

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	Cabinet Member for Culture and Tourism
2.	<b>Date:</b>	6 <sup>th</sup> November 2012
3.	<b>Title:</b>	Bar Park, Thorpe Hesley
4.	<b>Programme Area:</b>	Environment and Development Services

### 5. Summary

The report provides an update on Sheffield City Council's terms for transfer of Bar Park, Thorpe Hesley, from Sheffield City Council to Rotherham MBC, and explains the resulting need to review the previously agreed course of action.

### 6. Recommendations

That: -

- **Officers notify Sheffield City Council that Rotherham MBC will not pursue Sheffield's offer of a lease on Bar Park, Thorpe Hesley;**
  - **Any local group interested in controlling and developing Bar Park be advised to contact Sheffield City Council to seek an asset transfer directly from them.**
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## 7. Proposals and Details

Previously this matter has been reported to Cabinet Member for Culture, Lifestyle, Sport and Tourism on 30<sup>th</sup> November 2010 (Minute F43 refers), at which time a decision was taken that the Asset Management Department should be instructed to commence negotiations with Sheffield City Council (SCC), seeking the transfer of the freehold of Bar Park, Thorpe Hesley to Rotherham MBC. The report also considered the capital and revenue cost implications of transfer at a time of limited availability of capital funds and significant reductions in budgets for grounds maintenance. The one-off investment required to bring the site to a standard suitable for on-going maintenance has previously been estimated to be £91,341, while the estimated recurring annual cost of maintaining the site was £9,591. It was therefore agreed that officers should assess affordable options for managing the site should the transfer proceed. Subsequently Cabinet Member advised that any transfer of the park to RMBC would be on the proviso that 'in principle' agreement had first been reached for a community group to take control of the site under the Council's Asset Transfer Policy, so that sustainable grounds maintenance could be provided at no additional cost to the Council. The Leisure and Green Spaces Manager reported this to the Friends of Bar Park at their meeting of 21<sup>st</sup> February 2012, and subsequently supplied details of the Asset Transfer Policy.

Asset Management wrote to SCC in January 2011 to commence negotiations on the proposed site transfer. SCC advised in February 2011 that they might need to secure further Cabinet Member approval to dispose at less than best consideration and that this would take up to six months. In August 2011 SCC confirmed that they required the approval of their Cabinet Member to continue with the proposed transfer. In spite of a number of requests by RMBC for updates on progress over the following months, it was not until July 2012 that SCC advised that, in principle, they were prepared to offer RMBC an 80 year lease on the park, rather than a freehold disposal as previously suggested. This was discussed with a Keppel Ward Member and representatives of the Friends of Bar Park at a meeting on 10<sup>th</sup> August 2012. It was explained at this meeting that SCC's new position would require reconsideration of the best way forward and that, given RMBC's expectation that the site would be transferred to a community group, it was likely that this would involve direct negotiation between any such community group and SCC.

Advice has now been received from Asset Management that RMBC's Asset Transfer Policy only provides for the transfer of assets which are owned freehold by the Council. This means that it would no longer be possible to proceed as previously agreed. Asset Management have also advised that Localism Act gained Royal assent in November 2011, which now gives local communities a right to buy council-owned assets. SCC outlined their procedure for transfer of assets to voluntary and community sector organisations in their 'Community Buildings Strategy 2007-2010' (see Appendix 1). It is understood that SCC is currently developing revised guidelines for this. It is proposed that should any local group confirm their interest in taking control of Bar Park, then they will be advised to seek confirmation from SCC of their current asset transfer policy.

## **8. Finance**

The recommended course of action would not incur any significant costs. An earmarked balance of £10,000 to cover professional costs required to complete a transfer of the site would no longer be required.

## **9. Risks and Uncertainties**

The recommended course of action would minimise any risks for the Council. To date no local groups willing to take control of the site have been identified.

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

Through this matter the Council has been seeking an outcome where the local people can be actively involved in the improvement of the environment and facilities serving their community.

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

Report to Cabinet Member for Culture, Lifestyle, Sport and Tourism, 30<sup>th</sup> November 2010.

Appendix 1 - Excerpt from Sheffield City Council's Community Buildings Strategy 2007-2010.

There have been continuing discussions with the Friends of Bar Park about the future management of the park.

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