

<b>Cabinet Meeting</b>		<b>Agenda Item: 9</b>
<b>Meeting Date</b>	15 March 2017	
<b>Report Title</b>	Lakeview Village Hall Asset Transfer	
<b>Cabinet Member</b>	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance	
<b>SMT Lead</b>	Emma Wiggins, Interim Director of Regeneration	
<b>Head of Service</b>	Charlotte Hudson, Interim Head of Economy and Community Services	
<b>Lead Officer</b>	Sophia Ramm, Community Services Officer	
<b>Key Decision</b>	No	
<b>Classification</b>	Open	
<b>Forward Plan</b>	<b>Reference number:</b>	
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To transfer Lakeview Village Hall to The Lakeview Village Hall Trust on a 125 year lease.</li> <li>2. To delegate authority to the Head of Economy and Community Services and the Head of Property Services to negotiate the final terms of the lease, in consultation with the Cabinet Member for Finance and Performance.</li> <li>3. To delegate authority to the Head of Mid Kent Legal Services to complete the documentation required for the lease on the terms as agreed by the Head of Economy and Community Services and the Head of Property Services, in consultation with the Cabinet Member for Finance and Performance.</li> <li>4. To provide a grant of £40,000 to cover the Trust's initial forecast shortfall from the S.106 budget.</li> </ol>	

## **1 Purpose of Report and Executive Summary**

This report provides Cabinet with an update on progress of the Lakeview Village Hall Trust (LVHT) and recommendation for a community asset transfer of Lakeview Village Hall to LVHT.

## **2 Background**

- 2.1 Great Easthall is a new build development within Sittingbourne; the development was subject to a S.106 agreement that provided £1.2 million and land for the

construction of a community centre. The S.106 was varied in 2014 to allow for the funding to be provided up front at a reduced amount of £1.02 million.

- 2.2 A project has been developed to design and build the village hall and the planning application was considered by the planning committee on 10 March 2016. At Cabinet in February 2016, BMR Construction Ltd were appointed as the construction managers and commenced works on site in September 2016. The building is due for completion in May 2017.
- 2.3 Upon completion of the build it is proposed to transfer the hall to LVHT under the terms of the Asset Transfer Policy. SBC have been working with a residents group since January 2015 to ensure resident's views were included within the project and develop as a Trust to manage the Village Hall upon completion. LVHT comprises of 8 Trustees all who reside at Great Easthall and are currently registering as a Charitable Incorporated Organisation (CIO) with the Charities Commission. LVHT has also produced and adopted a business plan and are compiling all the relevant policies including health and safety, equalities and safeguarding.
- 2.4 LVHT has requested a 125-year leasehold agreement based upon a nominal rent. The Heads of Terms are in accordance with the Asset Transfer Policy and from their business plan LVHT have requested a grant of £40,000 to cover 3 years of running costs.
- 2.5 To enable the Trust to develop the hall and increase usage it is proposed that a grant of a maximum £40,000 to cover the projected shortfall within their business plan is provided to the Trust. As the village hall is a new asset there is no existing base budget and funding has been utilised from the S.106 budget.
- 2.6 As the land and building have been acquired through S.106 agreements there are no benefits or liabilities to the Council and therefore no financial implications relating to the community asset transfer. For this reason, and in accordance with the Community Asset Transfer policy, it has been unnecessary to obtain a valuation of the asset.

### **3 Proposals**

- 3.1 To transfer Lakeview Village Hall to the Lakeview Village Hall Trust on a 125 year lease.
- 3.2 To delegate authority to the Head of Economy and Community Services and the Head of Property Services to negotiate the final terms of the lease, in consultation with the Cabinet Member for Finance and Performance.
- 3.3 To delegate authority to the Head of Mid Kent Legal Services to complete the documentation required for the lease on the terms as agreed by the Head of

Economy and Community Services and the Head of Property Services, in consultation with the Cabinet Member for Finance and Performance.

- 3.4 To provide a grant of £40,000 to cover the Trust’s initial forecast shortfall from the S.106 budget.

## 4 Alternative Options

The Village Hall is managed by SBC, this is not recommended as the officer resource used to manage and run halls has been re-deployed and does not align with the proposals set out in the Asset Transfer Policy.

## 5 Consultation Undertaken or Proposed

- 5.1 Consultation has been carried out with Great Easthall residents to inform the design process and requirements for the centre.
- 5.2 Consultation has taken place with the Asset Transfer Group, including representatives from Legal Services, Property Services and Finance.

## 6 Implications

Issue	Implications
Corporate Plan	The asset transfer of Lakeview Village Hall assist with delivering ‘The Community to be Proud of’ priority within the Corporate Plan.
Financial, Resource and Property	<p>A grant of £40,000 to cover the Trust’s initial forecast shortfall funded from the S.106 budget.</p> <p>Officer time will be required from Legal services to draw up the lease and grant agreement based upon decisions within this report.</p> <p>As the land and building have been acquired through s106 agreements there are no benefits or liabilities to the Council and therefore no financial implications relating to the community asset transfer. For this reason, and in accordance with the Community Asset Transfer policy, it has been unnecessary to obtain a valuation of the asset.</p> <p>All insurances have been budgeted for within the Trust’s business plan.</p>
Legal and	A lease and grant agreement will need to be prepared for the

Statutory	transfer and this will cover all statutory and legal obligations.
Crime and Disorder	<p>Design of the building has taken into consideration designing out crime and planning committee input also required additional security measures.</p> <p>Good management of the building will reduce the likelihood of damage to the property.</p>
Sustainability	<p>Design of the building has taken into consideration within the constraints of the budget environmental and sustainability issues. Future grants will also be sought by LVHT to enhance the buildings energy efficiency.</p>
Health and Wellbeing	<p>The village hall will offer hireable space for a range of activities a number of which will enhance the health and wellbeing of residents in the borough.</p>
Risk Management and Health and Safety	<p>A CDM-Co-ordinator is in place for the project to oversee Health and Safety documentation and the contractor will be responsible for the site until handover of the health and safety manuals to SBC and LVHT.</p> <p>Health and Safety risks will be the responsibility of LVHT going forward and policy will be in place at handover.</p> <p>The main risks to the asset transfer are that LVHT fail, the Trustees have a range of business experience and will also seek training opportunities to further their knowledge. The grant agreement will provide an on-going dialogue with LVHT to monitor their progress and allow for mitigations to be put in place.</p>
Equality and Diversity	<p>The Asset Transfer Policy has been subjected to a Community Impact Assessment, no issues were identified. LVHT is developing an equalities policy and design of the building ensures the building is compliant with the Disability and Discrimination Act.</p>

## 7 Appendices

None

## 8 Background Papers

None