

Draft

EDUCATION, CULTURE AND SPORT

7 June 2012

COMMUNITY CENTRES

With reference to article 2 of the minute of its special meeting of 28 March, 2012, the Committee had before it a report by the Acting Director of Education, Culture and Sport providing a further update on moving community centres to leased centre status, outlining the remaining actions to be taken in order to complete this process, and setting out proposals for Rosemount Community Centre and the community wings of 3Rs schools, so that they remain the responsibility of the Council.

An appendix to the report set out draft operational proposals for the learning centres within those 3Rs facilities with management committees.

The report recommended:-

that the Committee –

- (a) suspend Standing Order 22(1) to revoke the decision of the Committee on 28 March 2012 – that each lease and management agreement be reported back to the Education, Culture and Sport Committee for approval – and agree instead that individual leases and management agreements will only be brought back to committee if a management committee requests a lease for more than 10 years, or for any other exceptional reason;
- (b) note that the following centres are being supported to become leased centres within the short term:
 - Old Torry Community Centre
 - Mastrick Community Centre
 - Northfield Community Centre
 - Loirston Community Centre
 - Kincorth Community Centre;
- (c) note the progress of photographic condition surveys for the community centres that are progressing to leased centre status;
- (d) note the requirement of approximately £60,000 of work required at Loirston Community Centre to carry out repairs to the car park and install a disabled toilet within the building, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress these works;
- (e) note the potential liabilities at Rosemount Community Centre in relation to the potential requirement for repairs to the roof and other wind and watertight works and health and safety requirements, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress identified works up to £100,000;
- (f) note the approach from the Grampian Police Joint Board to occupy part of the Rosemount Community Centre; formally note that the space is surplus to the requirements of the Education, Culture and Sport Service and instruct the Head of Legal and Democratic Services and Head of Asset Management and Operations to negotiate final terms and conclude a 10 year lease/ license

- agreement for the area of Rosemount Community Centre as set out in the report;
- (g) agree that the lower hall area of Rosemount Community Centre be declared as surplus to the immediate requirements of the Education, Culture and Sport Service and authorise the Head of Asset Management and Operations to market the space for lease on commercial terms for a period of up to 10 years;
 - (h) agree that due to the unique circumstances of this building, Rosemount Community Centre will not transfer to the leased community centre model, but will remain within the responsibility of the Council, with a local management committee contributing to the programming of the building;
 - (i) agree that the community wings within 3Rs schools, and the community rooms within Torry Youth Centre, will remain within the responsibility of the Council, as set out within section 5.4, to ensure that the lifelong learning requirements of communities continue to be met, and that the Council continues to be able to meet its statutory requirements;
 - (j) give consideration to retaining community wings within Community Schools within the responsibility of the Council, operating in the same way as community wings within 3Rs schools;
 - (k) agree that management committees connected to 3Rs schools, community schools and Rosemount Community Centre be provided with a grant of £625 per year, for the purpose of purchasing indemnity insurance, and public liability and employers insurances; and
 - (l) agree to refer the Centre at Hillylands to the Corporate Asset Group as surplus to the requirements of the Education, Culture and Sport Service.

The Convener, seconded by the Vice Convener, moved –
that the Committee –

- (a) suspend Standing Order 22(1) to revoke the decision of the Committee on 28 March 2012 – that each lease and management agreement be reported back to the Education, Culture and Sport Committee for approval – and agree instead that individual leases and management agreements will only be brought back to committee if a management committee requests a lease for more than 10 years, or for any other exceptional reason;
- (b) note that the following centres are being supported to become leased centres within the short term - Old Torry Community Centre, Mastrick Community Centre, Northfield Community Centre, Loirston Community Centre and Kincorth Community Centre;
- (c) note the progress of photographic condition surveys for the community centres that are progressing to leased centre status;
- (d) note the requirement of approximately £60,000 of work required at Loirston Community Centre to carry out repairs to the car park and install a disabled toilet within the building, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress these works;
- (e) note the potential liabilities at Rosemount Community Centre in relation to the potential requirement for repairs to the roof and other wind and watertight works and health and safety requirements, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress identified works up to £100,000;
- (f) note the approach from the Grampian Police Joint Board to occupy part of the Rosemount Community Centre; formally note that the space is surplus to the

- requirements of the Education, Culture and Sport Service and instruct the Head of Legal and Democratic Services and Head of Asset Management and Operations to negotiate final terms and conclude a 10 year lease/ license agreement for the area of Rosemount Community Centre as set out in the report;
- (g) agree that the lower hall area of Rosemount Community Centre be declared as surplus to the immediate requirements of the Education, Culture and Sport Service and authorise the Head of Asset Management and Operations to market the space for lease on commercial terms for a period of up to 10 years;
 - (h) agree that due to the unique circumstances of this building, Rosemount Community Centre will not transfer to the leased community centre model, but will remain within the responsibility of the Council, with a local management committee contributing to the programming of the building;
 - (i) agree that the community wings within 3Rs schools, and the community rooms within Torry Youth Centre, will remain within the responsibility of the Council, as set out within section 5.4, to ensure that the lifelong learning requirements of communities continue to be met, and that the Council continues to be able to meet its statutory requirements;
 - (j) instruct officers to consult with the management committees associated with community schools about the proposals to retain community wings in community schools within the responsibility of the Council, and including how this would operate in practice, and report back on the outcome of these consultations to the next Education, Culture and Sport Committee;
 - (k) agree that management committees connected to 3Rs schools, community schools and Rosemount Community Centre be provided with a grant of £625 per year, for the purpose of purchasing indemnity insurance, and public liability and employers insurances;
 - (l) agree to refer the Centre at Hillylands to the Corporate Asset Group as surplus to the requirements of the Education, Culture and Sport Service;
 - (m) instruct the Head of Educational Development, Policy and Performance to complete an Asset Management Plan for community centres by the end of this year in order that it can be considered as part of the budget setting for 2013/14;
 - (n) instruct officers to report individual requests to meet the costs of significant repairs and maintenance to the relevant committee of the Council, when requested by a management committee to do so;
 - (o) note that the Old Torry Community Centre Management Committee was not ready to sign the lease and management agreement, and that the report was incorrect in stating that it was; and
 - (p) note that management committee accounts of management committees attached to community schools, 3Rs community wings, Rosemount Community Centre and Torry Youth Centre would be checked by Council officers.

Councillor Greig, seconded by Councillor Yuill, moved as an amendment – that the Committee –

- (a) note that initially all management committees of leased centres will agree their leases at the same time;
- (b) note that the following centres are being supported to become leased centres within the short term - Old Torry Community Centre, Mastrick Community

- Centre, Northfield Community Centre, Loirston Community Centre and Kincorth Community Centre;
- (c) note the progress of photographic condition surveys for the community centres that are progressing to leased centre status;
 - (d) note the requirement of approximately £60,000 of work required at Loirston Community Centre to carry out repairs to the car park and install a disabled toilet within the building, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress these works;
 - (e) note the potential liabilities at Rosemount Community Centre in relation to the potential requirement for repairs to the roof and other wind and watertight works and health and safety requirements, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress identified works up to £100,000;
 - (f) “welcome” rather than “note” the recommendation as set out in the report;
 - (g) agree that the lower hall area of Rosemount Community Centre be declared as Surplus to the immediate requirements of the Education, Culture and Sport Service and authorise the Head of Asset Management and Operations to market the space for lease on commercial terms for a period of up to 10 years;
 - (h) agree that Rosemount Community Centre transfer to the leased community centre model;
 - (i) agree that the leased model will apply to the community wings within 3Rs schools, and the community rooms within Torry Youth Centre;
 - (j) agree that management committees connected to 3Rs schools, community schools and Rosemount Community Centre be provided with a grant of £625 per year, for the purpose of purchasing indemnity insurance, and public liability and employers insurances;
 - (k) refer the Centre at Hillylands to the Corporate Asset Group as surplus to the requirements of the Education, Culture and Sport Service;
 - (l) instruct the Head of Educational Development, Policy and Performance to complete an Asset Management Plan for community centres by the end of this year in order that it can be considered as part of the budget setting for 2013/14;
 - (m) instruct officers to report individual requests to meet the costs of significant repairs and maintenance to the relevant committee of the Council, when requested by a management committee to do so;
 - (n) note that the Old Torry Community Centre Management Committee was not ready to sign the lease and management agreement, and that the report was incorrect in stating that it was;
 - (o) note that management committee accounts of management committees attached to community schools, 3Rs community wings, Rosemount Community Centre and Torry Youth Centre would be checked by Council officers; and
 - (p) instruct officers to report back on small maintenance costs.

Councillor Townson, seconded by Councillor McCaig, moved as a further amendment –
that the Committee –

- (a) instruct officers to bring the mediation process to a satisfactory conclusion and to adhere to the decision of the Committee on 28 March 2012 that each

- lease and management agreement should be reported back to the Education, Culture and Sport Committee for approval;
- (b) note that the following centres are being supported to become leased centres within the short term - Old Torry Community Centre, Mastrick Community Centre, Northfield Community Centre, Loirston Community Centre, Kincorth Community Centre;
 - (c) note the progress of photographic condition surveys for the community centres that are progressing to leased centre status;
 - (d) note the requirement of approximately £60,000 of work required at Loirston Community Centre to carry out repairs to the car park and install a disabled toilet within the building, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress these works;
 - (e) instruct officers to prepare a full breakdown of repair costs at Rosemount Community Centre in relation to the potential requirement for repairs to the roof and other wind and watertight works and health and safety requirements, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress priority repairs up to £100,000;
 - (f) note the approach from Grampian Joint Police Board to occupy part of the Rosemount Community Centre and formally note that the space is surplus to the requirements of the Education, Culture and Sport Service;
 - (g) agree that the lower hall area of Rosemount Community Centre be declared as surplus to the immediate requirements of the Education, Culture and Sport Service and authorise the Head of Asset Management and Operations to market the space for lease on commercial terms for a period of up to 10 years;
 - (h) agree that due to the unique circumstances of Rosemount Community Centre, it will not transfer to the leased community centre model, but will remain the responsibility of the Council; and instruct officers to create a full overview of the proposed lease to Grampian Police and another appropriate organisation for consideration by Committee prior to the Head of Asset Management and Operations concluding such proposal;
 - (i) agree that the community wings within 3Rs schools, and the community rooms within Torry Youth Centre, will remain within the responsibility of the Council, as set out within section 5.4, to ensure that the lifelong learning requirements of communities continue to be met, and the Council continues to be able to meet its statutory requirements;
 - (j) instruct officers to consult with management committees and report back on community wings within community schools being retained within the responsibility of the Council operating in the same way as community wings within 3Rs schools and to provide full details of staffing numbers and costs;
 - (k) instruct officers to prepare a report on the operation and governance of facilities retained as Community Learning and Development centres which would explain why, if these facilities are to be retained and managed by the Council, management committees require indemnity insurance and public liability and employers insurances and include details of the financial implications;
 - (l) refer the Centre at Hillylands to the Corporate Asset Group as surplus to the requirements of the Education, Culture and Sport Service;
 - (m) instruct the Head of Educational Development, Policy and Performance to complete an Asset Management Plan for community centres by the end of

- this year in order that it can be considered as part of the budget setting for 2013/14;
- (n) instruct officers to report individual requests to meet the costs of significant repairs and maintenance to the relevant committee of the Council, when requested by a management committee to do so;
 - (o) note that the Old Torry Community Centre Management Committee was not ready to sign the lease and management agreement, and that the report was incorrect in stating that it was; and
 - (p) note that management committee accounts of management committees attached to community schools, 3Rs community wings, Rosemount Community Centre and Torry Youth Centre would be checked by Council officers.

On a division between the two amendments, there voted – for the amendment by Councillor Greig (2) – Councillors Greig and Yuill; for the amendment by Councillor Townson (7) – Councillors Cameron, Kiddie, McCaig, Noble, Samarai, Sandy Stuart and Townson; declined to vote (13) – Convener, Vice Convener; and Councillors Boulton, Carle, Cooney, Lesley Dunbar, Malik, Nathan Morrison, Taylor and Young; and Mr M. Maclean, Mr A. Nicoll and Mrs I. Wischik; absent from the division (2) – Mr P. Campbell and Mr M. Paul.

On a further division between the successful amendment by Councillor Townson and the motion, there voted – for the motion (13) – Convener, Vice Convener; and Councillors Boulton, Carle, Cooney, Lesley Dunbar, Malik, Nathan Morrison, Taylor and Young; and Mr M. Maclean, Mr A. Nicoll and Mrs I. Wischik; for the amendment (9) - Councillors Cameron, Greig, Kiddie, McCaig, Noble, Samarai, Sandy Stuart, Townson and Yuill; absent from the division (2) – Mr P. Campbell and Mr M. Paul.

The Committee resolved:-

to approve the motion, whereupon Councillor McCaig, supported by eight other members as required by Standing Order 36(3), indicated that he wished the matter to be referred to Council for final determination.

The Committee was advised that, as the decision included matters which were not delegated to this Committee but to the Finance and Resources Committee, the decision could not be referred to Council for determination in its entirety. Standing Order 36(3) only permitted the referral of matters which fell within the remit of the Committee making the referral.

The Committee was further advised that the decisions could be differentiated so that, should the Committee wish, some decisions agreed unanimously would stand as its decision, others would stand as referred to Council and those not falling within its remit would be referred to the Finance and Resources Committee.

The Committee therefore agreed:-

- (i) to note that the following centres are being supported to become leased centres within the short term – Old Torry Centre, Mastrick Community Centre, Northfield Community Centre, Loirston Community Centre and Kincorth Community Centre;
- (ii) to note the progress of photographic condition surveys for the community centres that are progressing to leased centre status.;

- (iii) to note the approach from the Grampian Police Joint Board to occupy part of the Rosemount Community Centre; formally note that the space is surplus to the requirements of the Education, Culture and Sport Service and instruct the Head of Legal and Democratic Services and Head of Asset management and Operations to negotiate final terms and conclude a 10 year lease/license agreement for the area of Rosemount Community Centre as set out in the report on the basis of the Finance and Resources Committee approving resolution xiii(a) below;
- (iv) that the lower hall area of Rosemount Community Centre be declared as surplus to the immediate requirements of the Education, Culture and Sport Service and authorise the Head of Asset Management and Operations to market the space for lease on commercial terms for a period of up to 10 years on the basis of the Finance and Resources Committee approving resolution xiii(b) below;
- (v) that the community wings within 3Rs schools, and the community rooms within Torry Youth Centre, will remain within the responsibility of the Council, as set out within section 5.4, to ensure that the lifelong learning requirements of communities continue to be met, and the Council continues to be able to meet its statutory requirements;
- (vi) to instruct officers to consult with management committees associated with community schools about the proposals to retain community wings in community schools within the responsibility of the Council, and including how this would operate in practice, and report back on the outcome to the next Education, Culture and Sport Committee;
- (vii) to refer the Centre at Hillylands to the Corporate Asset Group as surplus to the requirements of the Education, Culture and Sport Service;
- (viii) to instruct the Head of Educational Development, Policy and Performance to complete an asset management plan for community centres by the end of this year in order that it can be considered as part of the budget setting for 2012/13;
- (ix) to instruct officers to report individual requests to meet the costs of significant repairs and maintenance to the relevant committee, when requested by a management committee to do so;
- (x) to note that the Old Torry Community Centre Management Committee was not ready to sign the lease and management agreement, and that the report was incorrect in stating that it was;
- (xi) to note that management committee accounts of management committees attached to community schools, 3Rs community wings, Rosemount Community Centre and Torry Youth Centre would be checked by Council officers;
- (xii) **to refer the following to Council for determination:-**
 - (a) the decision to suspend Standing Order 22(1) to revoke the decision of the Committee on 28 March 2012 – that each lease and management agreement be reported back to the Education, Culture and Sport Committee for approval – and agree instead that individual leases and management agreements will only be brought back to committee if a management committee requests a lease for more than 10 years, or for any other exceptional reason;
 - (b) the decision that due to the unique circumstances of this building, Rosemount Community Centre will not transfer to the leased community centre model, but will remain within the responsibility of the

- Council, with a local management committee inputting into the programming of the building; and
- (c) the decision that management committees connected to 3Rs schools, community schools and Rosemount Community Centre be provided with a grant of £625 per year, for the purpose of purchasing indemnity insurance, and public liability and employers insurances; and
- (xiii) to refer the following to the **Finance and Resources Committee for determination:-**
- (a) to note the requirement of approximately £60,000 of work required at Loirston Community Centre to carry out repairs to the car park and install a disabled toilet within the building, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress these works; and
 - (b) to note the potential liabilities at Rosemount Community Centre in relation to the potential requirement for repairs to the roof and other wind and watertight works and health and safety requirements, and to refer this to the Finance and Resources Committee with a recommendation that funding is identified to progress identified works up to £100,000.