

MORETONHAMPSTEAD PARISH COUNCIL

Report by the Bowring Library Working Group on the location of the library service and the sustainability of the library building.

Introduction and structure of this report: The working group was tasked with reporting to the Parish Council at its meeting on 1 September 2015, with the following objectives:

1. To investigate whether there is a sustainable future for the Bowring Library building in public ownership;
2. If not, to make recommendations about the future location of the library;

The situation is complicated by uncertainties, and by the involvement of a number of organisations with different priorities and concerns. The first part of this report sets out relevant background information in brief, with a number of attachments giving information in greater detail. The second part discusses the options available to the Parish Council, and makes recommendations about next actions. Its initial conclusion is that there could be a sustainable future for the library building in public ownership, but that it may nonetheless be better for the town to move the library to Green Hill and allow the library building to be sold provided that option proves to be workable and has public support.

A. BACKGROUND INFORMATION

A1. The Bowring Library was given by Sir James Bowring to Moretonhampstead Parish Council in 1902. The 1902 conveyance (Attachment 1) gave Moretonhampstead PC “a building designed as a public library and for purposes connected therewith ... for the purposes of a library under the Public Libraries Acts 1892 to 1901 ... to be called the Bowring Library” provided that the inhabitants of Moretonhampstead had free use of the library, there was no gambling and no alcohol was sold or supplied on the premises, and that no part of the building was used for religious or political purposes.

A2. In 1962, the library building was transferred from Moretonhampstead PC to Devon County Council as part of a general transfer of the duties and rights of MPC as a library authority. Paragraph 3 of the 1962 agreement (Attachment 2) transfers to DCC “all property and rights acquired or vested in the Parish Council for the purpose of the performance of their powers and duties as a library authority”, which included the library building. The agreement included an obligation to give the inhabitants of Moretonhampstead use of the Moretonhampstead Library facilities without any charge.

A3. Neither document addressed what would happen if the building ceased to be used as a library.

A4. Devon CC intends to dispose of the library building either by transfer or by public sale to save money on building maintenance and rates. The relevant savings appear to be relatively small – in 2013 and 2014 spending on rates and building maintenance were £3.3K (2013) and £5.5K (2014) (Attachment 3) [however these savings would look larger if DCC had not been underspending on maintenance (see A6)].

A5. The Moretonhampstead Development Trust, having contacted a member of the Bowring family who expressed willingness to help with funding (see also A21), have considered taking over the building.

A6. MDT commissioned a structural survey which was carried out in February by RH Survey and Design. Their report (Attachment 4) found that the library building is basically stable, but that maintenance has recently been neglected, leading to damp penetration and some damage to walls and windows. It recommended urgent external maintenance work with a likely cost of £34.6K (excluding VAT and management), and internal repair and redecoration (£30.3K); it also recommended repeating external maintenance after 5 years (£20K) and testing and upgrading heating and other services (£11K). [Note that the surveyor did not examine all roof voids, and was unable to look at the condition of rainwater pipes running inside the walls.]

A7. MDT then carried out an assessment of options (Attachment 5), including conversion of the upper two floors as offices or as flats to provide an income. They concluded that the potential for office rental was doubtful and unlikely to provide enough income to make the building viable; but that there was good demand for flats which was likely to produce a market rental income of around £14K, or around £12K as affordable flats at 80% of market rentals. However they concluded that the cost of servicing capital needed for conversion made the project unsustainable for the Trust. [Note that their planned conversion costs for either option included the installation of a lift, which was relatively expensive (around £50K).]

A8. MPC discussed the issues in June and set up this working group (see introduction for its objectives).

A9. A local builder has quoted a price of £19.5K for the external maintenance work (Attachment 6), as compared with RH Survey and Design's estimate of £34.6K. This includes cleaning out, clearing and CCTV survey of the rainwater pipes routed inside the walls, but does not include any necessary replacement or repair of these pipes; he quotes an additional £100/m for relining these pipes; if all the pipes need relining, the total cost is unlikely to exceed an additional £4.8K (basis is 6 pipes with a length of 8m).

A10. Once the roof, drainage and walls of the building are in good repair, and internal repairs have been carried out, the basic future annual maintenance cost of the building can be estimated as around £10K a year (Attachment 7).

A11. The cost of converting the two upper floors of the building to residential use as two flats can be estimated very roughly at around £40-60K; however it should be noted that conditions of planning permission might significantly increase or decrease costs.

A12. The present business rateable value of the library building is £7K. Current payments are around £3.5K. If the building were transferred to a charity, the charity would be entitled to 80% relief, and would quite probably be granted 100% relief (information from TDC); though tenants using parts of the building for business purposes or as residential accommodation would of course be liable for relevant rates or community charges.

A13. The Bowring Library Building was listed Grade II in 1992. Keith McKay, Conservation Officer for the Dartmoor National Park Authority, inspected and discussed the building in August

2015 with Bas Payne for MPC, and then discussed it with the relevant Planning Officer, Jim Blackwell. Their advice is attached (Attachment 8). They would welcome maintenance and repair to the building, confirming that this does not need Listed Building Consent as long as the work is carried out using appropriate materials and techniques (relining the pipes, if necessary, might need LBC). Their view is that the building should if possible continue in use as a library with offices on the upper floors; conversion to residential use would require planning permission, and would be problematic as it is contrary to policy, inappropriate, and likely to damage the building unacceptably because of service and building code requirements. In discussion, Keith McKay indicated that DNPA would probably only give consent if it had stronger evidence than exists at present that continued use as offices was not viable

A14. At a meeting held on 19 August 2015 (Attachment 9), Charlotte Reynolds of Devon County Council's Estates Department said that transfer of the library building to Moretonhampstead:

would need a sound sustainable business case;

could only be made to an organisation with broadly-based community objectives, e.g. MPC or MDT, and not to a library trust;

would be subject to covenants including the continued provision of broadly-based community benefit – which office or residential use of the upper floors would not provide - and that this community benefit would need to be additional to what already existed, and should not undermine Green Hill;

that the building would be transferred as is, without any dowry or future DCC liability – “caveat emptor”; and

that an “overage” covenant would also be imposed securing for DCC part of any increase in value created by change in planning permission or use (e.g. if sold to Tesco).

She also said that if DCC sold the library building, the proceeds would be taken into DCC's general purposes account, and that no share would come to Moretonhampstead.

A15. Whether this is reasonable seems very much open to challenge, as happened recently when DCC sold the school building at Throwleigh; the money in the end went into a trust for local educational use. The two cases differ in a number of ways; however as with Throwleigh school the original conveyance of the Moretonhampstead library building is very clear that it was intended to be for the benefit of Moretonhampstead.

A16. At the same meeting (Attachment 9), Liz Alexander and Jill Currie of DCC's Library Services said that DCC's plans to run the library service through a community-owned mutual (a charitable company limited by guarantee) were under way and the target start date was 1 April 2016. It was intended that Friends' Groups would be represented by an elected representative on the Board of Governors. DCC was committed to maintaining library services in Moretonhampstead in this way, including books, IT and other equipment, and a librarian for six hours a week. They suggested that transfer to Green Hill would have the advantage that the library could be kept open for much longer hours with the help of the receptionist and volunteers, and synergy with other community services, and that through the available space was smaller, the changing

pattern of library services meant that this would not be a problem. Charlotte Reynolds said that DCC could not pay more than a peppercorn rent for library space, but was willing to make reasonable payments for the “cost of being there” including pro-rated contributions to heating, rates (if any), cleaning, caretaking, and day-to-day maintenance including redecoration of the space used.

A17. The principle of moving the library service to Green Hill has been discussed in principle between MDT and DCC; however there seems to be quite a large gap at present between the funding that DCC have suggested that they expect to offer and the funding that MDT would need. Longer library opening hours would be a considerable benefit, also synergy with other facilities at Green Hill; however it should be noted that there would be a considerable impact on the Youth Club (Attachment 10); also that Green Hill is further from the centre of the town and from car parking than the Bowring Library.

A18. The Community Centre is more central than Green Hill or the Bowring Library, and fairly close to a large car park. However an extension would be needed for the building to carry on with its current functions and house the library; and so more detailed consideration is not appropriate while the ownership of the building is unclear.

A19. Two local estate agents have been asked for estimates of the value of the Bowring Library building as it stands, and for their charge for managing the building if the upper floors were tenanted. Written replies have not yet been received; discussion at the time of visit indicates that the building has a substantial value even as it stands, but that it is hard to assess with accuracy – figures between £80K and £200K have been mentioned. Management costs seem likely to be of the order of 10-15% of rental income depending on circumstances.

A20. The Distillery company who showed some interest in buying the Bowring Library building have bid successfully for a building in Bovey Tracey; though the sale has not yet been completed, it seems very likely that it will be.

A21. Clive Bowring, of the Bowring family, has kindly indicated that he is still willing to help with funding, and we are in active contact with him. We have at the moment no clear indication of the amount that might be made available.

B. DISCUSSION and RECOMMENDATIONS

B1. Sustainability of the Bowring Library Building in public ownership.

Our initial conclusion is that there could be a sustainable future for the Bowring Library in public ownership with the library service remaining on the ground floor, if the two upper floors were converted to lettable flats, generating enough income to keep the building in good condition; and there might be a sustainable future if the two upper floors were let as offices, though this is more uncertain. But there are several uncertainties and obstacles at present. The most significant are probably:

B1a. DCC may not be willing to transfer the building on this basis, as they are looking for additional broadly-based community benefits as a condition of transfer.

- **Recommendation 1: that the WG and MPC explore other possible community uses for the building, and also explore whether this condition might be changed.**

B1b. We would need to find or set up a charitable entity willing to take over the building.

- **Recommendation 2: that the WG discuss this with MDT as the most obvious appropriate entity.**

B1c: Donations or grants would need to be found to pay for putting the building in good condition and carrying out any necessary conversion work. The amount needed is at least £50K and, if the upper floors were converted for residential use, probably over £100K. A sizeable donation from the Bowring family and other local donors would increase the chances of HLF funding by demonstrating local support.

- **Recommendation 3: that the WG send a copy of this report to Clive Bowring together with a more structured proposal; investigates other possible local donors; and discusses the project with the local office of the HLF.**

B1d: DNPA are unlikely at present to give planning permission for conversion of the upper floors to residential use.

- **Recommendation 4: we suggest that the best strategy for the organisation that takes over the building would be to use Bowring funding (assuming it's available) to put the building in good shape, redecorate inside in a way that's suitable for office use, and try to find tenants. If successful, PP would not be needed; if office tenants can't be found, there would be better grounds for applying for PP and a better chance of success. A further advantage of this approach is that the additional funding needed for residential conversion might not be needed, and, if needed, there would be longer to find it. Note that there is little risk involved, since if the project runs into problems, the building would have sufficient sale value to cover any liabilities.**

B2 An alternative location for the library:

The Bowring Library is at the moment open only for 6 hours a week, which provides a very limited library service. The hours of opening might be increased by volunteer manning, but probably only to a limited extent; and there is as yet no obvious additional community use of the space. If DCC's suggestions for moving the library service to Green Hill are realistic and acceptable to MDT, much longer opening hours would probably be better for library users than continuing at the Bowring Library with much more limited opening hours. We feel therefore that this could be a better outcome for Moretonhampstead even if the library building could have a sustainable future in public ownership. However a possible move to Green Hill needs to be assessed in greater detail, to make sure that the library service would be improved, that DCC would provide the funding that MDT would need to make this viable, that possible negative impacts (especially on the Youth Club) are properly assessed, and that the proposal has enough public support.

- **Recommendation 5: MPC should ask DCC and MDT to discuss possible transfer of the library service to Green Hill in more detail, so that we have a better understanding of**

what would be possible – especially space, facilities and access, and whether DCC are able to provide the funding that MDT would need to make it work, consulting FoML appropriately.

- **Recommendation 6: If transfer of the library to Green Hill is shown to be a viable option, MPC should then assess other implications (e.g. impact on the Youth Club), and if it feels that the move to Green Hill is the best available option, consult the community to make sure that it has sufficient support. setting out the available options and their benefits and disadvantages in sufficient detail, and then decide whether it would be better to keep the library service at the Bowring Library building or move it to Green Hill.**

If MPC decides to support moving the library to Green Hill, DCC would presumably sell the building and intend to retain the proceeds.

- **Recommendation 7: MPC should seek advice on whether DCC would have the right to retain the proceeds of sale or whether they should revert to Moretonhampstead in order to be in a better position to influence events should the library building be sold.**

Bowring Library Working Group
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