

Urgent Decision
Surrey County Council Constitution Clause 4.08

Relocation of Phab and Disability Challengers from Lintons Youth Centre to the North East Surrey College of Technology (Nescot) Epsom

1. Background

On 20 December 2011, the Cabinet made a decision to dispose of the Lintons Youth Centre in Epsom and seek to re-provide youth and community facilities in a more suitable alternative location.

After a considerable search, which was conducted by both officers and the user groups of Lintons Lane, the North East Surrey College of Technology ("Nescot") Epsom has been identified as a suitable alternative for two of the user groups, Phab and Disability Challengers ("DC").

On 9 April 2013, (report can be found at the following link)

<http://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=185&MID=3165#A12872>

the Cabinet Member for Assets and Regeneration agreed to approve capital expenditure for:

- Alterations to the student refectory, to create a retractable partition to allow various quiet and noisy activities to be carried on at the same time, with smaller removable partitions for further sub-division when required
- A new masonry disabled toilet block with direct access from the refectory
- Two new stores for storage of Phab and Disability Challengers' equipment (one external, one internal)
- A new 780 sq metre MUGA which will be covered with a permanent cover to provide full year use in all weathers

This decision was warmly welcomed by both Phab and Disability Challengers and indeed Nescot.

2. Reason for an Urgent Decision

On 9 April 2013, the Cabinet Member for Assets and Regeneration also agreed:

- That the works are not commenced until Nescot has entered into an Agreement for Works with Surrey County Council; and Nescot, Disability Challengers and Phab have entered into a formal Licence, the terms of which meet with the council's approval and which guarantees Phab and Disability Challengers' use and enjoyment of the new facilities for a minimum period of 20 years.

The current situation is that the Agreement for Works has now been agreed and the formal Licence between Nescot and Disability Challengers has also been agreed and will be imminently signed. However, the formal Licence between Nescot and Phab has not yet

been agreed and it appears unlikely that this will be agreed for some while due to apparently fundamental differences between the two organisations on the terms of the Licence.

If the work is not commenced on Nescot's site in the next few days, there will be no chance of being able to relocate either user group from Lintons Lane by 31 December 2013 when Lintons will be closed and vacant possession given to the new owners. **Given these constraints, there is insufficient time for a further decision to be made by the Cabinet Member for Assets and Regeneration given that he is on leave until 2nd September 2013.**

3. The decision

In accordance with 4.08 of the Council's Constitution, and after consultation with the following:

Peter Martin, the Deputy Leader acting as Leader (David Hodge is on leave from 12th August until 27th August 2013)
Eber Kington, the Epsom & Ewell Local Committee Chairman
Allan Wells, on behalf of the Monitoring Officer

the Chief Executive, David McNulty agrees that the Agreement for Works can be enacted with just Nescot and Disability Changers so that work can commence on site at Nescot as soon as possible. This will ensure that Disability Changers can be relocated from Lintons to Nescot by the end of the year and it also allows time for Nescot and Phab to reach an agreement on the Licence with out holding up the necessary refurbishment works.

In making this decision he has taken account of the public sector equality duty under the Equality Act 2010 given the need to seek to ensure continuity of provision for individuals with disabilities, including children.

Susie Kemp
Assistant Chief Executive
Surrey County Council

Signed in Agreement

David McNulty
Chief Executive
Surrey County Council

19 August 2013