



TODMORDEN TOWN COUNCIL

**Item 9 – Full Council 15<sup>th</sup> June  
2022**

# TODMORDEN TOWN COUNCIL

## Report to Full Council

<b>Report Author</b>	<b>Resources Committee</b>
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<b>Date</b>	<b>15<sup>th</sup> June 2022</b>
<b>Subject</b>	<b>Town Deal Fund - Centre Vale Park Projects Land Ownership and Grant Status</b>

### PURPOSE OF REPORT

1. To advise Full Council that that from a practical delivery point of view, there are policy decisions that need to be considered by the Town Council in connection in terms of how much the Town Council needs to support, or becomes directly involved, in order to provide realistic deliverable options as part of the initial Treasure Green Book Business Case submission to access full funding in relation to:-
  - a. Legal Status of Groups
  - b. Ownership of land under Community Asset Transfer – preferred option by CMBC is involvement of the Town Council.
  - c. Applicant and accountable body for Grant Applications – likely to require land ownership and Town Council involvement.
2. To advise Full Council that the Resources Committee considered these areas and associated risks to support and enable these projects to progress further. A Risk Matrices to aid decision making accompanies this report- see Appendix 1 indicating that in both Land Ownership and potential Grant Clawback, a medium risk rating is applicable to both .
3. To recommend to Full Council that Todmorden Town Council “in principle” agrees to assume land ownership of each individual project, except for the Fielden Hall Project, whether in its own right, or in partnership with any and or all of the individual groups/organisations but subject to:-
  - an acceptable level of risk in relation to the return of ownership to Calderdale MBC should post construction any of the projects fail.
  - Appropriate Management agreements /underleases to groups
  - Report back to Resources Committee once the legal basis has been agreed with Calderdale MBC including Heads of Terms / Lease Terms and Conditions.

4. To recommend to Full Council that Todmorden Town Council takes forward the role of grant applicant(s) whether in its own right, or in partnership with any and or all of the individual groups/organisation subject to:
  - An assessment of risk and financial exposure in relation to underlying terms of each grant to be applied for and subsequently awarded.
  - Agreement by the Town Clerk as Proper Officer, in consultation with the Chair of Resources to submit grant applications on behalf of the Town Council.
5. To recommend to Full Council that where payment is required for such advice regarding the most appropriate “vehicle(s) through which to take forward these proposals, should be charged against the Town Deals Earmarked Reserve already in place.
6. To consider establishing a revenue budget of £25,000 from 2023/24 onwards to help facilitate individual project groups take forward development of their own project by meeting property obligation requirements subject to suitable recharge arrangements to enable movement toward net cost of delivery.
7. To consider a one off pump priming grant of £5,000 in 2023/24 to an overarching “not for profit” to be established to enable a holistic view to be taken for the project group’s activities in the Park.

## **BACKGROUND**

8. This is possibly a once in a lifetime opportunity for the Town Council to directly influence major investment in Centre Vale Park and to play a very positive role in enabling several groups to deliver not only improved community benefit but also new ones.
9. The involvement of the Town Council as Sponsor was initially on the basis that the Town Council would have no post construction operational responsibility and no ongoing land ownership obligations.
10. This project requires substantial grant funding to be attracted and as the project has unfolded it is clear that further involvement of the Town Council is needed as per the thrust of this report.
11. £26,003 has already been received from CMBC ahead of any formal funding agreement to enable feasibility work to be progressed with letters of appointment issued in respect of the Bowling Pavilion Extension, Tennis Courts and Multi Use Games Area and Fielden Hall Environmental Improvements and consultant Grant Finders.
12. Apart from Fielden Hall ,these projects require substantial external grant funding to be obtained in addition to Town Deal Funding

<b>Project</b>	<b>Estimated Cost</b>	<b>Town Deal Funding</b>	<b>Grant funding needed</b>
Bandstand – Restoration/Upgrade- G2 listed	£500,000	£250,000	£250,000
Bowls Pavilion (extension)	£295,000	£195,000	£100,000
Tennis Courts (3 refurbished 1 new)	£150,000	£75,000	£75,000
Multi Use Games Area	£160,000	£80,000	£80,000
Fielden Hall(Env Improvements only)	£150,000	£150,000	Nil *
Conservatory - Refurbishment	£125,000	£80,000	£45,000
<b>TOTALS</b>	<b>£1,380,000</b>	<b>£830,000</b>	<b>£550,000</b>

\*Fielden Hall and houses are owned by the Calder Valley Community Land Trust who have already provided matched funding of £430,00 in respect of two affordable housing projects at each end of the hall itself. In view of this no grant funding is required but the opportunity should be taken to still seek grant funding for environmental improvements and if successful releasing whether capacity for further spend for Fielden Hall and or enabling funds to other projects.

13. Grant Funders will require legally constituted groups, a track record to provide confidence that will be financially viable for future delivery of outputs expected, and where building related costs are involved, land ownership to be held by the grant applicant.
14. Each of the groups are at different stages in terms of “constituted bodies” . Initial consideration has been given to these Structures. Part of the grant funding brief is to recommend what are best likely to achieve grant success.
15. It will be necessary to engage a third party to provide professional advice including proposed structures, wording, Charitable objects that may best best deliver both grant providers requirements, and also enable flexibility from an operational point of view.
16. Calderdale MBC have already expressed a preference that the Town Council take on ownership of the sites (MUGA excluded - to be run by CMBC- agreement pending, and Fielden Hall as already owned outright) .
17. If committing the Town Council to be involved in land ownership through lease agreements, these will need to include a “hand back to CMBC” clause if subsequent to construction, groups fail - either operationally and or financially.
18. The Wheelspark lease agreement can provide a good template for how to progress such agreement and should the Town Council be prepared to assume some ownership responsibility, would provide a means by which to limit financial exposure to the Town Council .
19. By involving the Town Council in some form of joint body status, land ownership and involved as grant applicants, the potential to secure grant funds critically necessary for these projects to move forward, will be enhanced.

## **FINANCIAL CONSIDERATIONS**

20. An advance of 5% of Town Deal funding has been received by Calderdale MBC for use by projects to cover initially consultants costs for business case delivery ,and appointment of professional services to achive business case stage.
21. The Centre Vale Park project to deliver design solutions for has initially been compromised in that it is only 5% of the fund value, not the overall project costs, and not sufficient to directly commission all the work that ideally should be completed to get to more accurate project costings.
22. Bearing in mind most professional fees in connection with Architects Design etc, to get to what they consider as feasibility stage, will involve c 5% of total project cost, we are having to be selective to seek to commission only those at this stage that we need to be more informed as to design options and related building costs.
23. Reservations on this have been expressed to Calderdale MBC and whilst it is hoped some redistribution of funds can be made to more reflect our challenges, we are progressing on what we regard as absolute minimum needed reflected in the grant recived of £26,003.
24. An Earmarked Reserve was initially established in an amount of £10,000 a contribution towards meeting Project Manager costs and miscellaneous expenditure. Prior to April £2,280 was met from this reserve. Of the remaining £4,156 it is forecast that Project Manager costs until end of July will be £3,156, thereby leaving a balance of £1,000 to meet miscellaneous costs that may be incurred and or extend Project Officer involvement.
25. It would be prudent to recognise a likely need to support these projects from 2023/24 onwards and to establish a revenue provision of £25,000 within budget considerations for 2023/24.
26. Initial pump priming for groups involved in the Centre Vale Park and or an overarching body can be met from the Community Development Earmarked Reserve and perhaps prudent to transfer now £5,000 from the Communtiy Development Reserve to a new Earmarked Reserve entitled Centre Vale Park Town Deal Project Reserve

## RECOMMENDATION

27. That Todmorden Town Council “in principle” agrees to assume land ownership of each individual project, except for the Fielden Hall Project, whether in its own right, or in partnership with any and or all of the individual groups/organisations but subject to:-
  - an acceptable level of risk in relation to the return of ownership to Calderdale MBC should post construction any of the projects fail.
  - Appropriate Management agreements /underleases to groups
  - Report back to Resources Committee once the legal basis has been agreed with Calderdale MBC including Heads of Terms / Lease Terms and Conditions.
28. That Todmorden Town Council takes forward the role of grant applicant(s) whether in its own right, or in partnership with any and or all of the individual groups/organisation subject to:

- An assessment of risk and financial exposure in relation to underlying terms of each grant to be applied for and subsequently awarded.
- Agreement by the Town Clerk as Proper Officer, in consultation with the Chair of Resources to submit grant applications on behalf of the Town Council.

29. That an Earmarked Reserve of £10,000 is created by transfer from the Community Development EMR to an EMR entitled Centre Vale Park Town Deal Project Reserve

30. That advice regarding the most appropriate “vehicle(s) through which to take forward these proposals, and where payment is required for such advice to charge against the Town Deals Earmarked Reserve already in place

31. That the balance of the Town Deal Earmarked Reserve of £4156 is released into revenue budget.

32. That consideration be given to establish a revenue budget provision of £25,000 from 2023/24

### **REASONS FOR RECOMMENDATION**

33. Full Council approval is required to agree to take on landownership responsibilities and to agree to apply for grants in its own name/ jointly with others as outlined in this report.

34. Full Council approval is required to effect Earmarked Reserve movements.

### **POLICY IMPLICATIONS:**

34. There are significant policy issues regarding land ownership arising from this report.

### **DETAILS OF CONSULTATION:**

35. None from this report other the Centre Vale Park Project Groups welcome the support of TTC in this respect.

### **CLIMATE CHANGE:**

35. None directly arising from this report.

### **IMPACT EQUALITY ASSESSMENT**

36. None directly arising from this report.

### **SUPPORTING PAPERS:**

Appendix 1 – Risk Assessment Matrices

**FURTHER INFORMATION, PLEASE CONTACT: Colin Hill**