



Cabinet

7 FEBRUARY 2011

LEADER

Councillor Stephen Greenhalgh

CABINET MEMBER FOR COMMUNITY CARE

Councillor Joe Carlebach

H&F BUILDINGS CONSULTATION REPORT

Wards All

This report sets out the consultation undertaken regarding a number of Council properties (ten owned, three leased). The report presents recommendations for the future of these properties.

Cabinet is asked to note the financial position of the council, with around £60m of savings needing to be achieved in the next three years. In light of this it is recommended to dispose of buildings which are considered no longer required or which can no longer be economically retained by the Council, in order to preserve as much funding as possible for vital services to vulnerable residents.

Cabinet is asked to consider the recommendations as set out in this report.

CONTRIBUTORS

CSD, CHS, H&FH
ADLDS
DFCS

HAS A EIA BEEN COMPLETED?
Yes – available electronically

HAS THE REPORT CONTENT BEEN RISK ASSESSED?
Yes

Recommendations:

1. **That the following properties are no longer required by the Council and are released for disposal (on terms considered appropriate by the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services):**
 - a. ***Cambridge House and Barclay House:*** the Council should vacate the buildings at the earliest opportunity and relocate staff to remaining accessible sites.
 - b. ***Fulham Town Hall:*** With the relocation of services, it is declared to be no longer required by the Council and can be released for disposal.
 - c. ***Distillery Lane Centre:*** (subject to public notice under Section 123(2A) Local

Government Act 1972 and consideration of any objections received). Please refer to paragraph 21.5 in the report.

- 2: That the Council can no longer afford to keep and maintain the following properties (or subsidise others to do so) and that they are disposed of on terms which the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate**
 - a. *Askham Centre*: (subject to possible short term use first and to relocation of services)**
 - b. *Palingswick House*: is declared too costly to keep and maintain and can be released for disposal.**
 - c. *58 Bulwer Street*: is declared too costly to keep and maintain and can be released for disposal.**
 - d. *The Greswell Centre*: (subject to alternative accommodation being offered to Hammersmith & Fulham Action on Disability in the White City Collaborative Care Centre).**
 - e. *20 Hammersmith Broadway (Information Centre)*: That the current lease is not renewed; and to offer to surrender the premises back to the landlord or (failing that) sub let the premises to a retailer paying a market rent (after offering first refusal to the current occupant). The terms of such surrender or sub-letting to be as the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.**
- 3. That Cabinet revoke its decision made in January 2009 to extend the lease of the Irish Cultural Centre to Irish Cultural Centre Hammersmith Ltd. The property to be released for disposal at best consideration with the tenant being offered first refusal when the current**

lease expires in March 2012. Terms of disposal to be as the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.

- 4. That a decision on the future of 50 Commonwealth Avenue be deferred until the Day Opportunities review has concluded.**
- 5. That delegated authority is given to the Leader of the Council and relevant Cabinet Member to procure a managing agent that will manage the Edward Woods Community Hub. This would be under a framework agreement, whereby other buildings/ hubs owned by the Council could potentially be managed by the same organisation.**
- 6. That the Council explore options for developing further community hubs in the borough as opportunities arise.**
- 7. That delegated authority is given to the Leader of the Council and relevant Cabinet Member to conclude all matters relating to the implementation of the above recommendations (with power to sub-delegate to the relevant departmental Director).**

1. Introduction

- 1.1 **Council's portfolio of premises:**
- 1.2 The Council owns an extensive range of properties – 18,215 residential dwellings (a combination of tenanted and leasehold) and 836 non residential buildings, including civic buildings, schools and electrical substations.
- 1.3 The Council has sold 58 buildings since 2006, achieving over £56million in capital receipts. Disposing of buildings is not a new approach. All Local Authorities are being encouraged to improve their Asset Management processes. The main agent for this change is Sir Michael Lyons' 2004 Report 'Towards Better Management of Public Sector Assets' and subsequent research commissioned by the Office of the Deputy Prime Minister from the Royal Institute of Chartered Surveyors entitled 'Asset Management in Local Authorities' in July 2005, which highlighted the fact that implementing new and better ways of managing property assets was a vital aspect of authorities being capable of meeting their local and national challenges of improving service delivery, delivering efficiency savings and attaining greater cost effectiveness.
- 1.4 **Financial pressure:** It is well known that local authority funding is facing a very tough future – with unprecedented levels of savings needing to be found over the next three years. Following the Comprehensive Spending Review the council now knows that it needs to save in excess of £28 million in the next financial year and in the region of £60million over the next three years.
- 1.5 In addition to this, the council has a corporate debt of £133 million, which costs £5 million a year in interest payments alone – money which could otherwise be spent on vital services.
- 1.6 The Council is making every effort to reduce costs and the Council's level of debt. The Council's priority is to protect the quality of front-line services and will continue to achieve efficiencies wherever possible.
- 1.7 However, the size of the debt and the economic position the Council faces means that these activities alone will not be enough. The council's priority has to be service users, not buildings. Therefore, from July to September 2010, the Council consulted local residents and organisations on a proposal to consider 9 buildings for disposal, plus withdrawal from 3 other leased buildings that are no longer needed and a proposed alternative use of another building.
- 1.8 Cabinet is asked to note the financial position facing the Council, since the H&F Buildings Consultation was undertaken. The Comprehensive Spending Review has been further clarified and the Borough is now required to identify around £60m savings by 2013/14. Disposal of assets is therefore required to help the council achieve the necessary savings.

2. H&F Buildings Consultation

- 2.1 Officers have carried out a substantial programme of consultation using a variety of means as explained later in this report. The essentials of a lawful consultation process are that consultation is carried out when proposals are at a formative stage, sufficient time and information is given to those with a reasonable expectation of being consulted to permit intelligent consideration and response and the product of the consultation is conscientiously taken into account by Cabinet in reaching a decision. Officers are of the view that a fair and lawful process has been carried out and that the product of the consultation has been accurately reported and summarised in the report for Cabinet's consideration.
- 2.2 The H&F Buildings Consultation asked residents for their views on the possibility of disposing of the following LBHF owned assets:
- Fulham Town Hall
 - Sands End Community Centre (SECC)
 - The Askham Centre
 - Distillery Lane Centre
 - Palingswick House
 - The Irish Cultural Centre
 - 58 Bulwer Street
 - The Greswell Street Centre
 - 50 Commonwealth Avenue
- 2.3 The consultation also sought residents views regarding three properties where the Council proposes to discontinue its lease:
- The Information Centre in Hammersmith Broadway
 - Cambridge House
 - Barclay House
- 2.4 In addition, the consultation also asked residents views regarding the possibility of alternative use of:
- Hammersmith Library
- 2.5.1 A consultation was launched on 17th June and closed on 30th September 2010. Residents or interested parties could submit feedback via
- online questionnaire,
 - comments by post,
 - hand deliver
 - attend one of the two open consultation days at the Hammersmith Town Hall on 12th August and the 10th September 2010.
- (The consultation on Sands End Community Centre was extended to 10th November 2010, following representations by residents).
- 2.6 The consultation was promoted through H&F News, local newspapers and on the council's website. Hard copies of the consultation were sent directly to the buildings included in the consultation, local libraries and local community organisations.

- 2.7 Sands End Community Centre (library provision) and Hammersmith Library were also included in a separate consultation on local library services. The library consultation covered the whole borough strategy for library services and could be accessed:
- online
 - via hard copy from any of the libraries, including Sands End and
 - via 3 open days on 24th August at Hammersmith Library, on Thursday 2nd September at Fulham Library and on 7th September 2010 at Shepherds Bush Library. These sessions provided opportunities for people to come in, chat to senior staff and find out more about the proposals and to tell us what they think about the proposals.
- 2.8 A separate report from Residents Services regarding a library strategy for the borough should be referred to in relation to the Hammersmith and the Sands End library service. The H&F Libraries Report was considered by Cabinet on 10th January 2011.
- 2.9 Sands End Community Centre is the subject of a separate report elsewhere on the Cabinet agenda 7th February 2011.
- 2.10 The Council has received a separate petition with regard to the buildings consultation. The petition prayer is;
“We the undersigned are concerned about the loss of community facilities and consequent loss / reduction of services. In particular we request that LBHF retains a central hub for community organisations whether based at Palingswick House or elsewhere in Central Hammersmith. Further we request that a separate consultation is held for each of the buildings being considered for sale from which voluntary organisations are currently providing services”.
- Number of signatures from people living, working or studying in the borough – 6.
- 2.10.1 The Petition does not reach the threshold of 5000 signatures necessary to be considered at Full Council but has been considered as part of the consultation feedback. The response to the petition prayer is:
Palingswick House does not meet the Council’s criteria for a community hub detailed in paragraph 11.11.12. However In recognition of the high level of desire for a hub in the centre of the borough expressed in the consultation and the pockets of deprivation in the centre of the borough, the Council will explore the possibility of developing a central hub. LBHF will review opportunities as they arise, where buildings meet the criteria for a community hub location, and is now planning a further hub at the Lyric Theatre in central Hammersmith. Officers did not consider it efficient to undertake a separate consultation on each building included in the report. By grouping buildings under one consultation, residents were able to understand the broader context and overall approach of the Council, plus they could choose to respond to questions about those buildings they were interested in.

3. The impact on Council services

- 3.1 The disposal or ceasing to lease some of these buildings may have an impact on the local services available to Hammersmith & Fulham residents. However, it is likely that in many cases, this will result in a relocation or reorganisation of a service, rather than the service no longer being available.

3.2 The buildings included in the consultation that accommodate Council services are:

Building	Services
Fulham Town Hall	Registrars, Cemeteries & Genealogy, South Fulham Housing Office, CCTV, Touchdown (Smartworking), Parking enforcement.
Sands End Community Centre	Library, Adult learning, gym, children's centre (plus a number of health, sports and learning activities run by external organisations) See SECC Report elsewhere on Cabinet agenda 7 th February 2011.
The Askham Centre	Children's Services offices, Children's Services Contact Centre, Emergency Duty Team, PCT Meanwhile Therapy Service, HAFAD Welfare Adviser , Court Assessment Team, Family Assist workshops
Hammersmith Library	Library
Cambridge House	Children's Services offices
Barclay House	Children's Services offices

3.3 Impact on a Council service

3.4 The programme of moving Council services and staff into fewer, more cost-effective sites is well underway. The Council has shrunk its use of space by 40 per cent already since 2006, with total asset sales of £56 million. Vacated properties include Riverview House offices and Stowe Road depot.

3.5 Where a building accommodates a Council service, the Council will relocate the service to an alternative site. This may include a reorganisation of the service to make it work better for local residents, be more cost effective and deliver better value for money.

3.6 This will include the rolling out of "SmartWorking" the Council's solution for making best use of office accommodation and contributing to efficiencies.

3.7 What is SmartWorking?

3.7.1 SmartWorking is the term used to define the Council's vision for offering Council employees a more flexible and rewarding working environment, balancing the requirements and implications on organisational development, technology, service delivery & accommodation. The Council's aim is to realise benefits in staff motivation and productivity, increase our options in attracting and retaining the right people, enable new service delivery efficiencies, while also minimising demand for and maximising savings from civic accommodation.

3.7.2 Smart Working plays a crucial part in delivering savings required from 2009/10 onwards, being the principal mechanism to release the space necessary to allow the council to realise substantial cashable savings from our civic accommodation portfolio as well as allowing us to offer more effective, value for money services.

3.7.3 The key drivers that have led to the SmartWorking Programme include:

- The scale of the savings needed in future years.
- The need to maximise the potential for accommodation savings defined in the Corporate Asset Management Strategy.
- The potential for service delivery & productivity improvements through wider enablement of remote working.
- The need for better visibility and control of mobile/remote/home working investments;
- The increasingly competitive environment to attract and retain staff:
- Best practice, particularly in other councils, demonstrates the range of potential benefits – both cashable and organisational.

3.7.4 The Council believes SmartWorking will deliver a range of benefits:

3.7.5 Organisational Benefits: A survey of results achieved in Councils across the country, showed the top five non cashable benefits to be:

- Staff turnover falls and retention rates rise.
- Staff absence rates fall.
- Employee satisfaction rises.
- Staff morale rises.
- Measurable productivity gains.

3.7.6 Service Delivery Benefits: From other Council's experience and our own analysis the Council will aim to deliver both cashable and non cashable productivity benefits in service delivery. These can come from a number of areas:

- Less time wasted travelling, particularly during working hours.
- Fewer error prone processes with reduced need for repeated data entry.
- Removing technology restrictions that tie much productive work to an office desk.
- Increasing the ability to deliver the full service at the point of service delivery, for example by offering fast, secure, mobile access to all of the required data and applications required.
- All of the above can lead to improved staff and resident satisfaction and more productive, improved service delivery.

3.7.8 Accommodation Benefits: The Smart Working Programme will be the principal mechanism to release the space necessary to allow the Council to realise substantial cashable savings from our civic accommodation portfolio through a focus on optimising the utilisation of available office space.

4. Impact on the 3rd sector

4.1 The term "3rd Sector" describes community and voluntary groups, registered charities both large and small, foundations, trusts, social enterprises and co-operatives.

A number of buildings included in the consultation are currently occupied by 3rd sector organisations:

- Palingswick House
- Sands End Community Centre (SECC)
- Askham Centre
- 58 Bulwer Street
- The Irish Cultural Centre
- 50 Commonwealth Avenue
- The Greswell Street Centre
- The Information Centre, 20 Hammersmith Broadway

- 4.2 As set out in the LBHF 3rd Sector Strategy, the Council believes that establishing community hubs in the highest areas of deprivation in the borough will better meet the accommodation needs of the 3rd sector now and in years to come. The Council is establishing a hub in Edward Woods Estate in the north of the borough, and a hub is being developed in the south of the borough in Dawes Road, SW6 (the former adult learning centre) by an external organisation, Fulham NDC (New Deal for Communities). The council is now actively pursuing the possibility of creating a further hub in central Hammersmith in a number of developments including those planned at the Lyric Theatre.
- 4.3 For those organisations that would be affected by the loss of the buildings being considered for disposal, the council will endeavour to ensure they are provided with support:
- For those organisations commissioned by council departments to deliver essential services, no change will be made until a suitable alternative site has been provided.
 - For those services funded by the council's 3rd Sector Investment Fund (the council's main grants programme for the sector), organisations will, as far as practicable, be given priority for alternative Council accommodation that is or becomes, available.
 - For all other organisations the Council will seek to ensure appropriate advice and support is available to assist them in identifying alternative premises.
- 4.4 The Council is committed to supporting the local 3rd Sector, including through the borough's 3rd Sector Investment Fund grants budget (£4.2m in 10-11). When compared to other London boroughs, we have the 6th highest investment in voluntary sector grants – but rank 4th in terms of spend per head - £26 per person, compared to £9 per person in Ealing and just £1 per person in Havering. Croydon have cut their entire grants budget except for 6 groups and Greenwich cut their budget by 50% in 2010 – 11.
- 4.5 However, the Council is having to radically rethink how it provides services in light of the forthcoming financial pressures, and expects organisations funded by the Council to do likewise. The majority of groups recognise the financial crisis we are all in and are constructively working with us to protect local services. Many of the best-organised groups have shown an impressive recognition of the need to strive for increased independence from Council funding, develop new ways of working and more sustainable services.

- 4.6 As set out in the 3rd Sector Strategy, in order to maximise resources, the Council will implement the existing Rent Subsidy Policy which will enable the full level of support provided to the sector, in terms of both investment and premises, to be clearly identified.
- 4.7 New leases will be expected to realise market rent, with a business case presented by the lead commissioning officer should any form of rent subsidy be recommended. Groups are expected to actively fundraise to increase their independence from LBHF funding, and incorporate full cost recovery into their funding applications.
- 4.8 Should less than market rent be agreed, the level of rent subsidy will be reviewed annually to take into consideration external income streams of the organisation and the performance of the tenant in meeting council priorities, as identified at the leasing stage.
- 4.9 Organisations who transfer to the hubs should experience a positive impact. In particular protected¹ groups would benefit. Organisations would be located closer to their target groups, with good transport links, compliant disabled access and facilities and increase in numbers and diversity of visitors visiting the multiple hub organisations. Hubs would also be obliged have due regard to equalities duties when discharging any of its functions - further supporting vulnerable organisations, staff and residents.

5. Barclay House and Cambridge House

- 5.1 Barclay House and Cambridge House are two buildings leased by the Council, and occupied by children's services.
- 5.2 Cambridge House is a 1960's property comprising of 3 interlinking buildings located in Cambridge Grove, Hammersmith. Children's services occupy two suites at Cambridge House under two leases which both expire in 2014.
- 5.3 Barclay House is a 6 storey period building in Effie Road, close to Fulham Broadway. The council occupies the entire building under a lease which expires in September 2011.
- 5.4 Both of these buildings are no longer needed. Council restructuring and the market-testing of services over the last four years has radically reduced the in-house workforce resulting in a much-reduced accommodation requirement.
- 5.5 Officers do not consider that Barclay House and Cambridge House are required for the provision of services currently located in these buildings. The Council's "Smart Working" programme is enabling Council services to make better use of alternative council space. The relocation of Council services from this building will not

¹ For the purpose of this report those covered by the general equalities duties under the Sex Discrimination Act 1975 ("SDA"), Race Relations Act 1976 ("RRA") and Disability Discrimination Act 1995 ("DDA") are referred to as "protected groups". Please refer to paragraph 18.4.1 of this report for a specific breakdown.

significantly impact local residents. Services will remain available to local residents in the area.

5.6 Consultation responses

- Number of responses: 194
- Responses supporting withdrawal from the building: 20%
- Responses opposed to withdrawal from the building 13%
- No preference: 67%

5.6.1 The majority of respondents were either in support of the proposal or did not know the buildings and had no views on the matter. Many felt that as long as the services were still provided it did not matter where Council staff were housed. Few were strongly opposed to the proposal.

5.7 **Equalities Impact Assessment** – For the full Equalities Impact Assessment please refer to appendix 3a – Barclay House and appendix 3b - Cambridge House. In summary:

5.7.1 Staff should benefit from relocating to accessible buildings and working in closer proximity with departmental officers, thereby improving the service and accessibility to residents.

5.8 The council should at the earliest opportunity withdraw from the leases Cambridge House and Barclay House.

6. Fulham Town Hall

6.1 Fulham Town Hall is one of two town halls in one of the smallest boroughs in the country. It is very under-used with 30 – 40% vacant space and requires major renovation which the council cannot afford in the current climate. Most Council services have been moved to other buildings over recent years. It is not justifiable to ask taxpayers to pay for the luxury of having two town halls in one borough.

6.2 Although close to good public transport links, Fulham Town Hall is not good in terms of disabled access. There is limited level access within the building, with the majority of the building being inaccessible to residents or staff with mobility difficulties.

6.3 Fulham Town Hall's heritage and historical identity will be at the heart of any future proposal – it is intended that the fabric and identity of the building will be retained and the new business should bring vitality to the heart of Fulham.

6.4 The relocation of council services such as registrars, CCTV and parking attendants from Fulham Town Hall to alternative council buildings in the borough will not significantly impact local residents. It is intended to relocate the cemeteries staff to Mortlake Cemetery, where they will be better located to help walk-in customers. H&F Homes are looking at ways to offer more local services to South Fulham Housing Office customers in the South of the borough. Including mobile working, combining services with Fulham North Housing Service, 10 minutes walk from the Fulham Town Hall, and/or sharing facilities with the 3rd sector. H&F Homes are surveying users of the housing reception services currently operating at Fulham Town Hall to understand

how customers use the service and will use this information in determining how those services would be provided appropriately in the future. (The Council will continue to pursue this once H&F Homes management is transferred back to the council).

6.5 Officers do not consider that Fulham Town Hall is required for the provision of services currently located in this building. The Council's "Smart Working" programme is enabling LBHF services to make better use of alternative Council space, whilst continuing to offer an excellent level of service to borough residents.

6.6 **Consultation feedback:**

- Number of responses: 320
- Responses supporting disposal: 12%
- Responses opposed to disposal: 49%
- No preference: 39%

6.6.1 The greatest proportion of respondents were against the idea of selling Fulham Town Hall. This was mainly due to the feeling that Council services are being moved to Hammersmith, leaving Fulham devoid of services, as well as the building's heritage and status within the Fulham community. There were also worries that the council would not secure an appropriate sale price. Those in favour of the sale suggested that only one town hall was necessary and the services it currently houses could be located in alternative buildings. A proportion of respondents were not particularly familiar with the building or had no view regarding its sale. Some respondents suggested keeping this building to house other organisations that would be displaced due to sales of other buildings.

6.7 **Equalities Impact Assessment** – For the full Equality Impact Assessment please refer to appendix 3c – Fulham Town Hall. In summary:

6.7.1 The relocation of Council services from this building will not significantly impact local residents. Key locality based services such as housing offices and registrars will remain available to local residents in the area. In addition the relocation of registration services appears to have the potential to impact positively on older and disabled people, as well as men and women registering a birth, since the services will be in an accessible location and be easier for those with mobility impairments and those carrying small children to use.

6.8 With H&F being such a geographically small borough, with excellent transport links from Fulham to other parts of the borough, officers do not consider it necessary to retain this building for the provision of Council services. Officers consider that the financial benefits and minimum impact on services outweigh the objections. Therefore Fulham Town Hall is recommended as no longer required by the Council and is released for disposal.

7. Community Hubs in Hammersmith and Fulham

7.1 In September 2009, Cabinet agreed the 3rd Sector Strategy which set out the Council's approach providing premises for the sector, through the development of Community Hubs, which offer cost effective, accessible and sustainable space.

7.2 The key criteria for buildings to be considered as a hub location are:

- The building is not suitable for disposal.
- The building offers compliant disabled access.
- The building is cost effective in terms of running costs and repairs/maintenance.
- The site offers the potential of flexible use by multiple groups.
- The site will support the delivery of services that meet local priorities and provide positive benefits to local residents.

7.3 The idea of community hubs is not a new one. There are several examples of hub type buildings across the UK, which offer shared, flexible use for groups of service providers. Locally, we anticipate that services located in community hubs will offer a range of facilities for the community and accommodation for 3rd sector organisations, and will be determined by what else is available in that area. Hubs may include facilities for:

- Office space – both short term leases for new or establishing organisations or longer term leases
- Shared, flexible desk space
- Shared meeting or training space
- Shared activity space
- Postage/internet/IT facilities
- Space for community café

7.4 We believe that establishing community hubs in the highest areas of deprivation in the borough will better meet the accommodation needs of the 3rd sector now and in years to come. The borough's priority is to seek opportunities for establishing community hubs in the borough's highest areas of deprivation:

- North: W11-W12 – Edward Woods Estate
- South: North Fulham – Fulham NDC (external organisation)
- The council is now actively pursuing the possibility of creating a hub in central Hammersmith in a number of developments including those planned at the Lyric Theatre

7.5 The hubs will offer advantages for protected groups subject to the Council's equalities duties in terms of proximity to areas of deprivation, transport links, compliant disabled access and purpose-built facilities and service and cost efficiency. They will further benefit from sharing space with multiple community groups with potential for partnership working, diversity of visitors and interaction.

7.6 **Edward Woods Estate Community Hub**

7.6.1 The Edward Woods Estate is situated in the northeast corner of Hammersmith and Fulham. It was built between 1966 and 1971 and consists of three tower blocks of 22 storeys and four 5 storey blocks. The Estate hosts a recently refurbished and extended community centre which is currently operated by H&F Children's Services Department.

- 7.6.2 A large scale regeneration plan is currently underway by H&F Homes which will see the estate undergo physical improvements including over cladding of the tower blocks to improve thermal efficiency, installation of renewable energy initiatives and conversion of vacant areas at roof and ground level.
- 7.6.3 Community sustainability is also a feature of the regeneration plan, with possible schemes focusing on worklessness and mixed housing stock. Westfield Shopping Centre is located five minutes walk away and its development has ensured that Edward Woods Estate now enjoys superb transport links with the rest of the borough and further afield.
- 7.6.4 The redevelopment of the Edward Woods Estate includes the reclaiming of previously unused space at the base of the three tower blocks and developing these as office space for 3rd sector and small/medium enterprises.
- 7.6.5 This development will result in 7 separate units, providing approximately 5,000 sq ft (up to 70 desk spaces) across the 7 units, each with their own kitchen, toilet and small meeting space.
- 7.6.6 Should the Council decide to dispose of buildings occupied by 3rd sector organisations, the Edward Woods Estate Community Hub would provide office space to accommodate the priority organisations that would be affected by the decision, and offer some flexible, shared space to non-priority organisations.
- 7.6.7 The Edward Woods Estate community hub is likely to be available from summer 2011 and it is anticipated that the management of the hub will be delivered through a contracted managing agent. The space is due to be made available finished to a shell stage, therefore further work to complete ICT fit out will be required before the space begins to become available to 3rd sector occupants.
- 7.6.8 The Edward Woods Estate (EWE) Community hub will offer:
- High quality, fully accessible office accommodation for organisations considered to be a priority (as set out in 3rd sector strategy) and offering services that will directly benefit EWE residents.
 - Access to shared space for groups not eligible for dedicated premises. 14-16 desks in one unit to be allocated for this provision.
 - Access to meeting/activity space at EW Community Centre (subject to availability)
 - Access to community café at EW Community Centre.
- 7.6.9 Delegated authority is sought to procure an external organisation to manage the Edward Woods Estate Community Hub. The Council does not currently have a suitable procurement framework in place, therefore a new procurement programme will be established. This new framework agreement will allow other buildings/community hubs owned by the council to also be managed by the same provider. A further award of contract report will be submitted for Cabinet/Cabinet Member approval in 2011.

7.7 North Fulham New Deal for Communities (NDC) Hub

- 7.7.1 North Fulham NDC has purchased a former Adult Learning building in the south of the borough (Dawes Road), and proposes to develop part of this space as a 3rd sector hub.
- 7.7.2 Current proposals from the NDC are to locate a number of key organisations to this space and offer additional space on a shared/flexible basis to other local organisations.

7.8 A central hub

- 7.8.1 In recognition of the high level of desire for a hub in the centre of the borough expressed in the consultation, and the pockets of deprivation in the centre of the borough, the Council will explore the possibility of developing a central hub. The Council will review opportunities as they arise, where buildings meet the criteria for a community hub location, and is now actively pursuing the possibility of creating a hub in central Hammersmith in a number of developments including those planned at the Lyric Theatre.

7.9 Community space in H&F

- 7.9.1 A number of buildings included in this report provide a hall/venue hire facility for local groups and residents. The use of this space ranges from sports and fitness activities, to blood donor service, meetings, children's activities, faith groups, social and leisure activities and private/community parties and events.
- 7.9.2 The Council recognises the value that such activities offer to residents, towards building stronger communities and neighbourhoods, offering equal opportunity to all individuals and organisations who want to use a space to meet and take part in group activities.
- 7.9.3 There are a high number of halls and activity venues available in the borough, which are owned and managed by external organisations, including charities and voluntary groups, schools, churches and also the Council.
- 7.9.4 Officers recommend the council ensures that residents have access to community space in each locality of the borough. This would include space owned/managed directly by the Council, or by an external body.
- 7.9.5 Officers will identify and make available details of borough-wide community space resources.

8. The Sands End Community Centre

The future of Sands End Community Centre is being considered in a separate report elsewhere on the Cabinet agenda 7th February 2011.

9. The Askham Centre

- 9.1 The Askham Centre is a two storey building located on the western end of the Uxbridge Road, close to the border with LB Ealing. The building is occupied by Council staff for the Emergency Social Care Duty Service and the Court Assessment Service, a Child Contact Centre for families involved in care proceedings. In addition HAFAD Welfare Adviser and London Mental Health Trust - a family therapy service commissioned by the PCT, also use the space in the building.
- 9.2 In recent years, Council restructuring and market-testing of services has radically reduced the in-house workforce, resulting in a much reduced accommodation requirement. The services currently located at the Askham Centre could be relocated in other Council buildings or hubs.
- 9.3 A specific consultation exercise with users of the contact service, using a questionnaire, was undertaken in April 2010 regarding a possible move of the service to another location in the borough. 4% opposed the proposal, 24% had no strong view and 72% thought a move would be helpful. No specific comments were received in relation to the Askham Centre in the consultation carried out for this report.
- 9.4 Relocation into alternative premises should be possible by mid 2011. Services currently based at Askham Centre would be relocated as follows:
- Contact Service - will be relocated to one of the following: Farm Lane, Dalling Road, Cathnor Park
 - Emergency Duty Team will be relocated to Hammersmith Town Hall
 - PCT Meanwhile Therapy Service will be relocated to Cobbs Hall
 - HAFAD Welfare Re Adviser will be relocated to 145 King St (with Disabled Childrens Service)
 - Court Assessment Team will be relocated to co-locate with the localities teams
 - Family Assist workshops will be relocated with localities teams
- 9.5 **Equalities impact assessment** – For the full Equalities Impact Assessment please refer to appendix 3d – Askham Centre. In summary:
- 9.5.1 As the services located in this building will be relocated to other accessible venues within the borough, the proposal has neutral impact with regard to equalities, with no negative impact identified.
- 9.5.2 A positive impact has been identified in both the consultation exercise for the Askham centre, which resulted in 72% of the responses / respondents thought that moving the contact centre would be helpful, and also the additional financial benefit of disposing of the centre.
- 9.6 Once all services have been relocated the premises will no longer be required by the council and the site will be suitable for disposal.

10. Distillery Lane Centre

- 10.1 This site has been vacant since early June 2010 following the relocation of the after-school and child care service to St Paul's Primary School.

- 10.2 No specific responses were received to the proposal to dispose of this site.
- 10.3 **Equalities Impact Assessment** - For the full Equalities Impact Assessment please refer to appendix 3e – Distillery Lane Centre. In summary:
- 10.3.1 There are no negative impacts to disposing of this building, as the building has been unoccupied for some time, with no services or activities available from this location. Vacant properties can have a negative impact, contributing to a perceived decline in a neighbourhood. The vacant site is in a prime central location, which offers good disability access (although road access is limited in the cul-de-sac) and may be an attractive option if offered for sale.
- 10.4 Distillery Lane Centre is no longer required by the Council and can therefore be released for disposal.

11. Palingswick House

- 11.1 Palingswick House is a three storey building, with a separate annex and coach house located on King Street in Hammersmith. The building provides accommodation to approximately twenty 3rd sector organisations, providing office space and meeting rooms.
- 11.2 The building is let by the council to Palingswick House Ltd, who in turn provide space on licence to other 3rd sector organisations. The building was acquired by the Greater London Council (GLC), specifically for use by 3rd sector providers, under the Community Areas Policy and leased by the Council to Palingswick House Ltd in 1984 under tenant's full repairing leases (although the company has consistently been unable fully to discharge its repairing obligations).
- 11.3 Following the demise of the GLC, the freehold of the property transferred to the Council. At this time, it became subject to a 20 year covenant stating that its intended use was as a resource centre for voluntary and community sector organisations. The covenant expired in August 2009.
- 11.4 Licenses were granted to the current occupants by Palingswick House Limited. The licensees benefit from a subsidised rent without having to meet any criteria set by the council other than to have 3rd sector status. Now that the covenant on the building has expired this is an opportunity to review the situation and encourage future hubs to offer services that will directly benefit residents and meet the priorities set out in the 3rd Sector Strategy.
- 11.5 The full market rental value of the premises is £262k per year however this is heavily subsidised with only £25k per year charged as rental.
- 11.6 **The building detail**
- The location is 150 metres from Ravenscourt Park Underground Station, 500 metres from Stamford Brook Underground Station and approximately 900 metres from Hammersmith Broadway.

- The site is 150 metres north of the A4 which provides access to central London and 2.2 miles from the M4.
- There are three stand alone buildings on the site, all of which are predominantly used as office space.
 - a. Palingswick House: The four storey building occupies the central part of the site. The space is predominantly comprised of small rooms but there are three meeting rooms that are regularly rented out.
 - b. The Annex: The Annex is situated to the south of Palingswick House. The building provides office space over two floors. The building has frontage to Weltje Road.
 - c. The Coach House: Offices are split over two stories with frontage to King Street.
- d. In total, Palingswick House is 15,000 sq ft. Of this, 11,854sq is office space, 2,415sq ft is storage space and 731 sq ft is unused (corridors, stairs etc.) Approximately a quarter of office space is currently unoccupied – mainly due to Palingswick House Limited not being able to offer long licences to potential tenants, due to the uncertainty of the future of the building.
- Aside from the buildings the majority of the site is dedicated to external tarmac parking. The area at the rear of the site is used by H&F Community Transport Project, who use the space for parking their fleet of minibuses. The car park at the front of the building is used by Palingswick House occupants for an annual fee.
- Although the building is not listed and is not located within a Conservation Area, it is a locally listed Building of Merit (BoM).

11.7 **Accessibility and Access**

- Palingswick House is not fully accessible. There is no lift to the basement or upper floors, limiting access for both service users and staff. There is no loop or induction system anywhere on the site – although Palingswick House Limited are seeking to fundraise for a loop system for the building. Palingswick House is therefore not an ideal location for many disabled users.
- Offices and meeting rooms are open from 8.00am to 9.00pm Monday to Friday and weekend access is on request by licensees only.

11.8 **Occupants**

- There are approximately twenty licensees in Palingswick House all of which are either small or medium sized community and voluntary sector organisations.
- Services provided include general support services, welfare benefits advice, translation and interpreting services, community transport and cultural awareness.
- A high proportion of current occupants provide support to specific Black Minority Ethnic (BME) or Refugee communities.

11.9 **Options consideration**

- 11.9.1 Should the building be retained for 3rd sector use, Palingswick House would need major improvement works in order to transform the site into an accessible, high quality 3rd sector hub. The scale of this investment would be significant. A recent

dilapidations survey estimated that approximately £450,000 would be required to be spent on the repair and redecoration of the building to meet the lease obligations alone. This would not include refurbishment or modernisation, and would not address the poor physical access issues of the building.

- 11.9.2 In light of the scarcity of funding available to undertake the extensive refurbishment works, and in order for the site to pay for the improvements itself, large rental increases would have to be introduced. The building has a history of difficulty in achieving its rental income targets, and further rental increases would mean that many of the existing licensees would be unable to sustain their licenses. Palingswick House Ltd would also be unable to afford the market rent of the whole site.
- 11.9.3 Palingswick House licensees are naturally keen for the Council to continue to offer the building as accommodation for the sector, and have formed a Community Strategy Group to consider options and a transition strategy for the site.
- 11.9.4 Members of the group are currently developing plans to propose Palingswick House as an Olympics media venue in 2012 for smaller competing countries.
- 11.9.5 Palingswick House has also registered with PODIUM which is the Further and Higher Education Unit for the 2012 Games - to facilitate collaborative work within the universities and colleges and their communities to develop projects which maximise the benefits of hosting the 2012 Games. <http://www.podium.ac.uk/>
- 11.9.6 The ideas outlined at 11.9.4 and 11.9.5 can be considered creative, however the viability of such an enterprise is highly uncertain, and does not offer a long term prospect for the site.
- 11.9.7 There are potential risks to the organisations who are currently licensees if Palingswick House were to close (these have been considered and are detailed in the organisation impact Appendix 3fi). Community Transport and CITAS are identified as a priority for relocation in the organisation impact due to the scarcity of alternative options for residents if their specialised services ceased to exist. It is anticipated that a number of occupants could also be offered accommodation in alternative properties, including the community hub on Edward Woods Estate on a fixed term basis. Groups may also want to consider applying for space within the NDC Hub in Dawes Road SW6, or in the longer term in the planned hub at the Lyric Theatre in central Hammersmith. With the financial pressure facing the council and the alternative space to be made available, there is not a sufficiently strong argument to also retain Palingswick House for 3rd sector premises use, notwithstanding the potential risks to the current tenants and protected groups.
- 11.10 **Consultation responses**
- 241 responses were received in relation to Palingswick House
 - Responses supporting disposal: 8%
 - Responses opposed to disposal: 64%
 - No preference: 28%
- 11.10.1 There is strong opposition to this proposal, predominantly highlighting the value of the Community Transport service that enables isolated residents to access local services. A number of respondents voiced fears of becoming lonely and isolated should the Community Transport Project service no longer be available. Some

respondents also suggested that Palingswick House could offer a central 3rd Sector Hub. A small number supported the proposal, some suggesting that efforts should be made to sell it to a community group, while others appreciated that it would be economically sensible. Some respondents did not use the services located in Palingswick House themselves but were aware that many others did and therefore thought the services were probably important.

11.11 **Equalities Impact Assessment** – For the full Equalities Impact Assessment please refer to appendix 3f – Palingswick House and appendix 3fi - Palingswick House organisation impact. In summary:

11.11.1 There was not any specific mention of equalities in the consultation feedback.

11.11.2 Of the twenty organisations based in Palingswick House the following support residents from specific communities:

- Kurdish
- Afghan
- Iranian
- Iraqi
- Mongolian
- Irish
- African, African Caribbean and other black communities
- Eastern European

11.11.3 The borough demographics (based on the 2001 census) indicate that 4.8% of residents are White Irish, 11% of residents are from Black ethnic origins, 5% are from Asian/Chinese origins and 15% are from “other white” groups, made up principally of people from both Western and Eastern Europe, Australia and New Zealand.

11.11.4 Four of the twenty organisations currently based in Palingswick House are funded by the Council – either under the 3rd Sector Investment Fund (the Council’s main grants programme), or by service departments. None of the organisations provide a statutory service.

11.11.5 The Equalities Impact Assessment for Palingswick House considered the impact on organisations based in the building should Palingswick House no longer be available for 3rd sector premises.

11.11.6 Officers consider that the most likely possible outcome for organisations based in the building would be one of three options:

- Organisations will relocate to alternative premises in the borough
- Organisations will relocate to alternative premises outside the borough
- Organisations will not be able to find suitable alternative accommodation and will cease to trade.

11.11.7 For many organisations based in Palingswick House, alternative accommodation in other local authority premises is likely to be available through the local hubs. However, all organisations seeking space in this location will be required to demonstrate that they meet eligibility criteria for premises support (as set out in the

3rd Sector Strategy), that their service will meet local priorities, including delivering services that benefit local residents.

11.11.8 If members recommend disposal Palingswick House Ltd will cease to operate which will be a negative impact. However they will have the opportunity to bid to manage the Edward Woods 3rd sector hub.

11.11.9 A number of organisations based in Palingswick House have stated that their service users would be unable to access their services if they were relocated to other parts of the borough. The Council does not agree with this position. H&F is a geographically small borough, with excellent transport links to both the north and south. The Council would expect that a high proportion of service users are from deprived households – with local deprivation data indicating that the majority of these households are located in the W12 and north Fulham areas of the borough. The majority of 3rd sector organisations known to LBHF are based in the Hammersmith area, with few organisations directly located within those communities where needs are known to be highest.

11.11.9 Whilst the negative impact on gender, age and disability has been identified as low, there is a higher impact on Race should organisations currently based in Palingswick House cease to operate as a result of being unable to secure suitable alternative premises. However, as outlined above, the highest proportion of Black Minority Ethnic (BME) and refugee communities live in the borough's highest areas of deprivation (most notably in the north of the borough). Therefore relocating to an alternative site, particularly if that site is located closer to areas of deprivation, would likely have a positive impact in terms of race, with services more closely located to local residents who most benefit from these services.

11.11.10 There is a potential positive impact for organisations who transfer to hubs or similar buildings. In particular protected groups would benefit. Organisations could be located closer to their target groups, and better able to offer services to disabled staff and visitors with improved disabled access and facilities. This is particularly the case for Community Transport and CITAS, both of which have been identified as priority organisations to relocate. Relocating to more accessible premises will offer a positive benefit for disabled service users and staff.

11.11.11 3rd sector organisations based in Palingswick House affected by the disposals will be offered support:

- For those services funded by the Council's 3rd Sector Investment Fund, organisations will be given priority for alternative council accommodation that is available
- For all other organisations, the council will seek to ensure appropriate advice and support is available to assist them in identifying alternative premises

11.11.12 It is considered that Palingswick House cannot, in the current financial climate be realistically retained for 3rd sector premises on the basis that:

- A reasonable level of space will continue to be available elsewhere
- The likely cost of improving Palingswick House accessibility is prohibitive
- Full market rent is unlikely to be achieved in the current circumstances
- Palingswick House does not meet the criteria of a 3rd sector hub location - it is not a sustainable or cost-effective environment to run, it is not a fully accessible or flexible space, and it is a property that could potentially achieve a sale.

- Reducing the Council's level of debt is a key issue that must be given a high level of priority - the financial imperatives outweigh any potential adverse impact on protected groups.
- Therefore (with Palingswick House Limited unlikely ever to be in a position to fund its full repairing liabilities) the council can no longer afford to keep and maintain Palingswick House and it should be released for disposal in order to preserve as much funding as possible for vital services for vulnerable residents.

12. 58 Bulwer Street

12.1 58 Bulwer Street is a three storey building adjacent to Westfield Shopping Centre and the new Shepherds Bush Library. The building is let to three separate organisations. It is used in the following ways:

- Ground floor: The ground floor comprises a large hall with a kitchen and WCs and offices. The space is hired by a range of organisations for sports, dance, religious and social activities.
- 1st floor: the first floor comprises a large hall, large kitchen, offices and a treatment room. The space is used to provide the local Children's Centre, which is commissioned by the council.
- 2nd floor: the second floor comprises one office and a small IT training room.

12.2 There is no disabled access to the first floor where the Children's Centre is located. Parents accessing the Children's Centre are currently required to carry pushchairs and buggies up a flight of stairs. There is no outdoor space for children to play.

12.3 All leases have expired, and occupancy continues under a tenancy at will basis.

12.4 Current occupants:

- **Shepherds Bush Community Association:** SBCA occupy the ground floor and have run the community facility for over 20 years; it is a well known facility but SBCA have, over the years, limited their activity from broader community development to hall lettings. This organisation is not funded by the council but is offered rent at a peppercorn.
- **Shepherds Bush Families Project:** SBFP is a children's and families support centre who occupy the first floor. The service is aimed at families living under severe housing crisis including homelessness, temporary and poor accommodation and includes play groups, classes and advice and support. SBFP is currently funded by Children's Services until 31/03/11 to deliver the Children's Centre, paying rent at a peppercorn.
- **West & North West London Vietnamese Association WNW London** Vietnamese Association occupies an office on the 2nd floor. The organisation provides training, work advice and information, ESOL and IT classes and support to elderly Vietnamese people. The majority of activities are delivered from alternative sites in the borough. The organisation is funded through the 3rd Sector Investment Fund (circa £30k pa) and pays rent at market rate for small offices on the second floor.

12.5 **Alternative options:**

12.5.1 Ground floor:

- The majority of groups who use the ground floor hall offer sports, faith, health and leisure activities. The centre is used regularly by three faith groups, a dance school and young people's sports group, with additional regular alternative therapies operating from the centre.
- Approximately 100 other halls/venues are available for hire in the borough including approximately 20 in the W12 area.

12.5.2 1st floor

- Following discussions with the Shepherds Bush Families Project, the organisation has agreed to become a Children's Centre spoke and has been listed in the Children's Centre consultation document to go live on the 21st January. Consultation on a review of Children's Centre provision will commence in February 2011. Although the number of centres in the borough is set to increase, the delivery model will change.
- The organisation is exploring two potential relocation sites for their service; on the Edward Woods estate or in the community centre on the Charcroft Estate with additional space near by. Their preferred option is the latter and officers are working with the organisation to facilitate their relocation.
- Families accessing the services of the SBFP do so from a range of locations across the borough. Access to good public transport links is considered a priority for their service delivery. Either location would enable parents with families continued access. The advantage for children would be that they may have access to outdoor play which they are not able to access at their current location.

12.5.3 2nd floor:

- Alternative accommodation will be available in the nearby Edward Woods Estate that the current occupant would be able to apply for.
- There may also be other non LBHF premises options that the organisation could explore that would be closer to its group activity provision in the south of the borough.

12.6 **Consultation feedback**

- 271 responses received (not including the signatories to a petition)
- Responses supporting disposal: 5%
- Responses opposing disposal: 44%
- No preference: 51%

12.6.1 The majority of respondents expressed neutral or no views regarding the proposal. More respondents were opposed to it than in support of it, asserting that a range of valuable and popular services are provided, and it forms a focal point for White City/Shepherds Bush residents. A relatively large proportion were not aware of the property or had never used it. Few were supportive of the sale.

12.7 The Council has received a separate petition "Save the Village Hall / Drill Hall". The petition prayer is;

“We the undersigned need the Drill Hall to remain a space for the community to use”
Number of signatures from people living, working or studying in the borough – approximately 170.

- 12.7.1 The Petition does not reach the threshold of 5000 signatures necessary to be considered at Full Council but has been considered as part of the consultation feedback. The response to the petition prayer is:
There are sufficient alternative venues for the activities and services currently located at the centre – therefore the support provided to local residents should be able to continue. The council will provide details of other halls and venues for hire in the borough.
- 12.8 **Equalities impact assessment** – For the full Equalities Impact Assessment please refer to appendix 3g – 58 Bulwer Street and appendix 3gi – Bulwer Street organisation impact. In summary:
- 12.8.1 As with Palingswick House, consideration in the Equalities Impact Assessment was given to whether services currently located in the building would:
- Relocate elsewhere in the borough
 - Relocate outside of the borough
 - Cease trading
- 12.8.2 **Shepherds Bush Families Project**
- 12.8.3 As a Children’s Centre spoke, the Council would undertake to identify another suitable location in area for this service to move to. Officers are exploring various options for this.
- 12.8.4 As an alternative space would be available within the local area, no negative impact has been identified with regards to this service. Any alternative accommodation will be fully accessible, offering a positive impact in terms of disability.
- 12.8.5 **Shepherds Bush Community Association:**
- 12.8.6 The village hall is well used by a number of organisations, including dance and sports groups, health and wellbeing providers and faith groups.
- 12.8.7 The Council has identified a number of alternative venues in the borough that users of the hall could potentially use to deliver their activities. A number of local residents have commented that a high number of people from outside of the immediate area access the faith, dance and sports activities in the centre.
- 12.8.8 Users of alternative therapy services which operate from the hall are thought more likely to be local residents. The Blood Donor service also uses this hall on a regular basis and this is considered a priority to support to find an alternative location, although does not offer a negative impact to any particular communities.
- 12.8.9 There is a possible low to medium negative health and wellbeing impact for local residents, particularly those from low income households, should the alternative therapy services no longer continue to be available in the immediate area. However, mitigating factors include the range of alternative locations that are available across the borough. The details of these would be provided to groups who

would be displaced from this venue should the council decide to dispose of the building.

12.8.10 West & North West London Vietnamese Association

12.8.11 The WNWL VA provide services to Vietnamese and Chinese communities in the borough. Their group activities are based at other locations in the borough, with the space at Bulwer Street primarily used for office accommodation.

12.8.12 The Council believes that alternative office space can be offered to this organisation, thus resulting in no negative impact for the community this organisation serves. Alternative accommodation will be accessible, and therefore offers a positive impact in terms of disability access.

12.9 Officers have considered the alternative options available to groups who currently use the village hall on a hall hire basis to deliver their activities and services. Research indicates there are approximately 100 halls and venues for hire in the borough (see appendix 4), which would indicate a good range of alternative sites are available for groups to use.

12.10 The council is looking to identify another suitable location in area for the Children's Centre spoke, provided by Shepherds Bush Families Project, located on the first floor, which would offer better access and potentially with the additional benefit of outside space, at either the nearby Edward Woods or the Charcroft estate.

12.11 There are potential risks to the organisations who currently hire the community hall if Bulwer Street were to close (these have been considered and are detailed in appendix 3gi). However, given that alternative halls and venues are available for hire that existing users of the Ground floor community centre could access, that alternative office space can be offered to the WNWL VA, plus alternative sites for the Children's Centre spoke have been identified, officers do not consider that this site can realistically be retained in the current financial climate.

12.12 58 Bulwer Street is therefore declared too costly to keep and maintain and can be released for disposal.

13. The Irish Cultural Centre

13.1 The Irish Cultural Centre is a large two storey building, situated near Hammersmith Broadway shopping centre. It comprises a large hall (with bar and stage), offices, informal café space and kitchen on the ground floor, with offices and meeting rooms on the 1st floor. The building's halls and meeting rooms are widely used by a range of groups, businesses and organisations, and is a popular venue for meetings, culture, arts and social events. The building has good disabled access, with a lift to the upper floor and disabled toilets.

13.2 Cabinet agreed in January 2007 to transfer the responsibility for the Irish Cultural Centre and its services to a new voluntary body, Irish Cultural Centre, Hammersmith Ltd (ICCH), which was established, funded and supported by the Irish Government's grant-giving Dion Committee.

- 13.3 ICCH is not funded by the Council (other than through a rent subsidy), nor does it provide a statutory service. ICCH provide a range of weekly programmes of Irish music, arts, education, literary events (annual book-fair, readings by well-known authors and poets, storytelling and poetry nights,) Irish theatre shows and art exhibitions. ICCH offers an education programme to people of all ages, generations, backgrounds, and cultures who want to share, enjoy and participate in quality Irish arts and cultural activities, including:
- a children's programme, featuring Irish dance, drama and musical instruments.
 - An elders programme offering reminiscence, a women's drama group, film club and social activities
 - Community events such as traditional music sessions, set dances, ceilis etc.
- 13.4 The centre is used by a range of community groups providing a local venue for a multitude of social, cultural and educational events and activities. The venue is well used for meetings by both the council and local Primary Care Trust (PCT), as well as pan London bodies.
- 13.5 The Irish Support & Advice Service occupies space on the first floor, providing a range of support services to local Irish residents. This service is funded by the council to support 1st generation Irish older people and would be a priority to accommodate (during its funding term) should the centre no longer be available.
- 13.6 The current lease expires in March 2012, and the tenant currently enjoys a peppercorn rent (full market rent value is £137,000 per year). In January 2009, Cabinet agreed to an extension to the lease in order to enable ICCH to fundraise for and undertake some improvements to the building. However, the completion of the lease extension has not been concluded and it was therefore agreed to take the opportunity to reconsider the future of the building as part of the H&F Buildings consultation.
- 13.7 There are alternative support and services available for the Irish community, including the London Irish Centre Camden, Irish in Greenwich, Irish in Britain, Irish Abroad, Lewisham Irish Centre, The South London Irish Club, The Irish Club EC4, The London Irish Women's Centre and the London Irish Network. The POSK Polish Centre, located in King Street also offers a cultural centre for a single community in the borough, however this centre is not resourced by the Council and has proved very successful in independently establishing, developing and sustaining the centre.
- 13.8 Discussions have been held with ICCH and the Irish Government to explore the possibility of ICCH purchasing this site once the current lease has expired. ICCH have requested that further time, beyond the current lease expiry date be given in order to undertake fundraising to realise this opportunity.
- 13.9 **Consultation responses**
- 497 responses received
 - Responses supporting disposal 4%
 - Responses opposed to disposal 79%
 - No preference 17%
- 13.9.1 The majority of respondents feel strongly that the Centre should not be sold (including individuals who state they are not Irish), suggesting that it is a somewhat

unique resource for the Irish Community in this area and that beneficiaries travel from beyond the borough to make use of its services. Some also say that it offers services beyond the Irish community and to residents of other groups. There is also concern that the Irish community is being targeted unfairly

- 13.10 The Council has received a separate petition “Save the Irish Culture Centre” containing over 5,000 signatures from people living, working or studying in the borough against the proposed sale of the Irish Cultural Centre and requests it to reconsider the future of this building and its people.
- 13.10.1 The Petition’s prayer is as follows:- “We the undersigned hereby express our strong opposition to the council’s intention to sell the Irish Cultural Centre. We respectfully request that you as the elected leaders of the council do everything in your power to reconsider the future of this building and its people. Help to preserve their excellent Cultural Programme, the broad spectrum of support and services it provides, and to maintain a centre for both the Irish in London, and the large number of users from all other backgrounds”.
- 13.10.2 Under the Council’s Petitions Scheme, a petition attracting a minimum of 5,000 valid signatures (of people who live, work or study in the borough) triggered consideration of the petition by Full Council on 26/1/2011.
- 13.10.3 When the agenda for Full Council was made public on 17/1/11 officers undertook further research by reviewing the consultation feedback and the Council’s responses to the key issues raised regarding the Irish Cultural Centre.
- 13.10.4 A point raised in support of The Irish Cultural Centre petition to Full Council on 26/1/11 was that the centre fosters good relations between Britain and Ireland. The charitable object of the centre, detailed on the charity commission web-site is “to advance the public’s education in the history and culture of Ireland by maintaining an Irish Cultural Centre which provides an open access programme of the Irish arts and music and community activities of the highest quality and attracts people of all ages, different interests and diverse heritages”. While good relations may be a potential outcome if British residents were to use the services it is not a specific target.
- 13.10.5 Officers have concluded that whilst clear opposition to the potential disposal of the building has been made, officer’s views remain that the financial imperatives and the value of the building outweigh the case for retaining the building.
- 13.11 **Equalities Impact Assessment** – For the full Equalities Impact Assessment please refer to appendix 3h – The Irish Cultural Centre. In summary:
 - 13.11.1 Should ICCH (or another body) not be in a position to purchase the site and continue to offer community space as an Irish Cultural Centre, it is likely that the Irish community will experience a negative impact in terms of no longer having a dedicated venue in the borough for cultural activities.
 - 13.11.2 However should the centre no longer be available for community use, there are a number of other locations that current users including ICCH could use to continue to provide their cultural activities – as presented in appendix 4.

- 13.11.3 No specific impact has been identified with regards to gender, age, religion/faith, disability or sexual orientation factors. The impact overall therefore is considered low.
- 13.11.4 The proportion of white Irish residents in Hammersmith & Fulham's population was 4.8% in 2001, with residents from Black ethnic origins at 11%, Asian/Chinese at 5% of the population, and a further 15% from "other white" groups, made up principally of people from both Western and Eastern Europe, Australia and New Zealand.
- 13.12 Given that alternative space is available for cultural activities, the Council's intent to offer the building to the current tenant, and in light of financial circumstances it is therefore recommended that Cabinet revoke its previous decision made in January 2009 to extend the lease to ICCH and maintain the lease period at March 2012.
- 13.13 The Council proposes, in the first instance, to offer the property to the current tenant (following negotiation of the right terms), at the end of the lease period, March 2012, at which point Irish Cultural Centre Hammersmith Ltd would either confirm a commitment to purchase, or relinquish the site for disposal.
- 13.14 Officers have therefore concluded that the financial imperatives and the value of the building outweigh the potential negative impact.

14. 50 Commonwealth Avenue

- 14.1 50 Commonwealth Avenue is a two storey building on the White City Estate. The building provides day care centre facilities on the ground floor and offices and an IT suite on the first floor. The building is very dilapidated in parts and is in need of extensive renovation. Because of this it is costly to run and offers poor value for money. The building has limited access and there is no disabled access to the 1st floor. The occupant of the building, Nubian Life Resource Centre is currently commissioned to provide day care services for older people, together with a range of preventative services. The building is currently leased at peppercorn, with market rent estimated at £35,500 per year.
- 14.2 The future need to provide space for day opportunities is being considered as part of the CSD Day Opportunities review. The Council proposes to focus day opportunity services that offer all age services in the future, and will undertake a procurement exercise (subject to Cabinet approval) for a range of day opportunity services where appropriate.
- 14.3 CSD will continue to purchase day opportunity services from Nubian Life Resource Centre until the procurement exercise has concluded. The Council will then give further consideration to the premises requirements of the current occupant, with any changes subject to a further Equalities Impact Assessment and decision.
- 14.4 If Nubian Life Resource Centre continue to be commissioned to deliver day opportunity services, suitable premises would be made available for this service. Nubian Life would also be prioritised for premises as an organisation funded to deliver preventative services under the 3rd Sector Investment Fund.

14.5 **Consultation responses**

- 197 responses received
- Responses in support of the proposal: 8%
- Responses opposing the proposal: 59%
- No preference: 33%

14.5.1 Clear opposition to this suggestion, due to the value of Nubian Life Resource Centre to many of the respondents. Also some questioning of how much the property could realistically be sold for. Very few support the proposal. Details of all consultation responses and council comments have been collated and will form part of any further work following the Day Opportunities review.

14.6 **Equalities Impact Assessment:** An Equalities Impact Assessment has not been carried out because the council proposes to make no change until the Day Opportunities review has concluded and unless an alternative venue is identified, at which time a full Equalities Impact Assessment would be carried out. Any alternative venue will need to be accessible and would therefore offer a positive impact in terms of disabled access

14.6.1 However, there is a potentially positive impact should the Council or the organisation itself identify and secure alternative premises to deliver services from.

14.7 Further work is needed regarding the future of this building following the conclusion of the Day Opportunities review. The Supporting Your Choice agenda and review of day opportunities will determine the Council's position with regard to the provision of premises for culturally specific day service providers.

14.8 Officers recommend that the decision regarding the future of 50 Commonwealth Avenue be deferred, pending the conclusion of the Day Opportunities review.

15. **Greswell Street Centre**

15.1 The Greswell Centre is a large single storey building, previously a school, located in Fulham. The current occupants (Hammersmith & Fulham Action on Disability (HAFAD)) are commissioned by Community Services and by Children's Services departments to provide a range of services for disabled residents. The building is currently leased at peppercorn, with market rent estimated at £90,195 per year.

15.2 HAFAD deliver a range of services to disabled people from the Greswell Street Centre including a range of 1-2-1 advice and support services, plus a number of group activities for disabled young people which take place after school hours and during school holidays in the centre's halls and outside space.

15.3 Although Greswell centre offers good disabled access (there is a small office on the 1st floor that is not accessible), the building is not ideal in terms of access by public transport, as the site is located some distance from Fulham Palace Road which can be difficult for some disabled people to negotiate, impacting on the ability of disabled service users to visit the centre.

- 15.4 In order to release this building for disposal, alternative accommodation will first need to be identified for HAFADs commissioned services, particularly its group work with disabled children and young people. It has been proposed that HAFAD could be relocated to the White City Collaborative Care centre when it opens (anticipated in 2013), with additional venues identified for HAFADs group activities.
- 15.5 The White City Collaborative Care centre would offer a highly accessible building, with two bus routes serving the area. Locations for groups activities have yet to be identified, but a requirement would naturally be that these sites are fully accessible to disabled people.
- 15.6 HAFAD have some understandable concerns regarding a relocation to a building which would be shared with other organisations – including the Council, health and other providers. These concerns are in relation to confidentiality, maintaining organisational identity, and that a co-located service where staff would expect to share offices and space with other organisations may be off-putting to service users who would prefer a separate and distinct space at which to access HAFAD services.
- 15.7 However, officers consider that these barriers can be reasonably easily overcome, with examples of local shared sites demonstrating that co-location can be managed and offer distinct benefits to service users. Co-locating also offers opportunities for organisations to work more closely together, providing a joined up service to residents that minimises the need to visit multiple sites to access support.
- 15.8 **Consultation responses**
- Responses to this building 208
 - Responses supporting disposal: 8%
 - Responses opposed to disposal: 22%
 - No preference: 70%
- 15.8.1 The majority of respondents either were unaware of the property or had no view regarding its sale. Those who were opposed to the sale expressed significant concern for the effect it would have on HAFAD. They worried that the needs of HAFAD are relatively specific and therefore it may be hard to find an alternative suitable accommodation. Some of those who supported the sale suggested that they would only do so if HAFAD were suitably re-housed.
- 15.9 **Equalities Impact Assessment** – For the full Equalities Impact Assessment please refer to appendix 3i – Greswell Street Centre. In summary:
- 15.9.1 As the proposal is to offer HAFAD accommodation in the Collaborative Care Centre, plus identify suitable space for the group services/activities commissioned by LBHF, the majority of HAFAD's service users would feel little impact of this decision – so long as the alternative site(s) offers good access.
- 15.9.2 Relocating to a site better served by public transport would offer a positive impact for disabled people in terms of easier access to HAFAD services.
- 15.9.3 However, there is a possible negative impact should HAFAD need to split its services over several sites (office and 1-2-1 space vs group activity locations), where group activities are often delivered with service staff and managers from other HAFAD services contributing to service delivery. HAFAD is a user led organisation, with a

high number of disabled staff and volunteers. The ability for staff and volunteers to work across different services and activities is extremely important, and services spread across several locations may impact on the organisation's ability support staff to work in this way.

- 15.9.4 The Council proposes to offer HAFAD accommodation in the Collaborative Care Centre in White City for those services commissioned by the council. For the additional services not funded by the council that HAFAD currently provides, it is not yet known whether additional space would be available to HAFAD to rent at the Collaborative Care Centre, as plans for the building are not yet complete. However, should this additional space not be available, the Council will work with HAFAD to identify suitable alternative accommodation available in the borough that HAFAD could lease.
- 15.9.5 The Greswell Centre has had a number of maintenance issues in recent years, some of which have affected HAFAD's ability to run a full service. The Collaborative Care Centre will offer new facilities and much less maintenance issues - therefore there will be a positive impact for staff and users in relocating.
- 15.9.6 The White City Collaborative Care Centre offers a fantastic opportunity to co-locate services that disabled people access. By relocating HAFAD's main office to the Collaborative Care Centre, disabled residents will have the opportunity to access both statutory and voluntary sector services, offering a joined up service, partnership working, less duplication, less journeys and easier customer access. HAFAD specifically promotes equality of opportunity between disabled persons and other persons and may benefit further by moving to shared premises - increasing exposure and integration and promoting positive attitudes and greater community cohesion.
- 15.9.7 No other impact has been identified with regards to race, gender, age, religion/faith, or sexual orientation factors. The impact overall is assessed as high in the short-term for disabled people during the period for relocation and low in the long-term overall equality groups once the new locations are established and benefits including newer facilities, improved location and joined up services are realised.
- 15.10 The Greswell Centre is too costly to keep and maintain. Cabinet is asked to agree that the Greswell Centre can be released for disposal on condition of space being offered to HAFAD in the White City Collaborative Care Centre and suitable premises identified for commissioned group activities.

16. The Information Centre, Hammersmith Broadway

- 16.1 Unit 20 The Broadway, is a ground floor shop unit situated in Hammersmith Broadway Shopping Centre. The unit comprises one large main space, a small kitchen area and a toilet. The Council leases the unit from the owner and sub lets the space to Hammersmith Community Trust, a 3rd sector organisation who provide an information service to local residents and visitors to the borough. The Council is required to pay business rates and a service charge, which it does not recoup through charging a rent. The cost to the Council for this unit has been £50,000 a year, recently reduced to £40,000 (Insurance £4,500, service charge approx £24,000 plus business rates based on a rateable value of £19,000)

- 16.2 With Hammersmith Town Hall located nearby, together with the increased availability of information through the internet, the use of this space for an information centre is not considered best use of this site. With further extensive space to be available at the community hub sites, there is not a strong business case to also retain Unit 20 The Broadway for 3rd sector premises use. The Council will seek to relinquish its lease on this property. If this is not possible, it will be offered on a new lease at market rent.
- 16.3 There have been suggestions that the centre will offer a valuable resource for the 2012 Olympic and Paralympic games. However, this is a short term benefit.
- 16.4 No other west London borough invests in a Visitors Centre of this nature.
- 16.5 LBHF provides town centre maps and guides. These are primarily provided through local venues such as hotels, restaurants, libraries, retail outlets and other visitor attractions provided by the businesses themselves. The Council also provides an on-line presence with the three 'visit' websites: www.visitfulham.co.uk; www.visithammersmith.co.uk; www.visitshepherdsbush.co.uk. Information is also available to visitors through the Council's website: www.lbhf.gov.uk.
- 16.6 **Consultation responses**
- Responses regarding this property: 227
 - Responses supporting re-leasing: 25%
 - Responses opposed to re-leasing: 19%
 - No preference: 56%
- 16.6.1 Many feel that the centre is not used due to its bad location and so see no reason in keeping it, also suggesting that the property may be attractive to other businesses as a retail space. However, others say that it is a well-used centre and should not be let go.
- 16.7 **Equalities Impact Assessment** - For full Equalities Impact Assessment please refer to appendix 3j – 20 Hammersmith Broadway. In summary:
- 16.7.1 There is no direct negative impact identified in terms of race, disability or gender should this site no longer be available as an Information Centre.
- 16.7.2 The availability of on-line information for visitors is extensive, and is often better in terms of disabled access than printed documents or information that needs to be accessed from a physical location.
- 16.7.3 There may be a low economic impact if local events, visitor attractions and businesses are overly reliant on the Information Centre to publicise their services or activities. However, the availability of alternative information distribution sites (libraries, community centres, local media, the internet, church halls and through local organisations), this impact is not considered to be significant.
- 16.7.4 Currently the information centre is a stand alone service which is located away from the main public concourse in the Broadway – consequently the public do not pass its doors as a thorough-fare and the majority are unaware that it is there. If the service

relocated to a hub or shared venue it could benefit from increase and diversity in walk-in visitors and partnership working alongside organisations promoting good equal opportunities.

- 16.8 This centre costs the Council approx £40k per year in business rates and service charges – a position that simply does not make good financial sense to continue.
- 16.9 There is not a strong business case for continuing to support a visitor information centre in the borough. The Council's market centre management uses the internet to publicise local opportunities and activities, and certainly it would be expected that the majority of visitors to the borough are able to access on-line information regarding tourism, hospitality and related services.
- 16.10 The possibility of re-letting to an alternative tenant needs to be explored. At the very least the Council should strive to achieve in the order of £29,000 a year income to ensure the retention of the space is cost neutral, with any new tenant responsible for business rates directly.
- 16.11 The lease on the premises allows the Council to use the unit or lease for general shop uses (with a few exceptions, such as food, second-hand goods, pets and sex shop) and also Financial and Professional Services (primarily to the visiting public (A2 uses, excluding betting shop) and is therefore not overly restrictive. The options available to the council are to either:
- a) to offer the premises back to the landlord (required by the lease; or (if declined)
 - b) sub let the premises at a rent which results in the unit being nil-cost to the Council (or at market rent).

The Council's main objective is to reduce outgoings rather than achieve a capital receipt.

- 16.12 Therefore it is recommended that the current sub-lease for 20 Hammersmith Broadway to Hammersmith Community Trust is not renewed on the current lease terms. Hammersmith Community Trust should be given first refusal for the space, but with an annual charge in the order of £29,000 levied for service charge and insurance costs, plus the tenant will also be responsible for paying business rates.

17. Consultation - general

- 17.1 The consultation asked residents whether they agreed that disposing of buildings no longer required by the council is the best way to address the Council's significant debts, and preserve as much funding as possible for front line services.
- 684 responses were received to this question
 - 20% of respondents agreed
 - 80% of respondents disagreed
- 17.2 However many of the residents who responded were less concerned and felt that as long as the transitional period was handled well and organisations were relocated it may be manageable.

- 17.3 A circular was organised amongst some 3rd sector organisations, asking the Council to undertake a separate consultation on each of the buildings included in this consultation. However, officers did not feel that this was an appropriate, reasonable or cost effective approach, and that residents would not consider this a helpful approach. By consulting on all of the buildings in one exercise, residents were able to both understand the broader position of the council in its asset management approach, and could elect to comment on any or all of the buildings that they had a particular view about.
- 17.4 The consultation also offered respondents the opportunity to add “further comments” to their response. The majority of respondents feared that the sale of buildings will mean the services can no longer be provided. Many felt that while there is a need to save money the sale of premises only offers a short-term solution, with the likelihood that alternative accommodations will have to be bought in the future. A small number of comments were supportive of council plans, identifying a need to allocate funds for front line services rather than buildings. Nubian Life = 55 occurrences. Irish Cultural Centre = 15 occurrences. Palingswick House = 9 occurrences. Hammersmith Library = 1 occurrence. Fulham Town Hall = 2 occurrences. Bulwer Street = 1 occurrences.
- 17.5 Since 2006, the Council has disposed of 58 buildings that have been identified as surplus to requirements, in order to address the council debt and to make better use of resources. Buildings are considered as and when the Council is in a position to do so – either as the end of a lease term approaches or when services located in the building have been reviewed and relocation is deemed appropriate.
- 17.6 While the disposal of the buildings listed in this report would make a significant contribution to debt repayment, they represent a modest proportion of the Council's property portfolio of in excess of 800 non residential properties. The Council's full property register has been published online in the interests of transparency.
- 17.7 Officers have concluded and recommend that, on balance, the interests of local people are best served by disposing of buildings that are considered surplus to council requirements, and focusing our resources on investing in front line services.
- 17.8 The financial position facing the council has been updated since the consultation exercise was undertaken, with even greater pressure now facing the Council to find additional savings in the next 2 years. Although the clear majority of respondents disagreed with the Council's proposal to dispose of buildings considered surplus to requirements in order to preserve as much funding as possible for frontline services, officers continue to recommend this approach as the best way to ensure that vital services to vulnerable residents are protected.

18. Risk and Equalities Impact Assessment

Equalities Impact Assessment

- 18.1 A separate equalities impact assessment was conducted by the lead department for the service affected for each building included in this consultation (with the exception of 50 Commonwealth Avenue, which will be conducted at a later stage). Information on the findings of each Equalities Impact Assessment can be found in appendix 3.

- 18.2 Officers considered equality strands, taking into consideration the impact on factors that might result if the buildings detailed were no longer available for their current use.
- 18.3 The consultation asked a number of generic questions with regard to impact:
- a. “Do you have any particular concerns about the impact of these proposals on council services?”
 - 372 people responded to this question
 - The majority of respondents expressed concern that the disposal of buildings will damage the 3rd sector and result in a lack of service provision to the most vulnerable members of society. Many are also unclear about where/if organisations would be rehoused. There was particular concern for transportation services to Nubian Life, and the future of the Irish Cultural Centre. A small number of respondents felt that if buildings were not needed then their disposal would be appropriate.
 - b. Do you have any particular concerns regarding the impact of these proposals on 3rd sector provided services?
 - 280 people responded to this question
 - Responses were similar to the question above, with concerns about the services that 3rd sector organisations would be able to offer as a result of the proposals.
 - Again, particularly frequent were concerns about the Irish Cultural Centre and Nubian Life, as well as the effects of selling Palingswick House.
 - Some felt that the Council was not legally/morally in a position to sell premises that were felt to belong to the community.
 - Some expressed the view that the proposed hubs would not be sufficient to cover need.
 - Some were less concerned and felt that as long as the transition period was handled well, and organisations were re-housed, it may be manageable.
 - c. Do you have any concerns regarding the impact of these proposals for any particular communities in the borough?
 - 434 people responded to this question
 - The majority of respondents expressed strong concern that communities would be adversely affected. Concerns for the Irish community were most prominent, followed by the African Caribbean community. Older people, disabled people and people from refugee communities were also referred to as potentially being negatively affected.
 - A small number suggested that the effects of the proposals would go beyond the immediate borough communities, affecting individuals throughout London, especially with regards to the Irish Community.
 - The effect on the communities who use Sands End and Shepherd's Bush Village hall were also mentioned.
 - There were concerns that communities in general would be broken up as a result of the lack of community centres.
- 18.4 When making a decision in relation to any of its functions such as to changes in service provision and disposing of land the Council must comply with its general equality duties imposed by each of the Sex Discrimination Act 1975 ("SDA"), Race Relations Act 1976 ("RRA") and Disability Discrimination Act 1995 ("DDA").

These provisions in similar, but not identical, terms require public authorities in the carrying out of their functions to have due regard to the need among other things to eliminate unlawful discrimination and to promote equality of opportunity. Copies of the full and initial Equality Impact Assessment templates and guidance need to be considered by Cabinet as part of their decision making and are available from: Opportunities Manager, Organisation Development, 3rd Floor, East Wing, Hammersmith Town Hall, King Street, London W6 9JU. Telephone: 020 8753 3430 Email: PEIA@lbhf.gov.uk. The duties are to be recast into a single equality duty from April 2011 but they are currently as follows:

Equalities Duties

When making decisions relating to services, public authorities must consider the Equality Act (Sexual Orientation) Regulations 2007, prohibiting discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, in education and in the exercise of public functions. The Regulations make it unlawful to:

- Refuse to provide goods, facilities and services on grounds of sexual orientation;
- Provide goods, facilities and services of a different quality on grounds of sexual orientation;
- Provide goods, facilities and services in a different manner on grounds of sexual orientation; and
- Provide goods, facilities and services on different terms on grounds of sexual orientation.

Authorities must also consider the Equality Act 2006, making it unlawful (subject to certain exemptions) to discriminate on the grounds of religion or belief (including non-belief) in the following areas:

- The provision of goods, facilities and services;
- The disposal and management of premises;
- Education; and
- The exercise of public functions.

In addition, legislation implementing the European Union's Equality Framework Directive 2000 came into force in December 2003, making it unlawful to discriminate against anyone directly or indirectly on the grounds of faith.

Age discrimination law does not currently apply to goods and services, though human rights law may give some protection in these areas. The Council has an Age Equality Scheme, which sets out the Council's commitment to age equality for people of all ages, including children and younger people and older people, across employment and service delivery. Officers are required to consider this when considering the impact on age.

18.4.1 The specific matters to which the authority needs to have due regard in the exercise of its functions are set out in the relevant sections as follows:

DDA - s 49A General duty

(1) Every public authority shall in carrying out its functions have due regard to:

- (a) the need to eliminate discrimination that is unlawful under this Act;
- (b) the need to eliminate harassment of disabled persons that is related to their disabilities;
- (c) the need to promote equality of opportunity between disabled persons and other persons;
- (d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- (e) the need to promote positive attitudes towards disabled persons; and
- (f) the need to encourage participation by disabled persons in public life.

SDA - s 76A Public authorities: general statutory duty

- (1) A public authority shall in carrying out its functions have due regard to the need:
 - (a) to eliminate unlawful discrimination and harassment, and
 - (b) to promote equality of opportunity between men and women.

RRA - s 71 Specified authorities: general statutory duty

- (1) Every body or other person specified in Schedule 1A or of a description falling within that Schedule shall, in carrying out its functions, have due regard to the need:
 - (a) to eliminate unlawful racial discrimination; and
 - (b) to promote equality of opportunity and good relations between persons of different racial groups.

18.4.2 Case law has established the following principles:

- (i) Compliance with the general equality duties is a matter of substance not form.
- (ii) The duty to have "due regard" to the various identified "needs" in the relevant sections does not impose a duty to achieve results. It is a duty to have "due regard" to the "need" to achieve the identified goals.
- (iii) Due regard is regard that is appropriate in all the circumstances, including the importance of the area of life of people affected by the decision and such countervailing factors as are relevant to the function that the decision-maker is performing. The weight to be given to the countervailing factors is a matter for the authority.
- (iv) The general equality duties do not impose a duty on public authorities to carry out a formal equalities impact assessment in all cases when carrying out their functions, but where a significant part of the lives of any protected group will be directly affected by a decision, a formal equalities impact assessment is likely to be required by the Courts as part of the duty to have 'due regard'. Due regard is established as having a conscious state of mind and approach.

18.4.3 Equality Impact Assessments have been carried out and are available electronically for Cabinet's consideration. The Equality Impact Assessments were informed by the consultation process. For the purposes of this report those covered by the general duties under the DDA, SDA, and RRA are referred to as "protected groups". Because of the timing of the decision members should also be aware of impending changes to the law, from 6th April 2010, when the general and specific duties arising from the Equality Act 2010 come into force. The general duties are outlined below; specific duties come into force on the same date but the government has laid out different timelines to allow public authorities time to prepare.

18.4.4 Parts of the Equality Act 2010 came into force on 1st October 2010 but not those parts of the Act which cover the new public sector equality duty, which has been the subject of recent consultation by the Government. When the public sector equality duty provisions of the Act come into force (date as yet uncertain but possibly on 1st April 2011) it will widen the general equalities duties with which a local authority has to comply. It will (among other things) include age as one of the protected characteristics to which the general equality duties will apply and will amend slightly the factors to which authorities will need to have due regard if they are to comply with those duties. Section 149 of the Act provides (so far as relevant) as follows:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- (2) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- (3) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- (4) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and

- (b) promote understanding.
- (5) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

18.4.5 In addition, local authorities will be under a duty by virtue of s 29 of the Equalities Act 2010 not to discriminate against, victimise or harass any person to whom they provide services on any of the protected grounds. The protected grounds will include age as well as the grounds on which the existing equalities legislation already protects people from discrimination by local authorities (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex). Discrimination means (1) treating someone less favourably because of a particular protected characteristic (or for a reason related to it, in the case of disability) ("direct discrimination") or (2) applying a provision, criteria or practice equally to everyone but which puts people of a particular protected characteristic at a particular disadvantage (indirect discrimination). An authority may rely on a defence of justification (i.e. that the discrimination was a proportionate means of achieving a legitimate end) in response to a claim of indirect discrimination, or in response to a claim of direct discrimination on grounds of age. Otherwise, direct discrimination cannot be justified.

18.4.6 Whilst the provisions as to age are not yet in force, the forthcoming change in the law is a relevant consideration which a local authority can take into account when making decisions as to service provision.

18.5 3rd sector organisations recommended as priority

As outlined in this report, officers recommend the following 3rd sector organisations as priority for space elsewhere:

Organisation	Current location	Service users	Recommendation
CITAS	Palingswick House	Wide range of BME and refugee communities	Prioritise for relocation as this is a key service supporting vulnerable residents, and used by many council and local health services
Community Transport Project	Palingswick House	Small community groups, older people's organisations	Prioritise for available LBHF premises, as this is a grant funded service, highly valued by small community groups and older people's groups, providing low cost and accessible transport.
HAFAD	Greswell Centre	Disabled residents	Provide alternative accommodation at White City Collaborative Care Centre, plus outreach sites, for commissioned services and prioritise for available LBHF premises for grant funded services.
Shepherds Bush Families Project	58 Bulwer Street	Children and families	Provide alternative accommodation for the commissioned Children's Centre service, subject to future funding availability.

Nubian Life Resource Centre	50 Commonwealth Avenue	Older BME residents	Provide premises for commissioned day opportunity services and prioritise available LBHF premises for grant funded services.
Irish Support & Advice Service	The Irish Cultural Centre	1 st generation Irish older residents	If the Irish Cultural Centre is no longer available after 2012, Irish Support and Advice Service would be prioritised for available LBHF space as a grant funded service.

18.6 The Council needs to ensure that it is compliant with UK equality legislation, both in making decisions and on an on-going basis. In particular, the statutory positive duties outlined below:

- Race Relations Amendment Act 2000 (race equality duty)
- Disability Discrimination Act 1995 & 2005 (disability equality duty)
- Equality Act 2006 (gender equality duty)
- Carry out impact assessments

These will be incorporated into business plans and any service improvement objectives that come out of this report. These duties will be reviewed under the council's ongoing performance monitoring process.

18.7 **Conclusions:**

- Groups most likely to be affected by the proposals are disabled people, older and younger people and some race groups. There will be a medium negative impact in the short-term while officers work with these organisations to help with accommodation, and while those organisations move. However, where negative impact has been identified officers have identified actions to mitigate this impact, e.g. ensuring support and information is available to groups to assist with identifying alternative premises options. In the long-term, many of the proposals are likely to result in positive impact, particularly where groups or services may be able to relocate to alternative venues, which are likely to be better in terms of physical access and closer to areas of need.
- There is also a potential negative impact to the management of Palingswick House (Palingswick House Ltd) if members recommend disposal and they cease to operate. However they will have the opportunity to bid to manage the Edward Woods 3rd sector hub.
- A point raised in support of The Irish Cultural Centre petition to Full Council on 26/1/11 was that the centre fosters good relations between Britain and Ireland. The charitable object of the centre, detailed on the charity commission web-site is "to advance the public's education in the history and culture of Ireland by maintaining an Irish Cultural Centre which provides an open access programme of the Irish arts and music and community activities of the highest quality and attracts people of all ages, different interests and diverse heritages". While good relations may be a potential outcome if British residents were to use the services it is not a specific target.
- The impact has been shown not to be significant overall in terms of race, gender and disability, e.g. the majority of services should be able to continue to be provided from other locations in the borough.

- Whilst 3rd sector organisations may be affected, it is considered that local residents would not necessarily be affected adversely – in fact, should organisations relocate closer to areas of deprivation, residents may well benefit from a positive impact of services being located closer to where they live.
- Should 3rd sector organisations be in a position where they need to move out of the borough – there is a risk of a low to moderate negative impact on residents who would have to travel further to access the support they provide.
- There is a risk of moderate to high negative impact for some Black Minority Ethnic (BME) residents, should culturally specific organisations no longer be able to function as a result of not being able to secure affordable premises. However, generic services are available to all communities in relation to housing, social care, health and education, and it is considered that the area which would be more highly impacted would be the cultural aspect for particular communities. However, organisations such as HAFAD, CITAS, Irish Support & Advice have been identified as priority organisations delivering support to particular communities, that the council will prioritise for alternative accommodation.
- Increased community cohesion is an important local issue. A number of respondents felt that should buildings in the consultation no longer be available, that this would negatively impact neighbourhoods and communities. However, having consulted with residents and service users, and identified organisations as priority accommodation, officers are of the view that by making better use of alternative buildings, encouraging services to share space and increase the offer to local residents from locations across the borough, that this will deliver a positive impact in terms of an improved offer to residents, and may also have a positive impact for organisations, enabling closer working with other organisations who can offer services which complement their own.
- In reaching its decision Cabinet must take into account all relevant matters, both general and particular, which are set out in the report, its appendices and the equalities impact assessments available electronically. Cabinet will need to pay particular regard to the outcome of the consultation exercise and the views of residents. Cabinet must also have due regard to the positive and negative aspects of the equalities duties as explained above. Cabinet will need to consider and balance the views of residents, the impact on the equality duties and the community in general and other relevant matters with the council's financial position, its duties to maintain certain statutory services, its fiduciary duty to Council Tax payers and other relevant countervailing matters in reaching its decision.

18.8 Risk Management

Separate to the potential impact for users and residents identified in the equalities impact assessments and above conclusion, officers have identified the following two areas of risk that have been assessed:.

18.8.1 Risk 1 - Impact on 3rd Sector

There is a risk of impact on the third sector - To mitigate any adverse impact regarding 3rd sector organisations, the council will endeavour to ensure they are provided with support.

- For those organisations commissioned by Council departments to deliver essential services, no change will be made until a suitable alternative site has been provided
- For those services funded by the council's 3rd Sector Investment Fund (the council's main grants programme for the sector), organisations will, as far as practicable, be given priority for alternative council accommodation that is or becomes available

- For all other organisations, the Council will seek to ensure appropriate advice and support is available to assist them in identifying alternative premises.

18.8.2 Risk 2 - Ability to dispose of buildings and achieve sufficient capital receipt

- The Council has taken property advice from the council's external property consultants on the sale of all these properties and believe that we can achieve the best consideration reasonably obtainable on each property within a reasonable time of commencing marketing of these properties.

19. Comments of the Assistant Director Building and Property Management

- 19.1 The building and property management comments have been incorporated within the body of this report.
- 19.2 As stated in the comments of the Assistant Director (Legal and Democratic Services) any property identified for disposal will be sold in accordance with Section 123 Local Government Act 1972.
- 19.3 If Cabinet resolve to declare all the properties detailed in this report as surplus to the Councils requirements and for disposal, the estimated capital receipt would be in the region of £14million. This capital receipt would make a significant contribution to reducing the councils debt.
- 19.4 Work has already commenced to decant Barclay House by the expiry of the lease in September 2011 as part of the current Smart Working programme.

20. Comments of the Director of Finance & Corporate Services

- 20.1 Generally, the capital receipt derived through the disposal of a building and the subsequent revenue saving achieved on running costs and business rates are discrete from decisions taken to support activities currently provided. The council is committed to achieving value for money through rationalising its property holding and as a result of a wide-ranging consultation is in a position to declare a number of buildings surplus to council requirements, whilst reducing its office leasehold portfolio.
- 20.2 The disposal of assets will assist the council towards achieving the necessary savings, by allowing it to reduce debt and therefore the interest costs of servicing that debt. It is not appropriate to declare values for individual buildings but the total disposal could generate in the region of £14m.
- 20.3 The vacation of Cambridge House and Barclay house are contained within the Medium Term Financial Strategy and are expected to deliver £1.1m of annual revenue savings, totalling £3.8m by 2016.
- 20.4 In addition to the revenue saving achieved through disposal there will need to be an alignment of other budgets, for example, where a revenue income budget is associated with a particular property, the council will remove that income budget, by offsetting it against the revenue saving and then against some of the interest saved.

21. Comments of the Assistant Director (Legal and Democratic Services)

Powers to dispose of Land

- 21.1 Under s.123 of the Local Government Act 1972 the council may dispose of land held by it in any manner it sees fit. The council may not dispose of freehold land or grant a lease of more than seven years at less than the best consideration reasonably obtainable without obtaining specific consent of the Secretary of State to disposal at an undervalue or by relying one of the general consents issued by the Secretary of State. In exercising its powers under s.123 the usual public law principles apply.

Consultation and equalities duties

- 21.2 As is stated clearly in the main body of the report the proposed disposal required full consultation. There is case law guidance as to what constitutes proper consultation. Consultation should include the following:
- * It should be carried out when the proposals are still at a formative stage.
 - * Sufficient reasons should be given for the proposals to allow those consulted to give intelligent consideration and an intelligent response.
 - * Adequate time must be given for responses.
 - * The product of consultation must be conscientiously taken into account when the ultimate decision is taken
- 21.3 The consultation process followed is outlined in section 2 of the report, the consultation document used at appendix 1b and the product of the consultation in appendix 2 a – h. The product of the consultation was also used to inform the Equalities Impact Assessments which are available and should be read electronically and which are summarised against each building in the report. A petition in support of the Irish Centre has been submitted under the council's Petition Scheme and has also been considered by the council and discussions have taken place between residents and senior members and officers. These are summarised at paragraph 13.10. Officers are of the view that an extensive and lawful consultation process has been carried out.
- 21.4 In reaching a decision Cabinet must take into account all relevant matters, both general and particular, which are set out in the report. Cabinet will need to pay particular regard to the outcome and product of the consultation exercises described in the report. Cabinet must also have due regard to the positive and negative aspects of its equality duties which are set out in the body of the report. It should be noted that the duty is to have due regard to the need to achieve the desired outcomes rather than to achieve a particular result and the Cabinet will need to balance these with countervailing matters including the council's financial position. Cabinet members should consider the detailed Equalities Impact Assessment's which are available electronically as part of the decision making process.
- 21.5 The Distillery Lane Centre is located in Frank Banfield Park. Section 123(2A) Local Government Act 1972 requires that, before disposing of land forming part of an open space, the council must publish public notice for 2 consecutive weeks in a newspaper circulating in the area and afford an opportunity for objections to be made and duly considered before committing itself to the disposal. This is a specific requirement in addition to the general consultation that has already occurred. Any objections received will need to be reported to the Leader and relevant Cabinet Member for them to take account of and decide whether disposal is to proceed.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	3 rd Sector Strategy	Sue Spiller ext 2483	CSD, Glenthorne Rd
2.	H&F Buildings Consultation documents	Sue Spiller, ext 2483	CSD, Glenthorne Road
3.	H&F buildings consultation responses	Sue Spiller, ext 2483	CSD, Glenthorne Rd

APPENDICES

1. Appendix 1: Consultation documents
 - 1a Covering letter
 - 1b H&F Buildings consultation document
 - 1c H&F Buildings consultation – questionnaire

2. Appendix 2: Consultation responses and LBHF comments
n.b. none received for Askham Centre or Distillery Lane
Hammersmith Library responses considered in separate report to Cabinet 10/1/11
Sands End Community Centre responses considered in report to Cabinet 7/2/11
Commonwealth Avenue responses - deferred until the Day Opportunities review has concluded.
 - 2a General
 - 2b Barclay House & Cambridge House
 - 2c Fulham Town Hall
 - 2d Palingswick House
 - 2e 58 Bulwer Street
 - 2f Irish Cultural Centre
 - 2g Greswell Street Centre
 - 2h 20 Hammersmith Broadway

3. Appendix 3: Equalities Impact Assessments
n.b. None for Commonwealth Avenue - deferred until the Day Opportunities review has concluded.
None for Hammersmith Library – considered in separate report to Cabinet 10/1/11
Sands End Community Centre - considered in report to Cabinet 7/2/11
 - 3a Barclay House
 - 3b Cambridge House
 - 3c Fulham Town Hall
 - 3d Askham Centre
 - 3e Distillery Lane Centre
 - 3f Palingswick House
 - 3fi Palingswick House organisation impact
 - 3g 58 Bulwer Street
 - 3gi Bulwer Street organisation impact
 - 3h The Irish Cultural Centre
 - 3i Greswell Street Centre
 - 3j 20 Hammersmith Broadway

4. Appendix 4: details of halls for hire

5. Appendix 5: list of council assets