# **Property Strategy**



for voluntary and community use of council-owned property

# 2005 - 2010

November 2005



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### **1.0 EXECUTIVE SUMMARY**

Our borough is fortunate in having a variety of properties for community use, spread widely and bringing benefit to many. The council is always grateful for the service provided by voluntary and community sector groups and is sympathetic to their property needs, recognizing that legal constraints and rental costs all too readily eat into core operating costs and can interfere with the delivery of local services.

It is well known that property, or at least, the right sort of property, can be difficult to find and even more difficult for many community groups to secure, given that commercial landlords tend to view voluntary agencies as something of a financial "risk".

Consultation with existing tenants and with the key strategic voluntary and community organisations has guided the content of this document. We invite you to take a further look at the emerging strategy presented here, with the needs of your clientele and staff in mind, assessing:

- quality, does existing office, storage, meeting or activity space meet expectations, afford adequate comfort and will it continue to serve its purpose in five or so years' time?
- safety, are clients and staff feeling secure, in a safe and healthy environment while visiting or working?
- accessibility, in addition to satisfying legal requirements, are your clients and staff able to reach the premises, or gain alternative means of access to services, conveniently?

The purpose of this strategy is to develop policies, practices and actions that are clear and well communicated to those involved, with a view to achieving maximum usage and community gain from our scarce property resource. More is said about aims and objectives in section 3.

Please take time to look at the draft policies and proposed actions in sections 4 and 6 respectively, as these indicate how the council intends to manage its property portfolio and how any current irregularities will be addressed in the first few years of the 2005–2010 strategy period.

Information gathered to date, tells us that many of the council-owned, or managed, buildings and premises are being used to near capacity or are inadequate to meet demands fully. A few, it has to be said, are dilapidated and in need of repair, maintenance or overhaul. All remedies will create costs, so we all have to be sure that the returns on such capital investment costs are likely to bring sufficient benefit to the community served by the premises in question.

An assessment of demand for new or improved property in the voluntary sector indicates that virtually every individual organisation has a slightly different requirement, though for convenience, we have recognised two main generic requirements: administration (e.g. office, meeting, consultation space) and activity (e.g. day centre, youth services). Section 2 says more on supply and demand.

A timetable for implementing the strategy and actions appears in section 7, confirming that any regularisation, adjustments or improvements to the property portfolio will not be sudden, but agreed through discussion and negotiation with relevant parties, and their professional advisers, over time. The same section covers practices and protocols that the council will follow.

Whilst this strategy applies initially to the council's properties serving the community and voluntary sector, we appreciate that several other public authority partners also provide property to this sector and we hope that they too will consider adopting the policies and principles promoted here.

#### 2.0 THE OPPORTUNITY: supply and demand

#### 2.1 The overall context

In the London Borough of Richmond upon Thames we are fortunate in having a variety of properties for community use, spread widely and bringing benefit across the area, accommodating some long-established voluntary and community groups that are well-known and frequented by local people. Whilst the currently scattered pattern of provision largely reflects a historic response to very localised need, the forty or so properties do offer some scope for refinement and improvement that we consider collectively in this strategy. Tenancy arrangements vary for each property and range from tenants being temporarily without any legal documentation (in negotiation) through to those protected by longer term leases extending as far ahead as 2016.

The London Borough of Richmond upon Thames council is very grateful for the service provided by the voluntary and community sector and is sympathetic to the shortage of suitable property locally, legal constraints and rental costs that potentially eat into the core operating costs of many organisations. It is recognised that greater stability for all can be achieved through developing property and encouraging local ownership. Pursuing opportunities afforded by funding initiatives, like FutureBuilders http://www.futurebuilders-england.org.uk/ might also assist in creating more robust property infrastructure for voluntary and community organisations.

Owing to changing service priorities and to new legal requirements for disabled people to access buildings, the status quo is not a real option, so in preparing this strategy, we have asked that stakeholders think radically about the best ways of allocating and using the precious property resource. Some rationalisation of the number and type of properties retained for community use was always considered possible. For some, it will be more effective to deliver services from dispersed locations; for others a degree of centrality might give opportunity for positive shared working.

One of the purposes of the strategy is to improve quality and in so doing, we must:

- take every opportunity to respond positively to the accessibility needs of the Disability Discrimination Act 1995;
- consider the availability and potential application for information technology and communications innovations; and
- be prepared to exploit opportunities for sharing, co-locating and attracting additional funding.

Appendix A says more about the strength, weakness, opportunities and threats to the current system of property usage.

#### 2.2 Existing property holding

The properties under consideration in this strategy do not represent a comprehensive list (see appendix D) of all council-owned or leased buildings in use by voluntary, community or other local groups. Some buildings and premises relating to specific council service areas or with Crown Estates involvement have been excluded, simply because they are bound by conditions beyond the remit of this strategy or they serve unrelated, or specific, service interests. Many voluntary and community organizations are housed in buildings throughout the borough owned by other public or private bodies, again largely beyond the remit of the strategy.

The council's property department is itself anticipating a change of management in the near future; tenders have been invited from potential contractors for the provision of property services from late 2005. The services being contracted out do not, however, include the property management of premises in use by voluntary and community groups.

Like all councils, the London Borough of Richmond upon Thames is committed to meeting the new government requirement to achieve energy efficiency gains of 2.5% per annum during the period 2005 – 2008. More efficient use of accommodation and the rationalisation and disposal of some elements of the building estate are likely to play a part in achieving the efficiency. Space savings that contribute to energy efficiency are already being implemented in many council buildings, necessitating a movement away from an emphasis on personal staff-space to redesigning spaces to provide shared/team space of improved quality.

#### 2.3 Condition of properties

To inform the London Borough of Richmond upon Thames' Corporate Asset Management Plan in 2002, a survey of all buildings was undertaken to assess their condition, leading to a conclusion that the repairs liability across all council buildings was approximately £15 million.

The exercise now needs to be repeated for the properties relating to this strategy and the current structural and general maintenance position of each considered against the responsibilities of freeholder and leaseholder identified in each lease. Where the leaseholder is seen not to be meeting liabilities, they will be approached, the necessity for the works explained and the timetable for implementing the repairs or improvements agreed.

The Council is already aware of its inability to maintain the asset base adequately for purpose and is committed, in its Corporate Asset Management Plan, to reducing the maintenance gap by disposing of some property, whilst increasing the level of investment in those to be retained. Inevitably, some of the properties now in voluntary and community use might be considered for disposal, if not meeting the criteria set out below. In this event the London Borough of Richmond upon Thames council would follow a protocol for advising existing tenants of the proposals to sell a property. The Council would apply the principle of reinvesting part of the capital receipt.

Tests for disposal of property:

- uneconomic (costs in use);
- unsuitable for service delivery/not fit for purpose;
- surplus to requirements;
- inability to sustain the quality and/or economic value of the assets;
- under-performing asset;
- can the service be provided in an alternative way that is more cost effective.

#### **Other landowners** 2.4

There are countless other property-owning bodies and organisations in the London Borough of Richmond upon Thames, with many of the buildings having voluntary and community sector tenants. Discussions and consultations have taken place with Richmond & Twickenham Primary Care Trust, various church and faith leaders and local housing partnerships. Other local land-owners include utility companies, further and higher education premises, charitable trusts and various commercial organisations.

We hope that the principles contained in this strategy can be applied beyond the immediate scope of the councilowned properties under consideration here. We aim to set a good example and influence all public, voluntary and private sector landowners. The Council looks forward to working in partnership with other landowners in developing, redeveloping, or making available for community use, any property assets that can be released for community purposes.

#### 2.5 Extent of local demand

All voluntary and community organisations have limited resources and rely to a huge extent on the contribution of volunteers - they are set up with precise objects to assist in one or more aspects of community service provision. For most, the last thing that they wish to be concerned with is the security of tenure on a property that they have been allocated.

Yet, a vicious circle operates, particularly for those larger charitable organisations that need a permanent home to carry out their business and be able to demonstrate that they have this to their trustees, bank, public and private funders, the Charity Commission, clients and others, but often cannot secure such a "home" because commercial landlords will not grant a lease to an agency they consider to be a "risk". This is not a reflection on the work of the charity, of course, but prompted by the fact that very few can guarantee steady income over the 3, 5, 7 or more years of the intended lease.

Recognising this dilemma and wanting to assist independence and stability, particularly for key strategic voluntary organizations, the Council is prepared to consider, through the Grants Direct programme, extended grants that go beyond the traditional annual time period. Such awards would look at property and other assets in relation to the service level agreements underpinning the grant awards process.

The council has taken advice from the Richmond Council for Voluntary Service and other key strategic organisations on the current needs and aspirations of a wide and diverse range of voluntary and community organisations and will continue to listen to reasonable requests for assistance and guidance in property matters during the lifetime of this strategy and beyond.

The unsatisfied demands for property fall broadly within two main categories:

- administrative space; and
- for general use or recreation purposes activity space.

Currently, there are at least 20 voluntary and community organisations in the borough in need of affordable and appropriate office space in which to base staff and volunteers. The usage varies from those who need only one or two desks and the use of a telephone, IT equipment and other facilities to those who need more space to meet clients and for training and meetings. Preferred locations also vary according to the role of the organisation - from those who provide a service to the whole borough, and would benefit from a central location, to those who serve a particular community and therefore need to be based within that community.

The supply and demand situation is rarely static; during consultations on this strategy, many aspirations for changes have come to us from a wide range of organisations, including key strategic and very small part-time establishments.

Increasingly, the larger or more established voluntary bodies are expressing an interest in taking over responsibilities and investment in their own assets and wish to take on long-term leasehold or freehold opportunities, in order to gain greater certainty for future stability. The Council will be happy to discuss terms of long-term leases and will investigate possible means of sale and transfer of any particular properties identified through the process outlined in section 2.3 above, or brought forward as a proposal from a tenant.

## 2.6 The advantages and disadvantages of investing in property

Whilst there is much encouragement and potential incentive to invest in property and other tangible assets, voluntary and community groups need to be aware of the pros and cons and to consider carefully, before committing, whether being an owner, leaseholder or tenant is the best solution to their property needs.

The advantages can be summarised in brief:

- enables community benefits to be developed;
- and
- and controlled for the community well into the future.

1. those groups seeking small offices, consultation rooms, and occasional use of a conference room -

2. those groups seeking space for perhaps a day centre, a drop-in café, an out of school club or other amenity

- asset development allows new funds to be used for a real stake for the community, with income potential;

- community control of land and buildings is increased, bringing better places with value and benefits owned

Even when a site is already available for the intended use, there are deterrents and constraints that need to be overcome, including:

- many organisations have expertise in delivering their particular services and wish to concentrate effort and resource purely in this activity. They are not able, or do not wish, to extend this to property investment and management;
- funds are rarely available to voluntary organisations for major capital investment and often not easily procured for annual property payments relating to rent, rates, repairs and improvements; and
- many organisations are perceived to be less stable because of the short-term nature of their funding regimes in the voluntary and community sector.

#### Terms of tenure 2.7

At the moment, voluntary and community groups make use of council-owned or managed buildings as tenants with leases or under a licence arrangement. There are also several sub-letting arrangements, where the main leaseholder is answerable to the council as freeholder, but is able to enter into one or more sub leases with other tenants occupying the building permanently or occasionally. Such arrangements require the freeholder's permission but the income from rent and hire charges can assist hugely in meeting the total running costs of the property.

In most cases the full value of the annual rent is determined for notional purposes only and the tenants enjoy full or part-rent rebate, depending on the individually negotiated terms of the lease.

For all parties - sub-lessee, leaseholder and freeholder - it is imperative to have a lease, sub-lease, licence or other tenancy agreement in place before taking up occupation of any property. Each party then understands and agrees to the conditions and commitments for the duration of the agreement and is able to plan the finances and activities for the building or land accordingly. For this reason, the council will be contacting any voluntary organisations currently without completed tenancy agreements with a target of completing these in advance of April 2007.

To serve the wider community fairly and to attempt to ensure that the scarce property resources we have are put to effective use, it is in the best interest of all parties that all properties occupied by voluntary organisations have a lease, or other form of tenancy agreement, in place.

One of the very first actions in the implementation of this strategy will be for the Council's property officers to contact any existing tenants in this position with a view to confirming future tenancy arrangements.

Shocks and unexpected costs that, we know, have hit leaseholders and other tenants from time to time have included:

- rent reviews and removal of rent rebate; and
- repair and maintenance costs that had not been allowed for in the organisation's financial planning.

In a bid to avoid sudden changes, the Council property department will work to the protocol outlined in section 7.3 and in Appendix C when giving notice of a lease expiring, with reference to any of the above issues that might complicate its renewal.

# 2.8 Stakeholder interests

### Key strategic organizations (KSOs)\*

Currently, the following agencies are approved key strategic organizations:

Richmond Council for Voluntary Service (RCVS) Age Concern **Richmond Youth Partnership** Richmond Advice and Information on Disability (RAID) Richmond Citizens' Advice Bureau (RCAB) Advice and Advocacy Richmond Environment Network (REN) comprising: British Trust for Conservation Volunteers; Richmond Environment Trust; Thames Landscape

Addiction Support and Care Agency (designate) Richmond Crossroads Care and Richmond Carers' Centre (designate) Richmond Homes for Life Trust and Richmond MENCAP (designate).

\*A key strategic organization commands the support of the public and relevant voluntary and community organizations for acting as the leading voluntary and community agency in its area of work. A KSO is usually long-established and able to use its considerably developed management capacity to support and develop other complementary organizations within its sphere of influence. All KSOs will have the endorsement, and almost invariably financial and/or in-kind support, of London Borough of Richmond upon Thames council and RCVS, as the body managing Grants Direct.

#### **Other Local Funders**

For the purpose of this strategy, other major funding agencies, such as the Richmond & Twickenham Primary Care Trust and the London South Learning and Skills Council are not included, but might, in themselves, be offering financial or in-kind support to organisations they consider to be of key value to their areas of interest. It is hoped that the preparation of this strategy will allow other public and charitable bodies to see further opportunities for sharing, merging and developing property holdings in the borough and that discussions leading to joint use of such resources continue and develop during and beyond its lifetime.

#### AIMS, OBJECTIVES and OUTCOMES 3.0

#### **Collective priorities** 3.1

To meet the development needs of the borough's voluntary and community sector and the priorities of a collective group of relevant interested parties, the strategic aims are based on a number of existing policy documents. These include:

- the Community Plan 2004-7, jointly produced by the Local Strategic Partnership which comprises all of the leading agencies operating in the borough;
- the medium term Policy Framework for the Voluntary and Community Sector Grant Programme 2004 –2007 and any successor policy framework;
- the Corporate Asset Management Plan (June 2002);
- the Compact on Relations between the Statutory and Voluntary Sectors in Richmond upon Thames (September 2002);
- Richmond Works!, the Corporate Property Services Procurement Strategy for council-managed premises and the requirement for the Council's annual efficiency statement.

Essential information on current priorities has also been drawn from the Grants Direct prospectus for 2005-2006 and the principles of the Compact between the council and the voluntary sector: building on partnership; achieving strong and stable organizations; providing good quality services; valuing diversity and achieving best value.

Where established policy and supporting evidence points to the desired provision of additional voluntary or community facilities in a specific location, the London Borough of Richmond upon Thames planning officers might be in a position to facilitate its achievement through one or more of the following actions:

- identifying the proposal as part of a land-use policy at an early stage, in the Local Development Framework and/or in the brief for a development site;
- negotiating the inclusion of land and/or buildings in the early stages of a new or re-development for a clearly specified and justified community use; and
- negotiating funding or other in-kind contribution under section 106 of the Town and Country Planning Act 1990 (as amended);

In addition to the objectives and aims contained in Section 3.3 and widely advertised locally, the guiding principal set by the Corporate Asset Management Plan will apply, that is: ensuring that capital and revenue expenditure on the property portfolio is delivering value for money and that the opportunity cost of financial resources tied up in land and buildings is recognised.

#### 3.2 Responding to external influences

In order to respond to the foreseeable external influences (see Appendix B), a number of urgent matters have been taken into consideration in formulating the aims and objectives of this strategy:

- property manager;
- targets in the coming years;
- balance has to be struck when apportioning the valuable commodity of property or land;
- stage, wherever feasible;
- sector providers.

#### 3.3 Strategic aims, objectives and desired outcomes

During the period 2005 – 2010, our principal objective is to ensure that the management of property made available to the community sector is equitable, visible and easily understood, effective and efficient in supporting the delivery of local services.

The council needs to optimise returns on investment in property, either through income or through enabling the improved delivery of services relevant to the local community.

We expect the outcomes of the strategy and its policies to include:

- greater independence and sustainability of voluntary and community organisations;
- more sharing arrangements, both of properties owned by different public agencies and by different voluntary and community sector groups agreeing to co-locate;
- co-locating between the statutory and voluntary sector to gain service efficiency, for example, in hubs or using extended schools;
- improved annual reporting on property tenancies and openness in the way that they are allocated and managed;
- securing the number of properties available and their geographic distribution in the borough; and
- reinvestment, from funds realised through disposal and other means, in order to modernise, replace or extend some of the retained properties used by voluntary and community sector groups, should provide better quality of premises, better value for money and embed the control of such properties firmly with the community.

- the requirements of the DDA 1995 for physical accessibility to premises is a key concern for all service providers and employers (of paid and voluntary staff) and to the council as a responsible freehold or leasehold

- the need for greater efficiencies in use of council assets and the national directive to meet energy saving

- pressures for premises in the borough comes from all quarters (community need, business development and new investment, demand for more housing units, tourist and recreational amenities, to mention a few) and a

- social change and advances in technology may well permit other ways, sometimes radical, of delivering traditional voluntary and community services. We need to embrace these, or design to include them at a later

- the financial considerations of all parties have a substantial impact on the use of any scarce resource and inevitably influence the quantity and quality of premises on offer to our many voluntary and community

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#### POLICY 4.0

This policy will apply to all council-managed property occupied by voluntary and community groups. It also sets the principles for other council-managed properties used by particular types of community groups, including sports clubs, youth and playgroups.

Under the Extended Schools initiative, all schools are being asked to identify halls, rooms and open spaces that can be made available for community use outside school hours. Where this leads to occupation of the premises on a regular basis and payment of rent, the school will need to seek advice from LBRuT property officers on wording a suitable form of tenancy agreement for the purpose – a premises guidance note for schools covering this is currently being prepared. A separate, complementary policy for early years' settings using council property is also being formulated by the Director of Education Arts and Leisure at London Borough of Richmond upon Thames.

The Youth Service let out their premises in order to raise funds for youth programmes, equipment and redecoration costs and will continue to do so with the backing of a lettings agreement.

## 4.1. Records and information

All council-owned or managed property made available to community and voluntary groups should be recorded on one comprehensive database before April 2007, with details of rent paid or abated, expiry of lease or licence etc. This information must be reported annually to RCVS for recording in the Grants Direct programme and will be recorded on the council's website, by adding to the existing table of council owned properties in each locality.

#### 4.2. Leases for all

For their own security and standing, all tenants will need to have an agreed and signed lease (or similar tenancy agreement) in place before 1st April, 2007.

#### 4.3. Efficiency of use and value for money

As leases expire, tenants will receive written, advanced notice from the council and will be required to complete an occupancy questionnaire for assessment against the criteria set out in section 2.3 for return on investment in properties, before negotiating any new or extended tenancy arrangements.

#### 4.4. Eligibility

Future applications for council-owned or managed property will need to be considered on their individual merit and the applicant organisation would normally be expected to meet the following criteria:

- be a key strategic voluntary or community organisation providing services to the public (substantially/wholly) within the borough:
- be providing local services that complement council service provision as identified in the Policy Framework for the Voluntary and Community Sector Grants Programme;
- be able to demonstrate that the proposed premises are, or will be made, accessible as appropriate to staff and customers with disabilities;

#### 4.5 Intensifying the use of property

Priority will be given to those presenting plans for co-location or that confirm their willingness to share resources and optimise usage of the property under consideration.

#### 4.6. Rent and rent abatements

At present, many different systems are used to reflect the needs of tenants, the type of property, its particular use and physical condition. Many tenants receive some level of abatement, linked to the level of service they provide to the local community and the extent to which they complement council statutory services, in the shorter or longer term.

The council is legally obliged to relate all rent and rent abatement values to the market price for property. A notional rental value is allocated to each property. Some properties necessitate considerable investment funds for repair and maintenance purposes; the extent to which the financial commitment is borne by the tenant or freeholder is generally an element of the negotiations involved in agreeing the annual rental payments.

Where an abatement of rent is agreed, this will make allowance for the length of the tenancy, condition of the property and the extent to which services provided relate to council priorities. Those tenants enjoying abatement of rent should expect regular monitoring, reflected in the terms of the lease and service level agreement. Organisations may also be eligible for relief on their business rates and can obtain advice from the council's business rates team.

In a few instances, voluntary organisations, currently housed in council property, might have a lease expire and no longer be fully satisfying the eligibility criteria in section 4.4 above. If it is agreed that the organisation remain in the property, annual rental payments could be introduced as part of any new tenancy agreement. In cases of demonstrated need, these could be introduced incrementally, increasing annually by an agreed percentage; any such arrangement would need the approval of the relevant London Borough of Richmond upon Thames Cabinet Member or a director with delegated powers to take such a decision.

## 4.7 Shared use of property

The council will encourage more intensive and effective use of its properties.

Proposals from different organisations to share premises and intensification of use through schemes such as the extended schools programme will generally be welcomed. However, the principal leaseholder will always be required to ensure that the terms and conditions of any sub-leasing or rental agreements reflect those stipulated in the head lease

- not normally be part of a nationally funded organisation that operates over a geographic area beyond the London Borough of Richmond upon Thames; some exceptions might be apply where it is demonstrated that the operations and finances of the organisation are wholly or substantially contained within local boundaries.

#### 4.8 Scouts' and guides' use of council premises

Scouts, guides and other uniformed associations currently making use of council property will all be subject to the policy in section 4.2 and will need to have an agreed and signed lease (or similar tenancy agreement) in place before 1st April, 2007.

Many groups are currently occupying premises under the terms of formal leases that have expired some years ago, at nominal rent.

For such specific property use, it should be possible to agree a standard form of lease for a term of five years. Provision for longer periods might be negotiable in cases where the tenant is intending to make improvements to the accommodation.

The rent payable for each premises will normally be £500 per annum, with potential discounting to a minimum of £200 per annum where the size or quality or circumstance of the individual organisation mitigates the full rent being applied.

#### CONSULTATION 5.0

Although some formal consultations on the strategy have taken place, the aim is to create an on-going two-way dialogue throughout its life and beyond. As times change, new or revised priorities for funding and in-kind support are likely to emerge in the council's annual budgeting. Voluntary organizations will, of their own accord, consolidate and expand to meet the changing community environment, social trends and technological change. Therefore, it is important to work together and plan ahead for foreseeable change, keeping lines of communication receptive to ideas for more effective delivery of services.

### 5.1 Voluntary and community sector

Consultation on the need for change began in December 2004 with an item in the Richmond Council for Voluntary Service newsletter.

In spring 2005, a short strategy statement was agreed by the council and distributed in leaflet form and electronically to a wide variety of stakeholders in the voluntary sector and to officers within the London Borough of Richmond upon Thames council. It was also used in consulting other key strategic organizations and partners.

#### 5.2 Existing tenants

This was followed by a postal questionnaire to existing tenants to inform them that a review of property was happening prior to the development of the new strategy. The questionnaire asked for any first thoughts, needs and comments and made it clear that there would be opportunity for further, more participative consultation at a property conference to be held in spring or summer, 2005.

Tenants, key strategic organizations and other local charitable bodies were also all invited to comment on the full strategy during the period August - November 2005, with many of their comments and suggestions being incorporated in this final version.

#### 5.3 Key stakeholder organisations

Key stakeholders met in February, April and June 2005 for a series of workshop meetings to;

- shape the main aims, objectives and principles of the strategy;
- comment on all components of the strategy as it progressed.

## 5.4 Other partner organisations

Through the Local Strategic Partnership, we expect all the local public sector bodies to comment and contribute to this strategy and its implementation. At a local level, the proposed Local Area Agreements will require all public agencies to work co-operatively on various issues and projects, including the resourcing of appropriate buildings and property.

Where partners themselves hold property portfolios, we would encourage and respond to ideas of sharing spaces where greater efficiencies or improved service delivery can be achieved. The final version of the strategy was

- exchange information about current property needs, supply and demand and future development; and

considered by the Local Strategic Partnership in September 2005.

At their April, 2005 meeting, the church and faith-group representatives, as fellow landowners in the borough, were informed of the strategy and asked to consider, and respond to, its main aims.

Other important stakeholders include major trusts in the borough, such as Richmond Parish Lands Charity, Barnes Workhouse Fund and Hampton Fuel Allotments Charity.

## 6.0 **PROPOSED ACTIONS**

Resulting from the consultations with various stakeholders and in order to meet the five principal objectives (section 3.3) of greater independence for the voluntary and community sector (obj.1), more sharing arrangements (obj.2), improved annual reporting (obj.3), securing the number of properties available and their geographic distribution in the borough (obj.4) and reinvesting (obj 5), the council is pleased to commit to a number of actions addressing these.

	ACTION	meeting objective number(s)
1.	By May 2007, LBRuT will ensure that all tenants have a signed lease, licence or other written undertaking, stating terms and conditions for use of the building or premises. (Subletting arrangements will be permitted, subject to permission and meeting conditions relating to the specific property)	1, 3
2.	Before any existing tenancy arrangement comes to an end, the council will <b>follow a set protocol</b> <b>for giving notice</b> of the termination date and procedures to be followed, including directing current tenants to appropriate sources of professional property-related advice.	1, 3
3.	As the Grants Direct* scheme develops, LBRuT will <b>consider awarding longer-term contracts</b> to certain key voluntary or community organizations, enabling them to commit to long lease or purchase arrangements with the council or other property owner. *Grants Direct is the current branding for grants financed by the council and other public bodies and managed by RCVS. In the event of a different contractor managing this service in the future, an alternative name could be applied.	1, 3
4.	A <b>condition survey</b> of all council-owned and managed properties currently used by voluntary and community groups will be completed <b>by May 2007</b> with recommendations on repair, renewal or disposal in a plan of action for each individual property. (This is mainly for records and improved understanding and would not override the contents or conditions in any current tenancy agreement.)	3, 4, 5
5.	Where practicable, the Council will <b>explore a means of reinvesting part of the capital receipt</b> from the sale of any properties identified in action 4 in assets benefiting the voluntary and community sector. Accruing funds could be used for a variety of property-related purposes. <i>Note: this approach would not apply where there were deemed to be a direct inter-relationship between a sale</i> <i>site and the new (or replacement ) property (land swap or similar).</i>	1, 2, 4, 5

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6.	Working with partners and key strategic organizations, identify one or more pilot	1,2,4,5		
	communities/localities where a range of agencies can work collaboratively to achieve top-			
	quality, activity-based property that is able to satisfy a variety of demands (Saturday clubs, café,			
	meeting venues etc) Similarly, where demand is identified, it might be appropriate for a number of			
	parties to consider jointly acquiring "serviced offices" to be hired at affordable prices to groups			
	seeking new or additional administration space.			
7.	Investigate means of enabling property assets to be bought, or occupied under long-	1, 4, 5		
	term leases, by existing tenants, through favourable financial terms. The Council envisages this			
	being part of the Infrastructure Plan for the voluntary and community sector, currently being			
	prepared by RCVS and will assist KSOs in establishing appropriate advocacy arrangements for			
	this purpose.			
8.	Include in the emergent Local Development Framework reference to the need for administrative,	1, 2, 4		
	meeting, activity and display space, particularly in town centre and local neighbourhood			
	developments, on a flexible short-term basis			

The list of actions is not exhaustive, representing only the first set of essential actions to be implemented, largely by the London Borough of Richmond upon Thames council officers. During the period of the strategy, the council will be receptive to other ideas and approaches and be happy to work with relevant KSOs and individual representatives on specific proposals.

#### IMPLEMENTING THE STRATEGY 7.0

There are four areas of accountability and responsibility that the council is pleased to commit to, in order to create an open and fair apportionment of properties for voluntary and community use:

- a timetable for implementing this strategy;
- establishing and maintaining open reporting mechanisms;
- establishing and following clear procedures and protocols; and
- remaining receptive to opportunities and community-led proposals as they present themselves.

## 7.1 A timetable for implementing and developing the strategy 2005 -2010

Date	Action
July 2005	Exec member decision: approval of consultation draft
September 2005 - 6 September - 15 September	Public consultation period Strategy and Review Overview and Scrutiny Committee Local Strategic Partnership
November 2005 - 7 November	Adopt final version of strategy Cabinet decision
September 2005 - May 2007	Survey of the condition of existing properties with report and recommendations to Cabinet
September 2005 – May 2007	Negotiations and completion of leases or tenancy agreements for all
Summer 2005 – 2010	Strategy (see sections in section 6) is progressively implemented.
Each summer: 2006, 2007, 2008, 2009, 2010	Annual review on progress of strategy – see section 7.2

#### 7.2 Open reporting mechanisms

Following the intentions of the Community Plan and the Compact on Relations between the Statutory and Voluntary Sectors in Richmond upon Thames, access to information about property provision will be made easier by committing to the following measures:

of the council's website;

http://www.richmond.gov.uk/depts/env/envprotection/CorporateProperty/townproperties/default.htm

voluntary sector grants at;

http://www.richmond.gov.uk/depts/chiefexec/policy/voluntary/GrantsDirect0405.xls

- maintaining and updating the table of council-owned properties by local town or area on the property pages

- the council will work with Richmond Council for Voluntary Service and other partners in producing annual information, available publicly, on all tenancies and levels of support. The annual table of grants allocated by partners to various organizations will include further columns to display the in-kind contribution of property, with the notional or real rental values, as appropriate, for each. This will appear on the webpages relating to

- the chief executive of London Borough of Richmond upon Thames is required to provide annual returns on property allocation to the Home Office; and
- there will be an annual review to monitor the progress on this property strategy.

#### 7.3 Procedures and protocols

#### Sequence of events leading to occupation or renewed lease

Where suitable premises have been identified and the policy criteria are satisfied, the terms for a lease or licence have to be negotiated and agreed before occupation commences. The following diagram shows the normal path of events leading to occupation, or termination of occupation where leases have expired and criteria for continuation are not met.



\*see Appendix C for further information

#### Other commitments

#### Legal documents

Accepting that each tenant and each property tend to be unique and that different terms, rents and conditions will apply, according to the individual project, the Council has a number of template documents and standard procedures that it uses as a guideline for negotiations. There is no universal documentation that suits all circumstances.

Depending on the type of tenure, agreements for tenants can range from a simple hire or lettings letter, for the two parties involved to complete, through to a long-term, detailed lease normally requiring solicitors' input. Where a property is used for temporary, short term, or incidental uses, a letter of licence is sufficient. Appendix E gives an indication of the heads of terms to be addressed in leases and licences.

Lease and licence arrangements on council-owned or managed properties will be regularly reviewed and all tenants will be subjected to the same period of notice, support and assistance with renewal of any resulting changes to the tenancy or re-location. The details of the protocol to be followed by London Borough of Richmond upon Thames officers and members are contained in Appendix C.

This protocol will ensure that planning for any possible changes will commence a full 12 months ahead of the actual termination of a lease or licence, giving plenty of time for negotiations or gaining professional advice on alternative accommodation.

#### Payments

Invoices will be sent regularly, in accordance with the agreed terms of the tenancy agreement. Additionally, there will be an annual notice of rent abatement, whether or not tenants are in receipt of grant.

### 7.4 Opportunities and community-led proposals

Many of the public and charitable bodies operating in London Borough of Richmond upon Thames also own property that is made available for voluntary and community groups. The major charitable trusts and member bodies of the Local Strategic Partnership, including all the leading public bodies, have been asked to endorse this strategy and to work collaboratively and creatively to ensure that the various properties are all used to maximum effect for the benefit of the community.

In concluding, the Council wishes to reiterate its commitment to keeping channels of communication open and ideas flowing about new opportunities and the shared use of property. The strategy is seen as a first step in working together to renew and refresh the property portfolio for the use of the borough's communities in coming years.

If you have any ideas on ways of acquiring new, or improving existing, property that could benefit one or more voluntary or community groups, please contact one of the people listed below at London Borough of Richmond upon Thames or talk to Richmond Council for Voluntary Service or one of the key strategic organizations listed in section 2.8.

	Paul Chadwick	London Borough of Richmond upon Thames
	Assistant Director of Environment	Civic Centre
	Telephone: 020 8891 7870	44 York Street
	E-mail: p.chadwick@richmond.gov.uk	Twickenham
		TW1 3BZ

Carol	MacBean

Partnership Manager

Telephone: 020 8831 6231

E-mail: c.macbean@richmond.gov.uk

London Borough of Richmond upon Thames Civic Centre 44 York Street Twickenham TW1 3BZ

# **Sue Telfer**

Director of Operations & Development Telephone: 020 8255 8500 E-mail: suet@richmondcvs.org.uk

Richmond Council for Voluntary Service 1 Prince's Street Richmond TW9 1ED

# **APPENDICES**

Α.	STRENGTH, WEAKNESS, OPPORTUNITY AND THREAT -
В.	External potential influences - overview
C.	PROTOCOL FOR EXPIRY OF LEASES OR LICENCES
D.	LIST OF PROPERTIES AFFECTED
E.	OUTLINE OF USUAL HEADS OF TERMS TO BE INCLUE

Property Strategy for voluntary and community use of council-owned property 2005-2010

- OVERVIEW

JDED IN LEASES/LICENCES

## **APPENDIX A**

#### Strength, weakness, opportunity and threat - overview

STRENGTHS	WEAKNESS
<ul> <li>a variety of premises spread widely over the borough;</li> <li>some long-established service-providers operating services from known and accessible bases, many minded to strengthen their independence, partly by acquiring suitable property.</li> </ul>	<ul> <li>current occupancy pattern probably not most equitable (historic rather than assessed on eligibility);</li> <li>some properties too dispersed and un-coordinated, not readily known to residents;</li> <li>the voluntary sector is asset-poor with a heavy reliance on revenue grants, tending to offer little long-term stability.</li> </ul>
OPPORTUNITIES	THREATS
<ul> <li>to improve the property portfolio offered to local voluntary groups;</li> <li>to enable more voluntary providers access to premises;</li> <li>to modernise premises that are substandard and, if beyond their useful life, consider disposal and reinvestment in alternative voluntary sector infrastructure;</li> </ul>	<ul> <li>complying with the physical access requirements of the Disability Discrimination Act 1995;</li> <li>failure to satisfy demand for premises equitably in order to offer residents the range and quality of services necessary to complement LBRuT priorities;</li> <li>loss of premises leading to greater core costs for some voluntary organizations (possible closure if other options)</li> </ul>

## **APPENDIX B**

# **EXTERNAL POTENTIAL INFLUENCES - overview**

Social, technological, economic and political/legal analysis

# SOCIAL

- ▶ ever-changing trends in social behaviour affecting type and quantity of support services offered (e.g. family fission, school truancy, addiction and dependency);
- ▶ ageing population becoming more dependent on services;
- ▶ in- and out-migrations causing changes in demand and supply of services;
- complexity of issues and privacy for individuals at point of delivery prompts greater co-operation between serviceproviders and flexibility in physical premises;

## ECONOMIC

- ▶ potential future fluctuations or changes in local ▶ 2006 local elections altering level and type of government financing; support offered to voluntary organizations, with encouragement for investing in assets;
- ► variations in the financial stability of individual voluntary groups can affect services offered and their ability to retain property;
- ▶ more or less financial support from local charitable funds for capital investments/core costs.

# TECHNOLOGICAL

- ▶ health and welfare information and advice available to a greater proportion of the population on-line;
- expectation and necessity for all service providers to have access to electronic support systems;
- ▶ free access to the internet becoming more widespread, yet will always be beyond some members of the population;
- ▶ other technologies to assist in delivery of services, e.g. telephone options (texting, deaf-phones etc); tracking devices, vehicle improvements.

# POLITICAL/LEGAL

- ▶ whilst there is overall stability for, and dependency on, the voluntary sector, even minor changes in policy can have severe effects for individual organizations;
- ► Disability Discrimination Act 1995 access requirements and any relating case law.

## **APPENDIX C**

## NORMAL PROTOCOL FOR EXPIRY OF LEASES OR LICENCES

n.b. exceptions would apply where time or particular circumstances do not permit all actions to be executed

Time before lease/licence ends:	Action
12 months	Letter from property officer to advise date of expiry, and if a new tenancy is to be offered, to open negotiations for terms of renewal.
	Offer a meeting date between 10 and 15 weeks after the date of this first letter, between the LBRuT property officer, the tenant and, if desired, an RCVS or other KSO representative to discuss options for the end of the lease/licence.
	When occupation is under a formal lease within the Landlord and Tenant Act security of tenure provisions, a formal notice will also be served in accordance with the statutory provisions advising if a further tenancy is to be offered and proposed terms, or whether the Council opposes renewal.
6 months	Reminder letter that 6 months remain.
	Report any follow up from meeting(s) and offer any final signposting/advocacy in preparation for changes or continuation of lease or licence
3 months	Where a lease is to be renewed terms to be agreed and documented 3 months prior to the current lease end date (Landlord and Tenant Act protected tenancies would follow the statutory renewal procedures).
	Where no renewal is proposed or where negotiations for renewal are not progressing reminder letter* that 3 months remain.
1 month	Where no renewal proposed or where terms have not been agreed and documented, reminder letter* that 1 month remains and to make arrangements for vacation and handover of the property at the end of the current lease/licence.
Lease/licence end	If the lease/licence is not being renewed or a new lease/licence completed, property officer to take possession of the premises at the current lease/licence end, by arrangement with the voluntary organisation concerned.
If possession not obtained	If the voluntary organisation does not give possession, officers will report the circumstances to the Council's Cabinet Member for property issues, with recommendation to take appropriate action, which would usually be to initiate Legal proceedings for recovery of possession of the premises.

# UNDERTAKINGS

# LBRuT property and policy officers: in any negotiations, are to

current version of the Grants Direct Prospectus,

Advocacy: throughout, the Council's property officers will be pleased to advise on the types of professional advice needed, but are not in a position to provide direct services (e.g. accounting, legal, planning etc) to tenants or others.

LBRUT COUNCILORS: direct enquiries regarding specific properties in the first instance to the council's property officers. Councillors should not enter into negotiations.

RCVS: to be aware of the voluntary sector property strategy, as well as other relevant policies and plans, in any support or advocacy offered to the tenant.

ALL: to ensure openness and full co-operation with the tenant and any professional advisers that he or she might have engaged concerning the property and tenancy changes.

comply with the intent of the voluntary sector property strategy and the priorities of the Community Plan and the

# APPENDIX D

# List of properties currently affected

(the strategy is intended to cover all properties, current and future, where the council is responsible for management of any property)

Occupier/tenant	Property name	Street	Area
Garden Gang			
Mortlake Community	THE AVENUE DAY CENTRE	NORMANSFIELD AVENUE	TEDDINGTON
Association	MORTLAKE TRAINING CENTRE	LOWER RICHMOND ROAD	MORTLAKE
Richmond Mencap	CAMBRIDGE PARK- NO 40	40 CAMBRIDGE PARK	TWICKENHAM
Twining Enterprises Ltd.	TWINING DAY CENTRE	GRIMWOOD ROAD	TWICKENHAM
AgeConcern	BARNES GREEN DAY CENTRE	CHURCH ROAD	BARNES
Age Concern RUT	CHURCH RD, THE ARC	UPPER CHURCH ROAD	RICHMOND
	(THE MEADOWS)		
EMAG	WHITTON DAY CENTRE	111a KNELLER ROAD	WHITTON
Linden Hall Day Centre			
Association	LINDEN HALL	LINDEN ROAD	HAMPTON
Teddington Old Peoples			
Welfare Committee	ELLERAY HALL	ELLERAY ROAD	TEDDINGTON
Project for children			
with special needs	CROFT CENTRE	WINDHAM ROAD	RICHMOND
RBMIND	LITTLE HOUSE	HAM CLOSE	HAM
Barnes Sorting			
Office Centre	SORTING OFFICE	STATION ROAD	BARNES
CAB and others	SHEEN LANE CENTRE	SHEEN LANE	EAST SHEEN
BCTV	SHEEN LANE CENTRE	SHEEN LANE	EAST SHEEN
Riverside Nursery	YORK HOUSE	YORK STREET	TWICKENHAM
Riverside Playgroup	YORK HOUSE	YORK STREET	TWICKENHAM
Ham horticultural society	MEADLANDS SCHOOL	BROUGHTON AVENUE	HAM
Maria Grey			
Nursery School	FIELD HOUSE, VINEYARD SCHOOL	FRIAR STILES ROAD	RICHMOND
Scamps	TEDDINGTON FORMER	STRATHMORE CENTRE	TEDDINGTON
	YOUTH CENTRE		
Lincoln Avenue			
Residents Association	CRANE COMMUNITY	MEADWAY	TWICKENHAM
	CENTRE-MEADWAY		
Age Concern Whitton	WHITTON LIBRARY	141 NELSON ROAD	WHITTON
Whitton Network	WHITTON LIBRARY	141 NELSON ROAD	WHITTON
Whitton Community			
Association	WHITTON COMMUNITY CENTRE	PERCY ROAD	WHITTON
ETNA	ROSSLYN ROAD 13, E TWICKENHAM	13 ROSSLYN RD	EAST TWICKENHAM

Occupier/tenant	Property name	Street	Area
Museum of Richmond	OLD TOWN HALL, RICHMOND	CENTRAL REFERENCE	RICHMOND
		LIBRARY	
Royal British Legion	OLD DEER PARK (CROWN LAND)	SOUTH SIDE	RICHMOND
		TWICKENHAM ROAD	
144 Squadron	OLD DEER PARK (CROWN LAND)	SOUTH SIDE	RICHMOND
		TWICKENHAM ROAD	
St Johns Ambulance	OLD DEER PARK (CROWN LAND)	SOUTH SIDE	RICHMOND
		TWICKENHAM ROAD	
St Johns Ambulance	OLD DEER PARK (CROWN LAND)	SOUTH SIDE	RICHMOND
		TWICKENHAM ROAD	
Middlesex Young			
Peoples Club	CLUBS CLARENDON CRESCENT	CLARENDON CRESCENT	TWICKENHAM
HANDS	BATH HOUSE	THE EMBANKMENT	TWICKENHAM
Richmond Furniture			
Scheme	FORTESCUE AVENUE, PREMISES AT	FORTESCUE ROAD	TWICKENHAM
Richmond CVS	PETROCON HOUSE	1 PRINCES STREET	RICHMOND
Richmond CAB	LINFIELD HOUSE, 26 KEW RD	26 KEW ROAD	RICHMOND
Richmond in Business	ROOMS 706 AND 706A	YORK HOUSE	TWICKENHAM
RAID	4 WALDEGRAVE ROAD	4 WALDEGRAVE ROAD	TEDDINGTON
Sheen Old Grammerians	QUEEN ELIZABETH WALK	QUEEN ELIZABETH WALK	BARNES
TAVR Association	QUEEN ELIZABETH WALK	QUEEN ELIZABETH WALK	BARNES
Scouts/Girl Guides			
Sea Cadets	OLD DEER PARK (CROWN LAND)	SOUTH SIDE	RICHMOND
		TWICKENHAM ROAD	
Scouts Trustees	QUEEN ELIZABETH WALK	QUEEN ELIZABETH WALK	BARNES
First Hampton Hill			
Sea Scout	STATION ROAD	STATION ROAD	HAMPTON
Hampton District			
Girl Guides	STATION ROAD	STATION ROAD	HAMPTON
16th Twickenham			
Sea Scouts	FORTESCUE AVENUE, PREMISES AT	FORTESCUE ROAD	TWICKENHAM
1st Richmond Scouts	QUEENS ROAD	QUEENS ROAD	RICHMOND
3rd Hanworth Scouts	OAK AVENUE	OAK AVENUE	HAMPTON
6th Whitton			
Scout group	SPRINGFIELD ROAD	SPRINGFIELD ROAD	WHITTON
7th Hampton			
Scout group	SOUTH ROAD	SOUTH ROAD	HAMPTON
Girl Guide			
		WOODVILLE ROAD	HAM

### APPENDIX E

# Outline of usual Heads of Terms to be included in leases/licences

Address of Premises to be leased/licensed	Property address
Name and address of tenant/licensee	Details of registered office of voluntary organisation
Name and address of Landlord	London Borough of Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ
Length of new term and commencement date	Agreements would not normally be for more than 5 years.
Whether to be contracted out of Sections 24-28 of Landlord and Tenant Act 1954	Lease agreements would normally be contracted out of the security of tenure provisions. This means that when the tenancy comes to an end there is no statutory right of renewal.
Break Clauses	The agreement may include (subject to negotiation) provision for determination by either party before the end of the term, in certain circumstances such as: substantial breach of the terms of the agreement; in the event that the tenant is unable to meet its lease obligations (such as major repairs or meet rent, if payable); in the event redevelopment is proposed at some point in the future.
Extent of demise	The property being leased/licensed will be defined, usually by reference to a plan of the premises.
User provisions	The purpose for which the premises are allowed to be used (relating to the type of voluntary organisation service). In some cases there may be a separate service level agreement with the Council in relation to the service to be provided, and use of the premises in compliance with this would usually be referred to.

Hours of use	The hours of use that the prer there is shared use or occupa
Initial rent and rent commencement date	The agreed assessment of the payable from (normally common The extent of subsidy of rent subsidy arrangements.
Rent review pattern and basis of reviews	Where there is to be a review will be detailed together with t by reference to increases in th which would usually be review
Repairing and decorating obligations	This will set out the repairing, c arrangements will vary accorr exclusively used by a voluntary to be responsible for all repair
Insurance provisions	This will set out the insurance the building subject to premiu indemnity and third party insu
Alterations and Improvements	Alterations to the premises wo consent.
Alienation provisions	As the property is being lease particular purpose, assignmen
Any works required as a condition of the lease (and time to complete)	Details of any works which the agreement
Name and Address of Solicitor acting for tenant (if any)	Details of the tenants solicitor,
Payment of legal and any other fees	Usually each party would be n the documentation.

emises may be used. This may particularly be relevant where ation with another organisation.

he market rental value/licence fee for the premises, and when nencement of agreement).

ent available will be dealt with by separate letter confirming

v of rent during the term of the agreement, the date(s) for this the basis for reviewing the rent. In many cases this may be the Retail Prices Index, particularly for shorter term licences wed annually.

decorating and maintaining responsibilities of the parties. The ording to particular circumstances, but where premises are ry organisation, the Council would normally expect the tenant airs and maintenance.

ce requirements on the parties. Usually the Council will insure ium recharge. The occupier will be responsible for contents, urance.

ould not normally permitted without the Council's prior written

ed/licensed to the voluntary organisation concerned for that ent or underletting would not normally be permitted.

the occupier is required to carry out as a condition of the

r, if any

responsible for its own costs in preparing and completing

If you would like a copy of this document in Braille, large print, on audio tape or in a community language, please contact the Communications and Media Unit, 020 8891 7161, 44 York Street, Twickenham, TW1 3BZ.

Albanian	Nese keni veshtersi per te kuptuar kete botim, ju lutemi ejani ne recepcionin ne adresen e shenuar me poshte ku ne mund te organizojme perkthime nepermjet telefonit.
Arabic	إذا كانت لديك صعوبة في فهم هذا المنشور ، فنرجو زيارة الإستقبال في العنوان المعطى أدناه حيث بإمكاننا أن نرتب لخدمة ترجمة شفوية هاتفية.
Bengali	এই প্রকাশনার অর্থ বুঝতে পারায় যদি আপনার কোন সমস্যা হয়, নিচে দেওয়া ঠিকানায় রিসেপৃশন-এ চলে আসুন যেখানে আমরা আপনাকে টেলিফোনে দোভাযীর সেবা প্রদানের ব্যবস্থা করতে পারবো।
Farsi	اگر در فهمیدن این نشریه مشکل دارید، لطفا به میز پذیرش در
	آدرس قید شده در زیر رجوع فرمایید تا سرویس ترجمه تلفنی
	برایتان فراهم آورده شىود.
Gujarati	<b>بر أيتان فراهم آورده ئىود.</b> જો તમને આ પુસ્તિકાની વિગતો સમજવામાં મુશ્કેલી પડતી હોય તો, કૃપયા નીચે જણાવેલ સ્થળના રિસેપ્શન પર આવો, જ્યાં અમે ટેલિફોન પર ગુજરાતીમાં ઇન્ટરપ્રિટીંગ સેવાની ગોઠવણ કરી આપીશું.
Gujarati Panjabi	ં જો તમને આ પુસ્તિકાની વિગતો સમજવામાં મુશ્કેલી પડતી હોય તો, કૃપયા નીચે જણાવેલ સ્થળના રિસેપ્શન પર આવો, જ્યાં અમે ટેલિફોન પર ગુજરાતીમાં ઇન્ટરપ્રિટીંગ સેવાની



London Borough of Richmond upon Thames Civic Centre 44 York Street Twickenham TW1 3BZ

