

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of the Business and Customer Services Portfolio Holder's Meeting held on
Friday, 7 July 2017 at 10.00 a.m.

Portfolio Holder: Nick Wright

Councillors in attendance:

Nigel Cathcart, Charles Nightingale, Ben Shelton
and Bridget Smith

Officers:

Patrick Adams	Senior Democratic Services Officer
Gemma Barron	Head of Sustainable Communities and Wellbeing
Rachael Fox-Jackson	Customer Contact Manager
Susan Gardner Craig	Head of People and Organisational Development
Dawn Graham	Benefits Manager
Kathryn Hawkes	Partnerships Officer
Mike Hill	Health and Environmental Services Director
Richard May	Policy and Performance Manager

1. DECLARATIONS OF INTEREST

Councillor Nick Wright declared a non-pecuniary interest as an unpaid Director of Conington Pub Company.

Councillors Ben Shelton and Charlie Nightingale declared non-pecuniary interests as occasional patrons of the Tree Pub.

2. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 29 January 2016 were agreed and signed as a correct record.

3. COMPULSORY PURCHASE ORDER - THE TREE PUBLIC HOUSE, STAPLEFORD

The Business and Customer Services Portfolio Holder welcomed the members of the public to the meeting and invited them to make representations on the report which provided options to the Council for the use of a Compulsory Purchase Order (CPO) with regard to The Tree, Stapleford which was listed as an Asset of Community Value on the Council's Asset Register.

Bill French, Chair of The Tree Action Group, Archie Garden, who focussed on the Business Case and Mandy Knapp, who focussed on communication and marketing issues, all gave presentations to the meeting and the following points were raised:

- There was considerable support from the community, including 30 organisations in the area, for the re-opening of The Tree.
- Approximately 65 residents had attended a meeting in Shelford to support re-opening.
- Residents of Stapleford gained experience of community ownership when setting up the Magog Trust, which raised £320,000 to own 170 acres of land for the benefit of the public.
- £136,000 had been pledged from local residents.
- The pub had closed due to high rent, "tied-in" brewery beer prices and restricted

- opening hours.
- No community pubs had ever closed down after re-opening.
- If the pub did close the asset would revert back to the parish council.
- The *Plunkett Foundation* had examined the figures in the Business Plan and confirmed that they were viable.
- In order to receive a 50% tax rebate the HMRC had confirmed that funding would have to be committed within a year of being received and so no money had been collected from the community.
- The Business Plan estimated that funding could be raised in 9-10 months.
- A loan would be sought from *Triodos bank*, who had expertise in funding community owned assets.
- The pub could offer Bed & Breakfast accommodation, which would benefit the local economy.
- The aim was to make The Tree a community hub.
- The proposed re-opening was supported by a large number of community groups, who wished to meet in The Tree.
- Local businesses supported the re-opening, as a place to meet clients and to make use of the overnight accommodation.
- There was support for the serving of coffee during the day.

Thanks were expressed to Council officers for their time, information and support.

The Business and Customer Services Portfolio Holder invited the councillors present to speak.

Councillor Ben Shelton, local member for Stapleford, spoke in favour of re-opening The Tree, as it was clear that there was a large amount of community support. Funding was available and the Business Case showed that the venture was viable. Councillor Charlie Nightingale, local member for Stapleford, also voiced his support. Councillor Bridget Smith offered her support and advice as a Trustee of the community owned Gamlingay Eco-hub. She also suggested that management should consider charging groups for using the Tree for their meetings. It was noted that the Business Plan currently assumed that groups would use the facilities free of charge. Councillor Nigel Cathcart spoke in support of the venture and stated that the Bell in Bassingbourn was a successful community owned Pub.

Competition

It was noted that Stapleford currently had two pubs in the village. The Rose was a “gastro-pub” and had opening hours similar to that of a restaurant. The Three Horseshoes did not serve food and had limited opening hours. The population of Stapleford was approximately 1,900, which rose to a total of approximately 7,000 when combined with the Shelfords. According to “the Pub is the Hub” website 900 people were required to make a pub viable. The Tree Action Group therefore considered that a third pub, operating as a community hub, would be viable.

Planning application

The residents present were not supportive of planning application S/1630/17/FL, which sought to rebuild the pub on a smaller footprint, with two residential dwellings. This opposition was due to concerns regarding its viability and whether a smaller pub could still comply with building regulations. The Business Plan had been calculated on the existing size of the asset.

Viability and the challenges regarding reopening

The Business Plan included the costs of renovation before the business could become operational. There was a small car park on the site, otherwise on-street car parking had

been sufficient in the past. It was noted that micro-breweries could be considered for supplying beer. It was agreed that it was essential that a competent pub manager was employed.

Exclusion of press and public

At this point in the meeting the Business and Customer Services Portfolio Holder excluded the press and public by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 with regards to the content of the report and by virtue of Section 100A(2) of the Local Government Act 1972 with regards to the information in Appendix A, the documents from the Council's consultant, and in Appendix B, the document from the Tree Community Ltd.

The Business and Customer Services Portfolio Holder stated that he had been impressed by the support from local residents for re-opening the pub. He explained that using a CPO to bring a pub into community ownership was rare and he was aware of only one other in the country, which had been agreed under different legislation. It was noted that using a CPO was a last resort and had to be agreed by full Council.

Viability

It was suggested that the village of Stapleford might not be able to support three pubs. It was reported that the Three Horseshoes pub had been up for sale and was keeping irregular opening hours and the Rose pub closed earlier than most pubs. However, it was concluded that a good pub could serve an area larger than the immediate village by building up a larger, regular cliental over time. It was also noted that competition was healthy and could improve standards generally.

Costs

It was noted that the cost of acquiring and renovating the asset could only be estimated and concerns were expressed that these could exceed the amount included in the Business Plan. For this reason the Council planned to contact a company that specialised in public houses to ascertain the value of the asset. It was noted that the agreement of the current owner would be required in order for the valuer to carry out an accurate assessment.

The Development Officer explained that the costs of legal advice in the Business Plan was £10,000, but this could prove to be overly optimistic and could take longer than estimated, especially if contested. The Head of Sustainable Communities and Wellbeing suggested that the Council might have to consider agreeing a cap on the Council's contribution to costs with regards to taking this project forward.

Compulsory Purchase Order (CPO)

It was noted that acquiring an asset via a CPO could take 12-18 months and it was hoped that a solution could be found without resorting to this process. It was understood that the Council would have undertake a CPO and not the community organisation.

Options

The Business and Customer Services Portfolio Holder rejected Option 2, to defer making a decision, as there was sufficient evidence to make a judgement and no benefit in delaying the process.

The Business and Customer Services Portfolio Holder rejected Option 3, to not pursue a CPO at this time, as the amount of local support for the re-opening of The Tree pub indicated that pursuing a CPO was likely to be in the public interest.

In public session the Business and Customer Services Portfolio Holder announced that

the Council would move cautiously towards the process of issuing a CPO if necessary, but this would be a last resort. The Council would act as a negotiator between The Tree Community Limited and the current owner and dispassionately evaluate possible solutions. It was anticipated by the Business and Customer Services Portfolio Holder that the costs would be paid by The Tree Community Ltd.

The Head of Sustainable Communities and Wellbeing explained that a CPO could only be agreed by a meeting of full Council.

The Business and Customer Services Portfolio Holder

AGREED

That officers pursue the 'next steps' with regard to undertaking a CPO on The Tree, Stapleford, with or without reimbursement from The Tree Community Limited, before taking a report to Cabinet for consideration.

The next steps required in order for Council to make a formal decision as to whether a CPO should be undertaken, taking into account any costs that may be incurred by the Council or The Tree Community Limited, will include:

- A) Making an approach to the owner of The Tree, Stapleford with a view to encouraging a sale to The Tree Community Limited without recourse to Compulsory Purchase powers;
- B) Commissioning further appropriate legal advice, which may or may not be available in-house and at further cost to the Authority or The Tree Community Limited;
- C) Commissioning further valuations of the property, likely at further cost to the Authority or The Tree Community Limited.

Bill French thanked the Business and Customer Services Portfolio Holder for listening to representatives of The Tree Community Limited and for the decision that he had just taken.

4. 2017-18 PERFORMANCE INDICATORS FOR THE BUSINESS & CORPORATE CUSTOMER SERVICES PORTFOLIO HOLDER

The Policy and Performance Manager presented this report which invited the Business and Customer Services Portfolio Holder to endorse Key Performance Indicators for his Portfolio. The three Key Performance Indicators listed in paragraph 7 were recommended by the Corporate Management Team.

Contact Centre

It was noted that performance towards the end of 2016-17 had significantly improved from that of the summer of 2016. This trend had continued and recent performance indicated that the 2017-18 targets for both abandoned calls and call answer time could be met. It was suggested that instead of "percentage of calls to the Contact Centre not abandoned" the Key Performance Indicator should read "percentage of calls to the Contact Centre answered".

The Business and Customer Services Portfolio Holder thanked officers and councillors present for their input and

AGREED to endorse the three indicators set out in paragraph 7 of the report, and accompanying target and interventions levels for 2017-18, as recommended by Corporate Management Team.

5. FORWARD PLAN

The Business and Customer Services Portfolio Holder **NOTED** the report.

6. DATE OF NEXT MEETING

It was **NOTED** that the next meeting would be held on Friday 8 September at 10am in the Monkfield Room.

The Meeting ended at 11.50 a.m.
