

North Yorkshire Council

Executive

6 May 2025

Transfer of former Richmond Grammar School, Caretakers Bungalow and Tennis Courts to Richmondshire Building Preservation Trust

Report of the Corporate Director – Resources

1.0 PURPOSE OF REPORT

- 1.1 To approve in principle the transfer of the former Richmond Grammar School as shown on the attached plan to Richmondshire Building Preservation Trust for use as a community facility and to delegate the final decision to the Corporate Director Resources in consultation with the Assistant Chief Executive Legal and Democratic Services if appropriate conditions are met.

2.0 BACKGROUND

- 2.1 The Council owns the former Richmond Grammar School, Station Road, Richmond, together with the adjacent vacant caretaker's bungalow and tennis courts. The property sits adjacent to North Yorkshire Council's (NYC) offices at Mercury House. A site plan is attached as Appendix 1.
- 2.2 The Property is Grade II listed and sits within Richmond Conservation Area. The property is shown on the picture below for context.



- 2.3 In November 2012 the then North Yorkshire County Council transferred the property to Richmondshire District Council for use as a community facility. Unfortunately, the property has remained vacant since the previous school use ceased despite efforts to bring it back into community use.

- 2.4 Previous attempts to find a viable use for the site and which would attract the level of grant funding required to upgrade the buildings have failed to attract investors. The site has continued to deteriorate, and costs continue to be incurred even though the building is not in use. NYC continues to seek to maintain the aspiration of using this property for community benefit, but this aspiration will need to be time limited given the challenges of protecting the building in its non-operational state.
- 2.5 Richmondshire Building Preservation Trust (RBPT) approached NYC with an ambition to put together a business case to bring the property back into use as a community facility. Over the course of the last 12 months extensive public consultation has taken place and a detailed proposal and viable business plan has been developed for the property in conjunction with a number of local stakeholders.
- 2.6 NYC has no operational requirement for the building and as such it can be redeployed.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 RBPT is proposing to create a Centre for Creativity and Digital Enterprise – a community venue where everyone is welcome, with opportunities to explore digital creativity, through art, physical activity, music and other initiatives. The Centre will offer hands on activities, with a strong youth focus. Visitors will be able to take part in novel experiences previously only found in large urban areas – bringing digital to the Dales. The offering will include core community provision alongside educational opportunities and unique event settings. Enabling residents and visitors to Richmond to Create – Collaborate – Inspire, at The Old Grammar School.
- 3.2 The exciting opportunity will offer the local community a refurbished and revitalised asset that enhances and celebrates both the architectural heritage of the building and its social and educational heritage as a former grammar school. Significant investment will be required to realise the vision for the site and a detailed fundraising plan has been developed as part of the business plan.
- 3.3 The transfer of the property is subject to RBPT securing grant funding for the refurbishment and redevelopment of the property.
- 3.4 If grant funding is not forthcoming, then RBPT will not be in a position to take on the property and the Council will offer the site for sale on the open market. This would be required as it would have to be assumed that, after two failed community-based ventures, there is limited chances of success, and a different approach is required to release the Council from the costs of safeguarding the building. A capital receipt may be achieved from open sale and the building itself is more likely to be secured for the future. Priority is, however, being given to the proposal by RBPT and disposal on the open market is a secondary course of action.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 4.1 NYC is committed to utilising this property for community use.
- 4.2 The proposed transfer is in line with NYC's aspirations for the building and has been developed to be in line with NYC's Cultural Strategy. Whilst this disposal does not follow NYC's current Community Asset Transfer Policy – currently being reviewed – officers have had regard to the Policy and are content that the proposal would be acceptable under the framework defined within it.

- 4.3 The proposals for the building also offer the potential to re-locate or accommodate existing assets and services in the town such as the library and broader community learning facilities.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No other options are currently being pursued in relation to this property at this stage. Should the transfer to RBPT not proceed then NYC will need to look further into other avenues for the market disposal of this property.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The Market Value of the property is £370,000.
- 6.2 The proposed transfer to the RBPT at undervalue is subject to RBPT securing funding for the redevelopment of the property and subject to planning permission being granted.
- 6.4 Once the transfer of the site has taken place the Council will benefit from annual revenue savings associated with managing a vacant property.

7.0 LEGAL IMPLICATIONS

- 7.1 Section 123 of the Local Government Act provides the general rule that Councils must not dispose of land for consideration less than the best that can be reasonably be obtained, unless they have obtained consent from the Secretary of State. However, the General Disposal Consent 2003 gives specific consent to a Local Authority to dispose of land without needed specific consent from the Secretary of State if it is of the opinion that the disposal will contribute to the promotion or improvement of the economic, social or environmental wellbeing of the area and the undervalue is not above £2m.
- 7.2 In this case the disposal will be at nil consideration which equates to an undervalue of £370,000. The report identifies that the potential disposal will contribute to the improvement of the economic and social well-being of the area by allowing the Trust to access additional funding for the area and is therefore permissible under the General Disposal Consent 2003. The proposal is one which seeks to preserve a heritage asset and support the growth of a rural economy by providing a new community hub. The Executive has authority under the Council's constitution at paragraph 6.9 of the Property Procedure Rules to approve an undervalue transaction of up to £2m.
- 7.3 The Council must also consider the requirements of the Subsidy Control Act 2022 before making awards of financial assistance, including the transfer of assets of nil consideration. The proposed disposal constitutes a below market value asset transfer to an organisation that plan to generate income from the asset in due course, and therefore the transfer should be treated as a subsidy of £370,000.
- 7.4 The Subsidy Control Act 2022 requires that any subsidy granted must comply with the control principles outlined in Schedule 1 of the Act. These provide seven broad principles which the subsidy must be demonstrated to meet in order to be lawfully awarded, namely:
- A. subsidies should pursue a specific public policy objective in order to (a) remedy an identified market failure or (b) to address an equity rationale such as regional disadvantage, social difficulties or distributional concerns;
 - B. subsidies should be proportionate to their specific public policy objective and limited to what is necessary to achieve it;

- C. subsidies should be designed to bring about a change of economic behaviour of the beneficiary. That change, in relation to a subsidy, should be (a) conducive to achieving its specific public policy objective, and (b) something that would not happen without the subsidy;
- D. subsidies should not normally compensate for the costs the beneficiary would have funded in the absence of any subsidy;
- E. subsidies should be an appropriate policy instrument for achieving their specific public policy objective and that objective cannot be achieved through other, less distortive, means;
- F. subsidies should be designed to achieve their specific policy objective while minimising any negative effects on competition or investment within the United Kingdom
- G. subsidies' beneficial effects (in terms of achieving their public policy objective) should outweigh any negative effects, including in particular negative effects on (a) competition or investment within the United Kingdom; (b) international trade or investment

Transparency obligations apply for all individual awards based on Principles.

- 7.5 Officers are working with the Trust to obtain a suitable subsidy control assessment to ensure that the proposal complies with the above mentioned common principles. Members are asked to give their approval in principle to the disposal and delegate the final decision to ensure that a full Subsidy control assessment can be made and there is evidence to show that the common principles have been met, particularly to show that the subsidy is proportionate to the policy objective. One of the ways that this proportionality can be shown is through a viability gap analysis of the anticipated costs against projected income to demonstrate that the value of the subsidy is within the gap identified – i.e to demonstrate that the Trust is unable to pay for the land through usual commercial borrowing for the scheme. The proposed delegation to proceed with the transfer would only take place if the appropriate assessment has been completed.
- 7.6 The property is registered as an Asset of Community Value. NYC will work with local stakeholders to meet the requirements of the Localism Act 2011. The transfer is subject to satisfying the requirements of this legislation. Agreement to transfer the asset to RBPT will require the Council to declare its intention to dispose of the property and will trigger the mandatory six-week moratorium period. However, as the proposal is to transfer the asset to a community interest group (as defined by the legislation) this will not interfere with any of these ongoing negotiations with RBPT.

8.0 EQUALITIES IMPLICATIONS

- 8.1 The proposal will ultimately benefit those children with Special Educational Needs and improve the provision of education to young people where there is currently a shortfall of specialist provision. In addition, the building will be fully accessible to all floors and facilities. Equalities Screening attached as Appendix 2.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 The matters subject to this decision, being a property transfer, do not give rise to Climate Change implications.
- 9.2 The re-development of the site by the RBPT may give rise to climate change implications, however, this will be assessed through the Planning process and addressed in accordance with the Planning policy that is in place. Climate Change Impact Assessment attached as Appendix 3.

10.0 REASONS FOR RECOMMENDATIONS

10.1 To utilise a prominent Grade II listed vacant building to provide the community benefits as described in the report.

11.0 RECOMMENDATION

That the Executive

- i) approve in principle the transfer of the site at undervalue to Richmondshire Building Preservation Trust and to delegate to the Corporate Director – Resources in consultation with the Assistant Chief Executive Legal and Democratic Services to make the final decision to transfer and all associated decisions in accordance with the terms set out in paragraph 7.5 and subject to RBPT securing the necessary grant funding.

Gary Fielding
Corporate Director – Resources

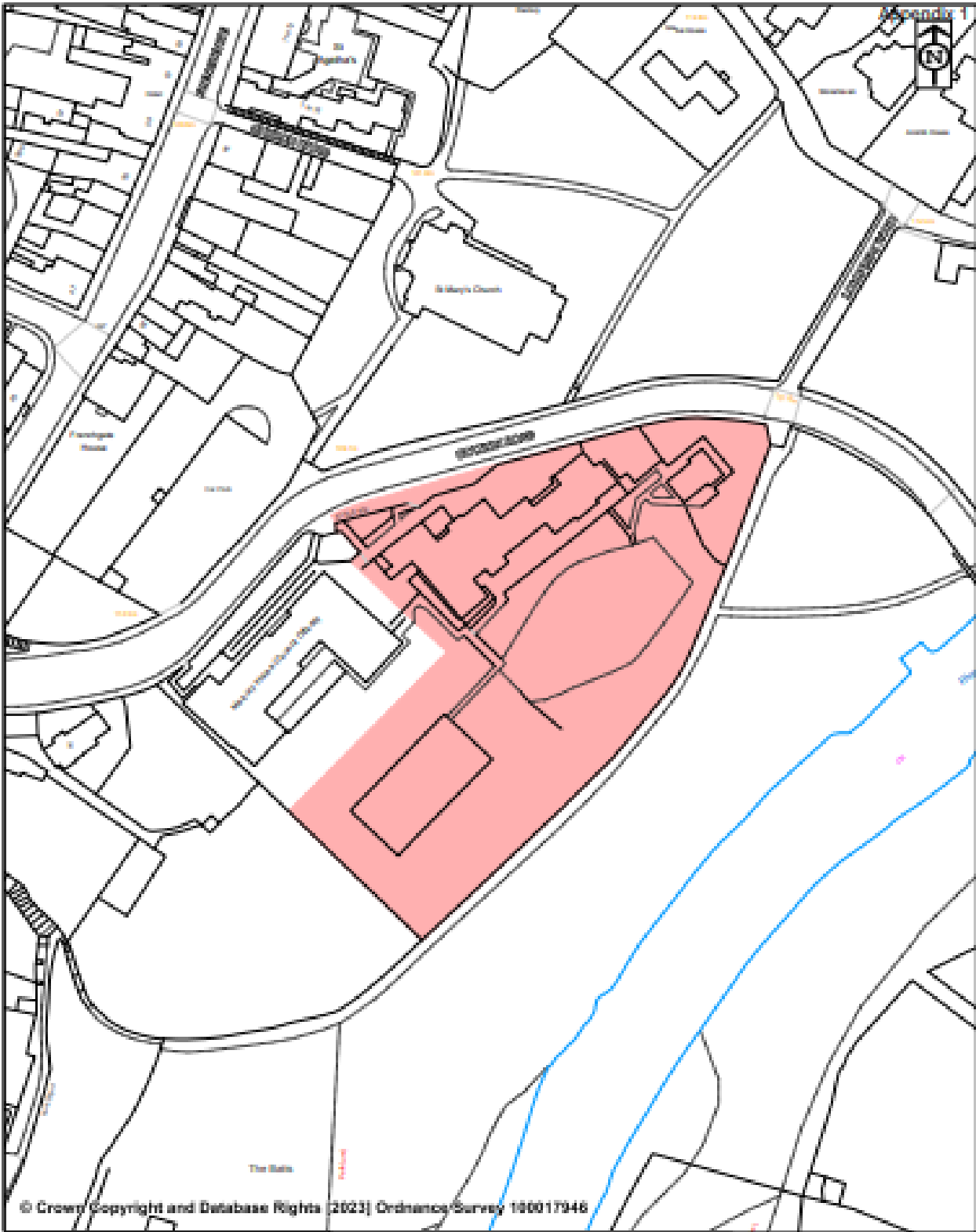
Report authors/Presenters of report – Philip Cowan and Marie-Ann Jackson

Appendices

1. Richmond Old Grammar School – site plan
2. Equalities Impact Screening
3. Climate Change Impact Assessment

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Old Grammar School, Richmond - Site Plan



The Old Grammar School - Richmond

Scale: 1:1250
Drawn: DD
Date: March 2025
Dwg No: 9522
OS Grid: 417436 500880

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Resources and Central Services		
Service area	Property & Local engagement		
Proposal being screened	Transfer of Richmond Grammar School		
Officer(s) carrying out screening	Marie-Ann Jackson		
What are you proposing to do?	Transfer the asset to Richmondshire Building Preservation Trust at undervalue.		
Why are you proposing this? What are the desired outcomes?	To preserve a heritage (Grade 2 listed) asset, which has been closed and un-used for a number of years and provide a community facility for Richmond.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	Asset is valued at £370k.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's	No, the asset is in a town centre location, on-site parking will be provided, including disabled parking. Following renovation the Community Centre will be fully		

access to public transport)? Please give details.	accessible to all floors with disabled toilet facilities also provided on all floors.			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No, the provision will be complementary to existing facilities.			
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	
Reason for decision	No adverse impacts identified.			
Signed (Assistant Director or equivalent)	Gary Fielding			
Date	14.04.25			

Initial Climate Change Impact Assessment

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Transfer of the former Richmond Grammar School to Richmondshire Building Preservation Trust (RBPT).
Brief description of proposal	NYC will be transferring the building and surrounding land to RBPT, subject to Executive Approval, to be used for a new community facility in order to preserve the building.
Directorate	Resources
Service area	Property Service
Lead officer	Philip Cowan
Names and roles of other people involved in carrying out the impact assessment	Marie-Ann Jackson

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	Decreases emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	Increases protection of heritage and landscape	Increases protection of heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full CCIA:	<input type="checkbox"/>
Reason for decision				

	<p>This proposal is simply to transfer land out of NYC’s portfolio to RBPT. The property and surrounding land will be brought back into use as a new community facility.</p> <p>It is considered that the proposal will have a positive effect on NYC’s Greenhouse Gas emissions and the local heritage and landscape, but only because the responsibility will transfer over to RBPT.</p> <p>The proposed transaction itself will have no overall impact from the point of view of the County. However, once the building becomes operational there may be some efficiencies that benefit the wider County due to the investment from RBPT. These are not yet known and cannot be quantified for the purpose of this assessment.</p>
Signed (Assistant Director or equivalent)	Rachel Joyce, Assistant Chief Executive, Local Engagement
Date	23/4/25