
Transfer of Half Share of the Legal Interest in the Waterside Centre

Committee considering report: Executive on 21 December 2017

Portfolio Member: Councillor Anthony Chadley
Councillor Dominic Boeck
Councillor Lynne Doherty

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Forward Plan Ref: EX3393

1. Purpose of the Report

1.1 To set out a proposal to work collaboratively with Berkshire Youth to refurbish the Waterside Centre, Waldegrave Place, Northbrook Street, Newbury and allow it to provide a universal offer to the young people of West Berkshire.

2. Recommendations

2.1 The Executive resolves to:

- (1) delegate to the Corporate Director (Communities) in consultation with the portfolio holders for Children & Young People and Finance & Property to transfer half share of the freehold of the Waterside Centre to BBY Waterside Ltd; and
- (2) delegate to the Head of Legal Services to enter into and complete various legal agreements in relation to the future ownership and operation of the Waterside Centre in line with the proposals set out in paragraph 5.4 of the report

3. Implications

3.1 **Financial:** The proposal will result in the Council receiving a capital receipt for £375k. [This reflects the independent valuation of the Property – CB we need this purposes]

3.2 **Policy:** The proposal raises no policy implications for the Council. It is in line with the Council Strategy 2015-19.

3.3 **Personnel:** There are no personnel implications associated with this report. The lease back to the Council means that Council staff and services remain at the Centre.

3.4 **Legal:** In legal terms this is effectively a sale of half of Council's asset together with reinvestment and community benefit. We will need to satisfy the decision is made according to s123 Local Government Act 1972.

The agreements set out in the report should be completed

prior to the transfer.

3.5 **Risk Management:** There are no significant risks for the Council. If agreement cannot be reached then the Centre will remain with the Authority.

3.6 **Property:** The Centre is need of refurbishment which requires considerable financial investment and costs associated with such a project. The proposal ensures that the Council is not making contributions towards such costs. There are a number of property implications which all centre on the future ownership of the Centre, the Council receiving a capital receipt for relinquishing part interest in the building, and how the Centre will be managed going forward. These are all set out in the accompanying report.

3.7 **Other:** None.

4. Other options considered

4.1 A number of options have been considered some of which are outlined in the report.

5. Executive Summary

Introduction

- 5.1 This paper set outs a proposal to work collaboratively with Berkshire Youth to refurbish the Waterside Centre and allow it to provide a universal offer to the young people of West Berkshire

Background

- 5.2 A great deal of work has been done to try and secure a holistic regeneration of the Wharf area in Newbury. Whilst individual projects have been completed an integrated programme has, as yet, eluded both the Council and a number of other partners.
- 5.3 The latest scheme, which was originally trailed in 2013, proposed an initial phase which involved the refurbishment of the Waterside Centre followed by a much larger second phase which included a wider regeneration of the Wharf area. This paper covers only the first phase and in considering this there is no expectation that the second phase will be delivered.

Proposal

- 5.4 The main elements of the proposal are;
- (1) BBY Waterside Ltd (subsidiary company of Bradfield Berkshire Youth) to acquire a ½ share in the Centre from the Council on payment of £375,000;
 - (2) Berkshire Youth (legal and charitable entity known as Berkshire Association for Clubs for Young People Ltd) will apply for planning permission and carry out the refurbishment of the Centre with grant from Greenham Common Trust and others;
 - (3) Once the refurbishment works have been carried out the Council and BBY Waterside Ltd will grant Berkshire Youth 35 year lease for the Centre at pepper corn rent. Berkshire Youth will also manage the Centre on a day to day basis.
 - (4) The Council will be granted an under lease of a part of the Centre to enable the services currently operated by the Council within the Centre to be retained.
 - (5) The above is conditional upon satisfactory planning permission in relation to the Centre.

6. Conclusion

- 6.1 This proposal will enable the Council to deliver on its own commitment in the Council Strategy 2015-19 with regard to the Waterside Centre. A newly refurbished Centre will provide a much wider universal offer to the young people of Newbury and West Berkshire whilst retaining the targeted services that the Council provides there. In addition the Council will receive a capital receipt of £375k.

- 6.2 It is highly unlikely that the Council acting alone could achieve such an outcome without making significant capital and revenue provision – resources that are currently in very short supply.

7. Appendices

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Berkshire Youth – Proposed Operating Model for the Waterside Centre
- 7.4 Appendix D – Proposed Heads of Terms for partnership proposal