COMMUNITY ASSET TRANSFER – NENTHEAD MINE SITE, NENTHEAD

1.0 EXECUTIVE SUMMARY

1.1 This report informs members of an Expression of Interest form and a Business Case application from Nenthead Mines Conservation Society (“NMCS”) for a Community Asset Transfer to it of the Nenthead Mine Site shown edged red on the plans at Appendix 1 and Appendix 2 of this report.

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

2.1 The Council Plan for 2016 – 2019 sets out the vision for Cumbria. The Community Asset Transfer process relates to the Council Plan priorities, specifically;

- To safeguard children and support families and schools so that all children in Cumbria can grow up in a safe environment, and can fulfil their potential
- To support older, disabled and vulnerable people to live independent and healthy lives
- To enable communities to help shape their local services, promote health and wellbeing and support those in poverty
- To provide a safe and well managed highways network, secure infrastructure improvements and support local economic growth
- To be a modern and efficient council

2.2 The application of the Community Asset Transfer policy supports this vision and additionally contributes towards the Council Plan priorities

- To safeguard children and support families and schools so that all children in Cumbria can grow up in a safe environment, and can fulfil their potential
- To support older, disabled and vulnerable people to live independent and healthy lives
- To enable communities to help shape their local services, promote health and wellbeing and support those in poverty
2.3 The Council is not able to achieve its priorities alone. Working with partners, supporting community and voluntary groups in a number of ways helps to deliver on those priorities by developing and delivering local solutions to meet the needs of local people. In the terms of the Eden Area Plan 2014-17, the request would support the priorities of:

- Developing strong and resilient communities
- Access to services

2.4 The assets the Council owns in local communities play an important part in enabling partners and community groups to offer a range of activities and services that benefit the social and economic wellbeing of an area. Transferring assets to communities is an option where this would support the achievement of the Council’s priorities.

2.5 In terms of Community Asset Transfer the Council’s commitment is to identify opportunities where there is potential for a transfer and/or for development potential to be realised. This is in line with the Strategic Asset Management Plan.

2.6 The Council’s approach to transferring assets to the community is described in the Community Asset Transfer policy that has been agreed by Cabinet. Consideration is on a case-by-case basis; involving an assessment of any proposals being made against the well-being benefits to the community and whether the proposals present value for money. The Council’s approach is intended to ensure that any transfer of property to the community groups will facilitate the enhancement of community facilities and support the delivery of high quality, customer focused services for the community.

2.7 In considering the potential for an asset transfer the Council needs to consider its duties under the Equality Act 2010; and in particular how the transfer of any asset would support the Council’s aspirations for Equality for All. Before a decision is taken to undertake an asset transfer or agree to a long lease being granted, an assessment of the impact of the proposed transfer is undertaken pursuant to the Council’s duties in section 149 of the Equalities Act 2010 to ensure that any transfer supports the Council’s approach to equality.

3.0 RECOMMENDATION

3.1 Members are asked to note the request from Nenthead Mines Conservation Society for a Community Asset Transfer to it of the Nenthead Mine Site, Nenthead.

3.2 Members are asked to provide their views regarding this request.
4.0 BACKGROUND

4.1 The group that is now the Nenthead Mines Conservation Society (NMCS) has been running tours and conserving the site utilising volunteers for the past 6 years.

4.2 NMCS entered an expression of interest with Cumbria County Council for the mine site on 25 July 2017; the expression of interest was accepted by the Senior Management Property team and NMCS was invited to submit a business plan and case for the asset transfer.

4.3 NMCS submitted its business case and plan for the asset transfer of mine site to Cumbria County Council on 22 April 2018.

Nenthead Mines Conservation Society

4.4 NMCS is a registered charity and Charitable Incorporated Organisation (“CIO”), which aims to conserve Nenthead Mines (“the Site”) and to educate the general public about the history of mining, quarrying & smelting at Nenthead and in the North Pennines. NMCS does this by researching, restoring, maintaining and exploring the Nenthead Mines site and the buildings, infrastructure and other mining remains present on that site including the conservation of the geological features and the natural environment.

4.5 NMCS holds regular open days which attract visitors from far and wide, who come to the site to see, understand and enjoy the history, geology, engineering and natural history present in a safe, informative and inclusive manner. In addition to open days, NMCS hosts visits from Schools, Universities, other Mining Societies, Geologists, Biologists and Industrial Archaeologists. NMCS maintains a substantial archive of material about the Site together with a collection of site artefacts and North Pennines Minerals.

4.6 NMCS’s income comprises of membership fees, donations and revenue from the sale of goods and bunkhouse accommodation fees. NMCS’s costs mainly comprise of utilities, maintenance, insurance and archiving materials.

4.7 NMCS has no employees. Members and trustees provide their time and effort to NMCS free of charge, in accordance with NMCS’s governing document. NMCS currently has around 130 members and 6 Trustees. The board of trustees consists of people with a wide variety of knowledge, experiences and qualifications.

Proposals for Nenthead Mine Site

4.8 NMCS believes that a Community Asset Transfer of the Nenthead Mines site and the Brownley Hill Mine site from Cumbria County Council to Nenthead Mines Conservation Society will allow NMCS to better fulfil its existing aims. It will do this by providing NMCS with a greater degree of custodianship and permanence at the Site and allow NMCS to access grants and other financial and in-kind support to better conserve and understand the Site itself.

4.9 NMCS proposes that following the change of ownership of the Site it will continue to work to conserve the Site and educate visitors about the history of the Site and undertake to research, restore and revitalize the Site.
4.10 If larger capital projects are required to conserve, maintain or restore structures on the Site, then approaches will be made to grant awarding bodies (such as the National Heritage Lottery Fund, The Big Lottery Fund or various Charitable Trusts). As owner of the Site, NMCS would be eligible to approach such grant awarding bodies, something it cannot do at present, as it has no long-term rights of tenure at the Site. NMCS has no plans to develop any part of the Site for any alternative use.

4.11 The Site includes legal rights of way and access land. NMCS proposes to facilitate and support maintenance of rights of way. Informal discussions have been held with Historic England about ways in which the bridleways and footpaths might be protected and improved. Cumbria County Council and the previous lessee had carried out works to make the Site safe for visitors. NMCS proposes to maintain and enhance the safety structures.

4.12 NMCS advises that the Site is a Scheduled Ancient Monument, a Geological SSSI and includes a complex collection of historic buildings, roads, leats, dams, mine entrances etc each in varying states of decay. Numerous natural and artificial watercourses flow across and through the site. The Site supports a collection of lichens and metallophytes of national importance, two areas of woodland, increasing numbers of black grouse and waders and visiting red squirrels. The Site sits on high moorland, very exposed to the quite harsh climatic conditions prevalent in the North Pennines.

4.13 The Site has been the victim of vandalism and inappropriate use in recent years. These factors combine to create a substantial ongoing threat to the conservation of the Site. As a result the Site requires regular monitoring, management and maintenance. Without such the Site would decay rapidly and would become unsafe and its historic importance would decline.

4.14 NMCS believe that their commitment to continue to conserve the Site in future and to educate more people about its importance, in a similar fashion to the way NMCS has done in recent years, is the best chance the Site has for long-term preservation.

Community Support

4.15 NMCS works with several communities of people interested in the Site. These communities consist of the following:

- Local residents of Nenthead village and surrounding area
- Mining history enthusiasts from far & wide who recognize Nenthead Mines as a special place
- Local businesses
- Other special interest groups attracted by the Site’s history, geology or natural environment, such as Universities, Schools, Geologists and Environmentalists

NMCS advises that it has actively engaged with each of these Communities during the preparation of its Business Plan and consideration of the proposed Community Asset Transfer.
An open information event was held on Saturday 17th March 2018 to which local residents, businesses, society members and other stakeholders and interested parties were invited. Leaflets and posters were distributed to all houses in Nenthead and Garrigill. Posters were distributed in Alston. Local and national publicity was also arranged via websites and social media.

The event was held in Nenthead Village hall. Posters, maps and a slideshow were used to illustrate information about NMCS and the asset transfer proposals. Visitors were invited to discuss the proposals with NMCS Trustees and members. Fifteen NMCS members and 20 local people attended the event. The feedback from those who attended and others who had commented separately was overwhelming supportive of the Community Asset Transfer and ongoing preservation and use of the Site.

NMCS is actively targeting local residents as volunteers. Two new committee members live locally and the recent open information event generated further interest from local residents about volunteering opportunities.

The success of the recent event has encouraged NMCS to consider making this an annual community engagement event, to encourage local residents and stakeholders to come and see what work is being done, to understand the opportunities to get involved in, and share ideas with NMCS. This will help NMCS enhance and monitor levels of community engagement.

The NMCS Chairman has also attended a meeting of Alston Moor Parish Council to answer questions and reassure the Council about the effect of the proposed transfer on the use of the Nenthead car parking area.

NMCS recognizes that the car parking area adjacent to the village centre is an important community resource. NMCS is committed to continue to maintain this area and to facilitate continued community use. NMCS has no plans to develop this car parking area (or any other area of the Site) for any alternative use. The protected nature of the great majority of the Site, as a scheduled ancient monument and site of special scientific interest, provides strong legal barriers to any radical changes to the use of the Site.

NMCS is a member of the Alston Moor Business Association and aims to work cooperatively with commercial businesses on Alston Moor.

Informal discussions on how Nenthead Mines and the new Nenthead Arts and Visitor Centre can work to complement each other has begun and will be explored further.

**Demonstrated need**

NMCS argue that the Nenthead Mines site offer is unique in the UK in terms of the extent of its history, the mining remains, the state of preservation of those remains and the accessibility of the Site to visitors. The area has very few visitor attractions and as such is very far from saturation levels throughout the year. The closest thing to Nenthead Mines (physically and in nature) is the Killhope Lead Mining Museum in County Durham. This operates as a Durham County Council owned and funded visitor attraction open daily from April to October.
4.25 NMCS advises that the visitor experience at Killhope is different to that at Nenthead. Killhope focuses on the mining & dressing of lead ore with some emphasis on the social history of workers, whilst Nenthead focuses on the mining and smelting of lead ore with a particular emphasis on the visible geology and mineralogy from the site. As such the Killhope and Nenthead sites are regarded as complementary and there is no perceived risk of duplication or saturation.

Planning

4.26 NMCS, within the consideration and planning process, has included a complete review of the current condition of the site and where there are maintenance and conservation requirements or vulnerabilities. An assessment of the legal, environmental, insurance and managerial responsibilities and risks has also been discussed at some length. The conclusion reached was that these responsibilities will be fulfilled and the risks addressed to within an acceptable margin of comfort.

4.27 NMCS have prepared financial projections for the site for the next 4 years and are satisfied that the annual running costs of the mine site can be covered by the income currently generated, allowing for significant increases to the maintenance costs.

4.28 NMCS have consulted various Mining Societies across the UK about the responsibilities and risks associated with owning mine sites. Examples include Cwmystwyth Mine in Mid Wales, Clearwell Caves in Gloucester, Snailbeach Mines in Shropshire, Alderley Edge Mines in Cheshire and The Peak District Mining Museum. The lessons learnt from these consultations have been factored in to the assessments of the proposed Community Asset Transfer and the preparation of their Business Plan.

4.29 NMCS have assessed the weaknesses, vulnerabilities and risks of ownership of the mine, utilising the experiences of their committee team and with an independent support agency; they have concluded that they are satisfied that the risk is manageable.

4.30 NMCS advises that the Nenthead and Brownley Hill mine sites include abandoned mines which discharge polluted water into the River Nent. The legal position in the UK is such that no one can be held liable for the water pollution from the majority of mines. The Environment Agency (EA) is planning projects that will manage the discharges of polluted water. NMCS is working closely with the EA by providing information from their archives and by reporting on underground water flows.

4.31 NMCS is working with the EA and Historic England to develop methods for reducing the movement of waste material along the river catchment as part of the EA study of the pollution caused by waste material from mine dumps entering the River Nent. This work is funded by the EA.

Connected to local priorities

4.32 NMCS believe that the asset transfer of the Site fits with CCC’s focus on delivering Economic Growth & Good Quality Education and Learning Opportunities as its plans will increase awareness, understanding and
appreciation of the Nenthead Mines and will bring more visitors to the area. There will be many opportunities for local residents and school children to become involved in the mines and learn more about their rich history and importance to the area over several centuries.

4.33 NMCS believes that its plans for the Site are entirely consistent with Alston Moor Parish priority to improve the living conditions and working opportunities for residents and encourage more economic activity as it will increase visitor numbers, increase opportunities for education and appreciation of the area (by visitors and residents) and offer volunteering opportunities to all.

Community Benefit

4.34 NMCS believe that various communities and schools with an interest in Nenthead Mines will benefit from an increased commitment to the operation and conservation of the Site and a growth in the level of education about and understanding of it. This will increase the volume of visitors to the area and greater opportunities for local residents and businesses.

4.35 As awareness of the mine grows locally NCMS feel there will be an increasing sense of interest and pride in the legacy of the mines and the important part they played in the whole of the Europe’s industrial revolution.

4.36 NMCS will approach Alston Moor Federation of Schools to invite them to work with NMCS to develop a programme of engagement with, and study of the mines and the local geology. NMCS firmly believes that this will play a constructive part in ensuring that local communities thrive.

4.37 NMCS advise there will be many volunteering opportunities for local residents to help conserve and understand the site and to interact with visitors wishing to learn about the site.

Benefit of ownership

4.38 The key benefit to NMCS is that this asset transfer allows NMCS to have the confidence to make longer term plans for and commitments to the conservation of the Site. The current arrangements give NMCS no formal or lasting rights to utilize the Site. As such NMCS’s investment of time, effort and money in the Site is being done without any security that these investments would yield a return in terms of better conservation, education and access to the Site in years to come. Furthermore, ownership of the Site will allow NMCS to apply for grants to finance larger scale conservation and education projects at the Site.

4.39 If the asset transfer is not agreed NMCS advises it will be “business as normal” in the short term for NMCS. However their longer term plans and commitments to the Site would need to be reviewed. Advising that the Charity Commission has suggested that NMCS should aim to have legal rights on the Site and they would need to discuss whether the CIO would be able to continue in its present form, if this can not be agreed.
Monitoring

4.40 NMCS will monitor and measure the future performance of the Site by reference to past performance, with Key Performance Indicators including:

- Health and Safety record on the site
- An annual inspection of the whole site to monitor the condition of the structures on the site
- Visitor numbers attending open days
- Visitor feedback from open days
- Membership numbers and levels of volunteer engagement
- The level of financial surpluses and a healthy positive bank balance
- Feedback from other stakeholders including Historic England, Alston Moor Parish Council, and the North Pennines AONB Partnership
- Benchmarking against other Mine Conservation Sites & Societies across the UK
- Annual Community event (tbc)

Process

4.41 The Community Asset Transfer process allows the County Council to transfer properties or land for community benefit either by freehold transfer or on a long-term lease subject to certain conditions being met. The assets which the County Council owns in local communities play an important part in enabling the community to come together and can support a range of activities and services which benefit the social and economic wellbeing of an area, as well as provide opportunities to enhance the health and wellbeing of the local community.

5.0 OPTIONS

5.1 Members may provide Cabinet with their views on the application.

5.2 Members may decide not to provide Cabinet with their views on the application.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

6.1 There are no financial implications for the Local Committee arising from this report.

7.0 LEGAL IMPLICATIONS

7.1 The County Council’s Property Disposal Policy provides that local members’ views will be sought when an expression of interest is received for a Community Asset Transfer.

7.2 The decision whether to agree a Community Asset Transfer is made by Cabinet.
8.0 CONCLUSION

8.1 Nenthead Mine Conservation Society is committed to conserving a local Scheduled Ancient Monument and Geological SSSI for the benefit of local residents, communities of interest and future generations; to educate, inspire and evoke local pride.

8.2 The Community Development team will work with officers from a range of disciplines within the Council to support the Community Asset Transfer process.

Dawn Roberts
Executive Director Corporate Customer and Community Services

July 2018

APPENDICES

Appendix 1: Site Plan of Nenthead Mine, Nenthead

Electoral Division: Alston & East Fellside

Executive Decision

Key Decision

If a Key Decision, is the proposal published in the current Forward Plan? N/A*

Is the decision exempt from call-in on grounds of urgency? No*

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained? N/A*

Has this matter been considered by Overview and Scrutiny? No*

Has an environmental or sustainability impact assessment been undertaken? N/A*

Has an equality impact assessment been undertaken? N/A*

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

*List here any previous relevant decisions. If none, state “No previous relevant decisions”.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.
BACKGROUND PAPERS

No background papers

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