**From:** Cllr Mark Gray [<mailto:Mark.Gray2@Oxfordshire.gov.uk>]

**Sent:** 15 June 2017 14:59

**To:** Candida March

**Subject:** Florence Park

Dear Candy

Firstly thank you for contacting me to allow me to clarify the position before you update those on your mailing list.  I will try and work through your concerns in the order you presented them although as I am sure you will appreciate these things are all interlinked.

As you know these are recommendations from the Panel to Cabinet as the ultimate decision maker.  Cabinet has yet to approve the decision on any of the bids.

The Community Asset Transfer Policy is explicit in stating that it only applies to buildings or land owned by the County Council.  Where this is not the case then the following extract from 1.3 applies:

*1.3 This policy is only applicable to assets that are not subject to an existing lease from the County Council. All existing leasehold interests will remain in place until the contractual end date. At this time (if the lease does not allow for automatic renewal) then the Community Asset Transfer Policy will be referred to and act as a guide when the future use of the asset is being considered, i.e. if the property is still surplus to the Council’s requirements then a new business case will be required to be submitted in accordance with the policy.*

I would also like to draw your attention to the exclusion clauses at 2.1 detailed below:

*2.1 Assets will be made available for transfer unless one of the following principles applies:*

*a) Property revenue savings or capital receipts from the property are needed to contribute to County Council savings.*

*b) There is another County Council or basic school need for the property which would be financially disadvantageous to meet in any other way.*

*c) The property has already been identified for utilisation under a Place Review.*

*d) Grant conditions for capital expenditure on the property prevent the property being transferred or prevent a change of use within a specified timescale.*

*e) The proposed use and terms of the transfer would result in a liability upon the County Council to repay grant monies*

*f) The condition of the asset is not deemed fit for purpose without substantial capital investment.*

As you may be aware OCC are looking for additional nursery places in this area as identified by the sufficiency team, this being a statutory provision would fall under exclusion b).

The transition fund guidance states that applicants can’t apply for funding for ‘Activities with a religious or political purpose’.  The primary objective of this organisation is to provide a nursery, they describe themselves as 'faith-based but open to all' .  The nursery has not bid for any funding under the transition fund as they are self-sustaining based on their nursery provision.

The panel have assessed The Nature Effect bid twice and indeed met with Aspire and The Nature Effect as joint bidders to discuss the panel's concerns regarding the two earlier bids.  The bid in the third round has been presented jointly as Aspire and The Nature Effect with the only addition to the Interim Board Member being the CEO of Aspire.  The application also did not include the required business case to be able to apply for funding.

I am not aware of any block to San Remo and indeed I understand that Ian Brook at the City Council took this away as an action from the meeting that was held with Aspire & The Nature Effect on the 27 March. Oxfordshire County Council has not been involved in brokering any relationships between Aflah and San Remo so can only assume they have done this themselves.

I hope this email will help you to clarify the points you wish to make to your community. Given your keenness not to mislead the recipients I assume you will make them aware of the contents of this email.

I am committed to working with communities to find the best solutions.

With all good wishes

Mark Gray

Cabinet member for communities

County Councillor Benson and Cholsey.