

COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT:

RCT Together – Community Asset Transfer of the former Mountain Ash Library, Dyffryn Road, RCT, CF45 4DA to Cylch Meithrin Seren Fach (Company Limited by Guarantee and Registered Charity).


DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

To approve the transfer of the former Mountain Ash Library to Cylch Meithrin Seren Fach by way of a 25 year lease.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of Director Public Health, Protection and Communities Services as described below.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

To approve the transfer of the former Mountain Ash Library to Cylch Meithrin Seren Fach (Company Limited by Guarantee and Registered Charity) by way of a 25 year lease.

	PAUL MEE	22.10.19
Llofnod y Prif Swyddog Chief Officer Signature	Enw (priflythrennau) Name (Print Name)	Dyddiad Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION



21/10/2019

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE



22.10.19

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYD A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:
IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES NAC YDY | NO

Rheswm dros fod yn fater brys | Reason for Urgency:

.....

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

..... **N/A**

(Llywydd | Presiding Member) (Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar **Wefan y Cyngor** | Publication on the Councils Website:- 23.10.19

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

29.10.19

DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Public Health, Protection & Community Services
Enw'r Person Cyswllt Contact Name:	Debra Hanney
Swydd Designation:	RCT Together – Community Asset Transfer Development Officer
Rhif Ffôn Telephone Number:	01443 425637

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

7TH OCTOBER 2019

**REPORT TO ACCOMPANY A DECISION OF DIRECTOR PUBLIC HEALTH,
PROTECTION AND COMMUNITY SERVICES**

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF THE FORMER MOUNTAIN
ASH LIBRARY, DYFFRYN ROAD, MOUNTAIN ASH TO CYLCH MEITHRIN SEREN
FACH (COMPANY LIMITED BY GUARANTEE AND REGISTERED CHARITY)**

Author(s): Debra Hanney, RCT Together - Senior Community Development Officer –
01442 425637

1. PURPOSE OF THE REPORT

- 1.1 To approve the transfer of the former Mountain Ash Library to Cylch Meithrin Seren Fach (Company Limited by Guarantee and registered Charity) by way of a 25 year lease.
- 1.2 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director Public Health, Protection and Community Services.

2. RECOMMENDATIONS

It is recommended:

- 2.1 To transfer the whole of the former Mountain Ash Library to Cylch Meithrin Seren Fach (Company Limited by Guarantee and Registered Charity) by way of a 25 year lease as set out in paragraph 5.
- 2.2 The Director of Public Health, Protection and Community Services agrees to the 25 year lease in respect of them occupying the whole of the former Mountain Ash Library, part of which has remained vacant since the departure of the previous community tenant in February 2015.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Cylch Meithrin Seren Fach have secured capital development funding of £465,000 to refurbish the whole building and support the development of a Children & Family Centre "Canolfan Teulu Seren Fach". This revitalised facility will enable the group to address the identified need for up to 60 additional Welsh medium early years education places.

3.2 “Canolfan Teulu Seren Fach” will also be an accessible community resource. Opening hours will increase according to demand and will provide room and spaces for a range of community needs including a sensory room for community hire.

3.3 The transfer will reduce the Council’s existing expenditure by reducing its NNDR (National Non Domestic Rates) expenditure. The group will pay an annual market rent and will be responsible for all repairs and maintenance and will be recharged a building insurance premium.

4. **BACKGROUND**

4.1 The Council’s RCT Together Approach for progressing Community Asset Transfers was agreed by Cabinet at its meeting on the 30th October 2014. This approach will see the Council working with communities and partner agencies to sustain delivery of services that the Council may no longer be able to deliver on its own.

4.2 Applications are considered from non-profit distributing voluntary and community groups or companies for activities, services and facilities which benefit residents within Rhondda Cynon Taf.

4.3 At the Council meeting on the 19th May 2016, it was agreed that applications for asset transfer could now be dealt with under the Council’s Delegated Decisions framework. High Level Asset Transfers will need to be reported to Cabinet if Officers and the Cabinet member feels this is appropriate.

4.4 A review of RCT Together has recently been undertaken and approved by Cabinet at its meeting on 21st November 2018 to ensure any future community asset transfers that are progressed, align with the Council’s Community Hub development programme and can deliver the Council’s strategic service requirements. Each Hub will support a neighbourhood network of preventative community services and activities that will support people living in our communities to improve their independence, resilience, health and well-being.

4.5 As part of this approach, any future tenancy agreements will require the tenant to agree, by way of a “Neighbourhood Network Agreement”, to promote their own services; signpost residents to other activities; provide support and advice and; work collaboratively to ensure residents views are heard and considered. Each tenant will be required to complete a 6 monthly monitoring report which will be reviewed annually.

5. **OVERVIEW OF CYLCH MEITHRIN SEREN FACH**

5.1 Cylch Meithrin Seren Fach have been registered as a charity and company limited by guarantee since January 2015. In September 2018, the group merged with Cylch Meithrin Aberdar and all staff have transferred via TUPE to the Cylch Meithrin Seren Fach group. The organisation has 5 Trustees and operates under the umbrella of Mudiad Meithrin who specialise in the provision of Welsh medium early year education.

- 5.2 Trustees meet every 6-8 weeks to ensure their relevant compliance and governance measures are scrutinised including Care Inspectorate Wales and Estyn regulations. They possess skills and experience in payroll, book-keeping, funding bids, managing volunteers, stakeholder mapping, school governor experience, tenancy support, human resources along with community and partnership working.
- 5.3 The organisation employs 14 full time and part time staff and are trained appropriately in Childcare Learning & Development and Early Years Education. They support work placements for local secondary school pupils and have a long term learning disability placement two morning per week. The group are registered to accommodate up to 24 places at each setting.
- 5.4 This setting is currently open 5 days per week and offers the following provisions:
- Welsh medium playgroup for 2 and 3 year olds;
 - Bilingual support services for children aged 2-11 years;
 - Breakfast/after-school club;
 - Full and half day pre-school provision (including wrap around provision);
 - Ti a FI sessions for parents/carers who wish to stay with their child;
 - Welsh Government 30 hrs free childcare offer;
 - Spot Purchaser for Flying Start;
 - Provides a pick-up service from local schools and school buses.
- 5.5 The group identify the following as their strategic aims:
- To provide good quality, low cost, early years care, education and play experiences;
 - To ensure a sufficient supply of practical resources for play and learning, including books and toys;
 - To provide targeted support & inclusion for those with additional learning needs (ALN) and those from disadvantaged backgrounds;
 - To enable individuals to return to the workplace in order to tackle poverty and offer alternative child care support;
 - To plan for and support an inclusive workforce that has both the ability and the qualifications to provide early years child care and education through the medium of Welsh;
 - To attract and support volunteers & students;
 - To provide opportunities for families to support their children's early years experiences by offering linguistic and social support through various activities.
- 5.6 The key activities undertaken in pursuit of the above aims are designed to align with the Welsh Government's Foundation Phase Profile for 3-7 year olds who are assessed in Welsh medium settings on the basis of:
- Personal and social development, well-being and cultural diversity;
 - Language, literacy and communication skills;
 - Mathematical development;
 - Knowledge and understanding of the world;
 - Physical development;

- Creative development.

5.7 The group are regulated by Estyn and Care Inspectorate Wales from which they have recently had very positive inspection reports.

6. **REVIEW OF CYLCH MEITHRIN SEREN FACH BUSINESS PLAN**

6.1 At a meeting of the RCT Together Community Asset and Service Transfer Panel held on 19th September 2019, an assessment of the group's business plan was undertaken. The following is a summary of the panel's assessment and recommendations.

6.2 The group have had a tenancy in part (approximately a third) of the former Mountain Ash Library since February 2014. The group wanted to explore the feasibility and viability of taking on a tenancy of the whole building subject to securing the necessary capital development funding to make the building fit for purpose. Their current setting is full to capacity and the group advise they have a waiting list which indicates the evidenced need for their expansion plan. This is supported by evidence from RCT Early Years colleagues with regards to demand for Welsh medium early years provision. The group undertook an appraisal option exercise and found no other suitable premises available that could support an extension of services.

6.3 The group envisage that they would be able to accommodate an extra 60 children per week. In addition, their proposals would include enabling local groups and community partners to utilise the facility for training, group meetings, specialist support (eg) use of sensory room.

6.4 Their proposal will also enable them to create additional employment, student placements and volunteering opportunities.

6.5 The group have evidenced their commitment to supporting strong community partnerships and work closely with education and social services departments including health professionals such as health visitors, dieticians and speech and language practitioners. The group also have excellent links with schools, local businesses and community groups where they have worked together to address local needs (eg) Fairshare Surplus Food Scheme.

6.6 Following the community asset transfer, the group's short to medium term plans are to provide a significant increase to their current pre-school capacity and develop "Canolfan Teulu Seren Fach" – a Welsh medium family based centre that will house and deliver the following extended services:

- Additional Welsh medium pre-school child care places for children who are 2 years, including Flying Start places;
- Additional funded Welsh medium registered provider education places for children aged 3 years;
- Further places for children with additional learning needs who may also require one to one support;
- Facilities for use by the setting and for hire to the wider community for individuals with an additional learning need will include a sensory room.

- An increase in the number of spaces for 30 hour childcare & wrap-around of children aged between 3 - 4 years;
- Additional parent/carer and child sessions;
- A rental space for local groups with training facilities;
- An increase in student & volunteering opportunities;
- An increase to number of staff employed.

6.7 In addition to securing capital development funding of £465,000, the group have also obtained full planning permission and building regulations approval.

7. EQUALITY AND DIVERSITY IMPLICATIONS)

7.1 An Equality Impact Assessment is not required for this decision as the building was previously declared surplus for Council use by the Councils Community Services - Library Team. The subsequent community tenant who occupied the remaining two thirds of the building vacated in 2015 and this area has since remained vacant.

7.2 This leasehold transfer will enable Cylch Meithrin Seren Fach to bring the whole building back into use to support the expansion of their current Welsh medium early years education provision, provide inclusive and accessible facilities for individuals with additional learning needs, rental opportunities for local groups and support local training providers by increasing students and volunteering placements.

8. CONSULTATION

8.1 The group undertook a range of consultation activities in August and September 2018, comprising of questionnaires, focus groups, token ballot and survey monkey activities. In total, 361 members of the community responded made up of local schools, businesses, health professionals and community groups. The feedback identified that in addition to the need for the Welsh medium early years provision, additional engagement and learning activities for young children, parents, carers were needed such as play schemes, breast feeding groups, baby massage, yoga, ALN support and weekend activities.

9. FINANCIAL IMPLICATION(S)

9.1 The group will pay an annual market rent and a short term Rent Free Period has been agreed to enable the capital works to be completed and enable the expansion of the service. All repair and maintenance responsibilities will be passed to the tenant. The Council will recharge the tenant for building insurance.

9.2 The group have secured capital development funding of £465,000 to refurbish the building on the provision of a completed 25 year lease.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

10.1 Section 123 of the Local Government Act 1972.

10.2 The proposal will contribute towards priorities identified within the Social Services and Wellbeing Act (Wales) 2014 and enable the Council to satisfy its duty to

'promote social enterprises and co-operatives which involve people who need care and support'.

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 11.1 The proposed leasehold transfer to Cylch Meithrin Seren Fach will support the Council's Corporate Plan "The Way Ahead" (2016-2020), priorities of "promoting independence and positive lives for everyone" and "creating neighbourhoods where people are proud to live and work". Specifically their proposal makes clear the importance of early intervention and prevention. Nursery and pre-school provision contributes to this by ensuring children at a young age benefit from learning and demonstrating to families the benefits of bilingual education.
- 11.2 The additional early years support and capacity provided by the merging of Cylch Meithrin Seren Fach and Aberdare will help the Welsh Government meet its ambitious target of achieving a million Welsh Speakers as documented in 'Cymae 2050 – A Million Welsh Speakers'. This requires "rapid progress to expand Welsh medium early years provision by 150 nursery groups over the next decade to facilitate a seamless transition into Welsh medium education".
- 11.3 The group's proposal contributes to the 7 goals set out in the "Well Being of Future Generations (Wales) Act 2015" as follows;
- **A Prosperous Wales** - The pre-school setting provides employment for local people and training opportunities. By delivering early years learning, it helps prepare young children for life-long learning and the skills necessary for employment. The work undertaken contributes to the wider economic development of RCT through enabling parents/carers to access reasonably priced child care and therefore, remain or return to employment.
 - **A Resilient Wales** - Every effort is made to minimise use of energy and to recycle waste. Staff are encouraged to walk, cycle or car share to work in order to minimise emissions. The building plans will focus on environmental sustainability, where possible.
 - **A Healthier Wales** - Providing children with a sound educational base can help make them resilient and less prone to mental illness through the building of confidence & independence which increases well-being and self-esteem through early years learning.
 - **A More Equal Wales** - Mountain Ash is a deprived area which suffers from historically high unemployment rates. By providing early years opportunities for children, educational attainment is possible which can lead to further future opportunities for employment.
 - **A Wales of Cohesive Communities** - Seren Fach Cylch is an integral part of the community that empowers, encourages & involves local residents.

- **A Wales of Vibrant Culture and Thriving Welsh Language** - The Valleys have a particular Welsh culture & pride which the staff and Board of Trustees are keen to retain. The pre-school facility is focused on fostering the use of the Welsh language to help ensure that it will continue to thrive in a modern, inclusive Wales.
- **A Globally Responsible Wales** - The Centre will respect and welcome individuals from a variety of cultures and backgrounds & people will be made to feel welcomed & included regardless.

11.4 The Corporate Plan also contains principles that include 'Helping people and communities to help themselves' stating that:

"(The Council) believes that if you give power to local people you get better results and achieve better value... (the Council) wants to work more closely with RCT's community and voluntary sector to stimulate innovation and encourage communities to step forward and take on new roles in providing local services and solutions."

11.5 The Council is approaching this principle in different ways and has launched RCT Together as a means of engaging and involving residents in how services are best sustained in communities:

"The Council's vision is to develop a new relationship with residents that enable them to be independent and resilient and to take on greater responsibility for their local communities. This is not about the Council shifting its responsibility – it is about recognising that residents want to be more involved in what happens in their community".

11.6 The RCT Together approach, now aligning with the Council's developing Community Hub and Neighbourhood Network approach will further strengthen the involvement of local residents and community groups in determining the best use of its assets to enable the community to strengthen its resilience and wellbeing.

12. **CONCLUSION**

- 12.1 This proposal will support the local community to benefit from and have access to low cost, good quality Welsh Language pre-school education, additional learning needs opportunities and an up to date Family Centre that is modern and environmentally friendly.
- 12.2 It will enable the organisation to meet the evidenced need for additional Welsh Medium Early Years provision and would enable the current waiting list of 20+ children to be accommodated, ultimately providing up to an additional 60 places per week.
- 12.3 The group have provided extensive evidence of support from a number of sources, acknowledging the quality of their provision.
- 12.4 The following is a summary of the risks identified by the Community Asset Transfer Panel and the mitigating actions reported by the group as:

- Ensuring the programme of works complies with Construction Design and Management Regulations. The contractor had advised that on award of the construction contract, all necessary documentation to form the Construction Phase Health and Safety Plans as part of CDM Regulations will be provided for review.
 - The panel were satisfied after discussions that the group have a sustainable business and that projected surpluses will need to be revised to ensure the organisation is mindful of future anticipated rises in national living wage levels and the projected increase in building running costs.
- 12.5 Taking into consideration the wide ranging benefits of their proposal, the fact they have secured all necessary permissions and funding totalling £465,000 to refurbish the building and being satisfied that they have adequately addressed queries and put appropriate mitigating measures in place, the recommendation of the panel is to support the proposed leasehold transfer to enable the whole of the building to be brought back into community use.

Other Information:-

Relevant Scrutiny Committee

- Public Service Delivery, Communities and Prosperity Scrutiny Committee

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

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7TH OCTOBER 2019

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FACH (COMPANY LIMITED BY GUARANTEE AND REGISTERED CHARITY)**

Background Papers:

- Providing Opportunities for Others to Operate Services and Assets; Cabinet – 30th October 2014
- RCT Together Process – Update on Progress; Cabinet Council – 19th May 2016
- RCT Together – Review of the Community Asset Transfer Process; Cabinet – 21st November 2018

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