

**REPORT OF THE COMMUNITY CONSULTATION EVENTS ON
THE PROPOSAL FOR A NEW COMMUNITY CENTRE AND VILLAGE GREEN
DECEMBER 2021**

There were 3 events: Saturday 11 December 10.00 am-4.00 pm and Monday 13 December 6.00-9.00 pm in the Community Centre hall; and Thursday 16 December 6.00-9.00 pm by Zoom. The events went ahead as planned although this was at a time of increasing Covid numbers nationally and it was recognised that this would affect attendance. All dwellings had a Summary of the Business Plan delivered to them before the events.

Currently there are 633 dwellings in the parish, of which 51 are known to be unoccupied at the time of the consultation. 51 parishioners from 38 dwellings (7.5% of occupied dwellings) attended the events. Of these 8 comments were received on the design, either at the events or as an email, and are shown below.

**COMMENTS ON THE DESIGN RECEIVED IN RESPONSE TO THE COMMUNITY CONSULTATION EVENTS ON
THE PROPOSAL FOR A NEW COMMUNITY CENTRE AND VILLAGE GREEN
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COMMENT MADE	RESPONSE BY PARISH COUNCIL
Design looks like a cattle shed.	The representations show the outline design which will be refined at the detailed design stage. The current proposal takes into account planning, capital cost and ongoing maintenance requirements.
Gents toilets next to kitchen, why not put the store first and then gents toilet.	The current placement of the toilets and the store are difficult to change round. Any potential change to the design round will be considered at the detailed design stage.
Good that the village is forward thinking – progress is good. New centre looks fantastic	Noted, thank you.
I think architecturally the exterior cladding finish is critical to producing either a community building of merit or something that looks cheap. Timber cladding as per Architype’s original barn vernacular should be kept.	The detailed design will be refined at the next stage and costs of reverting to timber cladding can be considered.
Regular checking of prices is imperative and contingency needs to be larger.	Prices are being kept under review by the architects, who are currently happy with the level of contingency. Prices of materials and the effect on the overall budget will be kept under consideration at tender stage.
The event on Saturday came over to us as more of a ‘sell’ and indeed a ‘hard sell’ of the only option presented.	To be able to progress the project a definite option is required. The option presented was agreed by the community after much consultation and is therefore the design being taken forward. It would be very strange if the Parish Council and Community Facilities Group and MVT did not fully support the option put forward to parishioners.
The previous consultation that looked at some different options was undertaken we think during 2016/17. That is now five years ago. There	A number of options have been considered or re-considered over the last six years. The timescale for the start of the project is dependent on Reserved Matters Planning Approval of

<p>appears still to be no indication of the timescale for the development. We recollect that the gifted land will not be released until after the first house / batch of houses is sold. At that point, it must be at least a further eighteen months before the facility would be ready to be used.</p>	<p>both the housing development and the centre. Currently approval is being held up by the phosphate issue. The planning officer believes this will be resolved in 2022. The legal agreement states that the housing development cannot be occupied until the Community Facilities Land has been transferred to the Parish Council. However the developer has previously told the PC that the land will probably be transferred as soon as the show house is built.</p>
<p>In the context of such a timescale, it would be normal practice to reconsider all previous and new options in order to ensure that the favoured option still represents value for money (as opposed to being the cheapest option).</p>	<p>Many options have been considered over the last six years with several being reconsidered over the last two years. The total capital budget proposed has been refined over the course of six years of consultation with parishioners and after looking in depth at a number of potential options. The proposal before the community reflects the best possible solution that considers the many varied requirements of the parish. <u>Any</u> further consideration of previously rejected options will significantly increase the overall project cost and may not guarantee a better solution.</p>
<p>At the time of the previous consultation, for good reasons, the Hybrid Option emerged as the preferred way forward. However, as stated above, five or more years have passed and the situation and landscape has changed significantly, not least because of COVID and the ongoing impact on the financial stability of the existing community facility as alluded to by the Treasurer at the Village Trust AGM.</p>	<p>There have been several further consultations with parishioners following the initial approval in October 2016. Furthermore, discussions have taken place with both the Marden Village Trust (MVT) and the Academy with the trustees of both organisations supportive of the proposed hybrid concept for the many reasons already made public. The hybrid option (continuing to use and manage the current facility alongside the new facility) is still considered to be the preferred way forward by the PC and MVT. The MVT Trustees considered this option at length and formally communicated its support for retaining the current facilities alongside the new build. The Covid pandemic has shown that additional facilities would have and will provide significant flexibility for a wide range of user groups and a growing parish hub.</p>
<p>The revenue analysis undertaken pre COVID of running the two facilities in parallel now looks hopelessly optimistic and, if the risk factor related to the need to employ a caretaker / cleaner / booking secretary to manage the two facilities is factored in, the existing facility and therefore both will be in dire financial straits. It should also be assumed that certainly for Year 1, the new facility will also be running at a loss. This revenue loss will have to be met from an additional take from the Precept as the Village Trust or its successor is not able under Charity Commission Law to run at a loss. Furthermore, to deliberately, as a matter of choice, create a situation where all furniture, fittings and fixtures, down to and including, chairs, tables, cup, fridges, and kettles etc will need to be duplicated between the two facilities is utterly ludicrous.</p> <p>The Parish Council are aware, or should be, that the existing community facility supposedly runs on a 'self clean' strategy. The cleanliness, or lack</p>	<p>The Trustees of the MVT have thoroughly reviewed the published five-year operating plan, and while feeling the income outlook is quite conservative, they recognised that operating costs are difficult to predict in the current climate and to that end significantly increased the original energy costs. Most other operating costs show a 5-20% increase per year. Again, this has been formally approved by the Trustees. Although the running of the 2 facilities is entirely a matter for the MVT to consider, the PC is committed to supporting the Trust during the first year if required, without a further increase in the precept.</p> <p>In addition, grant funding is available for MVT to access to help with initial running costs.</p>

<p>of it of the existing facility has been a significant on-going issue for years. Essentially, 'self clean' does not work. Whilst the Village Trust currently pays towards a share of cleaning costs, this does not relate to the Community Lounge and the Kitchen. During 2019/20, this had reached the state that quotes for a cleaning contract were actively sought. Yet there appears to be no acknowledgment (other than as a risk factor) of the need to have a proper cleaning regime. In addition, when minor repair work needs to be undertaken, i.e., changing fluorescent tubes etc, this is undertaken, against guidance from the Village Trust insurance, by the Trustees or A. N. Other volunteer. Again, due to the inappropriateness of this system, the Village Trust were actively pursuing costings for retaining a 'handyman / person' Again, other than being highlighted as a 'risk', this has not been included in the costings.</p>	<p>MVT is a separate legal entity from the PC and this operational specific matter is for the Trust to consider. The comments will be passed on to MVT for consideration at an appropriate time.</p>
<p>The option of enhancing the existing facility, thereby increasing its capacity above and beyond future need should be reappraised:</p> <ul style="list-style-type: none"> • Key to this is the location, or rather relocation of the Preschool. Whilst Preschool and Early Years Interventions are invaluable in achieving effective child development, the unavoidable truth is that Preschools and Community Centres make uneasy bed fellows. The preschool is, for many very valid reasons, not an appropriate organisation to be hiring the community facility. Not least because, obviously if the Preschool is operating five daytime lettings a week, the Community is excluded from its own facility for five daytime lettings a week. In addition, an effective preschool demands a significant amount of equipment. To store such away at the end of each day and set it all out again the following morning is an unreasonable demand. However, if other groups pay for hiring the Community Lounge in the evening or weekend, they should not be expected to operate around the Preschool's equipment, even if it is stored in one corner. • Both the Village Trust and the Parish Council should be aware that the current arrangements with the Preschool whereby they have exclusive use of the Community Lounge for five daytime lettings a week and exclusive use of the second room 365 days of the week is in breach of clause 2d and 2h of the Lease and Paragraph 3 of the Village Trust Constitution. (As the Guardian Trustees, the Parish Council may wish to consider the appropriateness of condoning these continued breaches). 	<p>The MVT and Parish Council can only agree that the Pre-School and Early Years Interventions are invaluable to the parish and that the extensive use of the current facility has caused much friction. Indeed, this is one of the critical areas this project is trying to address.</p> <p>While it is appreciated that daytime use is restricted it is important to understand that the income has helped to keep the community centre solvent for many years, thus not having to rely on grants.</p> <p>One of the surveys undertaken for this project asked parishioners if they would use the facilities during the day. Unfortunately, very few indicated that they would use the daytime if available.</p> <p>An interesting comment in that both clauses of the lease and paragraph of the constitution of the Marden Village Trust refer to "Charitable Objective" and hiring out the facility to an organisation that provides significant income & benefit to the parish would appear to meet that objective. Nevertheless, this comment will be passed on to MVT, as it relates to the Trust and not to the PC.</p>

<ul style="list-style-type: none"> • Best practice in relation to a Preschool and its associated primary school / Academy recognises that seamless integration and staff exchange should be enabled to the extent that, as in Sutton, the Preschool is within the footprint of the school. So too should it be in Marden. • Moving to such a model, to the benefit of the children, staff and Academy would enable the Community Lounge to be booked during the day and the smaller room to be booked during the day, evening and weekends. It can be calculated that such a model would provide an additional forty-five booking slots per week. With the best will in the world, it is difficult to see how even when the new development is completed there would be growth in activity in excess of this. • It is true that such an option would require a capital input into the Village Trust; <ol style="list-style-type: none"> i. An extension porch from the existing double fire doors in the Community Lounge over the existing grass area (which would have been vacated by the Preschool with their move into the Academy building) would provide a new dedicated entrance, toilet and storage area for the facility, thus doing away with the need to use the existing shared entrance and Foyer and at the same time, addressing the safeguarding issues, ii. As a Parish Council with General Powers of Competence, despite previous advice, Marden Parish Council is able to raise such capital through a loan with the successor of the Public Works Loan Board and transfer that money to the Village Trust in the best interests of the Parishioners. The cost of such would be significantly less than the planned loan of £500K • Clearly, adoption of such an option means that the new planned facility would not be required. The advice previously given to the Parish Council by the Herefordshire County Council legal representatives in order to preserve the gifted land should then be followed. 	<p>This option has been considered by the Academy and the Pre-school Charity and has been rejected. While the suggestion made may appear to have benefits it must be understood that both organisations are autonomous and make their own decisions and it would be totally inappropriate for either the MVT or Parish Council to put undue pressure on either.</p> <p>The PC has adopted General Powers of Competence which means it has ‘power to do anything that individuals generally may do’ (<i>Localism Act 2011, part 1, chap 1, 1(1)</i>). Therefore, the PC could apply for a loan and give the funds to MVT to extend the current facility. However, the PC must act in the best interests of the parish; sinking significant sums of parish money into something that they do not currently and will not own in the future would be inappropriate and only exacerbate the current well-established issues.</p> <p>Whilst this might provide additional slots, there would be no room for expansion and the building would still not be fit for purpose for the future of Marden.</p> <p>The whole Academy and Community Centre building and the land it is on are owned by Herefordshire Council. The Academy holds the head lease from Herefordshire for all the building. Therefore, should anything happen to the Academy, Herefordshire Council would take back the building and the land. MVT leases the community rooms from the Academy and has a right to use of the toilets. A separate lease from the Academy to MVT covers the use of the hall by the Trust out of school hours and as agreed with the Academy (this is known as the Dual Use agreement). The PC does not own the community centre nor does it lease the community rooms.</p> <p>The PC does not consider it is the best interests of the parish to give funds to MVT to add an extension to the current facility, without any security of the building. It would mean that parishioners were paying for a loan over 30 years for a building that is ultimately owned by Herefordshire Council, which could result in the parish having no building but still paying off a loan.</p>
<p>An alternative option has always been to vacate the Community Lounge, leaving it to the Preschool since, as the claw back clause applies only to the supplementary lease on the Hall, the Community Lounge, kitchen and smaller meeting room have no monetary value to the community.</p>	<p>There is a supplemental agreement which states that if MVT gives up the Dual Use lease (for use of the hall, toilets and foyer), a sum of money will be paid to MVT. This is known as the Clawback clause.</p>

<p>Whether or not the Lease and the Supplementary Lease are interdependent has yet to be fully explored. However:</p> <ul style="list-style-type: none"> • The assertions by the Parish Council that if the claw back was triggered the Academy would be forced to close due to lack of liquidity is, extremely dubious. First of all, financially, the Academy does not stand alone, it is part of the Academy Group and financial matters are brokered and balanced across the group • Secondly, the Academy and or the Academy Group would probably be able to bid for capital under the schemes available to academies. • Thirdly, and most significantly, whilst it may, in appropriate circumstances, be right for an academy serving a community to be closed for reasons of rationalisation, it is inconceivable that Herefordshire County Council would either be allowed to close the academy on financial grounds or risk the political fallout from attempting to do so. For the Parish Council to continue to promulgate such a course of action is approaching scare mongering and suggests an inappropriate, vested interest in protecting the Preschool at the expense of the wider community. • Furthermore, should the leases be terminated, the claw back clause does not have to be activated, Activation would be by the Village Trust. It is somewhat difficult to conceive that Herefordshire would offer to activate the clause on behalf of the Village Trust. • In relation to the community retaining access to the hall for sports requiring a high ceiling, the Parish Council are aware, from discussions held with the previous Head of the Academy, that the Academy would be open to their hall being used in the evenings and weekends. There is no reason to suppose that this view has changed with the new Head since hiring out the hall gains the Academy extra income with only marginal increased expenditure of heat, light and power. 	<p>Herefordshire Council has confirmed that if MVT gives up the lease on the Community Rooms it must also give up the Dual Use lease on the hall, toilets and foyer. This would automatically activate the Clawback clause. Herefordshire Council has stated that it would pay the Clawback but would then recover the payment from the Academy.</p> <p>The Academy has stated that it could not repay Herefordshire Council, the Academy Group does not have the funds to do so.</p> <p>The Academy has investigated all options and has stated that although it could apply for a government emergency support loan, it could not repay a loan given its maximum duration would be 3 years and the Academy would therefore be insolvent.</p> <p>To comply with audit, Herefordshire would have to claim any Clawback funds from the Academy. Otherwise, residents in other parts of the county could legitimately ask why they are paying for Marden Academy.</p> <p>Herefordshire has confirmed that the Clawback clause is automatically triggered by giving up the lease. It is not a matter of whether it is activated or not by MVT.</p> <p>Agreed, but that does not address the issues above.</p>
<p>The final option we would like to address is that of one new facility able to meet all current and future need other than for sports requiring a high roof. Previously, the Community Facilities Group considered and costed this option at around £1.1 million. However, our recollection is that that cost was in relation to a facility built to Passive specification and even so was viewed by many as being excessive.</p> <p>The Parish Council should revisit this option based this time on a realistic design specification to bring the cost in at significantly lower than £1.1 million. It is understood that the maximum loan available for the</p>	<p>All things being equal this would have been the preferred option but there were so many identified constraints throughout the project analysis and outline design phases, many being described in responses above, that this option was and still is seen as not viable.</p> <p>As previously noted, revisiting such an option would cost a significant amount and would decrease the overall budget available for a new building.</p>

<p>successor of the Public Works Loan Board is £500K. Such a loan is secured against the Precept, not against the freehold capital asset. As stated at 6 ii, Marden Parish Council has General Powers of Competence and as such is able to go to the general financial market to borrow money. In other words, the Parish Council could obtain an additional loan in the form of a mortgage, secured against the freehold capital asset of the New Facility. Thus the finances required to build and commission a bigger facility, able to stand alone and therefore avoid the inefficiencies of the proposed hybrid model could be raised.</p> <p>Of course, the totality of the repayments required to be funded from the Precept would be greater than from the proposed Hybrid model (although the impact of revenue short falls for both facilities has not been factored in by the Parish Council to the figures shared with parishioners.) But, achieving value for money does not always necessarily mean choosing the cheapest option.</p> <p>In this case, the cheapest option, the Hybrid Option, will not achieve value for money as operationally and financially it has the potential to be a disaster. Whereas, the more costly option of building and running one facility able to meet current and realistically predicted future need, whilst costing more, is able to demonstrate enhanced value for money.</p> <p>Adoption of this option would see the transfer of the Community Lounge lease on a non-repair / maintenance basis to the preschool, at best at a peppercorn rent or alternatively at market value.</p> <p>This has been a thoughtful and detailed response which was why we declined the offer of writing a comment on a post-it-note. We hope Councillors will take the time to read through it, and give thoughtful consideration before responding.</p>	<p>As the PC has General Powers of Competence it could take out a mortgage secured against a new building. This does assume that the parish council retain a qualified clerk and has at least 8 elected (not co-opted) councillors.</p> <p>However, this would increase the Precept even more and would require a completely new discussion with parishioners and the opinion of the parish that such a building and a further significant increase in the Precept is supported.</p> <p>Unfortunately this is a rehash of all the potential options, all of which have been considered at length previously and the most beneficial elements taken forward. The proposed project takes a long term view of community need, the undoubted risks involved and what is an acceptable cost to the parishioner.</p>
<p>Agree that we need a new facility, accessible throughout the day. Scheme looks good. Marden is a growing community and deserves this new facility.</p>	<p>Noted, thank you.</p>
<p>Solar panels – this could be funded by a share energy scheme, similar to the project at Leominster Leisure Centre, which has been very successful.</p>	<p>Noted. This possibility will be considered.</p>
<p>Need more storage.</p>	<p>Noted. Storage will always be an issue and further storage will be considered.</p>
<p>Very badly designed. Community room 2 no access to kitchen. If this is the plan it needs a woman's touch!</p>	<p>Community room 2 has no direct access to the kitchen but a hatch from the kitchen to the foyer provides easy access for the room.</p>

Certain parishioners could make funds available as interest free loans.

Offer noted. However, such loans would still need repaying through an increase in the Precept. See above for limitations.
Promises of large donations for the project rather than loans will be most welcome.