

Gloucester City Council

Date:	14th July 2017		
Subject:	Funding of community facility at White City		
Report Of:	Corporate Director		
Wards Affected:	Robinswood and Matson		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	David Durden Housing Strategy Officer		
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Appendices:	None		

1.0 Purpose of Report

- 1.1 To seek authority to negotiate the terms of and to enter into an agreement or agreements with White City Community Interest Company (and/or The 'Venture: White city Ltd for use of the commuted sum of £200,000 (two hundred thousand pounds) received from the development of the St Aldates Church site for the provision of a community facility,

2.0 Recommendations

- 2.1. Authority is granted to the Head of Place in consultation with the Council Solicitor and Chief Finance Officer to negotiate the terms of and to enter into an agreement or agreements with White City Community Interest Company and/or The 'Venture: White City Limited for use of the sum of £200,000 (two hundred thousand pounds) received from the development of the St Aldates Church site for the provision of a community facility within the White City area.
- 2.2 Such agreement(s) shall include provision for the release of a total of £23,700 of the said sum to the White City Community CIC and/or The 'Venture: White City Limited to fund the first year's work relating to the provision of the Community Facility.

3.0 Background and Key Issues

- 3.1 St Aldates was subject to a planning application from Rooftop Housing that was considered by Planning Committee in February . The site and surroundings place a number of significant planning constraints upon the proposal, as set out in the documents related to the planning application (14/00449/FUL). Rooftop

carried out a number of consultations on the planning application and Faith in Affordable Housing carried out a consultation on potential use of the Church as a Community Facility.

- 3.2 The initial planning application subsequently received a significant number of objections. A number of these were organised by the White City Community Action Group (WCCAG) highlighting issues from a community perspective. A Community Right to Bid (CRB) for the Church Hall was received from WCCAG and accepted by the Council.
- 3.3 The CRB triggered the development of a more proactive approach by the Diocese in terms of community involvement. This led to a proposal that the receipt for the land less costs be utilised to facilitate the development of an improved community facility on a site within the White City area. As a result of this, when the land was sold by the parish to the Diocese, WCCAG did not trigger the Community Right to Bid within the six week statutory standstill period.
- 3.4 Planning Committee decided in February that planning permission be granted subject to the provisions in the Planning Officers report. A section 106 agreement was completed on 30 March 2017 to govern the provision of a commuted sum to go towards a the delivery of a community facility, as set out in paragraph 3.3 above. The commuted sum of £200,000 has been paid to the Council
- 3.5 The current position is that officers are seeking authority to put in place appropriate grant agreements to implement the s106 obligations; allowing officers to negotiate and enter in to an agreement with the CIC to deliver a community facility, and to release an initial tranche of funding.
- 3.6 Although the principal intended recipient of the grant moneys is The White City Community CIC, it is possible that the CIC will not utilise the full amount. In this event, it is proposed to invite The 'Venture: White City Ltd to apply for a sum up to the balance of the funds to support community activities provided by that company in the White City area.
- 3.7 An initial, short agreement will be drawn up with the CIC, releasing funds in 2017-18 up to a total of £27,300 and in 2018-19 of up to £14.300 of the commuted sum in order to enable it to carry out preliminary work to facilitate the project. Further release of commuted sum funds would be governed by a second, more substantial agreement with match funding a trigger for release of further funding and tied in with completion of appropriate leases to facilitate the development.

4.0 Asset Based Community Development Considerations:

- 4.1 The fundamental objective of the work carried out in relation to the planning application is to replace the community facilities being lost through the development of the St Aldates Church Hall and by doing so create a community

asset. The vehicle for achieving this (a Community Interest Company) supports the Council's ABCD approach

- 4.2 Community Interest Company. Over the course of last year The 'Venture: White City Ltd, White City Action Group and the Diocese have been working on setting up a Community Interest Company (CIC). The White City Community CIC was incorporated in December 2016 (company number 10529602). The CIC's Community principal activity is described as being "the provision of a community centre", and the objects are described as "to carry out activities which benefit the city of Gloucester and in particular the White City community, in order to (without limitation) work towards a more cohesive community ... including by raising funds for and providing a community centre in White City together with associated facilities".
- 4.3 The 'Venture: White City Limited is a company limited by guarantee (company number 06689116). Its objects are, generally, to advance in life and relieve the needs of young people through various means, including the provision of leisure and recreational time facilities, and to act as a resource for young people living in White City.
- 4.4 Officers are working with White City CIC and 'The Venture in order to identify an appropriate site within the White City area which is within the Council's control, with a view to granting a long lease (or leases) of the land if the proposed match funding is largely secured.
- 4.7 Community Facilities: It is the planning officer's view that the St Aldates development should enable the replacement of the Church hall with a new community facility in the local area, in line with the 2002 Draft Local Development Plan; the use of a commuted sum to meet this requirement has been set out in the S106 agreement.

5.0 Alternative options considered:

- 5.1 Direct provision by developer. The development at St Aldates would not have been financially viable had this obligation been placed on the Registered Provider Housing Association, Rooftop Housing,

6.0 Reasons for Recommendations.

- 6.1 The recommendation will enable the provision of the community facility required by the planning decision and support the Council's Asset Based Community Development approach.

7.0 Future Work and Conclusions

- 7.1 Officers will negotiate the terms of and enter into an agreement or agreements with White City Community Interest Company and/or The 'Venture: White City Ltd for use of the commuted sum of £200,000 (two hundred thousand pounds)

received from the development of the St Aldates Church site for the provision of a community facility.

- 7.2 Officers will work with White City CIC and 'The Venture in order to identify an appropriate site within the White City area which is within the Council's control, with a view to granting a long lease (or leases) of the land if the match funding is largely secured.

8.0 Financial Implications

- 8.1 The Council is required to ensure payments go towards work that will satisfy the planning obligation whether revenue or capital.

9. Legal Implications:

- 9.1 The Council can facilitate the provision of the proposed community facility by the making of a grant (or grants) to bodies in order for them to carry out the development. The grant agreement would contain provisions requiring target dates to be met for the provision of the development, and securing the future use for community facilities.
- 9.2 The Constitution already contains delegations enabling the grant of long leases by Officers or Cabinet Member, if no objections to the disposal of public open space are received. If objections are received, the proposed disposal will have to be referred to Cabinet for objections to be considered and a decision made.

10.0 Risk & Opportunity Management Implications

- 10.1 The project creates risk in relation to the arms-length provision of the Community facility. The keys risks are the CIC's inability to match fund, financial and project mismanagement. These risks will be mitigated by both the Governance requirements of the Community Interest Company, the experience and track record of those involved in the project and an agreement between the City Council and the CIC on the release of funding related to performance and achieving agreed milestones.
- 10.2 The project provides an opportunity to support the Council's Asset Based Community Development approach, creating a local asset as well as supporting an existing community initiatives to become more sustainable.
- 10.3 The following risk assessment has been carried out in relation to this work stream:

Risk Register purpose: Review Risk in relation to the provision of a replacement Community facility at White City by the White City Community Interest Company, part funded by a Commuted Sum of c £200,000.

Responsible officer: Isobel Edwards

Group: Communities

Service: Community Wellbeing

Date of risk register update/review: 04.07.17

No	Risk	Original Score			Current controls	Current Score			Further Mitigating Action	Target Timescale	Mitigated score			Risk owner
		Impact	Likelihood	Score		Impact	Likelihood	Score			Impact	Likelihood	Score	
1.	Failure of Community Interest Company to raise sufficient match funding	4	1	4	Ring fencing of commuted sum for use on project and provision of leases will support funding bids	4	1	4	None	n/a	4	1	4	Isobel Edwards
2.	Mis-management of funds	4	1	4	CIC Governance- CIC reporting requirements	4	1	4	Contract to govern release of funding linked to performance	June 2017	4	1	4	Isobel Edwards
3.	Inadequate project management	3	1	3	CIC Governance- CIC reporting requirements	3	1	3	See above	See above	3	1	3	Isobel Edwards
4.	Reputational Risk to Council should project fail	3	1	3	See above	3	1	3	See above	n/a	3	1	3	Isobel Edwards

11.0 People Impact Assessment (PIA):

- 11.1 When undertaking the PIA, for the outcomes of this workstream were viewed as being positive, the provision of modern a community facilities will allow provision of events, activities and services promoting social inclusion and potentially impact positively on all groups.
- 11.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

12.0 Community Safety-

- 12.1 Modern community facilities will promote positive activities and strengthen community resilience with positive outcomes for Community Safety. .

13.0 Sustainability

- 13.1 Modern facilities have a reduced the carbon footprint minimising the impact on the environment and making the project more financially sustainable for the CIC

14.0 Staffing & Trade Union

- 14.1 None