



**Cabinet
24 April 2017**

**Report from the Director of
Performance, Policy & Partnerships**

Wards affected: Sudbury

**Authority to market Butler's Green toilets under the
Council's Community Asset Transfer (CAT) Policy**

1.0 Summary

- 1.1 Through the Council's Community Asset Transfer (CAT) policy, the former public toilets at Butler's Green, Sudbury, were the subject of an Expression of Interest (EOI) by Sudbury Neighbourhood Centre. This EOI has been evaluated and has passed the relevant tests as outlined in the CAT policy. The next step of the decision making process is for Cabinet to grant authority to market the asset as a CAT opportunity.

2.0 Recommendations

- 2.1 That Cabinet approve the marketing of Butler's Green toilets as a CAT opportunity.
- 2.2 That Cabinet note the subsequent granting of the lease will be to the preferred CAT bidder, following marketing through a non-binding informal tender process. The final decision to let the asset on the agreed terms will be placed before Cabinet for approval.
- 2.3 That Officers advertise in the local newspaper in accordance with Section 123 of the Local Government Act 1972 the land shown edged red on the Site Plan Appendix III and in the event of objections they be considered by the Chief Legal Officer unless in the opinion of the Chief Legal Officer significant objections are received in which case this should be reported back to the Cabinet for it to consider.

3.0 Detail

Community Asset Transfer Policy (CAT)

- 3.1 The CAT policy was launched in July 2015. It outlines a framework that supports the identification, transfer and sustainable management of Council assets by Third Sector Organisations (TSOs). It encourages TSOs to approach the Council with proposals for assets by submitting a completed Expression of Interest (EOI) template, which

summarises their vision for the asset including how the intended use supports Borough Plan 2015-19 priorities.

3.2 The CAT policy is underpinned by five underlying principles¹:

1. Community asset transfers will support the priorities of the Borough Plan;
2. Organisations that benefit from the transfer need to be credible, constituted, financially viable with a clear business case;
3. The services and building need to promote equality and community cohesion;
4. All opportunities should be advertised; and
5. Buildings should be transferred on a repairing leasehold basis.

Principle four - *all opportunities should be advertised* - means that a successful EOI does not guarantee the submitting organisation the lease of the asset. Instead, pending Cabinet approval, the asset will be marketed as a CAT opportunity; for which all interested TSOs can submit a more detailed, full application through a non-binding open market tender process.

Expression of Interest

3.3 An EOI for the asset was submitted by Sudbury Neighbourhood Centre. Through a successful CAT this organisation aims to obtain funding that can be used to regenerate the asset. This includes turning the toilets into a charity shop with small café and information point and a pay toilet for public use.

The Borough Plan Test

3.4 The proposal was evaluated to successfully support the priorities outlined in the Borough Plan 2015-19. Additionally, there is scope for a project of this type to contribute towards a number of Borough Plan outcomes to be achieved by 2019 including:

- Significantly more examples of communities taking action for themselves to improve the quality of life in their neighbourhoods.
- A range of examples of new service models developed and run in partnership with local people and organisations.

3.5 The proposal is supported by the lead Brent Service, that manages the council's Public Realm (Parks & Cemeteries facilities), noting that the proposal could help combat some of the anti-social issues being experienced on site.

The Property Test

3.6 The property was a former park public convenience and is at present vacant. It has been closed for at least 10-15 years and is a single storey brick structure under a pitched tiled roof that is in a poor state of repair.

¹ These were approved Brent's Cabinet on 1 June 2015 following a report titled 'Strategic Property Plan 2015-19 including proposals in respect of Community Asset Transfer'.

- 3.7 Internally it comprises of a number of rooms in the redundant public convenience that are in poor order.
- 3.8 The property is suitable for a CAT and is surplus to requirements to the lead Service. The Council does not have the financial resources to bring it back into an appropriate use.
- 3.9 By leasing the asset through a CAT it should enable the tenant to produce increased community outputs.

Proposed Lease Terms

- 3.10 The CAT policy allows for a 7 year lease to be granted to the preferred tender bidder. However, a longer lease would enable bidders to pursue necessary additional external funding. Should applicants require a longer lease, when they apply they will need to provide a business case and supporting evidence.
- 3.11 The incoming tenant will be fully responsible for the repair and maintenance including any refurbishment required. Should planning permission be required, this will be the responsibility of the incoming tenant to obtain.

Social Value Element of Bids

- 3.12 The Social Value attached to a tenders bid will be quantified through a pilot exercise carried out in partnership with the Social Value Portal. This will involve assigning financial proxies to the outputs delivered by the successful CAT bidder, for example: 'the number of children regularly participating in sporting activity'. The outputs used to demonstrate Social Value will be tailored to promote best use of this asset; including well-being measures around inclusivity for community organisations and local people, and ensuring pleasant and well-maintained public spaces.

4.0 Financial Implications

- 4.1 The property was valued in December 2016 but offers a low annual rental value with CAT restriction and as an unrestricted market rental value. However, it should be noted that there may be a Social Value in a tenderer's bid that can be translated into a financial value and may be offset against the actual rental income that the Council receives from this asset.
- 4.2 The toilet block is currently unoccupied and has no ongoing maintenance costs for the Council. As all assets under the CAT policy are transferred on a repairing leasehold basis, all redevelopment and maintenance costs post-transfer are expected to be met by the successful CAT bidder and should incur no additional costs to the Council. Therefore, any benefit generated by the process would have no cost beyond the use of existing officer time to set up and operate the bidding process.

5.0 Legal Implications

- 5.1 Under Section 123 of the Local Government Act 1972 the Council has a general power to dispose of properties including by way of the sale of the freehold or the

grant of a lease.

5.1.1 The Council must obtain the best consideration that is reasonably obtainable unless it is a lease for 7 years or less.

5.1.2 Disposals on the open market, either by way of auction tender or by way of appointing a marketing agent, will satisfy the best consideration requirement.

5.2 The lease will be as per the standard CAT policy and will be a template lease that will include the applicant's service officer in the Appendix section.

5.3 Since the land is held as public open space the disposal of the same has to be advertised under Section 123 of the Local Government Act 1972 in a local newspaper for two weeks, with a 21 day period for objections with any objections being considered by the Strategic Director Resources. Unless, in the opinion of the Strategic Director, significant objections are received in which case this should be reported back to the Cabinet for it to consider.

6.0 Diversity Implications

6.1 The EOI confirms that the services and activities included in the proposal will be inclusive and open to all. In relation to the nine protected equalities characteristics, the outcomes associated with this EOI proposal were evaluated as having either positive or neutral outcomes. If the asset is marketed as a CAT opportunity the full application process will include a more detailed equalities assessment based on full business plans.

7.0 Staffing/Accommodation Implications

7.1 Following a successful CAT bid the relevant service unit will monitor the Tenant's outputs on a yearly basis to ensure compliance with the agreed social and other outputs to the community.

8.0 Background Papers

Appendix I: Expression of Interest Form.

Appendix II: Site Photograph.

Appendix III: Site Plan.

Contact Officers

Richard Hay - Partnerships and Engagement Officer

Strategy and Partnerships: 020 8937 1975

richard.hay1@brent.gov.uk

Amin Soorma - Estates Surveyor

Property and Projects

Regeneration and Growth: 020 8937 4204

amin.soorma@brent.gov.uk

PETER GADSDON
Director of Performance, Policy & Partnerships



Community Asset Transfer Expression of Interest Form

June 2015

This form is to be used to make a speculative request to manage a Brent Council owned asset. It should be only completed after reading the Community Asset Transfer Policy.

Completed expression of interest forms should be submitted to:

By Post: FOA Corporate Policy Team, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Email: communityassettransfer@brent.gov.uk

Eligibility Test

Only TSOs or organisations that are not for private profit can nominate or apply for community asset transfer, these include:

1. Incorporated charitable organisations
2. Company limited by guarantee with charitable status
3. Community interest company (CIC) limited by guarantee
4. Community benefit Industrial and Provident Society with an asset lock
5. CIC limited by shares

Privately owned or commercial organisations can only be considered if their main aim is to deliver social, economic or environmental benefits.

Social enterprises will be considered, provided they can clearly demonstrate social aims.

National organisations whose remit is regional or nationwide are not normally considered for CAT, unless the offer is tailored to deliver outcomes for the people of Brent.

Only eligible organisations can nominate or apply for community asset transfer.

1a. Please confirm your organisation is an eligible organisation, detailing who you are? (please tick as applicable).

Yes	No
✓	

If no your application will not be further considered

Name of Organisation / Group: Sudbury Neighbourhood Centre	
Address: 809 Harrow Road, Wembley, HA0 2LP	
Name of Contact: Neil White	Position in Organisation: Chief Executive
Contact Number: 0208 908 1220	
Email address: chiefexecutive@sudburyneighbourhoodcentre.co.uk	

We reserve our position to make our own enquiries in respect of your eligibility.

Borough Plan Test

2. Please rate and justify your proposal against each of the Borough Plan objectives. Where you have rated 'fully' or 'partially' please detail how the outcomes of your proposal will help in the delivery of the objective. Full details of what these mean in practice and examples of activities that contribute towards each are available in the [Borough Plan 2015-2019](#).

Fully Green

Partially Blue

Not at All Red

Strategic Priorities	Objectives	Rating (G,B,R)	Rating justification	Outcome & Impact
Better lives	Making sure that local people have the best possible life chances, regardless of their starting position.	Green	The proposed project will promote social cohesion and life opportunities through volunteering and possible employment for local people.	Enhanced skills leading to employment Increased confidence and Social skills Improved wellbeing and community integration.
	Supporting local enterprise, generating jobs for local people, helping people into work and promoting fair pay.	Green	The project will provide paid and voluntary employment opportunities for local people, training and skill development, leading to salaried work. We are working towards paying the London Living Wage to our staff.	Leading to training and employment opportunities
	Making sure that our schools are amongst the best and that our children and young people achieve their potential.	Blue	The project will provide opportunities for local children to volunteer in a community setting, increasing their skills, knowledge and confidence.	Experience of working in a community setting, improved attitudes and social skills, and links to the local residents organisations etc. The project will provide educational benefits for young people in education, including

				environmental awareness, healthy eating schemes etc.
	Enabling people to live healthier lives and reducing health inequalities.	Green	The project will promote healthy lifestyles, health and wellbeing, and health promotion. For instance access to Tai Chi, Keep-Fit and Music Therapy classes within the Sudbury Neighbourhood Centre.	People have the knowledge and support to lead healthy lifestyles, and make appropriate life choices based on advice and support.
	Supporting vulnerable people and families when they need it.	Green	The Centre already supports vulnerable people, and will continue to do so through our work.	Improved health and wellbeing, reduced social isolation and depression, leading to less health interventions, increased exercise, dieting, nutritional information.
Better place	Making sure that Brent is an attractive place to live, with a pleasant environment, clean street, well cared for parks and green spaces.	Green	We will ensure that the project provides a high quality attractive space that is well cared for, and pleasant for clients and users.	Presence of the Centre staff/volunteers will lead to a reduction in litter and rubbish dropped in the park and surrounding area. This, combined with our partnership with local community groups, will substantially improve the neighbourhood.
	Continuing to reduce crime, especially violent crime and making people feel safer.	Blue	Having a facility with staff/volunteers present five days a week beside the park area, will provide a safer environment for pedestrians and in particular young families. The Centre is linked to the local churches who are involved in a project called 'SWAY' - Sudbury, Wembley, Alperton Youth.	Fear and actual crime reduced. Homelessness will be reduced as homeless people will use the facility to gain advice and support.
	Increasing the supply of affordable, good quality housing.	Red	We will not meet this need as the	No direct outcomes, although our

			project is a social cohesion community initiative.	staff/volunteers can direct housing enquiries to Brent Council in behalf of users.
	Supporting good quality, accessible arts and leisure facilities.	Green	The Sudbury Neighbourhood Centre already runs two art classes per week, and have run a community arts event in March 2016 in partnership with the Sudbury Town Residents Association (STRA). We plan to continue to develop this. We also run a wide variety of leisure events and activities in the Centre, and for the community, including outings and trips. The Centre has links to local art organisation "ACAVA" – whose members have been involved with the Centre's "Sudbury Fest 2016".	The community has access to a wide range of arts and leisure opportunities, leading to increased life skills, knowledge, social cohesion, community involvement, and lowering depression, anxiety and health relate problems.
Better lives	Building resilience and promoting citizenship, fairness and responsibility amongst local people and strengthening the sense of community amongst the people who live and work here.	Green	Yes, we absolutely do this anyway, as demonstrated above. Brent Council has a campaign called "Love Where You Live" and locally STRA is working with the major waste disposal contractors, builders, the Met Police, to promote litter picking and clean-up campaigns in Sudbury area.	Community wellbeing and togetherness.
	Promoting cohesion and integration amongst our communities.	Green	Yes, we absolutely do this anyway, as demonstrated above with our partners (i.e. Brent Council, STRA, Sudbury Court Residents Association, Churches and Police etc).	Community wellbeing and togetherness.
	Making sure that everyone has a fair say in the way that services are	Green	Yes, this is important to us and we will	Fairer services provided to meet the

	delivered, that they are listened to and taken seriously.		ensure that we capture people's comments, suggestions, and feedback via questionnaires, forms, one to one and meetings. We also promote engagement work via our magazine, website, and printed material.	needs of local people and community groups.
	Making sure that inequalities in the quality of life in different parts of the borough area tackled by a stronger focus on local needs.	Blue	We are based in Sudbury Town, although we take clients and service users from across Brent, and the surrounding neighbourhoods bordering onto Harrow and Ealing Boroughs. Focus on local need is paramount and we are closely linked with the local residents groups as stated above.	Community involvement in the Centre, and the project idea, lead to enhanced community, support and networking, as well as support for community cohesion initiatives.
	Building partnerships between local service providers and between local services and residents to find new ways of providing services that are more finely tailored to individual, community and local needs.	Green	The Centre, as stated above, is already working closely with community partners including other charities, and will continue to develop its work. We are working with a myriad of local partners already mentioned above, and in addition we want to develop links with SUFRA (food bank)	Community involvement is a key part of our work in this part of North West London, and the outcomes will be greater knowledge of our services, community initiatives, programmes, events and activities, promotion of employment and volunteering opportunities, and support for older adults and young people.

Property Information

3. What property are proposals in respect of?

Building/Land name: Butler's Green Toilets
Address: Butler's Green, Sudbury Town, Wembley, HA0.

Service Offer

4a. Please provide a clear vision of the services, activities or facilities that will be delivered through the proposed Community Asset Transfer.

<p>(no more than 500 words)</p> <p>Sudbury Neighbourhood Centre, working in partnership with Sudbury Town Residents Association (STRA), wants to turn the disused toilets at Butler's Green into a community asset by renovating the space to create the following community services:</p> <ul style="list-style-type: none">• Charity shop staffed by volunteers – to sell items donated to Sudbury Neighbourhood Centre to generate income for our charitable purposes to support older adults lead dignified lives• Information point for local residents• Promotion of the Sudbury Neighbourhood Centre and STRA• Small café point operating April – October offering light refreshments for park users• Pay Toilet for public use – there is no public toilet in the area at present• Programme of local events and activities linked to the park, and the Neighbourhood Centre and STRA (i.e. music in the park, theatre events etc) <p>The initiative will offer the following community benefits:</p> <ul style="list-style-type: none">• A focal point for Sudbury Town/Hill residents• Employment opportunities for young people and older adults• Building community cohesion and networking between organisations and Brent Council• Regeneration of the Sudbury Town area, particularly Butler's Green• Safer and cleaner environment• Working with the local community police, the project will lead to reduced anti-social behaviour (i.e. illegal drinking and drug use)• Health lifestyles and health promotion linked to Vale Farm Health Centre, with emphasis on diabetes, diet, and obesity.• The initiative will clean up the urban environment around Butler's Green, including reducing litter and fly tipping, flooding (of blocked drains) and rat infestation.

4b. Please demonstrate that there is a need and demand for the activities being proposed and that the proposals do not duplicate activities, services or facilities already provided in the local community.

(no more than 500 words)

Sudbury Town is an area in need of urban regeneration and the Sudbury Neighbourhood Centre has been working with Brent Council officers and elected members, as well as the two local resident organisations (Sudbury Town Residents Association [STRA] and Sudbury Court Residents Association) and local churches (St. George RC Church, St. Andrew's C of E, and Sudbury Methodist Church, and community groups, to promote social community projects improving the quality of life for residents. Our particular emphasis is to improve the lives of older adults in the community.

Butler's Green Park is one of the few public spaces left in the area, and is well used during the summer months by young families, and adults, as a recreational space. The toilet block on the edge of the park, has been out of use since the early 2000's and the two buildings (male and female toilets) are now in a very dilapidated state. They were closed by Brent Council because the area attracted anti-social behaviour in the evenings, with illegal drinking, squatting and drug use, as well as other anti-social activities. As a result, Sudbury Town does not have a public toilet block.

The Sudbury Neighbourhood Centre is working closely with STRA, and Brent Councillors, to address the needs of the community locally, and has identified the need for a replacement toilet, as well as a community information point, and meeting space. Also, the Sudbury Neighbourhood Centre wishes to open a small charity shop in the town to sell second hand items, such as clothes, bric-a-brac, and other items, to generate an additional income to support its charitable purposes, and to promote its services. Neither Sudbury Town or Sudbury Hill have a charity shop, which we would use as a community facility, not only benefitting the Neighbourhood Centre, but act as a focal point for community development, networking and partnership working.

Although the two vacant redundant toilets have a small footprint, we believe that with some clever architectural design and small scale capital works, it would be possible to turn the buildings to community benefit, offering a mixed range of community services. The facility would be open to the public throughout the year, and would operate Monday to Saturday, from 10.30am until 5 or 6pm. The facility would be managed by a member of staff from the Sudbury Neighbourhood Centre but staffed by volunteers offering opportunities for older adults, as well as young people. It would support community development, and provide much needed benefits and a valuable focal point for community events and activities on the Green during the summer months (i.e. bazaars, community events, fairs etc).

Equalities

This section is intended to identify whether the delivery of your activities and their outcomes will have a differential impact on residents arising from their equalities characteristics. For further details of each characteristic and the council's commitment to equalities please see our [Equality Policy](#).

When completing this section the outcomes from your project should be specified along with consideration of whether their delivery will have a positive, negative or neutral impact on each of the equalities characteristics.

5a. What outcomes are anticipated in respect of the 9 protected characteristics?

Characteristic	Positive	Negative	Neutral	Comments
Age	x			The Sudbury Neighbourhood Centre has an updated Equalities and Diversity Policy (28.04.2016).
Disability	x			Ditto
Gender identity	x			Ditto
Marriage and civil partnership	x			Ditto
Pregnancy & maternity	x			Ditto
Race	x			Ditto
Religion & belief	x			Ditto
Sex	x			Ditto
Sexual orientation	x			Ditto

5b. Please confirm your services will be inclusive and open to all? (please tick to indicate).

Yes	No
<input checked="" type="checkbox"/>	

I am authorised by the governing body of the organisation to submit this form on its behalf.

Name (Print): Neil White	(Sign): <i>Neil White</i>
Position in Organisation: Sudbury Neighbourhood Centre	
Date: 31 st May 2016	

Please complete the equality monitoring and connection & interest forms attached to this expression of interest form.

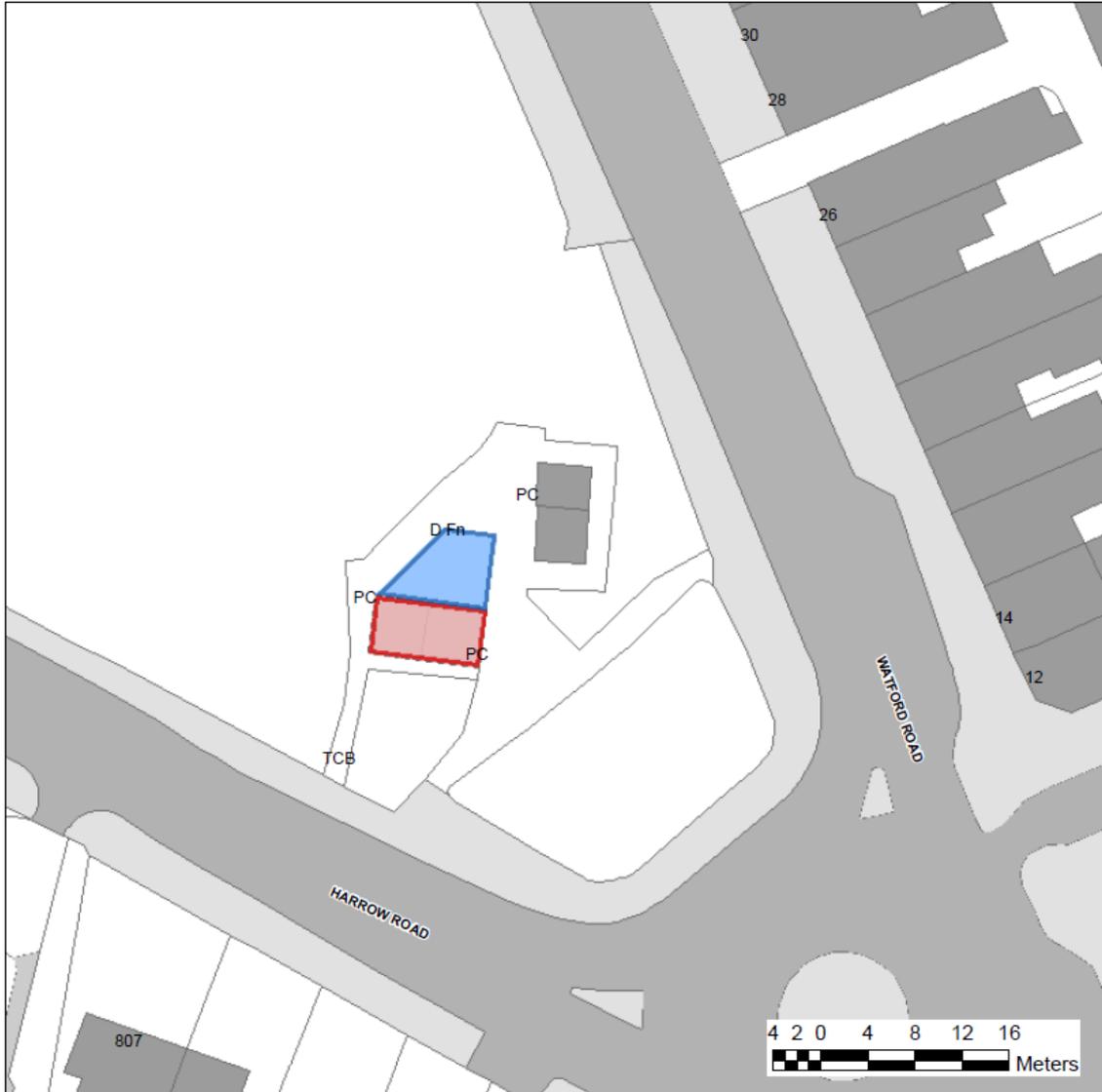
Appendix II Site Photograph



Meeting
Date

Version no.
Date

Butlers Green Public Convenience, Watford Road, Wembley HA0



 Demised Area  Licenced Area



Brent

1:500

Plan to stated scale if printed at A4.

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NORTH

