

## Report of the Strategic Director

**BRAMCOTE AND STAPLEFORD COMMUNITY HUB**1. Purpose of report

To update members on the progress made on the proposal to create a community hub building with toilets and catering facilities in Bramcote Hills Park and grant in principle a 28 year lease to allow the group to further develop the project.

2. Update

At the Leisure and Environment Committee on 22 November 2016 members chose Bramcote Hills Park Community Interest Company as the preferred bidder to provide catering and toilet facilities in the park. In the subsequent 3 years progress has been made and the group is now a registered charity ready to take the project to the next stage.

However, to submit funding requests for the building external funding providers need to know the group has a long term lease for an area of land in the park as a pre requisite of any funding bid. A period of 28 years is the upper timescale required by funding organisations and gives the group maximum potential to submit different applications.

Appendix 1 is the group's project vision and Appendix 2 details the progress that has been made by the group and what the next steps are. Appendix 3 is the formal minute from the group requesting a lease together with an extract from the email from the Charities Commission.

3. Financial implications

There are no direct financial implications for the Council arising from this report. The estimated cost for the building based on a footprint of 160m<sup>2</sup> is around £480,000. The charity is looking to secure this from various funding bids, local donations and fund-raising activities. As the group are a charity the lease will include reference to a peppercorn rent of £1, if demanded, which is the standard clause used.

**Recommendation**

**The Committee is asked to RESOLVE to grant the Bramcote and Stapleford Community Hub Charity a 28 year lease for an area of land on Bramcote Hills Park on which to build a community hub building subject to the detail of the lease and heads of terms being delegated to the Principal Solicitor and Estates Manager.**

Background papers

Nil

**APPENDIX 1****Groups Project Vision**

The Bramcote & Stapleford Community Hub (B&SCH) is committed to making the development of a neighbourhood community hub, with meeting facilities, basic food and drink provision and toilets, a true asset to Bramcote Hills Park for the improvement of social welfare.

As local residents and users of Bramcote Hills Park, B&SCH understand the importance of creating a building that is in keeping with the park and will benefit the local community. They are very aware of the sensitivity of creating a new building in a public open space, especially a space that is as popular and well-loved as Bramcote Hills Park.

Our vision for the community hub in Bramcote Hills Park is to provide a welcoming facility which increases access to the park and brings together members of the community, particularly those who are at risk of isolation or disadvantage. We will be a focal point for community events and provide volunteering and work experience opportunities for all sections of the community. The project will be undertaking working with local partners including Broxtowe Borough Council as landowners and other groups and organisations using the park.

It is important to us, as a family and community focused enterprise, that we provide a hub for the local community and a place where local groups can meet with plenty of room to accommodate buggies and wheelchair users inside and space to park mobility scooters outside. We also feel that it is important to have ample space so that the hub remains a pleasant open environment at all times of the year.

We envisage the internal space layout to be a single open space. The creation of flexible space within the hub will accommodate the needs of different charity and social groups and provide accessible seating for those wishing to have refreshments. Windows in the building will bring in daylight and sunshine and open up the panoramic views of Bramcote Hills Park. The toilets, both male and female, will also include specifically furnished disabled provision and baby changing facilities. The design and specification will follow passive and sustainable principles that will reduce the environmental impact of the building and will be energy efficient.

## APPENDIX 2

**Progress to date and next steps**

The need for toilets and catering facilities close to the children's play area has been identified for many years. In 2015 a group of enthusiastic local residents came together to set up a project with the aim of raising the required funds and obtaining planning permission to build a café with toilets.

In order to progress the project it was decided that it would be beneficial to establish a Charitable Interest Company (CIC). It was this team that the Council chose as the preferred bidders to take the project forward. Subsequently the project team:

- Identified a suitable site close to the existing children's play area.
- Obtained outline building design ideas from selected building contractors.
- Registered the business with companies' house.
- Developed further the café business plan.

While steady progress was being made the Council informed the CIC in 2018 that in order for them to potentially consider a lease for the land on which the cafe could be built the CIC would need to become a charitable group. Under any CIC agreement the Council would have been the landlord and the CIC the tenant. If the company were to cease to exist, the Council would then have a building on its land that was not theirs and with no authority to manage it. The building could only be managed by another CIC. As the Council cannot be a CIC there would have been the real potential for a vacant building that the Council had no powers to remove. However, as a charity if the company ceased trading the building would potentially revert to the Council. Safeguards to protect the Council and any liabilities around such an eventuality with a charitable group together with the role and responsibilities of the Charities Commission(CC) would be covered in the proposed lease.

While steady progress was being made the Council informed the CIC in 2018 that in order for them to potentially consider a lease for the land on which the café could be built the CIC would need to become a charitable group. Under any CIC agreement the Council would have been the landlord and the CIC the tenant. If the company were to cease to exist the Council would have to continue running the building and incur costs. However, as a charity if the company ceased trading the building would potentially revert to the Council but there would be no requirement on the Council to continue operating the building and incur a financial burden. Safeguards to protect the Council and any liabilities around such an eventuality with a charitable group together with the role and responsibilities of the Charities Commission(CC) would be covered in the proposed lease.

The process to obtain charity status was initially handled by a solicitor at a local practice working closely with the project team. In July 2018 an application for charity status was submitted to the CC by the solicitor on behalf of the project team. Unfortunately the application was rejected by the CC principally because the project was deemed as being too commercial and was not providing sufficient community support. The project team were extremely disappointed with this outcome but were given constructive feedback by the CC as to how to revise their application.

It was agreed that the project title needed to reflect the need to support local communities and should also recognise that the park was located close to a large residential area not previously mentioned in the project title. Hence the Bramcote & Stapleford Community Hub (BSCH) was adopted as the project title. The project constitution was rewritten to place greater emphasis on the need to provide facilities for local support groups. A board of five trustees were identified who along with other members of the project team developed and agreed the details of a second application for charity status. This application was submitted in February 2019. Over the following four months the CC requested additional information and clarification of various aspects of the application. In June 2019 the CC confirmed charity status for the project – registered charity number 1183832.

Over the last 6 months the group have critically reviewed the project to make it both realistic and achievable. They have downsized the building and reviewed its proposed location. They are now in a position to apply for funding but require a lease from the Council to do this.

Next steps:

- Secure a land lease agreement with the Council. It is anticipated that the lease arrangements will be completed by July 2020 subject to receipt of all the necessary information.
- Finalise the business plan.
- Identify potential funding organisations and fully understand what is needed for a successful funding bid.
- Engage with suitable construction companies for design ideas and budget estimates.
- Submit a full planning application.
- Prepare policy and governance documents.

**APPENDIX 3**

**Minute from group meeting on Wednesday 27 November 2019**

Item 6 Design and Build - The project team agreed that the group should apply to Broxtowe Borough Council for a 28 year lease for an area of land in the park close to both the children's play area and the car park to construct the building.

Action - Secretary to prepare a letter.

**Extract from Charities Commission email granting charity status**

Dear Applicant

You have applied to register the above organisation as a charity.

We are satisfied that BRAMCOTE AND STAPLEFORD COMMUNITY HUB is a charity and it has been entered onto the Register of Charities with the Registered Charity Number 1183832.

**Our decision**

The decision to register was based on our assessment of the information supplied during the application process and the declarations given in the trustee declaration form and we are satisfied that BRAMCOTE AND STAPLEFORD COMMUNITY HUB is established for charitable purposes only for the public benefit.