

**TITLE OF REPORT:**           **Community Asset Transfer – Heworth Welfare Hall**

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

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### **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 Hall, 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 interests 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 proposed lease and some supporting documents 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 Felling Community Association Community Interest Organisation (CIO), pursuant to the Council's Community Asset Transfer policy, which is considered to be in the best interests of the Trust.

### **Recommendations**

6. Cabinet on behalf of the Council in its capacity as Trustee, is asked to approve, the grant of a 25 year lease to Felling Community Association CIO pursuant to the Community Asset Transfer Policy and subject to the necessary consents being obtained.

For the following reasons:

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

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## **APPENDIX 1 : Heworth Welfare Hall, Smithburn Road, Felling NE10 9DT**

### **Policy Context**

1. The proposal supports the overall objects of the Trust and supports the overall vision for Making Gateshead a Place where People Thrive. In particular, supporting communities to support themselves and each other the community to support itself.

### **Background**

2. The property, known as Heworth Welfare Hall, 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. The purpose of the Trust is 'as detailed in an Scheme Order made by the Secretary of State for Education and Science under the Charities Act 1960 which states the land is to be used as a community centre to be held by the Council upon Trust for the use of the inhabitants of the Urban District of Felling....[and]....in particular for the use for meetings, lectures and classes for the purpose of physical exercise and training and other forms of recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants'.
4. Prior to January 2020, as there were no suitable community organisations interested in occupying the property, for use as a community centre. It was for many years occupied by the Gateshead Behaviour Support Service, known as the Pupil Referral Unit (PRU) and following its conversion to academy status in January 2018 it was occupied by River Tees Multi-Academy Trust (RTMAT). However, as the schools use only partially fulfilled the purposes of the Trust only a short term agreement was granted. (Min No.C112, 2017). The building has been vacant since January 2020.
5. Cabinet approved the demolition of Crowhall Towers, which incorporates Felling Community Centre in November 2019 (Min No. C93). Following discussion with Felling Community Association who have occupied Felling Community Centre since 1969, it was agreed that Heworth Welfare Hall provided them with suitable alternative accommodation.
6. The Association has provided the Council with a suitable business plan setting out the community activities it intends to provide from the building and it is willing to take on responsibility for the property, so it is now in a position to proceed with a community asset transfer of the property.
7. The grant of a lease to Felling Community Association CIO is considered to be in the best interests of the Trust as it provides a sustainable model for the Welfare Hall. The Lease will require that Felling Community Association CIO act in accordance with the objects of the Trust in order to ensure the Council as Trustee complies with its obligations under the Trust Deed.
8. The letting is subject to the consent of the Charity Commission and the Coal Industry Social Welfare Organisation (CISWO) 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 and supporting documents including the business plan, 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**

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

### **Alternative Options**

10. 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**

#### **11. 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.

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

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

14. **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.

15. **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.

16. **Climate Emergency and 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.

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

18. **Ward Implications** – Felling.

19. **Background Information** – Minute Nos. C117, 2017 and C93, 2019