

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY, 13 NOVEMBER 2017 AT 2.00PM

TO CONSIDER THE FUTURE OF CUFFLEY CAMP OUTDOOR CENTRE

Joint Report of the Director of Resources and the Director of Children's Services

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Executive Members:- Teresa Heritage – Children's Services
David Williams – Resources, Property & the Economy

Local Member: Stephen Boulton, Hatfield Rural

1. Purpose of Report

1.1 To enable Cabinet to consider the future of Cuffley Camp Outdoor Centre.

2. Summary

2.1 Cuffley Camp Outdoor Centre is located in Carbone Hill, Northaw and consists of an outdoor education centre for children and young people which is run by Hertfordshire Children's Services. The Camp is located upon land which the Council does not own. It was established in the immediate aftermath of the Second World War and the Council has held the property on a series of leases since then – the current lease is for 25 years from 2007 and, thus, has just over 14 years left to run.

2.2 The site comprises of a number of buildings, of which some can no longer be used as they require extensive work to be carried out, including asbestos works, and others are not fit for purpose; as such the site is proving much less attractive to potential customers than it has in the past.

2.3 The landlord has stated that the Council has not maintained the site to an acceptable standard. In addition, the Council has not complied with year on year investment as stipulated in the terms of the lease.

2.4 To ensure that Cuffley Camp is fit for purpose the site would require significant investment, the details of which are set out in the accompanying Part II report. The level of investment required could not be recouped within

the current unexpired period of the lease and the Council has no statutory right to renew it.

- 2.5 In the period since Cuffley Camp was set up other premises offering outdoor-related activities have emerged. Alternative outdoor centres comprise Hudnall Park Outdoor Centre (8 miles from Hemel Hempstead) which is owned and operated by the Council and Herts Young Mariners Base (which is owned by a voluntary Trust) and, within a 30 mile radius, there are at least 10 other private and voluntary sector outdoor education providers.
- 2.6 Informal contact with the landlord indicates that, subject to terms, a surrender of the Council's lease would be accepted.
- 2.7 The Council is not statutorily obliged to provide outdoor education.

3. Recommendations

- 3.1 A report upon this item of business will be considered by the Children's Services Cabinet Panel on 2 November 2017 and by the Resources, Property and the Economy Cabinet Panel on 9 November 2017. The Panels will be invited to recommend to Cabinet That Cabinet agrees that:-
- (i) Cuffley Camp Outdoor Centre ('the Camp'), Northaw, should be closed;
 - (ii) the Director of Resources, in consultation with the Executive Member for Resources, Property and the Economy, be authorised to agree terms for the surrender of the County Council's lease of the premises used by the Camp; and
 - (iii) that the expenditure associated with the surrender of the lease for the premises and for the closure of the Camp be met from the Children's Services revenue budget, with any shortfall being met from contingency
- 3.2 The recommendations of the Panels to Cabinet, will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

4. Background

- 4.1 The property, located in Carbone Hill, Northaw, consists of an outdoor education centre for children and young people which is run by Children's Services. It comprises a collection of buildings and structures on a site of approximately 1.5 hectares/3.7 acres located at the eastern end of 'Great Wood Country Park'. Great Wood is an area of centuries old, mature, woodland. Activities organised from Cuffley Camp are also carried out within an additional 36 hectares/90 acres of the Country Park.
- 4.2 Cuffley Camp was established in the immediate aftermath of the Second World War and has thus been delivering outdoor education to children and young people for some 70 years.
- 4.3 The principal focus of delivery is to support the delivery of the school curriculum (in particular, environmental studies, geography etc). In addition,

the centre complements the Learning Outside the Classroom agenda, developing children and young people's personal and social skills through activities such as Mountain Biking, Rope Protected Tree Climbing & High Ropes, Tracking & Bush Craft, Map Reading and Compass Skills, Orienteering, Climbing Wall, Assault Course, Fire Building and Outside Cooking, Team Challenges and Problem Solving, plus a multiplicity of Environmental Activities. Cuffley Camp also has an outreach programme. The property is open all year round with residential accommodation being available from March to November.

- 4.4 The principal buildings and other structures comprise a main hall (including a kitchen), amenity blocks, 9 camping areas, a mobile climbing wall, a mobile bike course, a staff accommodation block, a centre managers' bungalow, classrooms, various toilet and shower blocks, and a caretaker's cottage.
- 4.5 The hall was built in 2007 shortly after the Council took the current lease, with the aid of a significant grant from the Big Lottery Fund (BLF).
- 4.6 In order to be able to provide a full range of activities the Council needs to employ an adequate number of permanent specialist staff (and during the summer period a similar number of temporary/casual staff) who hold appropriate qualifications (including being safety trained). Currently there are no temporary staff working at Cuffley.
- 4.7 The freehold interest in the property is owned by the Hatfield House Estate and in formal terms is managed through their company Gascoyne Holdings Limited ('GHL').
- 4.8 The Council holds a lease from GHL which runs for a period of 25 years from 26 January 2007. The lease will terminate in January 2032 and there is no right for the Council to call upon the landlord to offer to grant a new lease. It would be entirely at the discretion of the landlord whether to offer to grant a new lease and, if so, upon what terms, to the Council.
- 4.9 The newest building is the hall but, even so, this is now nearly 10 years old. The remaining buildings and structures are all considerably older. With the exception of the hall all require significant repairs and maintenance. Some buildings, including the caretakers cottage and the bike store, cannot be utilised at present due to health and safety concerns, in particular, concerns regarding the condition of asbestos.
- 4.10 Under the Lease the Council covenanted to invest (aside from monies towards construction of the hall) a sum of money each year to improve the premises rising thereafter (every 5 years) in line with the Retail Price Index (RPI). The Council has not complied with this investment obligation. Therefore, to date, the Council therefore 'owes' GHL 11 years non-payment.
- 4.11 A few months ago GHL served the Council with a Schedule of Dilapidations.
- 4.12 The latest Business Plan to seek funding and invest in the site was prepared in 2016. An options appraisal identified that a capital outlay of £1.8m would be required to:-

- redress backlog improvement and maintenance liabilities under the lease
 - extend the revenue capacity of the site by increasing its open season through the introduction of new facilities.
- 4.13 Projections show that repayment costs associated with such expenditure would result in continued annual costs for the duration of the lease term (ie: to 2032) with no surplus to be made for reinvestment.
- 4.14 Alternative outdoor centres comprise Hudnall Park Outdoor Centre (8 miles from Hemel Hempstead) which is owned and operated by the Council and Herts Young Mariners Base (which is owned by a voluntary Trust); additionally, within a 30 mile radius, there are at least 10 other private and voluntary sector outdoor education providers (including The Scouts Association's 40 hectares/100 acres Tolmers Camp Site premises in Cuffley). [If Cabinet decides to close Cuffley Camp, Children's Services would look to offer a similar provision to that provided at the Camp at Hudnall Park.]
- 4.15 Due to the ongoing deterioration of the site, through lack of investment over many decades, Children's Services report a noticeable decline in bookings at Cuffley Camp over the years.
- 4.16 The Council's retained property management consultants have undertaken discussions with both the landlord and the BLF.
- 4.17 Preliminary informal discussions between the Council's retained property management consultants and GHF indicate that, subject to finalisation of terms, GHF could be prepared to agree a surrender in full and final settlement – in respect both of dilapidations and of the Council's persistent breaches of contract for non-investment.
- 4.18 BLF's grant is secured by way of a Deed of Dedication between the parties which is protected by means of a Restriction which is registered against the Council's title. At one time BLF indicated that if the Council closed Cuffley Camp then it would look to recoup from the Council substantial proportion of the original funding. However, the latest figure BLF has provided as at 30 September 2017 is significantly lower. This figure should also reduce gradually as time passes. BLF requires reimbursement before releasing their Charge.
- 4.19 The Council is not statutorily obliged to provide outdoor education.

5. Options

5.1 The options for the Council are either:-

- to invest £1.8m minimum in the property and continue running Cuffley Camp as an outdoor centre – whilst acknowledging that it is unlikely that it will ever pay back the investment within the duration of the current lease

or,

- to seek to tie up terms for a surrender of the Lease with GHIL and close Cuffley Camp making any payments due to BLF. Children's Services would look to offer a similar provision at Hudnall Park which is owned by the Council. This would have the added advantage of being able to offer both camping-based and building-based residential activities as well as year-round residential opportunities.

5.2 The Lease contains a break clause provided that the Council gives at least 12 months prior notice; however, for the Council to be able to operate the break clause the property would have to be improved and put into proper repair first.

5.3 Doing nothing is no longer an option. If the Council does not reach a decision on how to proceed, it is anticipated that GHIL would serve further schedules of dilapidations on the Council to force it to comply with the covenants contained in the Lease.

6. Financial Implications & Staffing

6.1 The financial implications are set out above and in the accompanying Part II report.

6.2 The staffing implications are set out in the accompanying Part II report.

7. Equality Implications

7.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

7.4 An Equality Impact Assessment (EqIA) was undertaken in 2016. Data collected by Cuffley Camp does not include a breakdown of protected characteristics so officers completed the EQIA on a working assumption that

the profiles of the schools using Cuffley Camp reflected that of their local communities. The EqIA noted that recent developments at Hudnall Park, which Children's Services intend to use if Cuffley Camp closes, has improved access for children and young people with disabilities. The EqIA further noted that there are currently 10 established providers of outdoor education within a 30 mile radius of the Camp. The EqIA, therefore, concluded that there is no evidence to suggest that children and young people with protective characteristics would be adversely affected by the closure of Cuffley Camp.

7.5 The EqIA is attached at Appendix A to the report.

8. Risks

8.1 The Council hold a lease of the site until 2032. There are options to break the lease but these all require the property to be put into good repair and condition before they can be operated. All other options, investment, break option, or the status quo, are at a higher cost to the Council than surrendering the Lease.

8.2 That issues arise between The Big Lottery Fund and the Council; whilst the Council has made an initial approach to BLF regarding monies they would look to recoup if the Council surrender the Lease and closed Cuffley Camp, there is currently no formal agreement in place.

Background Information

None