

POLICY & FINANCE COMMITTEE

28 JUNE 2018

ASSET TRANSFER – RAINWORTH VILLAGE HALL

1.0 Purpose of Report

- 1.1 To seek Policy & Finance Committee's approval to transfer Rainworth Village Hall to Rainworth Parish Council under Asset Transfer Powers as detailed in the Council's Asset Transfer- Corporate Principles Policy.

2.0 Background Information

- 2.1 Cabinet considered and approved an Asset Transfer Policy – Corporate Principles in December 2008 in order to guide any future considerations regarding the transfer of community assets. This Policy ensures that the Council is able to consistently consider any requests or recommendations for the transfer of assets whilst also being able to treat each case individually so that a Council was able to fulfil its strategic priorities.
- 2.2 Since the adoption of the Policy the Council has exercised its powers and transferred Edwinstowe Village Hall and Coddington Community Centre to respective Parish Councils and Millgate Community Centre to the Newark and Sherwood Play Support Group, a registered charity, for a nominal consideration in each case. However, each transfer has appropriate provisions within the legal documentation to protect the Council's interest in terms of capital assets.
- 2.3 Rainworth Parish Council was granted a 99 year lease by the District Council in 1979 and has maintained the village hall as per the terms of the lease for almost 40 years. This has been achieved with the support of Rainworth Village Hall Management Committee, a registered charity, which is responsible for the day to day operational management of the facility through and on behalf of the Parish Council.

3.0 Proposals

- 3.1 Officers have been in dialogue with Rainworth Parish Council and the Village Hall Management Committee for some time to progress the transfer of the village hall to the Parish Council, which will assume freehold ownership of the asset and continue to work in partnership with the Management Committee to ensure that the hall continues to serve the community as intended.
- 3.2 As part of the process of transfer and at the request of the Parish Council a building condition survey was undertaken to identify building defects requiring rectification. The remedial works highlighted have been undertaken by the District Council as a condition of the Parish accepting the proposed transfer.
- 3.3 Given that such facilities can be expensive to manage and maintain it is also proposed that the District Council make available a commuted sum of £50,000 as part of the proposed transfer which it currently holds through Section 106 agreements linked to new residential development in Rainworth. The contribution was secured for Community Facilities in accordance with the Council's approved Supplementary Planning Document – Developer Contributions specifically intended to support the general improvement of the Village Hall.

- 3.4 The transfer of the Section 106 monies would be subject to a Side Agreement detailing the legal obligations that the Parish Council is required to agree to in order to take receipt of the money which satisfies the Council's audit responsibilities in respect of the allocation of Section 106 contributions.

4.0 Equalities Implications

- 4.1 Rainworth Parish Council is governed by the same equality law as the District Council therefore will be required to ensure compliance with the regulatory obligations. This would include the production of an Equality Policy Statement as a pre requisite of the transfer.
- 4.2 Under the transfer the Parish Council will covenant with the District Council as deemed necessary and appropriate to ensure that the asset continues to serve the community of Rainworth and its environs as is currently the practice in accordance with the Equality Act.
- 4.3 The village hall is currently deemed to be compliant with Equality Act Disability requirements and will be maintained as such by the Parish Council.

5.0 Impact on Budget/Policy Framework

- 5.1 There will be a long term positive impact of the Council's budget with risks associated with major repairs transferred to the Parish Council as freehold owner.

6.0 Comments of Director of Resources and Section 151 Officer

- 6.1 The s106 funds proposed in 3.3 are currently available via the Council's balance sheet.

7.0 RECOMMENDATIONS that:

- (a) **the proposed transfer of the freehold for Rainworth Village Hall to Rainworth Parish Council, together with a commuted sum of £50,000 from Section 106 Receipts as outlined in paragraph 3.3 and 3.4 be approved; and**
- (b) **the Acting Chief Executive be given delegated authority to progress the transfer.**

Reason for Recommendations

To ensure that corporate principles are followed to guide the consideration of the transfer of community assets.

Background Papers

Asset Transfer Policy – Corporate Principles

For further information please contact Andy Hardy on Extension 5708.

Kirsty Cole
Acting Chief Executive