

Statement of intent from representatives of North Hinksey Parish Council to 4th Oxford Scout Group

23rd November 2018

Dear [REDACTED],

We are writing this letter to outline our current intentions, as representatives of North Hinksey Parish Council, regarding our ongoing discussions towards securing a new agreement with the Scout Association (serving as trustees for the 4th Oxford Scout Group) when the current lease comes to an end on 1st July 2020.

Background to current discussions

We have been in direct discussions with you since May 2017, when Caroline Potter (chair of NHPC Recreation & Amenities Committee) met with Angus Aston (chair of 4th Oxford Scouts) and Emmett Casley (chair of Louie Memorial Pavilion Trustees) to informally discuss the possibility of collaborating on a wider redevelopment project for the Louie Memorial Pavilion and surrounding space, including the 4th Oxford Scout Hut. Similar discussions between the LMP Trustees, 4th Oxford Scouts and NHPC had previously occurred in the summer of 2013, when there had been a possibility of securing Section 106 funding for a new joint-use building from the Harcourt Place development by Bovis Homes. The principle of a joint venture was established in correspondence from that time, but as the S106 funds were never secured, discussions ceased. Your then-chair Karen Adamson followed up in early 2014 to enquire whether a new lease in 2020 would be a formality or would likely be refused for any reason; she reported that the Scout Hut was falling further into disrepair, implying that the Group needed to consider the terms of the lease in order to determine an appropriate level of investment in the building. The previous Parish Council responded that it would be premature to grant any extension of the lease at that time, owing to the potential opportunities for NHPC to seek funding for replacing one or both buildings during the remaining six years on the lease. There was then a 3-year gap in communications, so we were very pleased when Angus made contact last year to get the discussions going again. The 4th Oxford Scouts and NHPC had both had changes in leadership by this time, and we were encouraged from those initial discussions that all parties were keen to collaborate in the wider redevelopment project.

Recent engagement on a joint-use building project

Over the past 18 months our initial discussions became formalised through these key points of engagement:

- A **visit to the Scout Hut** in June 2017 enabled Caroline to get a better understanding from Angus, Rod Chalk (assistant Cubs leader) and James Wynne (secretary of 4th Oxford Scouts) of current usage of the space and future needs of the Group. Angus followed up in July with a **written list** of what the Group has under the current lease arrangement and what it would ideally like to see in a future arrangement (e.g. larger main hall, usable outdoor space, vehicle loading access, external storage).
- In July 2017 Caroline and Rod met with district councillor Emily Smith and Vale of White Horse District Council leisure officers to discuss **core requirements for a new pavilion/scouts building**. These were put in writing in an email on 22nd July and formed the basis of a consultant's brief sent out in October.
- **Interviews for a planning consultant** to undertake master planning for redevelopment of Louie Memorial Playing Fields took place in early December. Angus took part in the interview panel (with Will McEnaney, Group Scout leader, also invited but unable to attend on the day), and on the basis of the panel's recommendations, Nortoft were appointed by NHPC.
- Nortoft undertook its initial review across January-February 2018. Three initial options for a joint-use building were circulated to 4th Oxford Scouts representatives ahead of a **stakeholder meeting on 1st March**. On the basis of stakeholders' comments, a new-build angled design was developed.
- All three options were presented by Nortoft at the **Annual Parish Meeting on 22nd March**, where we also touched base with Will about progressing discussions on a new lease/licence agreement.

- At the R&A Committee meeting on 5th April 2018 all comments received about the current options as presented at the APM were discussed. A **working group was established** to progress a formal agreement with the 4th Oxford Scouts for usage of space at Louie Memorial Playing Fields beyond 2020.
- A **public consultation event** about the wider redevelopment project was held on 28th April. Representatives of the 4th Oxford Scouts attended, and Caroline circulated links to the consultation materials and feedback survey (open through 13th May) for distribution to the Group's members.
- At the first **working group meeting on 21st May** we reviewed the current lease and discussed other agreements that might serve as models for a new agreement (e.g. recent agreement between NHPC and Matthew Arnold School for use of land on Louie Memorial Playing Fields, new lease agreement between Seacourt Hall Management Committee and Botley Development Company for long-term shared use of new community building). We also discussed details about space requirements that are specific to scouting activities, e.g. space for securely drying tents after camping events. Caroline compiled and distributed all comments received about the scouts/scout hut in the public consultation.
- At a second **working group meeting on 22nd June** we discussed the concerns that you outlined in your letter of 19th June, namely: building design that ensures safeguarding, need for time and space to set up and store activities before and after sessions, need for agreement of defined space to carry out scouting activities, financial viability of Scouts using a new joint-use building. This letter was also the first formal notification to the full working group of your desire to keep the current scout hut. Following this meeting you emailed on 24th June to express support for continuation of the planning process.
- You attended and spoke at the **parish council meeting on 28th June**, where NHPC passed a motion expressing its intention to continue developing the design for a joint-use building with stakeholder input and to submit a planning application for a new joint-use building by December 2018.
- All four of you attended a second **stakeholder meeting on 10th July** convened by Nortoft. Feedback from this meeting resulted in further changes to the internal design of the joint-use building (e.g. dedicated toilet for the main hall, dedicated tent-drying area, additional meeting / break-out room) and recommendation of locations for new outdoor facilities.
- Third **working group meeting on 10th September**, where we reviewed the latest building design as amended in August by Nortoft and SWA Architects. We continued discussion on the issues of safeguarding, specialist needs (tent drying), financial viability, and the need for written assurance in new agreement documents that scouting activities would continue at Louie Memorial Playing Fields.
- Fourth **working group meeting on 12th November**. This meeting was set to give sufficient time for considering the documents circulated by email between 10th – 17th October, which included a list of 4th Oxford Scouts requirements for a new legal agreement, a summary of current subscription fees, the original written list of requirements, and a copy of the current Louie Memorial Pavilion Trustees lease document. A written statement of NHPC's current position on these negotiations was agreed as an outcome of this meeting.

North Hinksey Parish Council's current position: general principles

NHPC has a duty to ensure that the Louie Memorial Playing Fields remain accessible to all inhabitants and young people of the nearby area for a variety of recreational and social welfare purposes, in line with the terms of the 1939 Deed granting the land to the parish council and the objects of the Louie Memorial Pavilion Trust.

NHPC intends to support the current regular users of the Louie Memorial Playing Fields, including the 4th Oxford Scout Group, by providing facilities that are fit for purpose for the foreseeable future and that are affordable for community users.

NHPC is supportive of the continuation of scouting activities at Louie Memorial Playing Fields beyond the end of the current lease agreement in 2020. We recognise the value of scouting to young people within our community, and we are making every effort to ensure its perpetuation within the redeveloped facilities.

Response to document on 4th Oxford Scouts requirements for a new legal agreement

In this document, dated 10th October, you outlined your requirements under five key headings: use of the main hall, costs, other matters, duration of the agreement, effectiveness of the agreement. Below we respond to your comments under each of these headings.

Use of the main hall

You requested priority use of the main hall on all five week nights from 4.30pm to 10.30pm, in order to accommodate both your current usage and potential for future growth.

We observe that the priority time requested (30 hours per week) far exceeds your current regular usage, which amounts to 10.5 hours per week (6.5 hours of session time, plus an additional hour of set-up and clear-up time per session) for four sections (one each of Beavers, Cubs, Scouts and Explorers) spread over four evenings (currently Monday for Cubs, Tuesday for Explorers, Thursday for Scouts, Friday for Beavers).

We feel that a more reasonable assurance would be for a set amount of priority booking time per section (e.g. 3 hours per week), with a limit that the number of weeknights used for scouting does not exceed the current four nights per week. This limit ensures that the facilities remain accessible to other regular users such as the North Hinksey Youth Club, in line with the first two of NHPC's general principles outlined above. We would strongly encourage the running of multiple sections on a single evening (e.g. a younger section in the period up to 7.30pm, followed by an older section in the period up to 10pm) and would consider the provision of financial incentives for doing so (e.g. discounted hire rate beyond the first 3 hours of booking on a single evening).

Regarding priority use of the hall at times outside of regular weekly meetings, we would suggest setting a total amount of priority booking time per section per term to allow some flexibility for these additional bookings.

We agree with the principle of sufficient notice of any changes to regular usage patterns. You have suggested a one month notice period, but given that regular bookings are typically made on a termly basis we would suggest a term's notice (e.g. notification for changes coming into effect for the winter term starting in January would be made by September), in order to allow other regular users sufficient planning time for their bookings.

The exact facilities covered under a priority booking would be outlined in the legal agreement. Based on the latest building design, this would potentially encompass exclusive access during sessions to the main hall, kitchen, internal storage and at least one disabled accessible toilet separate from the general circulation areas, plus any outdoor space designated for exclusive use by the Scouts.

Costs

At our meeting on 12th November we discussed your current subscription fees in some detail, but also pointed out gaps in the figures you provided as to your total current costs. We note the guidance from the Scout Association about the expected rates and purpose of subscription fees, namely:

'The cost of sending your child to Scouting will vary depending on your Group. It is likely to be between £50 and £100 a year and this may be collected weekly, monthly, each term or annually depending on local arrangements.'

This fee covers the cost of the hire or upkeep of the meeting place and so on. Trips, camps and activities are usually charged separately.' (from scouts.org.uk website, accessed 17th November 2018)

This guidance, plus the figures that you provided, have given us an understanding that raising your subs beyond their current levels (£115 per young person per year) would be counter to the expectations set out by the Scout Association. However, this guidance also makes clear that the primary cost that subs is expected to cover is 'hire or upkeep of the meeting place'. The figures that you provided suggest that currently less than 25% of

subs are applied to provision/maintenance of the regular meeting place. This looks unrealistically low and does not take account of your more expensive maintenance costs, for example repairs needed after two significant incidents of vandalism in 2016 and 2017. We have been working on the principle that hire of a new joint-use building should result in a cost-neutral financial situation for the Group once the projected costs of refurbishing/redeveloping the current scout hut are taken into account. The poor quality of the scout hut has been noted by multiple sources including the Group over several years, so any like-for-like comparison of future options must include the maintenance and upgrade costs needed to bring the building up to current standards.

We suggest that an affordable hire rate should be based on the expectation that 40% - 60% of subs would cover hire/upkeep of the meeting place. This leaves scope for the remainder being applied to the standing Scout Association capitation fee and a reasonable amount of consumables needed for regular session activities. We believe that an affordable and sustainable hire rate within these guidelines is achievable, particularly when considering that all other Scouts and Girlguiding groups operating within the area do not maintain their own buildings but hire space within joint-use buildings.

We are also strongly considering a discounted hire rate for local youth organisations. From models we have seen elsewhere we would expect this to be on the order of 75%-85% of the standard hire rate of the main hall.

Other matters

Permission to post signage advertising the Group's presence on site would need agreement from the Louie Memorial Pavilion Trustees, but the legal agreement could specify that this permission would not be unreasonably withheld. Such signage is consistent with current practice by the LMP Trustees, e.g. banners advertising the potential to hire the football pitch.

In wider stakeholder meetings on building design we discussed the provision of display boards and other fixtures for scout activities (e.g. flag raising), with the caveat that any fixtures within the shared space would need to not be on display during general usage of the hall. This might take the form of e.g. display boards with covering doors that could be opened for scout sessions but closed at other times.

Duration of the agreement

We recognise that the current lease sets a precedent of a 20-year agreement period. Our intention is to set a new agreement period that provides security for the Group's use of the site for the foreseeable future, but that also provides sensible review periods so that the agreement remains mutual over the longer term. We have previously suggested that a model for this might be the lease agreement for the new Seacourt Hall, which defines an initial agreement period as well as subsequent renewal periods that would be granted so long as the conditions of the agreement have been upheld.

We are working under the assumption that a new agreement would be with the Scout Association serving as trustees for the Group (as with the existing lease); as such the rights under the agreement would pass to the Scout Association in the event of dissolution of the 4th Oxford Scout Group.

Effectiveness of the agreement

The current lease to the Louie Memorial Pavilion Trustees expires in July 2022, and our expectation is that a new lease agreement would be required for the management of the new building.

The LMP Trust objects currently read:

"the provision in the interests of social welfare of a public building for the use of the inhabitants and young people of the Parish of North Hinksey and the nearby parishes in the County of Oxfordshire (hereinafter called 'the area of benefit') without distinction of political, religious or other opinions, including use for meetings, lectures and classes and for other forms of recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants." (LMP Trust lease 1998, with extension in 2013)

While these objects are sufficiently broad to include scouting activities, it is reasonable to expect that the objects may be amended in a new lease to specifically reference scouting as a supported activity.

We expect that a new LMP Trust lease would include provision for designating priority user groups and would thus be bound to recognise any agreement between the 4th Oxford Scout Group and NHPC that establishes such priority usage.

As we have discussed in our working group meetings, it is our expectation that in the provision of a new joint-use building the LMP Trustees would have representation from the 4th Oxford Scouts. We have already determined that the current LMP Trust lease makes provision for adding trustees from regular user groups, and we expect that in a new agreement the Group would have an LMP Trustee representative from the outset.

Summary of current position and intentions going forward

For the past 18 months NHPC has been working towards the goal of providing a new joint-use building and redeveloped surrounding space for the benefit of current regular users of the Louie Memorial Playing Fields and the wider community.

We have been directly engaged with you throughout this time, and representatives of the 4th Oxford Scouts have taken part in all key steps of the project: specification of core requirements for a new joint-use building, selection of planning consultants, participation in stakeholder group to develop building design and business plan, ongoing working group discussions about establishing a new agreement beyond the current lease. Our actions have demonstrated a clear and consistent intention to support the continuation of scouting activities at Louie Memorial Playing Fields for the foreseeable future.

Recent conflict has emerged with your suggestion since May 2018 that your preferred option is to keep the current scout hut, rather than to make use of new joint-use facilities. This is contrary to both the principle of joint venture established by your previous leadership in 2013, and the first year of collaboration with us in the more recent discussions. We engaged in this process with you in good faith that new facilities would be mutually beneficial, i.e. it would enable you to gain the 'wish list' outlined in Angus's email of July 2017 that is not possible with the current scout hut, while also making better use of community resources (e.g. providing a good quality building that could be used for daytime activities when Scouts and Youth Club are not in session).

We have seen no evidence from you that keeping the current scout hut is a viable option financially over the longer term; we have only had vague assertions that 'fundraising can be done' at an unspecified time in the future. In early 2014, with more than six years left on the current lease, it was apparent that a new joint-use building from Bovis Homes was not immediately forthcoming; yet we have seen no indication that proper planning (professional costing, building up of funds, development of designs) for the refurbishment or redevelopment of the scout hut has been done by the Group since this time. The problems with the current scout hut are well understood: it is of poor quality construction (i.e. not up to current standards in terms of insulation or energy efficiency), it is not fully accessible for those with disabilities, the main hall has little natural light and poor ventilation, access for loading and storing your outdoor equipment is limited, the designated outdoor space is restricted and not actually included under the current lease, most of the building has low visibility and has thus been a frequent target for vandalism. We believe that the proposed new facilities, which would be of much higher quality and which would be purpose-built with scouting needs in mind, offer the far superior option for guaranteeing the continuation of scouting activities at Louie Memorial Playing Fields.

We recognise the challenge that moving from an exclusive-access scout hut to a joint-use new facility entails, i.e. giving up some level of the total control that you currently have for accessing the scout hut. In acknowledgement of this challenge, we have asked nothing from you up to this point in terms of financial

contribution or firm commitment to the joint-use facilities project. However, as you are aware NHPC made a commitment in June to submit a planning application for a new pavilion building and surrounding space, and we have reached the final decision point about what that planning application includes. The current proposal for joint-use facilities has the support of the Pavilion Trustees, other user groups, parish and district councillors, and a clear majority of people who took part in the April public consultation. You as a Group must now decide firmly whether or not to support this planning application going ahead.

We have made demonstrable progress on all key issues that you have raised (safeguarding, cost, priority access, specialist outdoor and storage needs). As indicated by our detailed comments above, we are convinced that these challenges can be addressed to result in a new agreement that gives the 4th Oxford Scout Group the facilities and security it needs to continue activities at Louie Memorial Playing Fields for the foreseeable future. It is our strong belief that new joint-use facilities will result in a better situation than the current facilities for all regular users of the Louie Memorial Playing Fields, including Scouts. We very much hope that you will firmly commit to supporting this project, so that we can formally reach a Heads of Terms agreement on that basis.

Sincerely,

Caroline Potter, chair of NHPC Recreation & Amenities Committee
David Kay, chair of NHPC and R&A Committee member
Judi Bolder, R&A Committee member and Louie Memorial Pavilion Trustee
Alan Stone, Parish Clerk from 2002 – Dec 2018
Colin Ryde, Parish Clerk from Oct 2018 onwards