

**COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION**

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT:

RCT Together – Community Asset Transfer of Brynna Community Centre and Playing Fields to Brynna Community Centre (Charitable Incorporated Organisation).

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

To approve the transfer of Brynna Community Centre and Playing Fields by way of a 21 year lease.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director Public Health, Protection and Community Services as described below.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

To approve the transfer of the Brynna Community Centre and Playing Fields to Brynna Community Centre (Charitable Incorporated Organisation) by way of a 21 year lease.



Llofnod y Prif Swyddog
Chief Officer Signature

PAUL MEE

Enw (priflythrennau)
Name (Print Name)

5/12/19

Dyddiad
Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION



LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

04/12/2019

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:
IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES NAC YDY | NO

Rheswm dros fod yn fater brys | Reason for Urgency:

..... **NA**

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

..... **NA**

(Llywydd | Presiding Member)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- 6th December '19

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

12th December '19
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Public Health, Protection and Community Services
Enw'r Person Cyswllt Contact Name:	Clair Ruddock
Swydd Designation:	RCT Together – Community Asset Transfer Development Officer
Rhif Ffôn Telephone Number:	01443 425510



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

26th NOVEMBER 2019

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR PUBLIC
HEALTH, PROTECTION AND COMMUNITY SERVICES**

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF BRYNNA
COMMUNITY CENTRE AND PLAYING FIELDS, CHURCH STREET,
LLANHARAN, PONTYCLUN CF72 9QP TO BRYNNA COMMUNITY CENTRE
(CHARITABLE INCORPORATED ORGANISATION)**

Author(s): Clair Ruddock, RCT Together - Community Development Officer,
01443 425510

1. PURPOSE OF THE REPORT

- 1.1 To approve the transfer of Brynna Community Centre and Playing Fields (Charitable Incorporated Organisation) by way of a 21 year lease.
- 1.2 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director Public Health, Protection and Community Services.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 The transfer of Brynna Community Centre and playing fields to Brynna Community Centre (Charitable Incorporated Organisation) by way of a 21 year lease as set out in paragraph 5 is approved.
- 2.2 The Director Public Health, Protection and Community Services agrees to the 21 year lease in respect of them occupying the whole of the Community Centre and playing fields which has been managed by the Committee for some time.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Brynna Community Centre have secured capital development funding of £77,000 to install additional changing facilities to meet current and increasing demand for use of the 3G pitch which is utilised by local

football groups, both male and female, throughout the week and during weekends.

- 3.2 The community centre itself is also an accessible community resource, providing rooms and space for a range of community needs including Play Tots nursery provision for local children.
- 3.3 The transfer will reduce the Council's existing expenditure by reducing its NNDR (National Non Domestic Rates) expenditure. The group will pay an annual market rent following completion of a short term rent free period and will be responsible for all statutory compliance testing, repairs and maintenance and will be recharged a building insurance premium, thus positively impacting Council budgets.

4. BACKGROUND

- 4.1 The Council's RCT Together approach for progressing Community Asset Transfers was agreed by Cabinet at its meeting on 30th October 2014. This approach will see the Council working with communities and partner agencies to sustain delivery of services that the Council may no longer be able to deliver on its own.
- 4.2 Applications are considered from non-profit distributing voluntary and community groups or companies for activities, services and facilities which benefit residents within Rhondda Cynon Taf.
- 4.3 At the Council meeting on the 19th May 2016, it was agreed that applications for asset transfer could now be dealt with under the Council's Delegated Officer Decisions framework. High level asset transfers will need to be reported to Cabinet if Officers and the appropriate Cabinet Member feel this is necessary.
- 4.4 A review of RCT Together has recently been undertaken and approved by Cabinet at its meeting on 21st November 2018 to ensure any future community asset transfers that are progressed, align with the Council's Community Hub Development Programme and can deliver the Council's strategic service requirements. Each hub will support a neighbourhood network of preventative, community services and activities that will support people living in our communities to improve their independence, resilience, health and well-being.
- 4.5 As part of this approach, any future lease holder will be encouraged, by way of a "Neighbourhood Network Agreement", to promote their own services; signpost residents to other activities; provide support and advice; and work collaboratively to ensure residents views are heard and considered. Each tenant will be required to complete a 6 monthly monitoring report which will be reviewed annually.

5. OVERVIEW OF BRYNNA COMMUNITY CENTRE

- 5.1 Brynna Community Centre has been registered as a charitable incorporated organisation since July 2019. Prior to this, the constituted Management Committee acted as custodians of the facility on behalf of the Council, this arrangement being in place for some time.
- 5.2 The organisation has six Trustees who meet regularly to ensure their relevant compliance and governance measures are scrutinised. They possess skills and experience in book-keeping, ICT, data quality and governance, customer service and people management, child care and engineering in addition to School Governor, Magistrate and Community Councillor experience along with community and partnership working.
- 5.3 The Organisation is volunteer led, their prime function being to manage a facility that is accessible and utilised by a mixture of community groups and individuals who hire space to organise and participate in activities and benefit from services that meet local need. The Organisation employs a part time cleaner and caretaker.
- 5.4 This facility is accessible seven days per week and offers the following provision:
- Play Tots Nursery for Children;
 - Tae Kwan Do;
 - Kendo self-defence;
 - Rickashake;
 - Karate;
 - Rainbows Group;
 - Football training (male and female);
 - Football matches (male and female).
- 5.5 The group identify the following as their strategic aims:
- To provide good quality and affordable community facilities which are accessible to all sections of the community;
 - Increase partnerships with local education authority sites (i.e.) schools and other local community projects, such as the Llanharan Community Development Project (LCDP);
 - Further support schools to maximise the availability of community space for both sport and recreational activities;
 - Work towards Sports Wales goals (i.e.) governmental strategy (i.e.) ('Prosperity for All') by aligning to the Well-being of Future Generations Act 2015.

6. REVIEW OF BRYNNA COMMUNITY CENTRE BUSINESS PLAN

- 6.1 During November 2019, a virtual review of the Group's business plan was undertaken by the RCT Together Community Asset and Service Transfer Panel. The following is a summary of the panel's assessment and recommendations.
- 6.2 Brynna Community Centre and playing fields is a location that provides space for members of the community to come together to enjoy group activities, social support, physical and recreational activities, public information and many other opportunities that enrich lives. The facility provides a social setting within which to meet a variety of people, make new friends as well as discovering and enhancing skills and talents, in turn promoting individual and community involvement and well-being whilst providing opportunities for the community to meet and mix.
- 6.3 Over the past decade, communities have been losing local amenities and buildings of great importance to them such as the local public house or corner shop. Brynna Community Centre CIO would like to collaborate with Rhondda Cynon Taf Council to transfer the assets of Brynna Community Centre and playing fields to enable access to external funding to leverage new resources into the local area and protect a facility that might otherwise fall into disrepair, becoming more of a liability than an asset.
- 6.4 The facility must be fit for purpose in meeting local need, providing a basis for community networks, attachments and a sense of belonging. The immediate priority is to increase capacity in provision of adequate changing/shower facilities to meet existing and emerging demand for use of outdoor space, thus allowing additional football clubs to use the playing fields. The intent is to install a self-sufficient unit, adjacent to the community centre.
- 6.5 The Group have evidenced their commitment to supporting strong community partnerships, working closely with other community groups and sports clubs to sustain long-term relationships which are deemed likely to continue.
- 6.6 A recently completed building condition survey confirmed that the overall condition of the community centre itself is generally good. The building condition survey will be used to prioritise work and inform an asset management plan to ensure the building remains well maintained and fit for purpose in meeting the needs of the community.
- 6.7 In addition to securing capital development funding of £77,000, the Group have also obtained planning permission and building regulations approval.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 An Equality Impact Assessment is not required for this decision as the asset transfer does not represent any material change to access or existing provision.
- 7.2 This leasehold transfer will enable Brynna Community Centre to leverage external funding in order to sustain provision of an inclusive and accessible facility for continued use by local groups and communities.

8. CONSULTATION

- 8.1 Open space notices were published on 7th and 14th November 2019 and cleared by 29th November 2019 with no challenges.
- 8.2 The Group are yet to undertake any comprehensive consultation as the initial priority is to site and maintain additional changing facilities to meet current and emerging need. Such need has been informally identified via local sports groups.
- 8.3 The strategic intent of Brynna Community Centre is to build on existing partnership working, engaging with local schools and community projects to maximise use of community space. An engagement and marketing strategy will be prepared to evidence need and promote provision.

9. FINANCIAL IMPLICATION(S)

- 9.1 The group will pay an annual market rent and a short term Rent Free Period has been agreed to enable the capital works to be completed and enable the expansion of the service. All repair and maintenance responsibilities will be passed to the tenant. The Council will recharge the tenant for building insurance.
- 9.2 The Group have secured capital development funding of £77,000 to site and maintain additional changing facilities on the provision of a completed 21 year lease.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 Section 123 of the Local Government Act 1972.
- 10.2 The proposal will contribute towards priorities identified within the Social Services and Wellbeing Act (Wales) 2014 and enable the Council to satisfy its duty to "promote social enterprises and co-operatives which involve people who need care and support".

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 11.1 The proposed leasehold transfer to Brynna Community Centre will support the Council's Corporate Plan "The Way Ahead" (2016-2020), priorities of "promoting independence and positive lives for everyone" and "creating neighbourhoods where people are proud to live and work".
- 11.2 Their proposal promotes sporting activities which are known to have social, physical and cognitive benefits whilst building self-confidence and a sense of achievement, providing opportunity to bond and develop a sense of belonging. Continued provision of early years education via nursery provision creates a valuable source of learning, enhancing a child's development in turn placing them in good stead for full time education.
- 11.3 The Group's proposal contributes to the 7 goals set out in the "Well Being of Future Generations (Wales) Act 2015" as follows:
- **A Prosperous Wales** – Community ownership of assets has local accountability and can provide direct community benefits based on community needs;
 - The pre-school nursery setting provides employment for local people whilst giving children a sound early education base from which to achieve their potential in whatever pathway they choose;
 - Many of the groups operating from the facility are volunteer led, therefore performing roles that attract a significant social value;
 - **A Resilient Wales** - Every effort is made to minimise use of energy and to recycle waste;
 - **A Healthier Wales** – sport keeps people active and healthy, both physically and mentally, providing an abundance of social benefits which often last well beyond youth;
 - Providing children with a sound educational base from a pre-school age can increase their resilience, making them less prone to mental illness by building confidence and independence in turn increases well-being and self-esteem;
 - **A More Equal Wales** – Brynna Community Centre strives to be inclusive to all and involves community members from all backgrounds and circumstances;
 - The pre-school nursery setting supports women's participation in the workforce and the pursuit of career progression;
 - **A Wales of Cohesive Communities** – Asset transfer will enable access to external funding to leverage new resources into the local area and protect a facility that might otherwise fall into disrepair, becoming more of a liability than an asset;
 - **A Wales of Vibrant Culture and Thriving Welsh Language** - The Valleys have a particular Welsh culture & pride which the staff and Board of Trustees is keen to retain;



RHONDDA CYNON TAF

- **A Globally Responsible Wales** - The facility respects and welcomes individuals from a variety of cultures and backgrounds and people are made to feel welcome and valued.
- 11.4 The Corporate Plan also contains principles that include 'Helping people and communities to help themselves stating that:
- "(The Council) believes that if you give power to local people you get better results and achieve better value...(the Council) wants to work more closely with RCT's community and voluntary sector to stimulate innovation and encourage communities to step forward and take on new roles in providing local services and solutions."*
- 11.5 The Council is approaching this principle in different ways and has launched RCT Together as a means of engaging and involving residents in how services are best sustained in communities:
- "The Council's vision is to develop a new relationship with residents that enable them to be independent and resilient and to take on greater responsibility for their local communities. This is not about the Council shifting its responsibility – it is about recognising that residents want to be more involved in what happens in their community".*
- 11.6 The 'RCT Together' approach, now aligning with the Council's developing Community Hub and Neighbourhood Network approach will further strengthen the involvement of local residents and community groups in determining the best use of its assets to enable the community to strengthen its resilience and wellbeing.

12. CONCLUSION

- 12.1 The benefits of transferring an asset to a community organisation on long leasehold transfer are substantial and varied, unlocking community enterprise, encouraging volunteer commitment, helping utilise local intelligence and allowing these organisations to attract the necessary capital investment to create a thriving community facility.
- 12.2 This proposal will give Brynna Community Centre credibility with funders, creating financial leverage to unlock funding from sources not available to the Council. This will enable the organisation to site and maintain additional changing/shower facilities to meet identified need, providing opportunity to grow participation for activities valued by the community.
- 12.3 Progressing from custodians of a Council building to Trustees of a leasehold asset will increase the sense of ownership, enabling local people to protect a valuable asset empowering the community to design and deliver services to meet local need.

12.4 The following are a summary of the risks identified by the Community Asset Transfer Panel and the mitigating actions reported by the group as:

- Brynna Community Centre act as a recipient for Windfarm Grant monies drawn down by local community groups following approval from the Community Council. These funds have been excluded from their projected income and expenditure analysis;
- The level of detail included within the business plan was challenged by the Officer panel as BCC have had management responsibility for the facility for some time. Ultimately, the plan was accepted as being proportionate and focus was targeted towards ensuring financial projections were sound and demonstrated sustainability.

12.5 Taking into consideration the wide ranging benefits of their proposal, the fact they have secured all necessary permissions and funding totalling £77,000 to site and maintain additional changing / shower facilities and that they have adequately addressed queries and put appropriate mitigating measures in place, the recommendation of the panel is to support the proposed leasehold transfer.

Other Information:-

Relevant Scrutiny Committee

- Public Service Delivery, Communities and Prosperity Scrutiny Committee



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF DIRECTOR PUBLIC
HEALTH, PROTECTION AND COMMUNITY SERVICES.**

26TH NOVEMBER 2019

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF BRYNNA
COMMUNITY CENTRE AND PLAYING FIELDS, CHURCH STREET,
LLANHARAN, PONTYCLUN CF72 9QP TO BRYNNA COMMUNITY
CENTRE (CHARITABLE INCORPORATED ORGANISATION)**

Background Papers:

- Providing Opportunities for Others to Operate Services and Assets;
Cabinet – 30th October 2014
- RCT Together Process – Update on Progress; Cabinet Council
19th May 2016
- RCT Together – Review of the Community Asset Transfer Process;
Cabinet – 21st November 2018

Contact Officer: Clair Ruddock, RCT Together Community Asset
Development Officer - 01443 425510