

CLAY FARM COMMUNITY CENTRE – GOVERNANCE ARRANGEMENTS

To: Highways and Community Infrastructure Committee

Meeting Date: 3 June 2014

From: Executive Director: Economy, Transport and Environment

Electoral division(s): Trumpington

Forward Plan ref: N/a **Key decision:** No

Purpose: To inform the Committee about the Clay Farm Community Centre project, the Council's interests in it, and decisions that need to be made in relation to governance and finance of the Centre, ahead of detailed recommendations to be brought to the August Committee meeting.

Recommendation: The Committee is asked to:

- a) Note the information contained in the report
- b) Confirm the Council's intention to enter into a Joint Management Company with the City Council for the purposes of managing and operating the new Clay Farm Community Centre
- c) Endorse the approach to negotiating with the City Council as set out in section 3.2

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1. BACKGROUND

- 1.1 Clay Farm Community Centre (working title) will be the major civic hub serving Trumpington and the new developments in the Southern Fringe of the city (Clay Farm, Glebe Farm and Trumpington Meadows), and beyond. It will be situated adjacent to the new Hobson Square, around which there will also be a range of retail and residential developments. Planning approval has just been granted and the building is due to open in autumn 2015.
- 1.2 This 5 storey building will incorporate:
 - On the ground floor: library, reception desk, community hall and multipurpose meeting space, community café, toilets
 - On the first floor: further library / study and open touch down space, enclosed touch down offices for CCC staff and police, multi purpose activity space and meeting rooms, staff base, toilets
 - On the second floor: GP surgery with waiting area, consultation rooms, staff facilities etc.
 - On the third and fourth floors: affordable 1 and 2 bedroom flats provided by Bedford Pilgrims Housing Association (BPHA)
- 1.3 The County Council's main interests within this building will be the library and the touchdown areas available to CCC staff. The library provision will be equivalent to a 'level 2' library, which normally open 27 hours per week. However, here the library will benefit from the much longer opening hours of the Centre. In addition, it is anticipated that County Council services will make use of the bookable meeting and activity spaces for a wide range of purposes. With this in mind, provision will be made for a range of clients such as pre-school, youth and disabled groups, including the provision of baby changing and adult changing facilities.

2. GOVERNANCE

- 2.1 The shared aspiration of the Clay Farm Community Centre partners is for an integrated community building where services work together to present a unified approach. In particular, the vision for the library is of an open space integrated with the community café and the main reception area for the building, so that areas occupied overlap and are operated by the partnership as a whole. Following advice from LGSS Legal and Property colleagues, the model of a Joint Management Company (JMC) was put forward as a suggestion to the Project Steering Group and to Cabinet Members, and was accepted in principle, subject to the detail of the proposal.
- 2.2 The JMC model would have the benefits of facilitating shared and flexible use of spaces between partners and extended access to the library, without the requirements for territorial occupation agreements involving drawing and re-drawing boundaries, whilst the property asset of each partner would be preserved by proportionate ownership of the assets of the JMC. It would also enable community representation and involvement in the management company, as well as representation from other partners in the building if desired. Should the County Council decide to withdraw from the JMC at some point in the future, then it would be entitled to this proportion of the value of its stake in the JMC. Draft Memorandum

and Articles for Association and a draft Membership Agreement have been drawn up.

- 2.3 If the Council decided to have a leasehold interest instead, it would be difficult to achieve the shared aspiration of the partners. Conventional leasehold arrangements require physical separation to provide exclusive occupation and security for each separate legal entity occupying a building. Legal rights accrue, responsibility and liability issues arise when sharing a building; and these issues are normally addressed by negotiating and granting licences to separate entities sharing occupation of the same part of a building.
- 2.4 It is proposed that the City Council, as lead partner and freeholder, will grant a head lease to the JMC, which will then grant sub leases to the GP surgery and to BPHA, since their parts of the building are discrete and stand alone. The City and County Councils would then be able to act together flexibly in the best interests of public service delivery, together with representatives of the community and other partners as required.
- 2.5 It is anticipated that the JMC would be fully responsible for the management and operation of the Centre including decision making, managing the budget, employing and managing staff, overseeing contracts, handling the billing of other partners and so on.

3. FUNDING

- 3.1 The capital cost of the building will be met largely from s106 developer contributions, together with capital income from BPHA for their element of the building, and revenue income from the GP surgery for their element of the building. As part of the s106 planning agreement, the County Council has allocated £250k contribution which is included in the capital programme.
- 3.2 The proportion of revenue liability for each partner in the JMC is currently under negotiation and needs to form part of the Membership Agreement. Legal and Property advice is being sought in order to secure the best interests of the County Council. It is proposed that the County Council team negotiates on the basis of a contribution that is proportionate to the space that our services will occupy but also within the funding that is allocated for this centre within our business plan. Officers will seek an outcome that minimises the Council's financial risk. Final recommendations will be prepared for the August meeting of this Committee.

4. ALIGNMENT WITH CORPORATE PRIORITIES

The following bullet points set out details of implications identified by officers:

4.1 Developing the local economy for the benefit of all

- The Centre should prove a major draw to Hobson Square, bringing additional footfall to local businesses situated around the Square.
- The Centre itself will provide opportunities for local people to build their skills and access information to support them with job hunting. Some small businesses (e.g.

exercise classes, pre school provision) are likely to use the Centre, and it is hoped the café will be run by a social enterprise.

4.2 Helping people live healthy and independent lives

- The Centre will include a GP surgery, the library will provide health information, and the Community Centre will provide facilities for exercise classes, activities for older people and children etc., so healthy living is an important theme running through the overall offer
- Libraries provide information and resources, including free internet access, which empower people to help themselves

4.3 Supporting and protecting vulnerable people

- The Centre will provide a range of services to vulnerable people such as elderly, sick and disabled people, including GP surgery and activities provided by Adult Social Care.
- The Library will provide a safe, neutral and trusted place for people to go and meet others, to get information and help, and be supported to access resources and facilities that they might otherwise struggle to access.

5. SIGNIFICANT IMPLICATIONS

The following bullet points set out details of significant implications identified by officers:

5.1 Resource Implications

- Entering into a legal partnership with the City Council could increase the Council's potential financial liabilities in respect of the Centre, compared to having a standard lease agreement. However, this risk will be contained by the proportions agreed in the Membership Agreement, and the arrangement will enable more flexible use of spaces on ground and first floors of the Centre by County Council services.

5.2 Statutory, Risk and Legal Implications

See above.

5.3 Equality and Diversity Implications

There are no significant implications within this category.

5.4 Engagement and Consultation Implications

- The local community has been regularly engaged and consulted with through the Southern Fringe Community Forum.

5.5 Localism and Local Member Involvement

- A representative of the Trumpington Residents' Association sits on the Project Group, and community representation will also be sought for the Board of the new JMC.

5.5 Public Health Implications

- The Centre will include a GP surgery, the library will provide health information, and the Community Centre will provide facilities for exercise classes, activities for older people and children etc., so healthy living is an important theme running through the overall offer.

Source Documents	Location
None	