

SURREY COUNTY COUNCIL**CABINET MEMBER FOR ASSETS AND REGENERATION PROGRAMMES****DATE: 9 APRIL 2013**

**LEAD OFFICERS: SUSIE KEMP, ASSISTANT CHIEF EXECUTIVE
JOHN STEBBINGS, CHIEF PROPERTY OFFICER**

**SUBJECT: RELOCATION OF PHAB AND DISABILITY CHALLENGERS
FROM LINTONS YOUTH CENTRE TO THE NORTH EAST
SURREY COLLEGE OF TECHNOLOGY, (NESCOT), EPSOM**

SUMMARY OF ISSUE:

The Cabinet Member is requested to approve the capital expenditure on building adaptation works at North East Surrey College of Technology (NESCOT), Epsom, in order to permanently relocate Disability Challengers (DC) and Phab from Lintons Lane Youth Centre, Epsom. The commencement of these works is necessary in order to successfully relocate Disability Challengers and Phab from Lintons Lane by 31 December 2013.

RECOMMENDATIONS:

It is recommended that:

1. The Cabinet Member approves the capital expenditure relating to adaptation works at NESCOT (subject to receipt of competitive quotations) as detailed in the schedule of works and budget costings (circulated as Annexe 1 – Appendix A under item 5 in Part 2 of the agenda).
2. 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.
3. Approval of the final costs, when quotations have been procured, to be delegated to the Chief Property Officer in consultation with the Cabinet Member for Assets and Regeneration Programmes, SCC Procurement and the Assistant Chief Executive.
4. The council meet the cost of reasonable legal fees (not expected to exceed £6,000) incurred by NESCOT and Disability Challengers in agreeing a formal long term licence to safeguard Disability Challengers' future use of the completed facilities. (The Cabinet Member has previously approved payment of fees to be incurred by Phab and NESCOT in formalising such a licence, on 22 November 2012).

REASON FOR RECOMMENDATIONS:

To ensure the valuable services to the community offered by Disability Challengers and Phab continue to be available to young local people following the closure of Lintons Youth Centre, with a minimum of disruption to those organisations. The proposal represents an opportunity for Disability Challengers and Phab to move from an outdated, unsustainable property to one which has been specifically adapted for their long term use.

DETAILS:

Business Case

1. On 20 December 2011, the Cabinet made a decision to dispose of the Lintons Youth Centre in Epsom, and seek to re-provide the youth and community facilities in a more suitable alternative location to be identified. An estimate for the capital cost of reprovision was included within the Medium Term Financial Plan.
2. Following the Cabinet's decision, the Lintons Lane Working Group, chaired by the council's Assistant Chief Executive and including representatives of Epsom and Ewell Borough Council, council officers, and the two main community organisations at Lintons, Phab and Disability Challengers (DC), worked to identify and appraise suitable alternative venues for the two community groups. At the same time, Property Services and Services for Young People (SYP) officers have been working together to identify and appraise possible alternative property solutions for the core SYP functions at Lintons.
3. Since December 2011, Property Services officers have also been in extensive negotiations with both the freeholder and the purchaser to attempt to secure an extension of the earliest date by which the developer can obtain vacant possession of Lintons, in order to allow additional time for relocation of the current occupiers. These negotiations successfully resulted in the deadline for vacant possession being extended by one year to 31 December 2013.
4. On 22 November 2012 the Cabinet Member for Assets and Regeneration Programmes approved expenditure for works at NESOCOT to accommodate Phab (the amount is provided in Annexe 1, attached under item 5 in Part 2 of the agenda. This annex has been circulated to Members only as it contains financial details which, if made public at this stage, could affect the contract tendering process and the council's ability to deliver best value for residents).
5. At that meeting the Cabinet Member requested that officers continue their ongoing work with DC to support their move to NESOCOT alongside Phab.
6. At that time, discussions had been progressing over DC's relocation; officers had been investigating whether 'The Edge' youth centre in West Ewell could be adapted and extended to provide a suitable solution. However, it became apparent that combining the use of The Edge for both DC and the YMCA (SYP's contractor for the delivery of 'centre based' youth work), may have caused serious operational conflicts for both organisations, given that the YMCA run workshops for young people during DC's required session times.

7. Discussions were therefore renewed with NESCOL and DC to identify a scheme of works which could accommodate both DC and Phab together at NESCOL.
8. Over January and February 2013, NESCOL further developed and amended their own master plan proposals for the college (due for implementation, subject to funding, in 2016). This resulted in changes to the configuration of the refectory, which in turn necessitated changes in the council's scheme to accommodate Phab. The main change was that the Phab store could not be constructed in the courtyard area, necessitating the creation of two separate stores in a different location. The position of the Multi Use Games Area (MUGA) has also changed, being now closer to the refectory. (The new layout is shown in the plan at Annex 2).
9. The challenge was therefore to identify a scheme which would offer a permanent and suitable new home to both Phab and DC, with their own specific accommodation requirements, without conflicting with NESCOL's own developing and longer term master-plan proposals, thereby providing reassurance for the organisations that the proposed scheme of works to accommodate them would not have to be scrapped or substantially redesigned in 3 years time.
10. That challenge has now been met, with NESCOL, Phab and DC now in agreement over the details of a scheme which will provide suitable permanent accommodation and which will not conflict with NESCOL's own proposals outlined in their developing master plan. NESCOL has further agreed to the principle of a minimum 20 year licence to Phab and DC for use of the premises and external games area, and they will enter into a formal Agreement for Works with the council prior to commencement of construction.
11. In summary, the works comprise:
 - a. 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.
 - b. A new masonry disabled toilet block with direct access from the refectory
 - c. Two new stores for storage of Phab and DC's equipment (one external, one internal)
 - d. A new 780 sq metre MUGA which will be covered with a permanent cover to provide full year use in all weathers.
12. The justification for providing a permanent cover to the MUGA is as follows:
 - a. One of DC's main aims is to make play and leisure activities accessible for disabled children and young people all year. Their activity times are extensive compared with Phab (they run sessions every day of the week plus every Saturday during school holiday times) and they have a need for a suitable environment to play ball games all year long. The refectory at NESCOL is a confined space

with a relatively low ceiling and is therefore not suitable for this purpose.

- b. Some of the DC young people have conditions which mean that they are susceptible to illnesses brought about by climatic conditions, so an uncovered MUGA would not offer an inclusive opportunity for them in wet, hot or cold conditions. The removal of this structure from the scheme would have a significant impact on DC's ability to access or benefit from NESCOL's outside area.
- c. The covered MUGA solution would allow disabled young people, as well as the wider community, to play active games in a large but sheltered space all year round, in all weathers, day and night (including the extremes of winter and summer). Without the cover the majority of DC's young people would be limited to only using the MUGA in fair weather.
- d. Although there is an existing sports hall at NESCOL, this is approximately 150 metres from the refectory, which means that DC could not offer a safe indoors play environment as their staff team would be too stretched to patrol the area sufficiently.

Budget Cost Estimates

- 13. The total estimated budget cost of the revised building adaptation works described in paragraph 11 above, which are required to accommodate both Phab and DC at NESCOL, are provided for the Cabinet Member in Annexe 1, Appendix A (attached under item 5 in Part 2 of this agenda). Part of these costs have previously been approved, as detailed in Annexe 1.

CONSULTATION:

- 14. The Cabinet Member for Community Safety was consulted on 26 March 2013 and supports the recommendations.
- 15. The local Members, Mr Colin Taylor and Mrs Jan Mason have been involved in the discussions with the Lintons Relocation Task Group and have been consulted. Mr Eber Kington was informed of the proposed scheme and noted that it appeared that a resolution could be reached to satisfy and meet the needs of all.

RISK MANAGEMENT AND IMPLICATIONS:

- 16. Officers have mitigated the risks of failing to secure the relocation of Phab and DC to NESCOL by securing agreement between all three parties to the proposed works and to the timing of the works.

Financial and Value for Money Implications

- 17. The capital costs of the proposed works at NESCOL to jointly accommodate Phab and DC will be reported in the confidential Annexe 1: Appendix A to be presented as a Part 2 item. There are no ongoing revenue costs for the council, although it is proposed that the council meets NESCOL, Phab's and DC's reasonable legal fees (as detailed in Recommendation 4).

18. If the occupiers of Lintons (Phab, Disability Challengers, and Services for Young People) are relocated to suitable alternative locations, the Local Plan policy to protect community uses will have been met, thereby increasing the overall chances of the developer securing planning permission.

Section 151 Officer Commentary

19. The Section 151 Officer (Head of Finance) confirms that all material, financial and business issues and risks have been considered and addressed.

Legal Implications – Monitoring Officer

20. Prior to the commencement of works, and in order to safeguard Surrey County Council's capital investment in this facility, the council will enter into a formal 'Agreement for Works' with NESOCOT.
21. Upon completion of the works NESOCOT, DC and Phab will be required to enter into a formal licence, in a form approved by the council, which guarantees both organisations' long term use of the facility during their normal hours of use.
22. Completion of the sale of the council's long leasehold interest in Lintons Youth Centre took place on 13 March 2013, with the council and the current occupiers being able to remain in occupation if required until 31 December 2013.
23. The council has a contractual obligation to deliver vacant possession of Lintons Youth Centre by 31 December 2013.

Equalities and Diversity

24. The equalities implications of the sale were addressed within the report to Cabinet dated 20 December 2011. Since that Cabinet decision, officers and Members have worked to understand exactly how each group functions, their individual requirements and needs, and have worked with them to agree the precise criteria for assessing the suitability of alternative premises.
25. The proposed adaptation works to NESOCOT are supported by Phab and DC and will provide modern fit for purpose facilities which will be well used by Phab members and by NESOCOT students and the wider community alike. The proposed works will ensure that both Phab and DC continue to thrive as important local resources for disabled and non-disabled young people, with a minimum of disruption and no loss of service continuity.
26. There are synergies and wider community benefits to be gained from a joint relocation of Phab and DC to NESOCOT. The college propose to expand and develop courses in disability care, and the presence of two nationally recognised disability groups on-site would enable wide ranging educational and practical synergies to be achieved, to the ultimate benefit of all three organisations and the wider community.

Safeguarding responsibilities for vulnerable children and adults:

27. The proposals presented in this report will have a positive effect for vulnerable children and adults.

Public Health:

28. The proposals presented in this report will have a positive effect on the health and well-being of young people using these facilities.

Carbon emissions and Climate change:

29. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. New buildings and refurbishment work will comply with the standards set out in the Building Regulations.

WHAT HAPPENS NEXT:

30. If the Cabinet Member approves the proposal set out in this report, the council will formalise an Agreement for Works with NESOT and ensure that an acceptable long term Licence is agreed between DC, Phab and NESOT.
31. The council will obtain competitive quotations for the approved works, seek to obtain all relevant planning consents, and a building contract will be procured to complete the works, in accordance with the work programme attached in Annexe 3.

Contact Officer:

Keith Barker (Asset Strategy Partner) 020 8541 9744

Consulted:

Cabinet Member for Community Safety
Local Members - Mr Colin Taylor and Mrs Jan Mason,
Borough Councillor Mr Neil Dallen
Strategic Director for Change and Efficiency Julie Fisher
Head of Commissioning and Development, Mr Frank Offer

Informed:

Mr Eber Kington, Local Member
Ms Frances Rutter, Chief Executive of Epsom and Ewell Borough Council

Annexes:

Annexe 1: Financial information (Exempt information – circulated with part 2 of the agenda for Members)
Annexe 1: Appendix A - schedule of works and budget costings (Exempt information – circulated with part 2 of the agenda for Members)
Annexe 2: Proposed layout
Annexe 3: Programme of Works

Sources/background papers:

- Report to Cabinet Member for Assets and Regeneration Programmes dated 22 November 2012.
- Report to Cabinet – 20 December 2011.