

Cabinet – 29 April 2015

Outcome of the Consultation Listening Exercise with Staff and Service Users of the Recovery College at the Broadway North Resource Centre – PART B

Portfolio:	Councillor M Nazir; Councillor K Hussain
Related portfolios:	Councillor D Coughlan
Service:	Social Care and Inclusion; Economy & Environment
Wards:	All
Key decision:	Yes
Forward plan:	Yes

1.0 Summary

- 1.1 Part A of this report addresses the consultation of Mental Health Services currently provided at the Broadway North Centre.
- 1.2 Part B deals with the land and property issues arising from the outcome of the consultation and the resultant officer recommendations.

2.0 Recommendations

- 2.1 That Cabinet approves the relocation of the mental health services from their current location at the Broadway North Resource Centre;
- 2.2 To delegate to the Executive Director for Social Care and Inclusion in consultation with the Portfolio Holder, to negotiate a suitable option for the mental health services to continue from alternative venues based on the outcome of the consultations carried out;
- 2.3 That Cabinet declares the site, shown edged bold on plan no. EPMS 3549 and extending to 8,267 square metres or thereabouts, as surplus to requirements and approves the disposal of the Council's freehold interest in it, once the mental health services and Park Hall Community Association have vacated.

- 2.4 That, to facilitate disposal, Cabinet approves the termination of Park Hall Community Association's licence to occupy at an appropriate point prior to sale.
- 2.5 That Cabinet delegates approval of the terms for disposal to the Executive Director for Economy & Environment, in consultation with the Portfolio Holder.
- 2.6 That Cabinet notes the receipt for a nomination of the site as an Asset of Community Value on 17 April 2015.

3.0 Report detail

Park Hall Community Association

- 3.1 The Park Hall Community Association took up occupancy within Broadway North in 2012 at nil cost under licence, following the requirement for them to leave Park Hall Primary School. The licence was granted for an initial 6 months to allow both sides to trial the new arrangement and to seek to conclude terms for a longer agreement. However, although terms have been proposed, to date no such agreement has been reached and occupation continues to be on the basis of the original licence. The Association currently occupy 4 rooms and have joint use of all other rooms, and they deliver a range of training initiatives including arts and crafts, Information Technology and luncheon clubs. These are attended by people who do not necessarily have mental health problems.
- 3.2 The terms proposed for the new licence included a commencement date of 1st April 2013 and it has always been made clear to PHCA that the licence fee would be collected, backdate to then, once the agreement was completed. No terms were agreed but the annual licence fee proposed was £15,000, meaning under the terms, the Council would be looking to collect some £30,000 in backdated fees.
- 3.3 The organisation currently receive £11,000 grant funding from the Council and they do not hold a lease for the property or any part therein. The Community Association do not currently have alternative accommodation and whilst the Community Development section within the Council will endeavour to support them in securing alternative premises this is by no means guaranteed and may leave the Association unable to continue some or all of its activities for which they are grant aided by the Council.

4.0 Council priorities

- 4.1 Relocation of the mental health social care services in a way that continues to meet the needs of current and future service users with mental health problems meets the Council priority for sustaining the independence and well-

being of the population in line with the Marmot principles. The potential sale of the site at commercial value is in line with improving the built environment.

5.0 Risk management

- 5.1 There is a risk that some service users, given the nature of their mental health problems, may find the relocation of the service difficult. The relocation process will be handled in a way that takes this into account with additional support during the transition where appropriate to ensure that users' needs will continue to be met.
- 5.2 As indicated in Part A of this report an application to have Broadway North listed as an asset of community value has been received. The application to have Broadway North listed as an asset of community value will succeed if the criteria for listing (that the property is currently or has recently been used for purposes that further the social wellbeing or social interests of the local community) are met.
- 5.3 If the application succeeds and the Council subsequently decides to dispose of Broadway North the intention to sell would have to be advertised and a period of six weeks allowed in which community organisations could express an intention to bid. Receipt of a qualifying intention to bid would trigger the full three month moratorium period. This would delay sale whilst the community organisation prepared and made its bid. However the listing of Broadway North as an asset of community value would not restrict what the Council, as owner, does with it.
- 5.4 The legislation applicable to community assets is clear in that there is no restriction on what an owner of a listed asset may do with that asset, nor is there any obligation on the owner to see that the asset is used for community purposes. If the bid did not represent market value for Broadway North or was unacceptable for other reasons, it could be rejected by the Council and the property could then be offered for sale on the open market in the normal way. Any disposal of the site would be managed by suitably qualified surveyors in the Asset Management service, with support from colleagues in Legal Services.

6.0 Financial implications

- 6.1 Should Cabinet resolve to dispose of the site, a capital receipt would be generated. Such a receipt could be anticipated in the financial year 2015/16, and would help support the capital programme.
- 6.2 Any capital receipt may be partially off-set by the cost of relocating the mental health services. For relocation, it is probable that there would be a need to invest capital in the refurbishment or adaptation of new premises to meet the service's needs and, if the new premises belong to a third party, that additional revenue costs would also be incurred (rent, service charges etc.).

At present there is a budget of £29,540 in property services for maintenance and utility charges for the centre, which could be utilised. These funding requirements would be considered as part of the detailed appraisal of the proposed relocation option if that is the course of action Cabinet chooses.

7.0 Legal implications

7.1 The council has carried out a full consultation with all relevant parties affected as outlined above when the proposals were at a formative stage, and have taken into account the consultees' responses in finalising the recommendations to cabinet.

7.2 If Cabinet recommend disposal of the site it is likely that it shall be offered for sale by Informal Tender. Any terms agreed will be in accordance with the Council's obligation under S.123 Local Government Act 1972 (as amended) to achieve Best Consideration when disposing of its assets.

8.0 Property implications

8.1 If Cabinet agrees that the mental health services should be relocated to alternative premises, the Broadway North Resource Centre site could then be declared surplus to Council requirements and released for disposal. In this event officers would recommend that the site is offered for sale by Informal Tender. To enable sale with vacant possession steps would need to be taken to terminate Park Hall Community Associations use of the centre.

9.0 Health and wellbeing implications

9.1 The wellbeing of people with mental health needs is the objective of the services supplied from Broadway North. There is no reason why these needs could not be met elsewhere with appropriate consultation, and careful attention to users' needs in any change of venue. The principal aim would be to continue to foster mutual support, staff providing an excellent service and a focal point for the service.

10.0 Equality implications

10.1 Social Care/DWMHT shall consider any equality issues when planning the redesigned and relocated service. An Equality Impact Assessment has been prepared.

10.2 Disposal of the site on the open market would provide all potential purchasers with the opportunity to acquire the property.

Background papers

A review of the options for the future use of Broadway North
Resource Centre, Broadway, Walsall - Cabinet –17 December 2014

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AREA EDGED RED = 8,267 SQ METRES (OR THEREABOUTS)



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SITE ADDRESS:
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WALSALL

DRAWING NO: EPMS 3549
DATE : 04/10/2011
DRAWN BY : SSP



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