strategic Director, Corporate Services and Governance to grant a 35 year lease at a nil rent pursuant to the Council's Community Asset Transfer policy.

Consultation

6. In preparing this report consultations have taken place with the Leader, Deputy Leader, Communities and Volunteering Portfolio Holders and Ward Councillors for Pelaw and Heworth.

Alternative Options

7. The option of retaining the property has been discounted as the maintenance of the green and pavilion had been identified as an efficiency saving. There were no alternative viable options for the use of the site.

Implications of Recommended Option

8. Resources:

- a) **Financial Implications** - The Strategic Director, Corporate Resources confirms that £13,346 of required resources will be met from the Gateshead Thrive Fund.
- b) **Human Resources Implications** - There are no direct staffing implications arising from the recommendations in this report, the Street Scene employees will be redeployed to other sites and locations maintained by the service.
- c) **Property Implications** - The future disposal of this property will result in a reduction in the Council's overall property portfolio thus reducing operational costs.

9. Risk Management Implication - The future disposal of this property will remove opportunities for vandalism to a vulnerable property.

10. Equality and Diversity - There are no implications arising from this recommendation.

11. Crime and Disorder Implications - The future disposal of this property will remove opportunities for crime and disorder, especially vandalism and theft.

12. Health Implications - There are health implications arising as result of this report, as the clubs continue to operate and develop, the activities provided should continue to provide both physical and mental health benefits of members of the clubs and other residents who participate in activities delivered at each site.

13. Sustainability Implications - The future disposal of this property will reduce the level of the Council's operational costs, including gas and electricity use, which will subsequently result in a reduction in the Council's carbon footprint.

14. Human Rights Implications - There are no implications arising from this recommendation.

15. Ward Implications – Pelaw and Heworth.

16. Background Information – Minute No. C62 (2017).

Appendix 3: Findings of the feasibility work into transferring bowling greens to community organisations.

1. The Neighbourhood Management and Volunteering Team (NMVT) & CAST have worked closely with each of the bowls clubs to assess whether it was feasible to transfer the greens and pavilions pursuant to the Community Asset Transfer policy (CAT). The review covered the following areas:
 - a. **New ways of Working:** Each bowls club has adopted a new constitution and have applied to become a Charitable Incorporated Organisation (CIO). Marley Hill has completed the process and gained charitable status whilst Pelaw is awaiting final approval from the Charity Commission. Felling Bowls Club is part of the Friends of Felling Park and Town Centre and their governing document is more complex as it includes the wider work they carry out with the Community Library. A further report will be submitted to Cabinet in relation to the Felling Expression of Interest.
 - b. **The cost of asset transfers:** A budget forecast and cashflow has been developed with each club.
 - i. Currently all costs for the delivery of bowling is met by the Council. Costs far exceed the income generated through annual green fees (approximately circa 90%).
 - ii. The major expenditure is on the maintenance for the green at circa £7-8k per annum per green.
 - iii. Development of cashflows have enabled the clubs to establish their core costs outlining the requirements for maintaining the greens and pavilions.
 - c. **Capacity building activity, including staff, volunteer and management committee training, strengthening organisational and systems:**
 - i. The cost of a Green Card is currently £48 per member per season. Contributions to the Council will cease and fees will be retained by the clubs which will contribute to the running costs of the organisation as an independent charity.
 - ii. The clubs are aware that the future operation of the greens will only be possible with the delivery of essential ground maintenance by their volunteers. The total cost of greens maintenance and building maintenance and running costs is estimated to be £2600 - £3000 per year for each of the clubs.
 - iii. Increasing the clubs' ability to generate income through diversification of activities has been considered, such as community bowls events, open days, working with schools and creating new activities such as tai chi.
 - iv. Increasing membership fees and reviewing the fees payable have also been considered by the clubs as a means of meeting the costs of a rationalised independently run bowling green and pavilion. It has been recognised that there is a need to increase the membership base. New members have been recruited since news of the withdrawal of funding for the three sites. New categories of membership have also been created at £10 per annum to offer inclusion to those who do not play bowls but wish to participate in the social elements of the club.

Reviewing the membership fees is a key element to independent sustainability by all clubs in order to balance the revenue account alongside other self-supporting fund-raising activity.

- v. The clubs will be supported to secure additional funding through grants from funding trusts and foundations for improvement to the sites. Funding to support revenue activities could be considered if the benefits of bowling can be conveyed to new audiences, meeting the objectives of funders.
- vi. Work on the development of the clubs' websites and increasing use of social media has progressed and all three clubs will be registered with www.OurGateshead.org

2. Community Benefit

- a. Work to widen the membership of the bowling clubs has been undertaken together with the work to widen the range of activity on offer by all three clubs to embrace the Thrive objectives. The clubs recognise the need to diversify beyond the bowls offer and are eager to establish new arrangements for working with the community. Members from Marley Hill, for example, have taken part in safeguarding training hosted by the Council.

3. Site Investment & Improvement

- a. A full assessment of each site has been undertaken and running and maintenance costs have been established. Given the timescale for development, resources are required for one-off purchases of certain items. Equipment for the grounds maintenance will be required in the form of grass cutters and storage sheds.
- b. Some site improvements may be required to ensure the sites continue to provide a safe environment in which to bowl and take part in other activities.