

TITLE OF REPORT: **Community Asset Transfer – Heworth Welfare Park Bowling Green and Pavilion**

REPORT OF: **Colin Huntington, Strategic Director, Housing, Environment and Healthy Communities**

Purpose of the Report

1. To seek approval to the Community Asset Transfer by the grant of a 25 year lease in relation to Heworth Welfare Park Bowling Green and Pavilion, Smithburn Road, Felling.

Background

2. The property, which is shown edged black on the plan provided, is held by the Council as trustee. Although the property is no longer required by the Council for service delivery, for the reasons set out in the appendix, the Council has to act in the best interest of the Trust and its beneficiaries and identify alternative uses for the property.
3. As the property is held in trust the consent of the Charity Commission and the Coal Industry Social Welfare Organisation (CISWO) is also required.
4. Approval to the letting has been sought from the CISWO which has indicated that subject to sight of the lease it will be willing to give its consent but only to a lease for a term of 25 years. The consent of the Charity Commission will be sought once the Council as Trustee has the formal approval of CISWO.

Proposal

5. It is proposed that a 25-year lease be granted to Active Future FP Community Interest Company (CIC), pursuant to the Council's Community Asset Transfer policy, which is considered to be in the best interests of the Trust.

Recommendations

6. Cabinet, in its capacity as Trustee, is asked to approve subject to the necessary consents being obtained, the grant of a 25 year lease to Active Future FP CIC pursuant to the Community Asset Transfer Policy.

For the following reasons:

- (i) To manage the Trust's assets in line with the objects of the Trust and in line with the Council's Corporate Asset Strategy and Management Plan.
- (ii) To realise savings for the Trust

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Policy Context

1. The proposed surplus declaration supports the overall vision for Making Gateshead a Place where People Thrive. The proposal supports the overall objectives of the Trust and supports the community to support itself. The proposal also helps to deliver the Council's Gateshead Health and Wellbeing Strategy, in particular the policy objective to create and develop healthy and sustainable places and communities help to create and develop a healthy and sustainable community.

Background

2. The property, known as Heworth Welfare Park Bowling Green and Pavilion, shown edged black on the plan provided, is held by the Council as trustee. As the property is held in trust by the Council, there is an obligation for it to act in the best interests of the Trust.
3. Following Cabinet's decision on 19 September 2017 to rationalise the Council's maintained stock of bowling greens as recommended within the Playing Pitch Strategy (Minute No. C62), Heworth Community Bowling Club, which currently use the bowling green and pavilion was approached to determine whether it was interested in taking on responsibility for the pavilion and bowling green.
4. As the Club was not in a position to proceed, a suitable alternative party has had to be identified to take on responsibility for the property to ensure bowling is able to continue in the park. Active Future FP CIC has expressed an interest in taking on the responsibility for the property and has worked on its business plan to use the pavilion and green to provide intergenerational bowling activities alongside other community activities and is now in a position to proceed with a community asset transfer of the property.
5. The grant of a lease to Active Future FP CIC is considered to be in the best interests of the Trust as it provides a sustainable model for the Pavilion and Bowling Green. The Lease will require that Active Future acts in accordance with the objects of the Trust in order to ensure the Council as Trustee complies with its obligations under the Trust Deed.
6. The letting is subject to the consent of the Charity Commission and the Coal Industry Social Welfare Organisation as the building is held in trust. Approval to the letting has been sought from the CISWO which has indicated that subject to sight of the lease it will be willing to give its consent but only to a lease for a term of 25 years. The consent of the Charity Commission will be sought once the Council as Trustee has the formal approval of CISWO.

Consultation

7. In preparing this report consultations have taken place with the Leader, Deputy Leader and Ward Councillors for Felling.

Alternative Options

8. The option of retaining the property has been discounted as there are currently no alternative viable options for the use of the site.

Implications of Recommended Option

9. Resources:

a) Financial Implications - The Strategic Director, Resources and Digital confirms there are no financial implications arising from this recommendation.

b) Human Resources Implications - There are no direct staffing implications arising from the recommendations in this report.

c) Property Implications - The grant of a lease of this property held in Trust will result in a reduction in the Council's operational property portfolio and reduce operational costs.

10. Risk Management Implication – There are no risk management implications arising from this recommendation.

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

12. Crime and Disorder Implications - The grant of a lease of this property held in Trust will reduce opportunities for crime and disorder, especially vandalism and theft.

13. Health Implications – There are health implications arising from this report, as the activities provided by the tenant will provide both physical and mental health benefits to people who participate in the activities delivered.

14. Sustainability Implications - The grant of a lease of this property held in Trust will reduce the level of the Council's operational maintenance, which will subsequently result in a reduction in the Council's carbon footprint.

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

16. Ward Implications – Felling.

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