

Report to Charitable Trust Committee

Werneth Park Music Rooms

Officer Contact: Bruce Penhale

Report Author: Zaiem Khan

Ext. 5162

June 2019

Executive Summary

To provide the Charitable Trust Committee with an update on the bid made to the Architectural Heritage Fund for a Project Viability Grant.

Recommendations:

That the report be noted.

Werneth Park Music Rooms

1 Background

- 1.1 A briefing paper was circulated to the Charitable Trust Committee in January 2019 to authorise a bid to the Architectural Heritage Fund for a Project Viability Grant in order to engage professionals to undertake a Feasibility Study of Werneth Park Music Rooms.
- 1.2 A bid was submitted led by the Greater Manchester Building Preservation Trust, in partnership with Oldham Council.

2. Current Position

- 2.1 The bid was successful and was awarded in April 2019 and has tight timescales for the project to complete 6 months from the award of the funds.
- 2.2 One of the requirements of the bid was that there needed to be engagement with local stakeholders from the community of Oldham, which due to timescales has mainly been done via email.
- 2.3 A brief (attached as Appendix 1) has been agreed for the Feasibility Study and specialist architects will be asked to provide tenders for consideration.

3. Feasibility Study

- 3.1 The study will need to be completed and a report submitted by September 2019.
- 3.2 The scope of the study is described below:

To identify and secure a viable and sustainable use for the vacant Werneth Music Rooms building, which will contribute positively to the economic, social, and cultural regeneration of Werneth and the Borough of Oldham.

In order to achieve the above it will be necessary to commission a consultant to:

- produce an options appraisal and initial viability assessment.
- assess current physical condition of the buildings
- appraise options for the future of the building,
- look at developing ownership options
- consider models of community engagement

A key element will be to assess project viability through a 'viability appraisal' looking at both the costs and values of each option.

4. Consultation

- 4.1 The Werneth ward Councillors and local community groups in Werneth have been updated about the project and asked for their input. The response has been supportive as they would like to see the Music Rooms regenerated.

5. Financial Implications

- 5.1 The cost of the feasibility study is expected to be £15,000. 40% of the costs i.e. £6,000 is being funded by the Greater Manchester Building Preservation Trust Limited/Architecture Heritage fund, who have provided a grant in order that the feasibility study is carried out. The balance of £9,000 will be met from the mainstream revenue budget of the Regeneration Team.
- 5.2 The Regeneration Team will commission the feasibility study, on behalf of the Council acting in its role as trustee of the Werneth Park Trust.

(Carl Holdaway - Accountant)

6. Legal Services Comments

- 6.1 The Council acting in its capacity as a charitable trustee has positive duties to advance the objects of the charity. With the building in the state that it is, there is an argument to say that the Council is not discharging its duty to promote the purposes of the charity.
- 6.2 Therefore, the Members need to consider how best to advance in the objects of the charity in the light of the information provided in the report and any evidence to support an argument to say that the objects of the charity are no longer viable owing to the physical state of the building, the cost of repairs especially in the light of the specific conditions of the testator not to charge fees for music more than the cost of the cleaning and lighting.
- 6.3 The results of a feasibility study would assist the Members in considering the options available to them to widen the objects of the charity in readiness for any application to the Charity Commission for a Cy-pres scheme and or an order for sale of the premises.

(Elizabeth Cunningham Doyle)

7. Co-operative Agenda

- 7.1 Not applicable

8. Human Resources Comments

- 8.1 Not applicable

9. Risk Assessments

- 9.1 [Reports should be forwarded where appropriate to the Head of Corporate Governance for comments. Matters should be discussed in advance of the report with the Head of Corporate Governance who will advise on the risk profile to the Council.]

10. IT Implications

- 10.1 Not applicable

11. Property Implications

- 11.1 There are no direct property implications arising from this report at this stage.

(Mark Elton)

12. Procurement Implications

12.1 Not applicable

13. Environmental and Health & Safety Implications

13.1 Not applicable

14. Equality, community cohesion and crime implications

14.1 Not applicable

15. Equality Impact Assessment Completed?

15.1 Not applicable

16. Key Decision

16.1 Not applicable

17. Key Decision Reference

17.1 Not applicable

18. Background Papers

18.1 Not applicable

19. Appendices

19.1 Appendix 1 – Feasibility Study Brief