

**ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET**

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>8<sup>th</sup> June 2011</b>
<b>3.</b>	<b>Title:</b>	<b>Asset Transfer Proposal for Rotherham Adventure Playground</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

### **5. Summary**

**This report proposes the transfer of the Rotherham Adventure Playground asset to YMCA White Rose in order to secure the long term sustainability of the facility and remove future budget pressures.**

### **6. Recommendations**

**1) That the Rotherham Adventure Playground is legally transferred to the YMCA White Rose and that appropriate covenants are put in place to ensure the continued delivery of play at the facility or the return of the asset at no cost to the authority.**

**2) That an exemption is made to the general decision to defer all transfers because of the risk that the Council would lose the opportunity and indeed the facility if it were not to take place.**

## **7. Proposals and Details**

Construction of the Rotherham adventure playground situated at Erskine Road, Eastwood was completed in April 2010 and it opened for play in June 2010. It replaced a derelict football changing facility which had been closed for a number of years. It is currently run by Streetpride: Leisure and Green Spaces. The facility was funded through the Department for Children, Schools and Families' Play Pathfinder programme. Capital funding closed at 31<sup>st</sup> March 2010. Revenue funding ran until 31st March 2011. The facility is currently funded in house but this is not sustainable and is a liability while it remains with the authority. A funding application for the facility is currently being considered by the Big Lottery Fund. This will be determined at their June Board meeting.

The adventure playground engages the local mixed ethnicity population of children and young people, providing opportunities for quality play, but it is also reducing anti-social behaviour by that age group in the community.

If a transfer of the capital asset is made to the voluntary sector this will create the opportunity for the adventure playground to become sustainable and prevent future Council budgetary pressures. There is a requirement to publicise any proposed disposal and consider objections if they arise. The board of YMCA White Rose (formerly Chantry YMCA) is keen to take on the facility if the asset can be transferred to them. It will be necessary to have covenants in place that ensure that the facility continues to be used for the purposes that it has been created and that if the YMCA defaults on this clause, then the facility will be returned to the council at zero cost (other than associated legal costs). The YMCA has advised that they will work to raise sufficient grant against the capital asset to run the facility sustainably. The YMCA has indicated that it is not willing to take on the facility on a lease arrangement even if it were to be on a long term lease of 99 years. The facility would have a synergy with the myplace facility on St Anne's roundabout which is currently under development and which is also run by the YMCA.

The stage II application to the Big Lottery Fund's Reaching Communities programme is not guaranteed to be successful. If it is successful, it provides funding for two years. The success of this bid cannot be counted on and movement towards a transfer is needed as soon as possible as time is required for the legal and other associated work to be completed.

## **8. Finance**

Reasonable in house costs for legal and valuation work will be met by the YMCA.

## **9. Risks and Uncertainties**

Until the asset is transferred to the YMCA there is uncertainty about the future of the adventure playground and it remains a potential budget pressure for the Council. The responsibility to deliver the facility transfers with the asset to the YMCA which undertakes to deliver it beyond the transfer date. In the event that the YMCA defaults on this commitment then the facility reverts into Council ownership at zero cost to the authority.

## **10. Policy and Performance Agenda Implications**

In order to achieve the financial sustainability of the Rotherham Adventure Playground, the YMCA has requested that the Council gifts the asset to them (with protective covenants in place). Current Council disposal policy does not deal effectively with the transfer of assets at less than best consideration.

The YMCA Board has indicated that a lease arrangement would not be acceptable. Agreeing an exception to normal policy will prevent missing the opportunity to transfer the asset.

## **11. Background Papers and Consultation**

Play Pathfinder Project Board - 13th December 2010

Cabinet Member, Culture, Lifestyle, Sport and Tourism – 8<sup>th</sup> February 2011

CSART - 1st March 2011

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