

22 April 2013

Agenda Item: 7(k)

**REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY AND  
ENVIRONMENT**

**MANSFIELD CHILDRENS COMMUNITY CENTRE, SOMERSALL STREET,  
MANSFIELD**

**Purpose of the Report**

1. To seek approval of the County Council to accept a surrender of the lease to Mansfield Children's Community Centre (MCCC) and take ownership of the building which will ensure the delivery of a full Children's Centre Service from the site.

**Information and Advice**

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
3. The County Council granted a 20 year lease with effect from 24 January 2004 of 0.16 ha (0.4 acre) of land, on the Rosebrook Primary School site to Mansfield Children's Community (a local charity) MCC to enable them to bid for funding and construct a building which would become known as the Mansfield Children's Community Centre (MCCC). The original rent was £4,900 pa subject to 5 yearly reviews. (There is a clause in the lease which makes MCCC responsible for removing the building and reinstating the site to its former condition).
4. Funding is detailed in the exempt appendix

**Current position**

5. Due to the financial position of MCC, the existing lease terms have been subsequently varied in order to let other partner agencies use the building. In March 2012 the terms were varied again to reduce the ground rent to £2,450 per annum.
6. NCC (Nottinghamshire County Council) business support officer and the Pre-School Learning Alliance (PSLA) development worker met with MCC's in September 2012 at which point it was made clear that the MCCC business was no longer viable. On 16 October the nursery closed. This has left a gap in childcare provision for the

area.

7. With the extension of the two year entitlement from September 2013, there is a need to ensure that there are sufficient local childcare places to meet demand as NCC has a statutory responsibility to manage the childcare market.
8. Since closure, other local childcare providers have expressed an interest in using the space.
9. A Place to Call Our Own (APTCOO), a local charity for families with disabled children, have also expressed an interest in using the space on a sessional basis.
10. Family Action has agreed that from January 2013, they will run some limited Children's Centre services from the building.
11. It should be noted that from April 2013 the provider of Children's Centre services in Mansfield is as yet undecided following the process of re-commissioning the County Wide service. Any new arrangements would need to be considered alongside this process.

### **Proposal**

12. In view of MCC's financial position and inability to continue managing the building and the service it would be appropriate for the County Council to accept a surrender of the lease, waive the reinstatement clause, and to take ownership of the building. The trustees of MCC are in agreement with this as a way forward.
13. Under the terms of the grant funding to MCC there are claw back provisions as mentioned above. However, informal conversations with New Opportunities Fund (NOF) and DfE indications are that they would not instigate the claw back provisions if the building continues to be used to provide Children's services.
14. The current cost of running the building is £17,763 per annum. In future arrangements (post April 2013) all property costs will be met from within the Children's Centre Service existing budget or recharged to the new service provider as appropriate.
15. Although the building is only a few years old a survey will need to be carried out to assess the condition of the building prior to accepting a surrender of the lease.

### **Other Options Considered**

16. Two options have been considered

#### **Option 1:**

Retain the status quo whereby MCC continues with the ground lease from the County Council. However, MCC would not be able to meet the liabilities of running and maintaining the building.

#### **Option 2:**

The County Council accepts a surrender of the lease and takes ownership of the building together with the responsibility for operating and maintaining it.

17. Option 2 is the only viable option and will enable the County Council
  - a. to deliver a full Children's Centre Service which will include sub-letting part of the premises to an appropriate child care provider using the appropriate procurement/leasing routes open to us.
  - b. allow the County Council potentially more freedom regarding the future redevelopment of the Primary School site under the Priority Building Programme for Schools.
  - c. enhance the Services for the Children's Centre to reach the families most in need.
  - d. enable the County Council to meet its statutory responsibilities around the sufficiency of childcare places.
  - e. minimise the negative impact of the closure of MCC on any part of NCC, FA and MCC.

## **RISKS**

18. Detail explained in the exempt appendix.

## **Statutory and Policy Implications**

19. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

1. It is recommended that the County Council accept a surrender of the lease to MCC and take ownership of the building which will ensure the delivery of a full Children's Centre Service from the site.

**Jas Hundal**

**Service Director, Transport, Property and Environment**

**For any enquiries about this report please contact: Elizabeth Sanders 0115 9772080**

### **Constitutional Comments (EP 9-Apr-2013)**

8. The recommendation falls within the remit of the Finance and Property Committee.

### **Financial Comments (TR 11-Apr-13)**

9. The financial implications are set out in the report and the exempt appendix.

## **Background Papers and Published Documents**

10. None

## **Electoral Division(s) and Member(s) Affected**

11. Ward(s): Mansfield West  
Member(s): Councillor Victor Bebo, Councillor June Stendall

File ref.: /SL/SL/  
SP: 2425  
Properties affected: 06004 - Somersall Street