

4. BEECH HURST GARDENS CHARITABLE TRUST, HAYWARDS HEATH, WEST SUSSEX (CHARITY NUMBER 305202) – WORKS TO ENHANCE THE COTTAGES AT NO. 1 AND NO. 5 BEECH HURST COTTAGES IN BEECH HURST GARDENS

1.0 INTRODUCTION

- 1.1 The Council being a trust corporation, by virtue of the Local Government Acts, is the Trustee of any land gifted to the Council upon charitable trust and is appointed the Trustee pursuant to Section 210 of the Local Government Act 1972 by virtue of being the statutory successor to the Cuckfield Urban District Council, the Cuckfield Rural District Council, the Burgess Hill Urban District Council and the East Grinstead Urban District Council.
- 1.2 The Council as Trustee comprises all the Members of the Council, who by virtue of their office as Members of the Council are the managing trustees of the Charities vested in the Council. Members of the Council receive specific training on their roles and responsibilities as Charity Trustees as part of their Member training.
- 1.3 The names of Members of the Council who currently serve as a charity trustee are set out in the table below:-

Councillor Peter Reed (Chairman)
Councillor Bruce Forbes (Vice-Chairman)

Councillors:

John Allen	David Dorking	Peter Martin
Jonathan Ash-Edwards	Sandy Ellis	Edward Matthews
Andrew Barrett-Miles	Steven Hansford	Norman Mockford
Edward Belsey	Ginny Heard	Pru Moore
John Belsey	Chris Hersey	Howard Munding
Margaret Belsey	Margaret Hersey	Kirsty Page
Liz Bennett	Colin Holden	Geoff Rawlinson
Anne Boutrup	Anne Jones MBE	Robert Salisbury
Pete Bradbury	Chris King	Linda Stockwell
Heidi Brunsdon	Jim Knight	Dick Sweatman
Kevin Burke	Jacqui Landriani	Mandy Thomas-Atkin
Cherry Catharine	Andrew Lea	Colin Trumble
Richard Cherry	Anthea Lea	Neville Walker
Rod Clarke	Andrew MacNaughton	Garry Wall
Phillip Coote	Bob Mainstone	Anthony Watts Williams
Ruth de Mierre	Gordon Marples	Norman Webster
Tony Dorey	Gary Marsh	John Wilkinson
		Peter Wyan

- 1.4 Beech Hurst Gardens Charitable Trust (“the Gardens”) was constituted by a Declaration of Trust dated 2nd March 1950 when Gardens were gifted to the Council’s predecessor, the Urban District Council of Cuckfield, by the trustees of the late William Johnson Yapp to be administered by the Council upon charitable trust. The objects of the Charity are the provision of a public park and recreation ground for the benefit of the inhabitants of Haywards Heath. The trustees powers of management are very restrictive and are limited to providing facilities for the use and enjoyment of the inhabitants of Haywards Heath for educational, scientific, cultural or recreational purposes and for any of the charitable purposes set out in section 4 of the Physical Training and Recreation Act 1937 and not for any purposes that are not charitable. There is an express provision that prohibits use of the Charity’s property by the Council for the discharge of its functions as a local authority.

- 1.5 The purpose of this report is to seek the Charity Trustees' approval to authorise the use of the Trust's funds in order to undertake necessary repair work required to bring the two houses, No's 1 and 5, Beech Hurst Cottages, into a lettable condition consistent with the Housing Health & Safety Rating System (HHSRS) as prescribed within the Housing Act 2004.
- 1.6 The report also seeks Charity Trustees to approve a maximum budget of up to £500 for each property, to cover any necessary emergency and reactive repairs arising as a result of uninsured losses, and which cannot be undertaken until such time as approved by the Trustees. Officers will report any such expenditure retrospectively at the next meeting cycle.

2.0 BACKGROUND

- 2.1 The Charity Trustees, have previously raised concerns that during the past 12 months, 2 of the properties at Beech Hurst Cottages had not been let and were vacant and unoccupied. The rental income from the portfolio was therefore not the best consideration that could reasonably be obtained.
- 2.2 Officers from Corporate Estates and Facilities (CEF) have undertaken condition surveys of the vacant properties and have identified remedial works which are required in order to bring the properties into HHSRS compliance and therefore more lettable at current market rates. The current condition of the properties is such that prospective tenants have been deterred.
- 2.3 The cost of the proposed work has been assessed and estimated, and it is expected that the work will be programmed into 2 separate phases and work streams, i.e. Phase 1 - Internal decoration including electrical and plumbing overhaul £17,568.20 (excluding vat), Phase 2 - kitchen fit out and boiler and hot water tank replacement £9,045.51 (excluding vat) and can be carried out with minimal disruption to the rest of the residents.
- 2.4 Officers from CEF have been working closely with colleagues in Housing Services to identify suitable tenants in the private sector and it is hoped that both properties will be re-let once the works have been carried out.

3.0 PROPOSALS

- 3.1 Officers are requesting the total sum of £26,613.71 to carry out these works to the property.
- 3.2 It is important that the Council undertakes the work at the earliest available opportunity in order to bring the properties into a lettable condition and thereby increase the possibility of letting the properties at a rent which represents Best Value. If the proposed capital expenditure is not approved by Charity Trustees, the Council will not be able to let the properties on the market for best consideration which can be achieved.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The occupied properties generate a rental revenue of £32,000 p.a., however, if the other vacant properties are refurbished and made attractive to let, the full rental revenue will be £55,100 p.a. The Charity's existing revenue budgets are capable of accepting the estimated cost of the proposed work.

4.2 The Charity's existing revenue budget is capable of accepting the estimated cost of the proposed work. The cost of the proposed work will be recovered once the properties are let.

5.0 RISK ANALYSIS

5.1 The works will be done in a safe and professional manner by qualified contractors taking full regard of the potential hazards through their own risk assessment and method statement.

5.2 It is important to undertake remedial and preventative work to affected areas of the properties, because the current condition of the properties will further deteriorate and make it even more difficult to secure tenants if no action is taken.

6.0 EQUALITIES AND CUSTOMER SERVICE IMPLICATIONS

6.1 The upgrading of the properties will bring them back to an acceptable standard and condition which complies with HHSRS standards as set out the Housing Act 2004.

6.2 Once refurbished and re-let, the cottages will contribute to the provision of private rental housing accommodation and reduce any homelessness for residents in the Mid-Sussex District, and support the right to accommodation which meets the needs of the tenants.

7.0 RECOMMENDATIONS

The Charity Trustees are recommended to:-

7.1 (i) Note the contents of this report

(ii) Approve a capital expenditure budget of £26,613.71 for the refurbishment of the cottages.

(iii) Approve a reactive budget of £500 for each property, to cover any necessary emergency and reactive repairs.