Whitehill & Bordon Community Development Trust
Report by Lisa Hutchinson- Community Development Lead

FOR RECOMMENDATION
TO COUNCIL

Portfolio and Cabinet Lead: Customer Service, Councillor Julie Butler

1.0 Purpose of Report

1.1 This report provides an update on progress in the setting up of a Community Development Trust (CDT) for Whitehill and Bordon. It seeks a recommendation for the Council’s two nominees to the Board of the Trust.

2.0 Recommendations

2.1 To endorse the creation of the Whitehill and Bordon Community Development Trust.

2.2 To recommend to Council that Councillor Julie Butler and Tom Horwood (Executive Director) be appointed to the Board of the Whitehill and Bordon Community Development Trust.

3.0 Summary

3.1 The CDT is the first step in a process towards sustainable community development. It has potential to be developed as a model in other areas across East Hampshire if successful.

3.2 As part of the planning obligations in the Section 106 Agreement for the main garrison site there is a requirement for the developer to lead the establishment of a CDT. Whitehill and Bordon Regeneration Company (WBRC) has been established by Taylor Wimpey Dorchester, the master developer for the main garrison site. WBRC is taking forward the CDT. It has employed a Community Development Officer for a period of 10 years as part of the Section 106 Agreement and has offered to underwrite the Trust for 5 years.

3.3 The aims and objectives of the CDT are to:

- Ensure the effective implementation of key local strategies including heritage, recreation, arts and culture;
- Initiate, co-ordinate and deliver community development and cultural activities to help create a thriving integrated community;
- Encourage a green and healthy lifestyle amongst residents and businesses;
• Own, maintain and effectively manage any endowed community land and buildings.

3.4 Legal advice received indicates that the CDT should be constituted as a charitable company, limited by guarantee. This will give it the legal capacity to:

• Deliver charitable services under contractual agreements
• Enter into commercial contracts in its own name
• Employ paid staff
• Own freehold or leasehold land or other property

4.0 CDT governance structure

4.1 The Shadow Board has been in place from 1 October 2016. EHDC has taken a leading and active role in its establishment. It is chaired by the EHDC Portfolio Holder for Customer Service, Councillor Julie Butler.

4.2 The Board will consist of 9 trustees: 3 from the local councils, 3 representing landowners and 3 community representatives.

4.3 Councillor Julie Butler has been chairing the Shadow Board and it is proposed that she be appointed by East Hampshire District Council to the Board, when it is constituted. She has been supported during this interim phase by Abe Ezekiel, Head of Legal. It is proposed that Tom Horwood, Executive Director for Strategy and Governance, be appointed as the District Council’s second nominee to the Board. The third local government nominee to the Board is nominated by Whitehill Town Council; Councillor Alan Waterhouse currently has this position.

4.4 The three landowner positions on the board are currently held by employees of the Whitehill and Bordon Regeneration Company: James Child, Bruce Collinson and Ravail Marwaha.

4.5 An open and formal interview process for the recruitment of the 3 community representatives has taken place. There were 12 applicants for 3 voluntary spaces on the Board. Rob Allerston, the Reverend Dominic Clarke and Emma Williams were selected.

5.0 Principal tasks of the Board

5.1 As at February 2017, the Board’s key tasks are:

• Supporting the development of the CDT business plan to ensure that the CDT is financially viable and has a sustainable funding strategy
• Finalising the full business plan
• Overseeing the legal establishment of the CDT as a company and its registration with the charity commission
• Overseeing the terms of any identified transfer of land and buildings to the CDT
• Supporting the development of infrastructure (staff, premises, insurance, equipment) and developing the CDT’s branding and assets
• Communicating and promoting the CDT and its membership benefits to relevant partners, stakeholders groups and residents
• Approving the appointment of the CDT Manager or any interim contract or seconded staff

6.0 Implications

6.1 The Board provides a vital role in leading and providing scrutiny in the evolving CDT business plan. The Board will identify new opportunities and resource contributions in the process. It is intended that the Council will retain a significant stake in the CDT and influence its establishment to ensure optimal use of resources from all stakeholders.

6.2 The developer has agreed to underwrite the Trust to the value of £250,000 in the first five years. The Council may wish to consider transfer of its own assets into the CDT as it develops.

6.3 The draft business plan (led by WBRC) includes a CDT annual fee, which would be built into the conditions of sale for new houses. The CDT itself as a charity will have the ability to apply for external funding to generate income for community projects and activities outlined in its objectives.

6.4 The CDT will become an independent charity and will operate as a limited company. It will thus have its own set of rules and governance. Training is being provided by Community First to ensure that the roles and responsibilities of board members are clear and understood by all parties involved. Appointed board members hold a personal legal obligation to act in the best interests of the new charitable company.

6.5 The implementation of the CDT links to a number of the Council’s strategic aims. Principally it offers:

• A strong partnership between the public, private and voluntary sectors to optimise resources strategically and creatively
• An entrepreneurial approach to deliver differently to the community
• A pilot approach to community development and local to asset management
• Less dependence on EHDC for grants for community groups and activities, as its strategic partnership approach will help to maximise community service delivery and investment opportunities.
• An opportunity to help consolidate community groups and resources
• The ability to generate additional income resources through its charitable non-profit making status

6.6 There is a potential in the future for the CDT to bid for, or be involved as a stakeholder in, the allocation of Section 106 funds. Any future involvement would require formal agreement and approval. The focus of the CDT in its start-up phase is on the tasks set out in paragraph 5.1.

7.0 Risks

7.1 Environmental: no specific environmental risks have been identified.
7.2 Health and Safety: at this stage, no specific Health and Safety risks have been identified. As an autonomous company, the CDT will have to develop its policies and practices for managing health and safety.

7.3 Legal: the CDT will be established according to UK charitable and company law. Legal advice from the Council’s Head of Legal has been provided.

7.4 Resources: the CDT is viewed to be the best mechanism for harnessing the resources of stakeholders to fulfil the shared strategic aims of the Council and its partners for community development in Whitehill and Bordon. The Council’s resources will be monitored as part of its agreed business plans and performance management framework, and any variances beyond the business plan will be reported appropriately.

8.0 Communications

8.1 The CDT is a partnership project grounded in a S106 Agreement by the developer to put together a viable business plan. It is now the responsibility of all partners on the existing Shadow Board to take this forward and ensure its development and success. There is genuine commitment from partners on the Board to address concerns, and to consider where assets best sit as they come forward for ownership and management decisions.

8.2 CDT progress reports will be presented regularly to East Hampshire District Council and Whitehill Town Council.

8.3 Community groups are updated regularly on the progress of the CDT from Community First, and a communications plan will be put in place by the CDT Board over the coming months.

9.0 For the Community

9.1 The CDT vision is that following extensive EHDC input it will create community cohesion, offering greater resident involvement and participation. In the long term it may become an entrepreneurial organisation run by the community, for the community.

10.0 The Integrated Impact assessment has been completed and no particular issues of concern have been identified.

Agreed and signed off by:

Legal Services: Head of Legal, 6 February 2017
S151 Officer: Head of Finance, 6 February 2017
Relevant Executive Head: Executive Director, Strategy & Governance, 6 February 2017
Cabinet Lead: Portfolio Holder for Customer Service, 6 February 2017

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