

Agenda Item No:	11
Report To:	Cabinet
Date of Meeting:	27 th February 2020
Report Title:	Brisley Farm and Singleton Environment Centre New Multi-purpose Community Facility.
Report Author & Job Title:	Len Mayatt, Cultural Projects Manager
Portfolio Holder	Cllr. Peter Feacey
Portfolio Holder for:	Culture, Leisure & Tourism
Summary:	<p>Singleton Spaces, the Trust responsible for the management of Singleton Environment Centre (SEC) have developed a project to provide a community space for Brisley Farm residents and increase the classroom capacity at the centre due to exceptional demand. They, and the Ward member for Roman Ward, have requested that the S106 sum of £133,200, originally earmarked as a contribution to the cost of a community centre for nearby Brisley Farm, be used for this project.</p>
Key Decision:	YES
Significantly Affected Wards:	Great Chart with Singleton & Roman
Recommendations:	<p>The Cabinet is recommended to:-</p> <ol style="list-style-type: none">1. Agree to allocate £133,200 Section 106 funding to fund the provision of a new community facility at Singleton Environment Centre as described in the body of this Report;2. Authorise the Director of Law and Governance to execute and complete all necessary documentation to give effect to recommendation 1 above, including a funding agreement with the Trust;3. Authorise the Head of Regeneration & Projects in consultation with his Portfolio Holder to agree revisions to the lease with the Trust.
Policy Overview:	Supports the Council's Corporate Priority 3; Active & Creative Ashford.
Financial Implications:	Provision of £133,200 S106 contribution to fund the project in its entirety. Brisley Farm, S106 Contribution.

Community Leisure Off-Site Contribution;
The sum of £133,200, in lieu of the construction of a community facility on the site, to be spent on the provision by the Council on community leisure facilities to serve the needs of the site within a radius of 600 metres of the boundaries of the site, to be spent by April 2022

The sum indicated above will be subject to a funding agreement between the Council and the Trust which will describe how the funding will be monitored and managed. Any overspend will be at the Trusts risk.

Legal Implications	Planning permission for the new building was granted in January 2020. The proposed new building will need to be added to the existing lease.
Equalities Impact Assessment	The proposed works will have a positive impact on all users of the facility.
Other Material Implications:	N/A
Exempt from Publication:	NO
Background Papers:	Len Mayatt, Cultural Projects Manager len.mayatt@ashford.gov.uk 01233 330490

Introduction and Background

1. Since Great Chart with Singleton Parish Council entered into a lease for the facility in 2018 and have subsequently sub-let the facility to Singleton Spaces Trust. The Singleton Environment Centre has gone from strength-to-strength since the Trust took responsibility for the operation. The Café has established an excellent reputation and is busy at all times of the day. On Sundays, roast dinners are served to 80 covers regularly. Kumon Education and Soothing Pod provide valuable sub-tenant incomes. The meeting rooms, classrooms and workshops have a strong booking schedule and a number of potential hirers have to be turned away through lack of available space.
2. Activities and Community Groups include: Knit & Natter; Ashford Green Gym; Repair Café; Mini Professors; Talk Programme; Health Walks around Ashford Community Woodland among many others. Events include: Quiz nights: Children's workshops, Fungal Forays, Bat Walks and Open Days. Many more are planned throughout the year including seasonal specific events such as Christmas Card upcycling.
3. The Trust & PC now seeks use Section 106 funding of £133,200 to improve and expand the facilities. This project is the first phase of ambitions to further enhance the facility by increasing kitchen size and productivity enabling an extension to the dining area to allow for more covers and enhanced income as a result. In addition the Trustees are very keen that the Centre incorporates a Changing Places facility in the future as and when funds become available.
4. Planning permission was granted for the new facility in January 2020. The Trust will be responsible for ensuring the conditions attached to that permission are discharged in due course. The main condition relates to details of the external materials, which is not considered to be an onerous condition to comply with.

Proposal/Current Position

5. New Community Space/Classroom/Workshop Block.
The project seeks to provide a container building opposite existing classroom and workshop provision to provide a multi-functional community space divisible in to four separate spaces on the ground floor. A further container above will provide a fifth indoor space as well as a viewing platform over Coleman's Kitchen Woods and ultimately Discovery Park when that space is developed in the future. Plans of the proposed facility are attached at **Appendix A**
6. The lower room is to be called the Brisley Room to reflect the links with the local community.
7. The new facilities will provide flexible space solutions that will allow the new building to offer varying sizes of classrooms and workshops and a community space for Brisley Farm residents as originally envisaged by the Section 106 contribution.

8. It will help improve the delivery of environmental education and activities for the residents and visitors of Ashford.
9. The current workshop space is shared between toddler groups like Mini Professors, Buggin' About, Story Sacks as well as community groups including brownies, cubs and suchlike and also the very successful Repair Café. This means tools and equipment constantly have be moved, made safe and stored appropriately to keep them away from children and other user groups. The toddler groups in particular need their own space to avoid the risk of implications of sharing a workshop space full of tools.
10. By creating additional rooms, the Environment Centre can be much more accessible to various user groups. The space may also allow for the opportunity of employing a part time educational officer who could assist with education and running events / activities as funds allow.
11. Residents of Brisley Farm have been fully consulted over the proposals and there has been no opposition to the proposal. The residents have been seeking a community space for a number of years and this facility will provide a dedicated room for which Brisley residents will be given subsidised rates and priority booking.
12. Community based activities will be planned and promoted directly to the Brisley area and the Trust will continue to liaise with the Ward Member and local residents to ensure the new facility is used by local residents in the future.
13. Performance of Singleton Environment Centre November 2018 – November 2019:

Since Singleton Spaces has secured charity status to focus on environmental activities in line with the purpose originally envisaged for the Environment Centre. The table below illustrates their performance to date:

Table 1

Type of Event / Activity	Average Attendance	Number of Occurrences
Community	15	X 19
Talks / Workshops	15	X 16
Buggin About	10	X 15
Pond Wardens	8	X 2
Open Day	200	X 2
Repair Cafe	8	X 27
Children's Activities	20	X 21
Cub's, Scouts, Brownies	15	X 4
Painting Workshops	3	X 17
School Visits	30	X 1
Mini Professors	20	X 43

Implications and Risk Assessment

14. By agreeing to proceed with this project the Council will be making a positive contribution towards encouraging education, a love and respect of the environment as well as active, healthy and creative lifestyles.
15. The main risk attached to the project relate to potential overspend. This has been mitigated by a cost plan developed by the Trust, which contains a significant contingency of £37,200.
16. Longer term there is the risk of the Trust's business plan failing and being unable to maintain the building, which would then fall back to Council responsibility. The risk is mitigated in that the business plan is based on known demand, which illustrates the demand for the extra space to be provided as part of this project. In addition the Trust can call on a multi-skilled voluntary workforce who help support the work of the Trust.

Equalities Impact Assessment

17. The proposed works will have a positive impact on all users of the improved facilities from Brisley Farm and wider areas.

Consultation Planned or Undertaken

18. All residents of Brisley Farm received a newsletter from the Ward Member in Oct/Nov 2019 and were invited to a public consultation, which took place at the Environment Centre on 19th Nov 2019. There has been no opposition to the proposal to use the funds for this project.
19. Further consultation with users and appropriate stakeholders will be carried out as final designs for the new facility are confirmed and will be regularly reviewed as part of lease monitoring arrangements to ensure that residents of Brisley Farm are using the new facility.

Other Options Considered

20. A community building in the immediate vicinity of Brisley Farm has been considered for many years but neither a suitable location nor sufficient matched funding to enable it has come forward.
21. The Trust have considered implementing a larger scale improvement plan for the facility, including a kitchen extension and creation of a Changing Places facility as one project. However, as the Trust is still relatively young and further match funding has not been identified for a larger project yet, they have focused on this project as a first step to encourage usage (especially by local residents) and raise the profile of the facility.

Reasons for Supporting Option Recommended

22. This solution serves two functions. Firstly, it provides a dedicated multipurpose community facility which Brisley Farm residents will be encouraged to utilise as much as possible.

23. Secondly, in order for the Environment Centre to maintain its current level of activity and continue to grow in response to the needs of the local community, this project provides flexible space which can be used as new classrooms and workshops and enables safe separation of toddler and adult activities. The extra revenue generated can be used to help support the Trusts longer term ambitions.

Next Steps in Process

24. If the project is approved the next steps will be for the Trust to tender for the removal of the old buildings, construction of the new facility, fit out and any amendments needed to landscaping around the new facility. A revised lease will need to be completed.

Conclusion

25. If approved, this project will lead to the provision of excellent new facilities to support community provision in Brisley Farm as well as enhancing substantially the provision of environmentally targeted activities to the local and wider community. It will enhance opportunities for a healthy and creative lifestyle as well as community support and education.

Portfolio Holder's Views

26. "This report highlights what can be developed in partnership with strong forward thinking local trusts that aim to develop the community offer. I look forward to seeing the successful delivery of the project." Cllr Peter Feacey.

Contact and Email

27. Len Mayatt, Cultural Projects Manager. Len.mayatt@ashford.gov.uk
01233 330490

Erection of additional container outbuilding for use as day room and viewing platform with associated stairs and disabled access ramp

Singleton Environmental Centre

Proposed east elevation

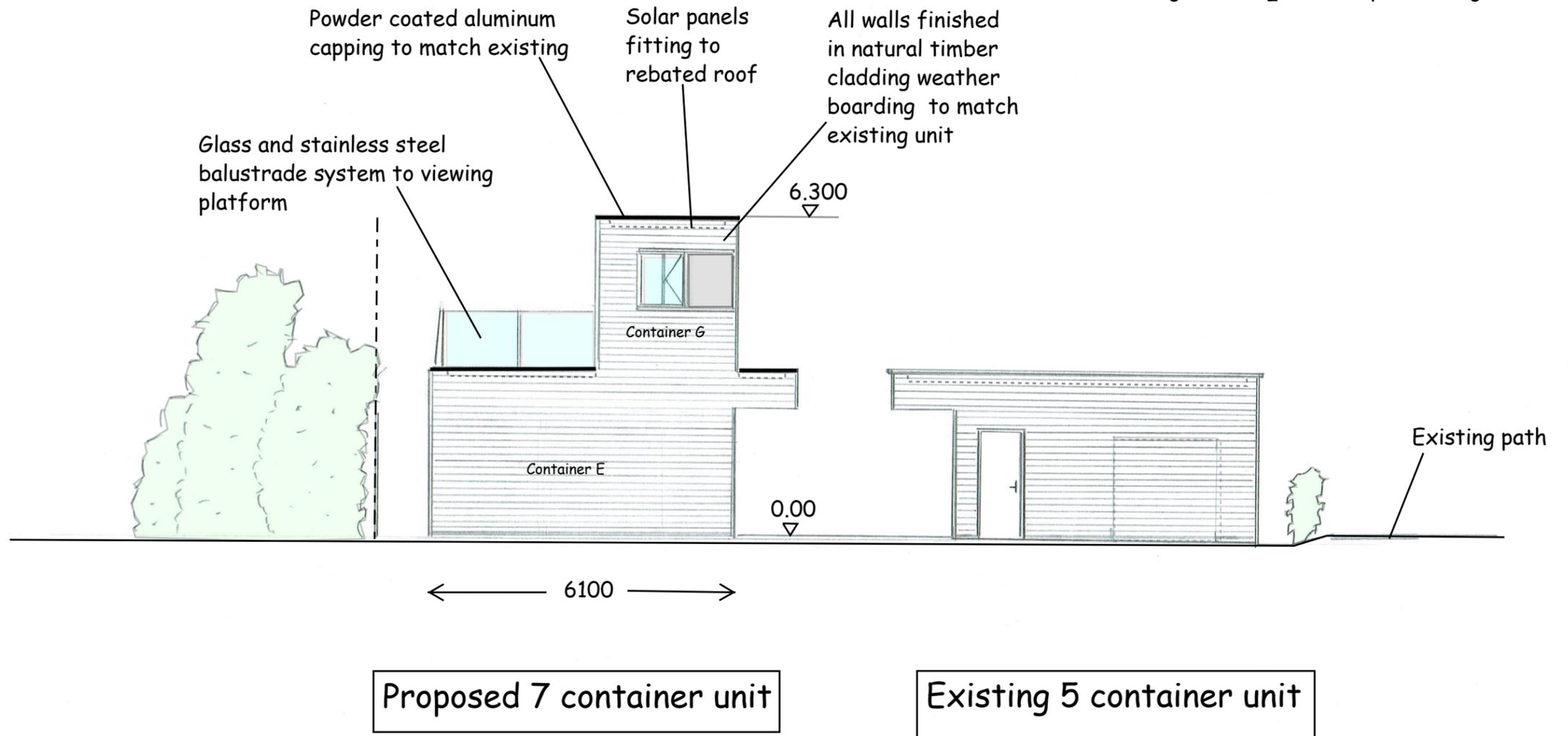
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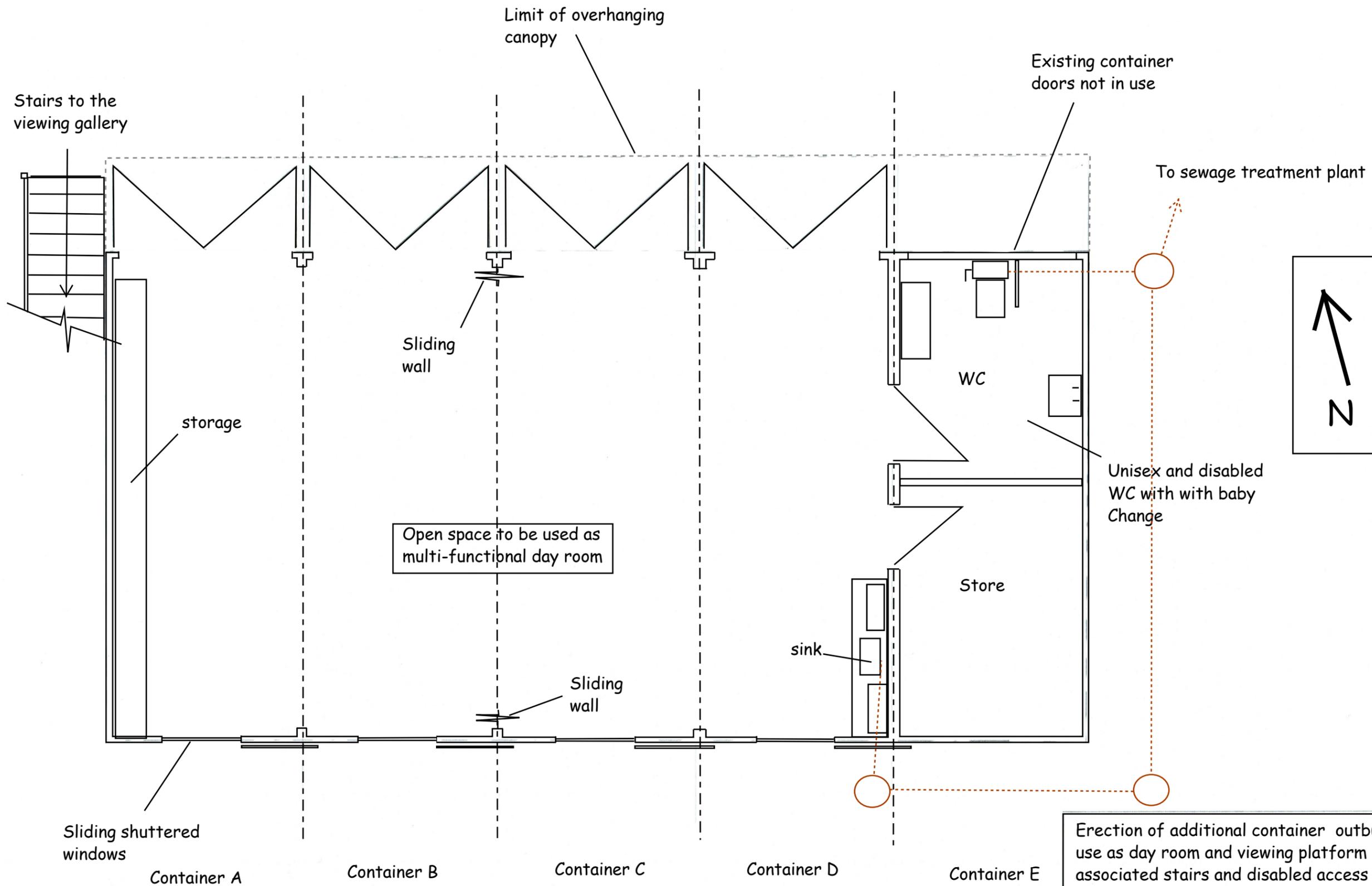
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Drawn By:
Chris Brian
CB planning
07810 432 681

Date: 15-04-19

Scale bar



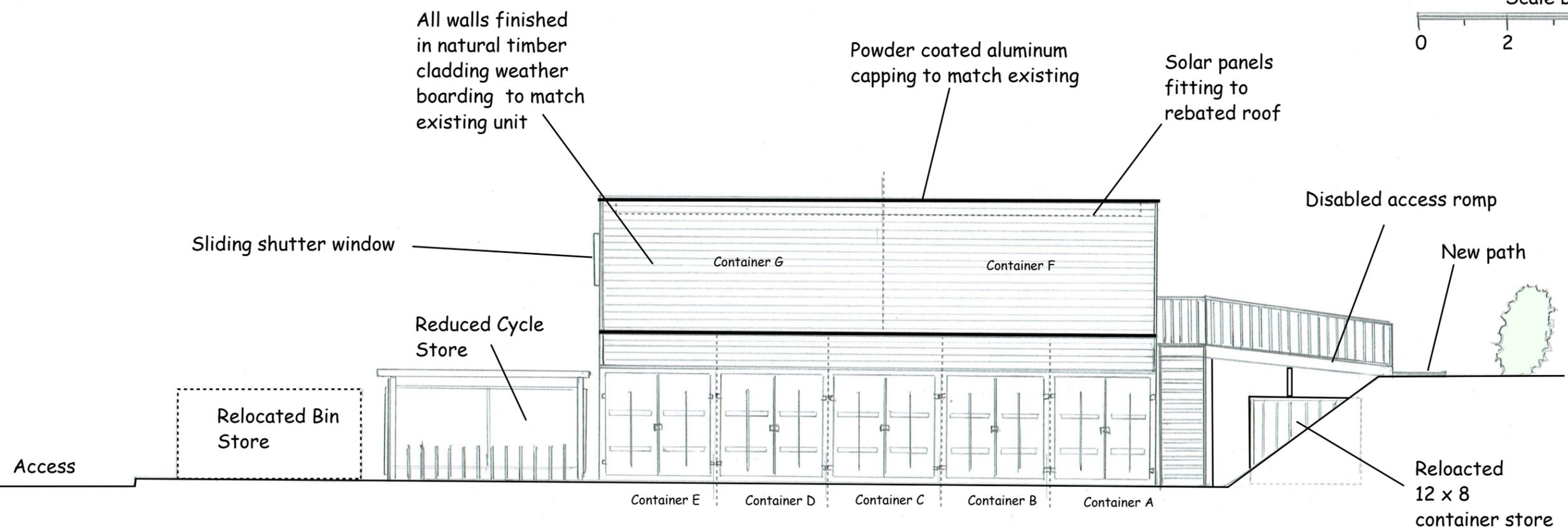
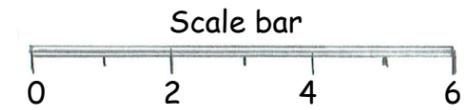


Note:
Side wall removal of containers and cut outs to be detailed by the structural engineer and or container construction contractor



Erection of additional container outbuilding for use as day room and viewing platform with associated stairs and disabled access ramp	
Singleton Environmental Centre	
Proposed ground floor layout plan	
Drawing Number: CB-006	
Scale 1:50 @ A3	Drawn By: Chris Brian CB Planning 07810 432 681
Date: 03-04-19	

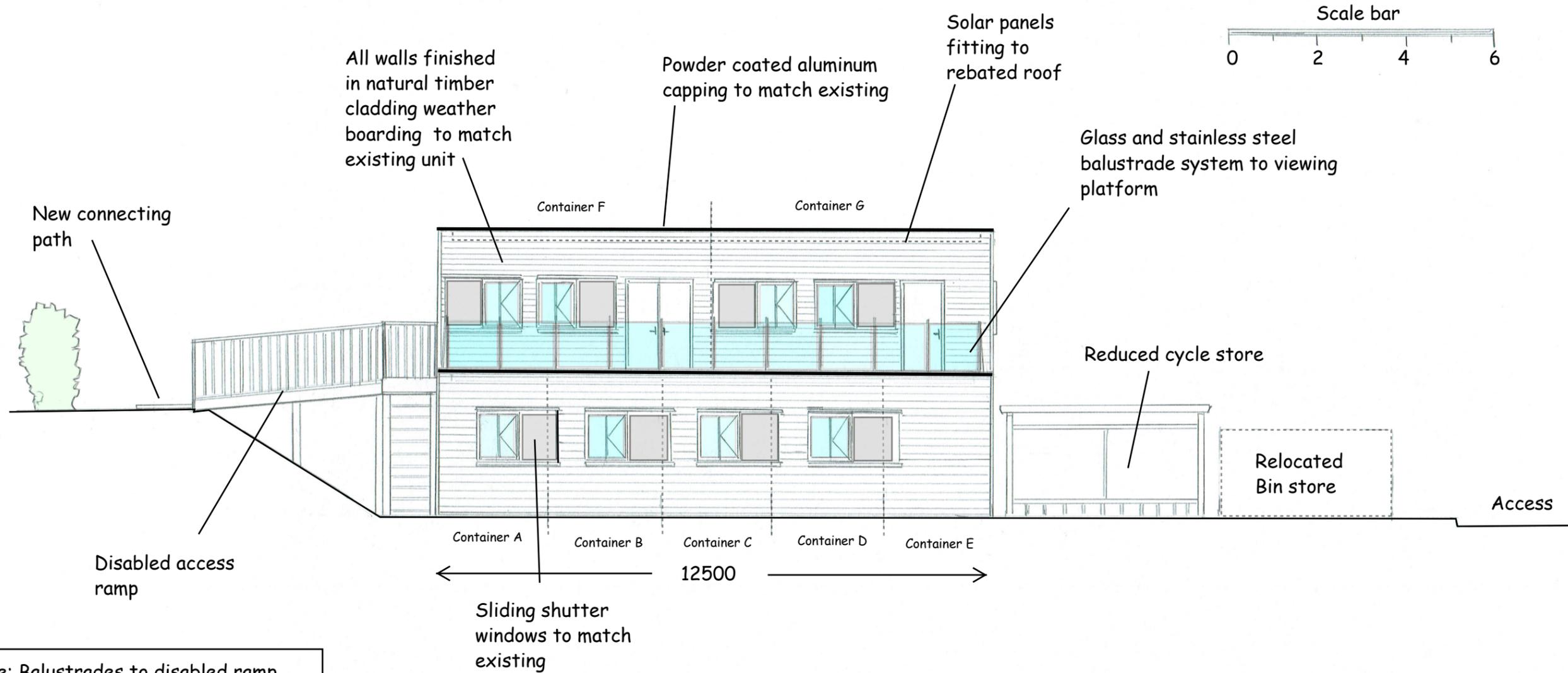
Erection of additional container outbuilding for use as day room and viewing platform with associated stairs and disabled access ramp	
Singleton Environmental Centre	
Proposed north elevation	
Drawing Number: CB-009	
Scale 1:100 @ A3	Drawn By: Chris Brian CB planning 07810 432 681
Date: 15-04-19	



Note: Container E doors to be fixed shut and non operational

Note: Balustrades to disabled ramp and stairs to be either treated timber or glass - to be determined and agreed with site contractor and specified at detailed design stage

Erection of additional container outbuilding for use as day room and viewing platform with associated stairs and disabled access ramp	
Singleton Environmental Centre	
Proposed south elevation	
Drawing Number: CB-010	
Scale 1:100 @ A3	Drawn By: Chris Brian CB planning 07810 432 681
Date: 15-04-19	



Note: Balustrades to disabled ramp and stairs to be either treated timber or glass - to be determined and agreed with site contractor and specified at detailed design stage

Erection of additional container outbuilding for use as day room and viewing platform with associated stairs and disabled access ramp

Singleton Environmental Centre

Proposed west elevation

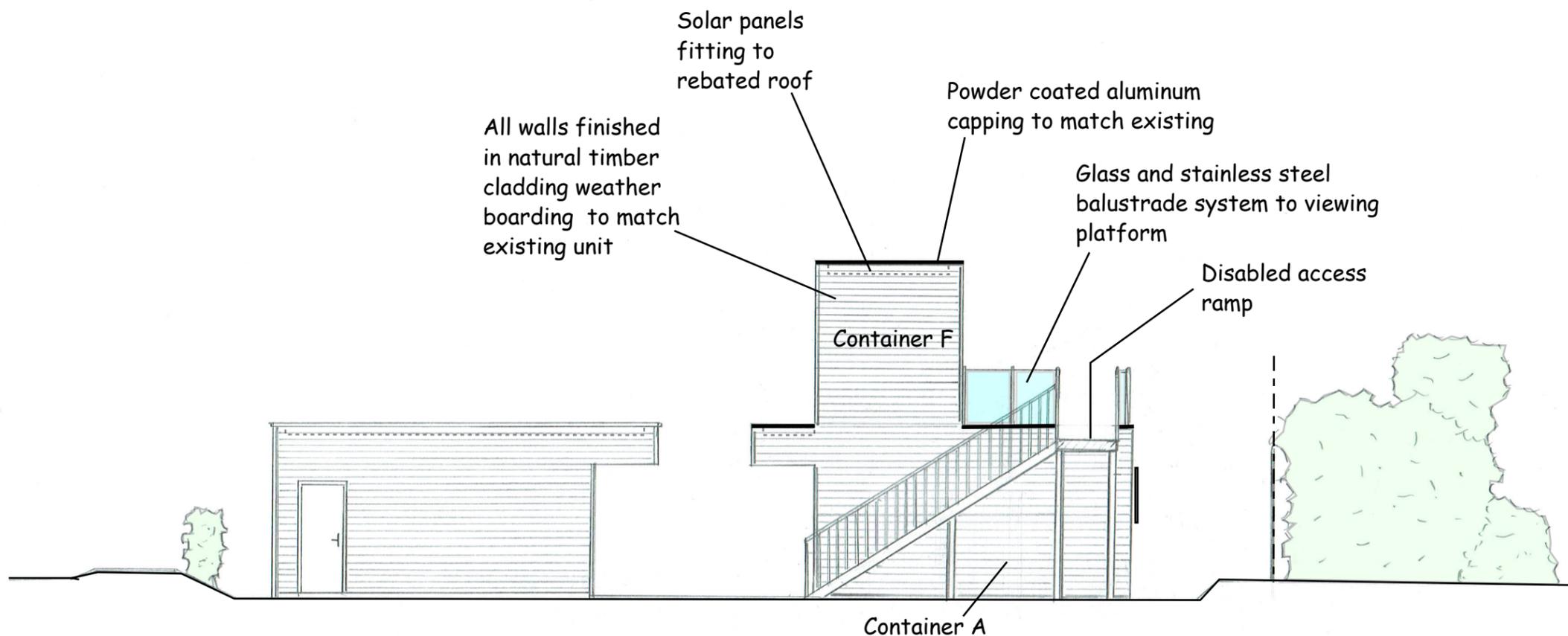
Drawing Number: CB-007

Scale 1:100 @ A3

Drawn By:
Chris Brian
CB planning
07810 432 681

Date: 15-04-19

Scale bar



Existing 5 container unit

Proposed 7 container unit

Note: Balustrades to disabled ramp and stairs to be either treated timber or glass - to be determined and agreed with site contractor and specified at detailed design stage

Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Len Mayatt
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Brisley Farm and Singleton Environment Centre New Multi-purpose Community Facility: Section 106 Expenditure
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	27 th February 2020
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>Singleton Spaces, the Trust responsible for the management of Singleton Environment Centre (SEC), have developed a project to provide a community space for Brisley Farm residents and increase the classroom capacity at the centre due to exceptional demand. They, and the ward member for Roman, have requested that the S106 sum of £133,200, originally earmarked as a contribution to the cost of a community centre for nearby Brisley Farm, be used for this project.</p> <p>Local residents from Brisley Farm will benefit from the new facilities being within their community.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>New Community Space/Classroom/Workshop Block.</p> <p>The project seeks to provide a container building opposite existing classroom and workshop provision to provide a multi-functional community space divisible in to four separate spaces on the ground floor. A further container above will provide a fifth indoor space as well as a viewing platform over Coleman's Kitchen Woods and ultimately Discovery Park when that space is developed in the future.</p> <p>The new facilities will provide flexible space solutions that will allow the new building to offer varying sizes of classrooms and workshops and a community space for Brisley Farm residents as originally envisaged by the Section 106 contribution.</p> <p>It will help improve the delivery of environmental education and activities for the residents and visitors of Ashford.</p>
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? 	All residents of Brisley Farm received a newsletter from the Ward Member in Oct/Nov 2019 and were invited to a public consultation, which took place at the Environment Centre on 19th Nov 2019. There has been no opposition to the proposal to use the funds for this project.

<ul style="list-style-type: none"> • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>The new building will be compliant with all protected characteristics regulations and will feature a ramp to the upper viewing platform.</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	MEDIUM	POSITIVE
Middle age	MEDIUM	POSITIVE
Young adult	MEDIUM	POSITIVE
Children	MEDIUM	POSITIVE
<u>DISABILITY</u> Physical	MEDIUM	POSITIVE
Mental	MEDIUM	POSITIVE
Sensory	MEDIUM	NEUTRAL
<u>GENDER RE-ASSIGNMENT</u>	NONE	NEUTRAL
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	NONE	NEUTRAL
<u>PREGNANCY/MATERNITY</u>	NONE	NEUTRAL
<u>RACE</u>	NONE	NEUTRAL
<u>RELIGION OR BELIEF</u>	NONE	NEUTRAL
<u>SEX</u> Men	NONE	NEUTRAL
Women	NONE	NEUTRAL

<u>SEXUAL ORIENTATION</u>	NONE	NEUTRAL
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Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
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Is the decision relevant to the aims of the equality duty? Guidance on the aims can be found in the EHRC's Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	YES
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	YES
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	YES

Conclusion:	
<ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been made to the equality duty, from start to finish of the consultation and scoping process.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from maintaining and enhancing the centre.</p> <p>Monitoring of the policy, procedure or decision and its implementation be undertaken and reported will be undertaken by the partners.</p>

	<i>The council's revised policy register will assist services to meet this</i>
EIA completion date:	19-02-20