

21 June 2016

Policy, Finance & Resources Committee

Mind Relocation to Town Hall

Report of: *Russell Clinker, Senior Asset Manager*

Wards Affected: *Brentwood North*

This report is: *Public*

1. Executive Summary

- 1.1 This report considers the surrender of the existing lease to Mind who currently occupy 14 Ongar Road and the granting of a new lease to them in the Town Hall, Ingrave Road Brentwood.

2. Recommendation(s)

- 2.1 That a new lease be granted in accordance with the terms set out in Heads of Terms attached at Appendix A (exempt).**

3. Introduction and Background

- 3.1 It is proposed that Brentwood Mind relocate from 14 Ongar Road where they currently lease shop premises from Brentwood Council into the Town Hall. Once in the Town Hall it is proposed that they will be part of the wider discussion and project that will deliver a Service Delivery Hub on the Ground Floor. Due to the current occupation of the building it is proposed that they initially occupy rooms on the Second Floor and it is the proposals to occupy this space that are discussed in this report.
- 3.2 The 'Hub' is intended to enable a number of organizations to work from a central location in the Borough delivering joined up services and improvements for customers generally."
- 3.3 Brentwood Mind is a registered charity and provides support for those people in the Brentwood area who have mental health problems.
- 3.4 The organisation has been providing these services for over 40 years and has traditionally been funded by the NHS until 2014/15 when all the funding ceased. Brentwood Mind has been negotiating with both the NHS

and Essex Social Services since then to re-establish some public funding but this has not been possible.

- 3.5 They are continuing to provide services to our community using a mixture of donations and volunteers to provide the services.
- 3.6 They currently have up to 20 volunteers who provide regular support, a staff of 4 plus a volunteer board of 3 Directors to ensure the organisation can meet the needs.
- 3.7 With this in mind they cannot afford the rent initially agreed to renew their lease at 14 Ongar Road.
- 3.8 Copies of their accounts have been requested and will follow shortly.
- 3.9 It is therefore proposed that Brentwood Council accept a surrender of the existing lease that Mind have at 14 Ongar Road and a new one is granted for space in the Town Hall the terms outlined in Appendix A (exempt).

4. Issue, Options and Analysis of Options

- 4.1 At its meeting on 27th March 2015 the Councils Asset and Enterprise Committee adopted a 'Disposals at Less than Best Consideration' policy.
- 4.2 This is a disposal at less than best consideration and in order to comply with Council policy and sections 123(1) and (2) of the Local Government Act 1972 it is necessary to undertake an assessment of the extent to which the organisations activities contribute towards achieving the Council's aims and objectives. In undertaking the assessment it is also necessary to:
 - Include a copy of the organisation's constitution and three years of accounts.
 - Set out the extent to which the organisation is proactive in seeking to share and make available the assets to other community and voluntary sector uses on a not for profit basis
 - A recommendation as to the length of any discount
 - Confirmation that the organisation will submit its activities and accounts on an annual basis or when required by the Council.
- 4.3 The assessment can be found at Appendix B (exempt).

5. Reasons for Recommendation

- 5.1 The Council are keen to support the work that Mind carry out in the community and following their reduction in funding it has become clear that renewing their lease on 14 Ongar Road is not the way forward be put

in place on the basis outlined in Appendix A for reasons detailed elsewhere in this report.

6. Consultation

- 6.1 No formal external consultation has been undertaken regarding the proposal

7. References to Corporate Plan

- 7.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

8. Implications

Financial Implications

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- 8.1 The rental income is at less than best consideration.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer
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- 8.2 Relevant in the event of a proposed disposal of a lease interest at less than best consideration or market value, the General Disposal Consent (England) 2003 provides there is no need to seek the specific consent of the Secretary of State provided that the purpose for which the interest in the land is being disposed of by way of the lease is likely to contribute to the "promotion or improvement" of the economic, social, or environmental well-being of the area and the difference in unrestricted value of the lease of the land and the actual price paid for the lease (if any) is not more than £2 million. Government guidance (Circular 06/2003) states that 'In determining whether or not to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific

proposal to take such action falls within the terms of the Consent, the authority should ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue’.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

9. **Background Papers**

9.1 See Appendices

10. **Appendices to this report**

Appendix A - Heads of Terms (*exempt*)

Appendix B - Assessment of the extent to which the organisations activities contribute towards achieving the Council’s aims and objectives. Including details received from Mind.
(*exempt*)

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