



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

7 August 2024

Report of the Head of Leisure, Tourism, Heritage & Culture

Matter for Decision

Wards Affected:

Pontardawe

Report Title

The Cross Community Enterprise Centre

Purpose of the Report:

To obtain approval to declare the premises known as the Cross Community Enterprise Centre, Pontardawe surplus to the ongoing strategic and operational requirements of the Education, Leisure and Lifelong Learning Directorate and transfer the ongoing responsibility for the future management to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Executive Summary:

The lease and operating agreement for the Cross Community Enterprise Centre has been terminated and the building has been handed back to the Council. There are a number of significant maintenance and property compliance concerns in respect of the building, and it has therefore been necessary on health and safety grounds to close the building and work with the sub-tenants to secure alternative suitable accommodation.

After the closure the Fire Service visited the site and issued an Alterations Notice under the Fire Safety Order 2005 meaning the building cannot be occupied until such a time as the compliance issues are rectified.

This report seeks to transfer the ongoing responsibility for the future management of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Background:

The Council holds freehold title to The Cross Community Enterprise Centre as shown edged in black on the plan in Appendix 1 together with a right of access over the enclosed lane shown cross hatched black which is held under the overall control of Education and Lifelong Learning Directorate. The Centre is situated on the junction of Herbert Street and the High Street in the heart of Pontardawe town centre. The building was formerly a coaching house and comprises of eighteen rooms over three floors operating as a Community Centre for the benefit of the local community and as an Enterprise Centre providing office space on the upper floors for rent by local businesses.

In 2015, as part of the national austerity measures this centre, like many others, was leased out to an independent operator on a full repair and maintaining basis for a term of twenty five years subject to review at an initial annual rent of £9845 for use as a Community Enterprise and Community Centre. The lease was subject to an operating agreement to ensure the premises continued to be used for Community purposes. The annual rent was offset by a 95% grant from the Council.

Over the past few years, the operator has run into various difficulties but remained entirely committed to ensuring the Centre continued to remain open and operate for the benefit of the local community. During 2023 it became clear the operator could no longer continue, and the lease was not viable, resulting in him serving on the Council three months' notice terminating the lease and operating agreement, and handing back the building on 8th December 2023.

After visiting the site in mid-November 2023, officers arranged for urgent statutory compliance checks and a condition survey to be undertaken to better understand the condition of the building, there were several significant property compliance concerns, and it was therefore necessary on health and safety grounds to close the building and work with the tenants to secure alternative suitable accommodation. After the urgent closure the Fire Service visited the site and issued an Alterations Notice under the Fire Safety Order 2005 meaning the building cannot be occupied until such a time as the compliance issues are rectified.

All tenants have now either found alternative accommodation with the help of Council officers, or no longer have need for the space.

A Condition survey of the premises has been undertaken and the details are shown in Appendix A. The backlog maintenance costs to bring the premises up to a suitable standard for its existing use are in excess of £500k.

Financial Impacts:

No revenue budget currently exists for the costs in relation to the building. Therefore, it is anticipated there will be an overspend in this financial year (24/25) of approximately £15-20k.

There will also be ongoing costs of approximately £5k per annum (excluding capital repairs) until such as time as the building is repurposed.

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties under the Equality Act 2010, the Welsh Language Standards (No 1) Regulations 2015, the well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment has indicated that a more in-depth assessment is not required as this is an internal administrative process.

Valleys Communities Impacts:

Transferring the premises from Education to Regeneration and Property is an internal administrative process and as such has no impact on the Valley Communities.

Workforce Impacts :

There are no implications for the workforce in formally closing the building or transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

It is worth noting that the previous tenant employed one member of staff in a caretaker type role working part time, 9-1, 5 days a week. The member of staff was given notice by the previous occupier and has since finished with the Council assisting with the costs. NPTCBC offered assistance via our H.R department to look for future employment which was declined

Legal Impacts:

There are no legal implications in transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Risk Management Impacts:

There are no risk management implications in transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

The building is unsafe to operate as a public facility in its current condition and is already closed on health and safety grounds.

Consultation:

Consultation is not required for the internal transfer of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Scrutiny Observations:

The proposal was considered at the Education, Skills and Wellbeing Scrutiny Committee on the 25th July 2024.

Scrutiny members were conscious of the need to monitor the condition of Council owned buildings leased to 3rd parties. Clarification was given that leaseholders are responsible for all maintenance under full repair and maintaining leases. Members further highlighted the availability of funding via the Shared Prosperity Fund to assist community leaseholders to cover some of these costs.

Scrutiny raised concern about the loss of a community meeting space in the town because of the closure. The Cabinet Member confirmed that there are still a wide range of meeting spaces available for use by the local community within the Pontardawe area.

The scrutiny committee were supportive of the proposal with no changes to the recommendations.

Recommendations:

Having had due regard to the first stage Integrated Impact Assessment it is recommended that Members:

- Agree to declare the premises surplus to the ongoing strategic and operational requirements of the Education, Leisure and Lifelong Learning Directorate and to transfer ongoing responsibility for the future management of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Reasons for the Proposed Decision:

To formally declare the site surplus to the needs of the Education Directorate and facilitate discussions on the longer term use.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period

Appendices:

Appendix A – Condition survey

Appendix B – Plan of the premises

Appendix C – Integrated Impact Assessment.

List of Background Papers:

None

Officer Contact:

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