

Community Asset Transfer opportunity

November-December 2019

Former public conveniences Avonmouth
Avonmouth Road
Bristol
BS11 9EN



Bristol City Council is inviting community-based organisations to submit an Expression of Interest in managing the former public conveniences building in Avonmouth. This document explains what's on offer and what we require from the successful bidder.



Brief for organisations wishing to express an interest in managing the former public conveniences, Avonmouth Road, Bristol BS11 9EN

Bristol City Council would like to invite expressions of interest from suitably qualified and constituted organisations that may wish to take a lease of the disused public toilets to deliver community-based services and activities. This document sets out what is on offer and what we require from the successful bidder.



Background

The disused public toilets in Avonmouth are located within a purpose-built, single storey building of traditional construction with a pitched, tiled roof, set on the edge of Avonmouth Park.

Not much is known about the early history of the building, but it is believed to have been constructed between 1905-1910 on land that was originally part of the Kings Weston Estate. The land was donated in 1905 by Philip Napier Miles to the City for “... *the purpose of an ornamental garden and place of recreation*” (now Avonmouth Park) and a restriction that only a “*Cloak Room with conveniences...*” could be constructed on the land.

The freehold ownership of the property is held by Bristol City Council. The property ceased to be a public toilet around 2005 and has been vacant since.

The council would like to consider options for letting the property to a not-for-private-profit organisation for a use that complements the adjacent Avonmouth Park and delivers benefit to the local community.

The new tenant organisation will need to demonstrate how it can maximise the use of the building for the delivery of social, economic or environmental benefits to the local community and the people of Bristol.

It is anticipated that the property will be available for a range of different community-based activities and will still provide public toilet facilities for users of the park and the general public. Occasional private hire for social activities may also be appropriate.

Community-based organisations interested in taking over the management of the property are asked to submit a written Expression of Interest as part of the CAT process (see below).

About the property

The building is located across the road from Avonmouth Community Centre and the local library.

Please [click here](#) for a map and for a [Streetview photograph](#) of the property.

The property consists only of the toilet building and does not include any of the surrounding land. The internal floor area is 50 m².

The property is subject to a restrictive covenant that limits the use of the building to “a cloak room with conveniences” - see above. Full details can be provided on request.

Although the covenant is historic, the new tenant may wish to consider how its proposed new use can demonstrate that it has a strong link with the park. The tenant may also wish to consider taking out indemnity insurance. This may be particularly relevant if funding or investment is applied for from third parties.

The new tenant is advised to seek independent, professional advice in respect of the covenant and future use of the property.

Address details:

Public Conveniences, Avonmouth Road, Bristol BS11 9EN
(BCC property ID 6650, UPRN 000000272007)

Services:

Water and electricity supplies were previously available in the property, but were capped off when the operational use ceased and may have been disconnected since.

Repairs & maintenance:

The property will be offered in its current condition. The future tenant will be required to carry out all maintenance and repairs to the property throughout the Lease term, but will not be expected to hand the property back in a better condition than it is in at the time of the hand-over.

The council is not able to offer any financial assistance towards the cost of repairs and maintenance.

Business rates:

The current rateable value of the property is £2,350 – for details please see Local authority reference: 00014881269062:

<https://www.tax.service.gov.uk/business-rates-find/summary/18200683000?uarn=9681641000>

Mandatory rate relief of 80% is available to tenants that are a registered charity, Community Amateur Sports Club, or who have similar charitable aims. Discretionary rate relief, or Small business rate relief, may also be available in some cases. For details see:

<https://www.bristol.gov.uk/business-rates/business-rates-reductions-exemptions-and-changes>

The organisation we are seeking to work with

The tenant should meet the criteria set out in Sections 4 and 5 of the Council's Community Asset Transfer Policy (see Appendix A) and in particular:

- Needs to be a properly constituted organisation.
- Must generate social, economic or environmental benefits.
- Must directly benefit the people of Bristol, and the local community in particular.
- Should benefit as wide and diverse a range of local people as possible.
- Needs to present a well-prepared and financially viable business case.
- Needs to demonstrate a clear community/social demand for the proposed Lease.
- Needs to have a proven track record of successfully managing a community building, or have trustees or board members who have the necessary expertise or experience of successfully managing a property for community-based activities
- Needs to meet all the basic requirements for a good 'community organisation' as set out in the pre-VISIBLE quality standard – see Appendix B within the Community Asset Transfer Policy.

More details about the CAT Policy can be found at www.bristol.gov.uk/cat

In addition, the tenant should also:

- have a clear vision for the future use of the building.
- provide evidence of a track record of working in partnership with local residents and community organisations.
- have experience and expertise of financial planning and control.
- be able to evidence a full understanding of current Health & Safety and Fire Safety legislation.
- have an understanding of Equalities legislation, including the Equalities Act in relation to the accessibility of public buildings.
- demonstrate how the proposals for this property support the One City Plan – the Plan can be downloaded from the [Bristol One City website](#).
- outline how their organisation aligns with the Bristol City Council organisational values – details can be found on page 9 of our Corporate Strategy [on the Council's website](#).

This opportunity is open to any voluntary, community or social enterprise organisation that is suitably qualified and meets the criteria set out in this brief.

Proposals by a consortium of different community-based organisations are also very welcome. Expressions of Interest from other organisations, including statutory bodies, can also be considered, subject to such organisations meeting the Council's general CAT criteria and having a local connection.

Proposals from commercial organisations or projects that do not have a local connection, or that don't deliver social, economic and environmental benefits to the local community and the people of Bristol, are unlikely to be considered.

Our Offer

The Council is seeking to work with an organisation that will maximise the utilisation of the property and will manage all aspects of the building.

To ensure that this is financially sustainable and meets the needs of the wider community, the new tenant is expected to develop an imaginative new use for the property and share it with other community-based groups and organisations.

Lease:

The Community Asset Transfer will be in the form of a Lease on preferential terms. A contracted-out Lease of between 5-35 years will be offered, in line with the council's Community Asset Transfer Policy, subject to a satisfactory business plan and Executive approval where necessary.

The length of the Lease term will depend on the level of investment that the incoming tenant would need to make, on their experience and expertise, and on their proposed use of the property. The business plan is expected to support an appropriate and realistic length of lease.

The property is being offered 'as is' and without any funding for alterations, repairs or running costs.

The tenant will be responsible for paying all outgoings, including utility bills, rates, waste collection, insurance and general running costs in respect of the premises.

The tenant will be expected to seek independent, professional advice on the Heads of Terms, the Service Agreement and the Lease itself.

This Lease is being granted under the Council's Community Asset Transfer Policy and will be in a standard format. Amendments will not be accepted, unless they are site specific or relate to extenuating circumstances that legally prevent the new tenant organisation from proceeding.

The Council uses a standard template for the Lease, in order to keep costs to a minimum. The Council will cover the first £1,000 of its own legal costs in preparing and completing the Lease. This should be sufficient to complete the Lease but the tenant will be expected to pay the Council's legal costs in the event that they exceed £1,000 eg in the case of protracted negotiations, or if the tenant requests further changes to be made to the Lease at a later stage.

Interested organisations are asked to clearly state in their Expression of Interest how much rent they are offering to pay and their preferred length of the lease term.

The Lease will be subject to a Service Agreement which sets out the services and social, economic or environmental benefits that will be generated by the tenant's use of the property.

Service Agreement:

The Service Agreement will be subject to annual monitoring. Continued breaches of the Service Agreement will result in the full market rent for the property becoming payable immediately and will also enable the council to bring the Lease to an end. For the draft Service Agreement please see Appendix B.

Timescales:

It is anticipated that a preferred tenant will be selected by 21 February and that a final CAT decision will be made before the end of May. The building is expected to be under new management by July 2020.

Please see below for a more detailed timetable for CAT of this property.

This invitation to express an interest in managing the property does not commit the Council to an Asset Transfer and it is not a guarantee that the Council will definitely offer a Lease.

Minimum obligations on the tenant organisation

The main requirements for taking over the management of the former public conveniences building in Avonmouth include:

1. manage the building on a day-to-day basis and deal with all operational aspects of the property
2. work closely with other organisations to maximise the utilisation of the property
3. hire out the building and share it with other community-based groups and organisations
4. service a local 'User Group' that gives users, the local community and other local organisations a direct voice in the decision making process and the way in which the building is managed
5. regularly evidence to the Council that the property is operated in a way that best serves the needs and expectations of the wider community, in accordance with the Council's criteria as set out in this document

All activities at the property must deliver measurable outcomes, in line with the draft Service Agreement, in particular:

1. To ensure that the property delivers maximum community benefit, the tenant needs to ensure that the premises are used for community-based activities that directly benefit the local community and the people of Bristol.
2. The premises should be available to support community events in Avonmouth Park; when not in use for this purpose, the premises should be available for other community activities for a minimum of five days per week, including evenings.
3. If the building is shared or hired out, priority should be given to organisations or activities associated with Avonmouth Park, or that directly benefit the local community.
4. The charges for such use should be reasonable and comparable with other community facilities locally.
5. The tenant will set up and service a 'User Group' which will consist of occupants, regular users, beneficiaries and local residents, to ensure they

have a voice and role in any future changes to the building, and to ensure that the overall use of the property meets local needs.

6. The lease will place responsibility on the tenant for maintenance, repairs, insurance and all outgoings. The future tenant should carry out their own checks on the property's condition and suitability.
7. Particular emphasis will be placed on creating and maintaining a visually attractive and well-kept community facility that contributes positively to the character of the local area and environment.

Please see Appendix B for a copy of the draft Service Agreement. Section D of that document contains full details of the services that the tenant organisation will be expected to deliver.

Selection criteria and decision making process

1. Expressions of Interest will need to clearly demonstrate how the running cost of the building will be met by providing details of realistic funding sources and anticipated income from activities and hiring out the premises.
2. All Expressions of Interest will be considered by the Council's CAT Panel which is made up of Councillors and Council officers.
3. The Panel will select a preferred tenant, who will then be invited to submit a full business plan within six weeks (by 6 April 2020).
4. Decisions will be made by the Panel in accordance with the council's CAT Policy and the One City Plan; particular emphasis will be placed on: the capacity, governance and financial sustainability of the applicant; on the applicant's experience and ability of engaging a diverse community; on local needs; and on the level of social/economic/environmental benefits that will be generated by the use of the property.
5. It is anticipated that the standard CAT Policy timescales for decisions will not be applicable to this property and that all decisions and processes will be fast-tracked and a decision made as soon as possible (see the timetable below).
6. A final decision on whether or not to grant a Lease or to dispose of the property will be made by the CAT Panel before the end of May 2020.

Viewing the property before submitting and Expression of Interest

To request an appointment to visit the property for a viewing please contact us:

Email: community.buildings@bristol.gov.uk

Telephone: 0117 903 6440

If you would like a surveyor, architect or advisor to visit the property with you please mention this when you contact us, giving their details as well as yours.

Process for Expressions of Interest

- Organisations wishing to express an interest in taking a lease and in managing the former public conveniences in Avonmouth should submit their proposal by email only to: community.buildings@bristol.gov.uk
- All expressions of interest must be received by no later than **9am on 13 January 2020.**

- Please telephone us on 0117 903 6440 if you are unable to email your submission.
- You are welcome to use your own format for the EoI, or use the topic headings provided in Appendix E.
- Your proposals should have regard to the guidelines set out in and address the issues listed in this Brief, including all of the following:
 - Why the property is needed by the applicant?
 - Why this particular property has been selected?
 - Aims and objectives of the organisation and the project.
 - Support from others and details of partnership working.
 - Demonstrate the ability to effectively manage the property.
- Your proposal should clearly state the length of term sought and the level of rent offered, and give full details for the person(s) we may contact for more information about the submission.
- It is not necessary to submit a full business plan at this stage; this will be required from the preferred applicant in due course.
- For further information about the property and lease arrangements please contact:

Telephone: 0117 903 6440

Email: community.buildings@bristol.gov.uk

Timetable

A Brief is published and advertised widely and sent to those already having expressed an interest	Monday 11 November
Deadline for submission of Expressions of Interest	9am on Monday 13 January 2020
CAT Panel's next scheduled meeting (subject to confirmation)	Tuesday 18 February
Panel decision – the preferred tenant will be invited to submit a full business plan	Friday 21 February
Deadline for submission of full business plan and supporting documentation	9am on Monday 6 April
Evaluation of business plan by the Council	during April
Seeking the views of the Ward Councillors and relevant Cabinet Members	during April
CAT decision issued	by the end of May
Organisation signs Lease with the council and begins management of the former public conveniences building in Avonmouth	by the end of July

Please note: the dates highlighted in yellow are aspirational and subject to change; the exact dates may change nearer the time.

Appendices

- Appendix A: Bristol City Council Community Asset Transfer Policy
- Appendix B: Draft Service Agreement
- Appendix C: Location/site plan
- Appendix D: Floor plan
- Appendix E: Suggested topics for Expression of Interest

Privacy Notice Community Asset Transfer

Bristol City Council is the data controller for the purposes of the Data Protection Act 1998 and other relevant regulations. The purpose of this privacy policy is to tell you about what information we collect about you when you use our service, how we use that information and who we may share it with.

The contact details of the data controller are Bristol City Council, P.O. Box 3176, Bristol BS3 9FS

What data we need to collect and the legal basis for processing it:

To enable the Property Department to consider your expression of Interest your name, address, phone number and email address are collected. Your details are required in order to take those steps at your request prior to entering into a contract and, should a contract be awarded, for the performance of this contract to which you are party.

How long we will keep your data for:

Your records are retained for Audit purposes.

Why we need to collect your data:

Your data is collected so that Bristol City Council can consider your expression of interest in a community asset transfer.

Yours rights as a data subject:

You have the right to request access to your data and where data is found to be inaccurate to have that data corrected. In certain circumstances you have the right to have data held about you erased, or the use of it restricted, you may be able to object to processing as well as the right to have your data transferred to another data controller.

You have the right to object to the processing of your information and to have any inaccurate information corrected. You also have a right of complaint to the Information Commissioner's Office (ICO) at www.ico.org.uk if you think we have dealt with your information in an inappropriate manner.

Further guidance on your data can be found here

<https://www.bristol.gov.uk/about-our-website/privacy>

Fraud Prevention and Detection:

Bristol City Council is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for auditing, administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For more information visit <https://www.bristol.gov.uk/data-protection-foi/fraud-prevention-and-detection>

You can ask to see what information we hold about you and have access to it. You can do this, by contacting:

Senior Data Protection Officer
Bristol City Council
ICT Commissioning and Information Governance
P O Box 3176
BRISTOL
BS3 9FS
Data.protection@bristol.gov.uk

Any further questions regarding the data being processed may also be sent to the above address.