FORMER ASSEMBLY ROOMS, HOWGILL STREET

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WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS?

The Council has a community leadership and enabling role with regard to social inclusion and regeneration opportunities. This proposal will ensure a long term physical resource for women to access a wide range of services in a safe space and ensures the work undertaken by the Council in leading and driving a women’s access to services network is able to enhance its impact through a women only Centre in Whitehaven, a key service centre for our residents. The Centre will be focused on supporting and improving the access to services, opportunities and wellbeing benefits for female Copeland residents.

WHY HAS THIS REPORT COME TO FULL COUNCIL?

Council are being requested to extend the offer agreed at Full Council in September 2018 of the above property, a Council owned asset within Whitehaven Town Centre, on a peppercorn lease arrangement as the location for Women Out West Women’s Centre.

RECOMMENDATIONS:

Council are requested to

a) note the Council’s leadership role and support the partnership approach in ensuring women centred approaches through improving women’s access to services in Copeland and in particular the aim to develop safe spaces as part of the work to ensure women can access services safely and in a supportive environment;

b) note the successful delivery of a Women Out West Women’s Centre through the partnership and the hard work of Rachel Holliday and accountable body role of Time to Change in receiving and using Ministry of Justice, PCC and Francis C Scott funding; and
c) agree to extend the offer of 14 – 15 Howgill Street for the Women Out West Women’s Centre development and confirm the proposal to pursue a peppercorn lease will be open for a further 24 months and subject, as previously agreed to the final sign off of best consideration, viability of the business plan and governance for this element of Women Out West and for this to be delegated to the Council Solicitor in liaison with the S151 Officer, Portfolio Holders and Director of Growth and Inclusive Communities.

1. INTRODUCTION

1.1 Full Council at its September 2018 meeting agreed to a 12 month offer from that meeting of the former Assembly Rooms at 14-15 Howgill Street on a peppercorn lease basis for a new women’s centre in Whitehaven. The offer required a number of actions with decision delegated to the Borough Solicitor in liaison with members of Executive and senior officers Council requested a report on progress at the end of this 12 month period.

1.2 The subject property, 14 – 15 Howgill Street, was originally the Whitehaven’s Assembly Rooms building and is dated 1736. It was previously listed as premises of ‘British Legion the Women's Section’. Latterly the property was known as the Howgill Centre and used as a Family Centre and the headquarters of the Howgill Family Centre, a registered charity. There is no car parking with the property but there is a small walled garden to the rear. The property is Grade II listed (Listing NGR: NX9723017868). The current rateable value is £4,950 as a Day Centre and Premises, effective from 1 April 2017.

1.3 The property has been empty since January 2015, is a heritage asset within Whitehaven town centre and in line with our conservation area activity and enforcement role is a property the Council is interested in developing. It was reported to Full Council in September 2018 that the property is not readily lettable and if anyone were to lease it, they would either require the Council to put it into repair or would require a significant rent-free period and/or a grant to undertake the extensive works required. It was also reported that if the Council were to leave the property as it stands, but with at the very least a minimal maintenance regime, ie keeping it wind and watertight, the property would remain dated and a liability to the Council.

1.4 The Council has since 2016 been working with partner agencies through our facilitation of an access to women’s services network. This has been focused on identifying the issues for women accessing services in a safe and supportive environment and how to enable improved access and women only access where needed and desired. The Council has been engaging for a number of years with the Cumbria Police and Crime Commissioner’s Office in their vision for a profile
of women’s centre provision across Cumbria able to offer a one stop shop to support their commissioned activities alongside local service provision and personal development opportunities.

1.5 The Council has been clear that it would not wish to provide a women’s centre facility and felt that a more sustainable model is for a community based approach of which we may be a partner offers the best option and is in line with the learning of Barrow and Carlisle women’s centre approaches. The challenge to look at the viability for a women’s centre has been predicated on the ability to find a location which is central but discrete and affordable. The opportunity for the Council to use its social inclusion policy and approach with a building, central but discrete, which has been empty for over three years and is need of refurbishment and use was a key factor in offering the former Assembly Rooms at Howgill Street as an opportunity to consider viability for a Copeland Women’s Centre.

2. PROPOSALS

2.1 In the past year, the challenge for a community and voluntary sector led approach to a women’s centre has been picked up by Time to Change who own and deliver Calderwood House. They have successfully received and used Ministry of Justice funding to refurbish a unit on Haig Enterprise Park, Whitehaven. The decision to take this approach was made by Time to Change as recipients of the funding in liaison with its partners including the Council to ensure the funding was not lost and delivery of a safe women’s space for agencies to deliver their services and support would be met. The refurbished space was completed in June 2019 with a soft launch during July and August.

2.2 The space at Haig Enterprise Park, branded Women Out West, is developing with agencies delivering services to women across West Cumbria including our domestic abuse service operating from the space one day a week. The Access to Services for Women Network, facilitated by the Council, continues to meet and assist in developing the working model for space spaces under the Women Out West brand. The Council had been working with the Police and Crime Commissioner in advance of a community led project emerging and the PCC are now working closely with Time to Change as the accountable body for Women Out West with revenue resources to enable the lease on the space and core staffing to develop the facility. This has been matched by a grant from Francis C Scott through fundraising from Time to Change. The Access to Services for Women Network have worked closely with Time to Change to recruit a manager for the Centre. The successful candidate will take up post in September 2019.

2.3 The very positive opening of a West Cumbria Women Out West facility offers a core safe space base from which the delivery and opportunities will now develop
over the next year with the finalising of women’s led governance and ongoing business and development planning integrated with the access to services network. Women Out West is drawing on the experiences of other women’s centre facilities around the country but specifically in Cumbria, namely Women’s Community Matters in Barrow and the Facility in Carlisle. Both are different models but have experience and learning from their development and success and are keen and willing to share with Women Out West (WOW). After the share of policies and procedures in the past six months which have informed the Whitehaven operational arrangements the ‘Beautiful Me’ personal development courses run by Barrow are planned to pilot and run at WOW this Autumn.

2.4 The wide range of partners are signed into the concept of safe women’s spaces which ensures our rural west cumbria area can use a Women Out West hub in Whitehaven with other facilities and available safe spaces on a spoke approach. The newly refurbished space at Haig Enterprise Park is an important success and a strong step in the development of the concept of safe spaces for women’s services. As highlighted in 2018 the need for continued development of safe spaces and women centre service delivery needs four key issues to be addressed to ensure viability:

a) property that is central and affordable, ie community asset transfer on a long lease term at a peppercorn rent and which is able to attract grants to ensure a fit for purpose refurbishment;
b) an opportunity to ensure a commercial income element which with grants and service contracts will ensure longer term sustainability;
c) a final governance model able to ensure the project is women and community led, robust, enter into a lease and able to access grants, own and manage contracts and partnership arrangements effectively;
d) is connected into a network and range of partners around women’s access to services and the potential for safe space to deliver sensitive support and local services from a range of public, voluntary and community providers.

2.5 The Access to services for Women Network being championed and facilitated by the Council as part of its social inclusion programme has considered and supported the importance of finding a range of willing partners with venues to develop and open up safe space and times within their existing delivery arrangements and locations which could act as a network of safe spaces for women only services and activities. This is an ongoing development activity currently and important in line with the geography and need for access to services throughout the borough. Any safe space times and locations will continue to be developed and able to act as spokes to a central women’s centre within Whitehaven as our major town. The Haig location is not central and over time as the anticipated growth of Women Out West in line with Barrow
Women’s Community Matter happens this resource becomes a focused spoke resource to the development of the former assembly rooms as the core Hub.

2.6 Full Council in September 2018 supported the proposal that the property of 14 – 15 Howgill Street is offered for let to a Development Trust (full detail on the emerging governance for Women Out West trust to be confirmed) for a term of 30 years to support a partnership agreement between the Council and the trust relating to the development and set up of a women’s centre. The lease would be for a nominal annual rent (£1).

2.7 At this point we have interest in the property by the local development trust who has taken up our challenge and acted as drivers and accountable body for the Haig Women Out West facility. They have a track record of leasing, refurbishing and managing property and obtaining and managing capital and revenue grants. Whilst the proposal is still in development it is not confirmed if this will be the final lead partner for the Former Assembly Rooms or if the option to set up a separate development trust legal structure for the women’s centre will be the final choice by the partners engaged. A peppercorn lease will be in line with the final governance structure decided on as part of the business plan.

2.8 As highlighted in the report to full council last September 2018, granting a lease to a Development Trust for 30 years at a rental of £1 per annum would be classed as a disposal and may be seen as a disposal at less than best consideration. Currently the property at 14 – 15 Howgill Street is registered as an investment asset able to provide a commercial income. As highlighted earlier in this report the property has been empty for over three years and is not in a condition able to be rented as an investment property without a range of work. Generally, the Council has not offered assets with an investment rating on peppercorn leasing arrangement although it has offered arrangements at less than best value and in line with partnership activity and community benefit eg our lease with Phoenix Enterprise Centre in Cleator Moor. However, in this instance we believe that the condition of the building, the intention to obtain grants to bring the property up to a good standard and the proposal for its use as a needed and evidenced community led provision targeted at residents being able to access a wide range of services under one roof and in a safe space makes this property an ideal consideration as a less than best value lease arrangement.

2.9 As the proposal is essentially a disposal and the estimated market value of the freehold is below £100,000 the consent of the borough solicitor and the Section 151 Officer is required. The property currently has an asset value of £65,000.
3. ALTERNATIVE OPTIONS TO BE CONSIDERED

3.1 The options for the former Assembly Rooms were set out to Council in September 2018 to inform the decision made at this meeting and are reproduced here for information. Council has the following primary options;

- To retain the property and keep it, at least, wind and watertight;
- To refurbish the property and use it for the delivery of Council services, make it available to let or for sale; or
- To offer the property for sale as it stands; or
- To let the property to an organisation that can lever in funds to bring the property back into beneficial use and to deliver public services to the local community.

3.2 The “Do Nothing” option was the current position in September 2018, however, the property is a grade II listed building within a conservation area and the Council, as custodian of the property and Local Planning Authority owes a duty of care to look after the property.

3.3 The cost of basic maintenance and minimal refurbishment of the property would need to be ascertained, however, recent estimates are understood to have been in the order of over £80,000. This does not address the requirements for inclusive access throughout the space. Early projections for the development of the space to provide a fit for purpose women’s centre are over seven times the basic refurbishment cost. It is understood that there is currently no requirement for this space for the delivery of direct Council services. There may well be a market for the property in a refurbished condition and this would need to be more than basic maintenance and refurbishment in line with our earlier marketing experience, but the Council would need to be prepared to accept the risks of speculative development.

3.4 The property is likely to attract bids in the region of £65,000 if it were to be offered for sale now.

3.5 Maintain the asset and work in partnership with an organisation that provides community and public services that complement and deliver to the Council’s strategic aims and objectives at the same time as bringing the property back into beneficial use is clearly a worthwhile option. In particular, the opportunity to deliver sensitive services including domestic abuse support in a safe space will greatly enhance our existing service delivery. This was the option chosen and agreed by Full Council in September 2018.
4. CONCLUSIONS

4.1 As highlighted last year, the best and preferred option for the Council from a property point of view, given the history of the property, its location, its current state or repair and the absence of a competitive market for this type of accommodation, is to retain the asset and enter into a partnership arrangement (see 3.5) with a view to securing a long term lease at a nominal rent (£1) that requires the tenant to refurbish the property and make it available for the delivery of complementary community and public services. Council has already supported the recommendation to offering 14 – 15 Howgill Street on a 30 year lease at a nominal rent for the purposes of a Copeland women’s centre. Council is now being requested to consider extending this offer for a further 24 months.

4.2 Council is asked to note the leadership and facilitation role we have already taken in delivering against our social inclusion commitment of women centred approaches to service delivery and access. The opportunity for the Council to continue to support the development of the women’s centre approach and ensure and enable a needed central but discrete location through this property for a community led facility for women to access services in a safe space has been set out. The new WOW space is for West Cumbria and in line with Barrow development will quickly out grow its space and require a more accessible Copeland women’s centre able to develop a commercial offering for sustainability and which will act as a hub and be supported by a network of safe spaces and targeted services by a wide range of organisations and arrangements including the first WOW facility at Haig Enterprise Park. The Council through its officers and the Mayor’s Office has been championing the opportunities for such a facility to ensure local residents will be able to access our services, particularly domestic abuse support, through a safe space. We are actively engaged in the project.

4.4 An extension to an already agreed offer of the property will ensure the Council is a key funder and partner through its ability to provide a physical location offer that is affordable and underpins the sustainability of the project. The final viability assessment and business plan is required to ensure the Council is able to ensure this proposed lease arrangement is viable and sustainable and Council is asked to note and support this in line with the delegation for final sign off of the lease. The Council is being asked to support an approach which leaves the offer on the table for a further 24 months whilst the development of the existing Women Out West Centre embeds and the development of the project is completed and the lease prepared. A progress report will be provided in a further 12 months.
5. **STATUTORY OFFICER COMMENTS**

5.1 **Legal Comment:** The proposal is to grant a 30 year lease at a peppercorn. This is therefore not at best consideration. Such a disposal is only permitted under the Local Government Act 1972 if the Secretary of State's consent is given. In 2003 the Secretary of State issued a general disposal consent (circular 06/03) allowing less than best disposals to be made if (a) the unrestricted value of the land to be disposed of and the consideration for the disposal is less than £2m (the amount of the undervalue) – in this case this appears to be so; and (b) the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area namely the promotion or improvement of economic, social or environmental well-being. Such categories of ‘well-being’ are undefined. In this case the Council will need to be satisfied that the proposal when presented in its final form promotes such well-being and that any lease includes performance requirements or outputs to ensure the delivery of such well-being with consequential powers of termination if there is a failure to meet the outputs or the project moves away from its original purpose to one which does not readily support the specified well-being powers. Prior to granting any lease the Council will also need to ensure that the European Commission's State aid rules are complied with.

5.2 **The Monitoring Officer’s comments are:** The Council is being asked to support the principle and agree to retaining an asset and disposing of it through a less than best value lease. The involvement of Council in the decision is both linked to the fit with corporate strategies and policies and the value of a 30 year term nominal value lease arrangement. The Council’s regulations enable this decision to be delegated.

5.3 **The Section 151 Officer’s comments are:** This report sets out the case for retaining the asset and entering into a partnership arrangement (see 3.5) with a view to securing a long term lease at a nominal rent (£1) that requires the tenant to refurbish the property and make it available for the delivery of complementary community and public services. The property currently has an asset value of £65,000 and as the proposal is essentially a disposal and the estimated market value of the freehold is below £100,000 the consent of the Section 151 Officer is required. The resource implications have been set out in this report and the proposed recommendations represent value for money for the Council.

5.4 **EIA Comments:** The proposal fits with the Council’s Equality Scheme and an EIA will be undertaken once the final business plan is submitted in line with our Equality Scheme and EIA process.
5.5 Policy Framework: The Council has set out clearly its active commitment to social inclusion, its values of working with partners and treating everyone equally, fairly and with respect. This initiative delivers directly to these and specifically ensures that all four ambitions are combined through ensuring a dilapidated historic town centre building is brought back into use and through a community asset transfer approach is delivering our ambition to enable employment, skills and social wellbeing whilst ensuring a commercial approach is taken by the partnership approach of governance for this proposal and ensures the Council is using available policies and joint working to maximise benefit from our approach and the way we operate.

5.6 Other Consultee Comments, if any: Consultation within the women’s access to services network is ongoing and the partners to this are engaged with active consultation on the draft business plan.

6. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?

6.1 At this development stage the women’s centre project is being developed and managed through a partnership approach with a local development trust taking the lead. The Council is engaged through a number of active routes including its leadership of the women’s access to services network, its management of the Copeland Hub, thematic working on housing and domestic abuse and in enabling location opportunities.

6.2 The Council has an officer group on social inclusion with a smaller task group engaging with the women’s centre project requirements from the Council. Depending how the project develops the Council’s role may change including the potential to take the lead in managing the physical refurbishment activity. Throughout this development full attention will be paid to the Council’s governance and financial procedures requirements. In particular, this group draws officers from across the Council to consider the key risks for the Council in letting the property on a peppercorn lease approach and any other role or activity by the Council. This will ensure the final sign off of the viability through the women’s centre business plan and governance arrangements will be fully assessed in terms of risk, responsibilities and forward role for the Council.

7. RESOURCE REQUIREMENTS

7.1 The Council is being asked to support the proposal to offer 14 – 15 Howgill Street, Whitehaven on a less than best value peppercorn lease for a women’s centre in Copeland. This would require the Council to provide the facility at this peppercorn rental arrangement for a minimum of 30 years. This time is the
minimum required to offer the project an appropriate lease term to attract both capital and revenue grants to set up and enable the project to forward plan and deliver a sustainable operating model.

7.2 The anticipated engagement from the Council to the project in support of offering the property on a lease arrangement is staff time which is currently in place. This includes for development related staff time and engagement. The Council through its existing social inclusion activities and facilitation of the women’s access to services network offers staff time and will be participating with the service planning for such a Centre to enable relevant activities and services of the Council to operate from the facility once in place.

7.3 The Council have previously offered the dilapidation sum received from the previous and last tenants of £60,000 to a new commercial tenant to ensure the let and provide a contribution to the necessary works to bring the property back into use. The Council has this resource earmarked for this property and will be looking to offer this to any new tenant including the proposal set out here for a peppercorn lease to a Trust tenant. As the viability and business plan and consequent development of the women’s centre progresses any active discussion on a lead role for the Council as asset owner to undertake and/or project manage any aspect of the refurbishment or physical redevelopment of the property will need to be prepared and brought back through Executive and Full Council. This potential physical development role will only be taken if there is a full cost recovery approach within the external funding obtained for this capital works.

8. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?

8.1 The Council will be meeting its commitment to social inclusion and the economic, environmental and social wellbeing for residents, communities and localities of Copeland through engagement with this project. A town centre facility from which to operate a range of services targeted at women and accessible through a safe space.

8.2 The statistics relating to women’s access to services, health and wellbeing and economic activity highlight some key issues and inequalities. Over time the use of a peppercorn lease arrangement on one of our town centre properties to enable targeted support to women will be reflected in these key statistics for the area.
List of Appendices

None

List of Background Documents:
September 2018 Full Council report, Property file, CAT policy, Asset Management Policy, Social Inclusion Policy, Local statistics through the Cumbria Observatory, Women's Access to Services project papers, Other Women's Centre examples, Cumbria PCC vision for women's centre hubs, West Cumbria Community Safety Partnership papers and draft business plan, Women Out West development papers and policies.