

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Eric Hotson Member for Corporate and Democratic Services

DECISION NO:

19/00070

For publication**Key decision***

This is a key decision, as it involves expenditure over £1m

Subject: Letting of the building contract for the Southborough Hub Project

Decision:

As Cabinet Member for Corporate and Democratic Services, I approve the progression of the Southborough Hub Development project and authorise the Director of Infrastructure in consultation with the Corporate Director for Finance to enter into the necessary legal documents to enable the construction of the Southborough Hub development.

Reason(s) for decision:

Entering into the relevant building contracts and other necessary legal agreements for the progression and implementation of the Southborough Hub project is required to ensure continuation of the project and delivery of the development.

Reason for urgency:

This project has taken many years to reach a conclusion to create a new community hub facility in Southborough, which includes a multi-use theatre space, library, football changing rooms and a much needed medical facility. The project is self-funding with the funding package having been assembled and supplemented by a £4.2 million grant from NHS England. Two key decisions are already in place but this key decision to enter into the build contract must be taken before further work can take place. Having consulted with Cllr Hill who represents the KCC interest on the Southborough Project Board and having considered the risks, I have concluded that it is imperative to bring forward the decision urgently to lock in the deal that all parties have secured and that KCC cannot wait for the conclusion of the normal key decision timetable. Therefore, immediate implementation is necessary in order to manage all the stakeholders and maintain the credibility and deliverability of the project. The consequences of not achieving this could put the whole project at risk, including the provision of important community facilities.

Background:

The Southborough Hub Project is a joint project between Kent County Council (KCC), Tunbridge Wells Borough Council (TWBC) and Southborough Town Council (STC) to deliver a Community Hub scheme which has been a long-term aspiration for Southborough Town. Two previous key decisions (15/00041 and 15/00024) were taken authorising the inclusion of the library and the funding/land transactions required to facilitate the project.

A Memorandum of Understanding (MoU) and a Collaboration Agreement were signed between KCC and TWBC and STC. The land with the benefit of consent for the 69 residential units was sold to Crest Nicholson, which along with the NHS and FA grant, has provided the budget to fund the project.

The terms of the Collaboration agreement have facilitated detailed development of the next stages of the project. This includes the negotiation and execution of funding agreements with the NHS and Football Foundation, together with the negotiation of a final tender sum for the construction works.

Financial Implications:

The project is self-funded through the proceeds of the land disposal by the parties along with S106, and contributions from the NHS and the FA association Grant. The Project will also release the current Southborough Library building for disposal. Running costs for the new library will also be reduced as a result of sharing common facilities with the other users.

Legal Implications:

The building contract forms part of a suite of legal documents binding the parties responsible for the delivery of the hub together. These include:

- A Development agreement between Southborough Town Council and KCC.
- Section 2 funding agreement between NHS England, KCC and Southborough Town Council.
- Football Foundation funding agreement between the Football Foundation, KCC and Southborough Town Council.

Equality Implications:

An Equality's Impact Assessment has been undertaken and can be viewed on request. No substantial issues were identified.

Business Plan:

Delivery of the project is included in the GET Business Plan for Library Registration and Archives 2019-2020.

Cabinet Committee recommendations and other consultation:

The project was subject to full public consultation in 2015/2016.

The decision was endorsed by Policy and Resources Committee on the 20th September 2019 Papers on the wider aspects of the project have been considered by:

- Property Sub-committee March 2015
- Growth Economic Development and Communities Cabinet Committee - April 2015
- Infrastructure Commissioning Board April 2019

The Local Member for the affected Division (Tunbridge Wells North) was consulted and gave no additional comments.

Necessity for urgency process discussed with the Chair and Spokespeople of the Scrutiny Committee and progressed with their agreement.

Any alternatives considered:

Part retention of the existing buildings on the site with relevant refurbishment instead of total rebuilding was considered and this was noted as part of the formal consultation in 2015/16.

Further information on alternatives and other details considered may viewed online as part of the [previous consultation materials](#).

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None



.....
signed

30th September 2019.....
date

