

ABERDEEN CITY COUNCIL

COMMITTEE	Education, Culture and Sport
DATE	20 September 2012
ACTING DIRECTOR	Charlie Penman
TITLE OF REPORT	Community Centres
REPORT NUMBER:	ECS/12/037

1. **PURPOSE OF REPORT**

This report provides an update on the current position in relation to moving community centres to the “leased” type model, and provides a number of recommendations to facilitate that process.

The report also provides a report back on recent consultations with Management Committees attached to Community Schools about proposals to retain these community centres within the responsibility of the Council.

2. **RECOMMENDATION(S)**

It is recommended that the Committee:

- (a) Agrees that the community wings within the following community schools will not transfer to the leased centre model, but will remain within the responsibility of the Council, with a local Management Committee inputting into the programming of the building: Dyce, Bridge of Don, Cornhill, Tullos and Sunnybank.
- (b) Agrees that Management Committees connected to the above community wings within schools will be provided with a grant of £625 per year, for the purpose of purchasing indemnity insurance, and public liability and employers insurances.
- (c) Notes the progress in relation to moving Community Centres onto the new Lease and Management Agreement.
- (d) Instruct officers that, in the case of any further amendments to the Lease and Management Agreement being agreed, any Management Committees which have already signed up to the standard Lease and Management Agreement will be offered, on an optional basis, a variation to their Lease and Management Agreement to reflect these amendments.

- (e) Note the intention to vire budgets from “Supplies and Services” budgets (Development Grants) to “Staffing” budgets in order to facilitate the appointment of Learning Centre Supervisor and Clerical Receptionist posts.

3. FINANCIAL IMPLICATIONS

The provision of Community Centres by the Council represents a cost to the public purse of approximately £3.3million of revenue funding per year. This includes buildings costs such as repairs and energy costs that are covered by the Council, as well as the annual development grant of £10,565 plus an additional £500 per year for indemnity insurance. The community centres also draw on the corporate Repairs and Maintenance budget on a prioritised basis. There are also capital funding implications.

The proposed £625 grant proposed for Management Committees connected to community schools to purchase insurance will be met from existing budgets.

The costs associated with the proposal to retain Community Centres within Community Schools within the responsibility of the Council and provide staff within these facilities will be met from existing budgets. There will be a requirement to vire these budgets from “Supplies and Services” to “Staffing” budgets.

4. OTHER IMPLICATIONS

4.1 Legal Implications

The legal relationship between the Council as funding body and owner of the Community Centres and Management Committees as the operators of Community Centres are governed via a Management Agreement and Lease. The model Management Agreement and Lease was developed following a considerable period of negotiation, and was approved at the Full Council meeting on 4 April 2012.

5. BACKGROUND/MAIN ISSUES

5.1 Transition to new Lease and Management Agreement - update

Due to the fluid nature of negotiations in relation to different Management Committees in relation to moving to the new lease and management agreement, a verbal update of the current position will be provided at Committee.

It is noted that the subgroup of Management Committee representatives, who took part in the mediation process, have met with their solicitor about the lease and management agreement, however at the time of writing this report, Council officers have yet to hear from the solicitor on these issues.

It is also noted that there have been some concerns raised from a number of Community Centre representatives that the sub group is not communicating with them and is not therefore representing their views. In addition, some community

centres are putting in place a new forum to network, discuss issues and generally support each other during this final phase of the transition period.

In recognition that there is still some on-going communication between the legal advisors, so as to ensure that any Management Committees wishing to sign up to the Lease and Management Agreement early are not disadvantaged, this report recommends that if there are changes agreed subsequent to any signing, then that Management Committee will be offered the option to include a variation to their Lease and Management Agreement to reflect these changes.

5.2 Community Centres with existing leases

The following table shows community centres, which have existing leases with the Council, which have outrun their original leases, which are now continuing through Tacit Relocation:

Name of Centre	Date of lease expiration
Altens Community Centre	28 March 2003
Balnagask Community Centre	28 November 2005
Balgownie Community Centre	28 November 2006
Catherine Street Community Centre	28 November 2004
Cummings Park Community Centre	15 May 2008
Frogghall Community Centre	28 November 2003
Inchgarth Community Centre	28 November 2009
Sheddocksley Community Centre	28 November 2003
Tillydrone Community Centre	28 November 2004
Ruthrieston Community Centre	12 April 2012

In order to bring the previous Lease and Management Agreement to an end, to facilitate the move onto the new Lease and Management Agreement, the Council requires to formally write to serve notice to quit to these centres. This requirement was reported to the June Education, Culture and Sport Committee. For the seven centres with an anniversary date in November, this formal letter will be sent around the middle of September 2012 (to arrive prior to this committee). It is hoped that before the termination date, Management Committees will already have signed up to the new Lease and Management Agreement, therefore it is anticipated that they will be able to continue to occupy the community centre under the new agreements. Please note that the existing leases will continue to run until the termination date and the new lease will commence on the day following the termination date of the existing lease.

In order to align with this process, for these seven centres, the development grant payment on 1 October 2012 will be for two months only (through to 28 November 2012.) However as soon as the new agreements are signed, the December development grant payment will be processed. This will hopefully ensure that cash flow arrangements of Management Committees are not negatively affected as a result of the change of lease arrangements.

It is noted that some of these centres are indebted to the Council, by way of unpaid telephone call charges (these charges are payable under their current lease and will continue to be payable under their new lease.) In order to make the payment

process as simple as possible, the outstanding amounts will be deducted from the October development grant for these centres.

To make the centres with an anniversary date in November aware of the process that will be undertaken, a letter was sent to these seven centres in August 2012. As a result of receiving this letter, one of the Community Centres, which was indebted to the Council, has now paid their bills.

Another centre has informed the Council that they will refuse access to the community centre to all Council staff and contractors. Legally, the existing lease in place for this centre does not require the Management Committee to allow any access to the Council. This demonstrates one of the deficiencies of the existing leases. The new leases do include a clause, which allows the Council or its representative's reasonable access to these Council premises.

It is noted that in this particular Community Centre, on 18 July 2012, the Council's contractors for installing solar panels were refused access to the premises. The purpose of this access was to establish the viability of installing a Photovoltaic Array on the roof to generate electricity, including carrying out a structural and electrical survey, and an asbestos refurbishment and demolition survey (which is a statutory requirement). Legally, under the existing lease for this community centre, the Council cannot demand access. The solar panel survey work will therefore be programmed for after the 28 November, when the new lease agreement will be in place (which does require access to be provided for this type of activity.) The implications of this are that the realisation of financial savings to the Council for energy costs in respect of this centre could now be delayed for several months.

At the time of writing this report, a Council officer has made arrangements to visit this centre for the purposes of taking a photographic record of the condition of the centre, and the centre management did on this occasion allow access for this requirement to take place.

It is also noted that this specific centre, along with another known centre, has not obtained landlords consent or submitted a completion certificate in respect of extensions that were completed several years ago. Landlords consent is required to ensure that new structures comply with building regulations, present no danger to the public and are not going to be an onerous liability to the Council going forward. The Management Committees in question have been advised to submit a completion certificate or apply to the Council's Building Control section for a letter of comfort, and offers have been made to tie up the landlords consent with the new lease. Until such requirements have been met, the Management Committees in question have been advised that technically the extension should not be in use by the public.

5.2 Community Schools

At the Education, Culture and Sport Committee on 7 June 2012, the committee instructed 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."

It is the view of officers that the community centres at Sunnybank, Bridge of Don, Dyce, Tullos and Cornhill should remain within the management of the Council. This will ensure that the Council retains the flexibility to meet changing legislation, emergency requirements, and any other policy priorities, which may arise from time to time.

This consultation has now taken place with these management committees, as below:

5.2.1 **Bridge of Don Management Committee**

A meeting took place with Bridge of Don Management Committee on Thursday 26 July 2012. The Management Committee confirmed that they were all comfortable with the proposals to retain the management of the community wing within the responsibility of the Council.

5.2.2 **Sunnybank Management Committee**

A meeting took place with Sunnybank Steering Group on Thursday 19 July 2012. Their response to the proposals following the meeting is as follows: *“The Sunnybank Steering group are not happy with the proposal. The group feel hurt that after a year of hard work the council feel that it is appropriate to come in with little thanks and disregard what the volunteers have done to take over the centre. The steering group also feel that they have run the centre well through employing a centre co-ordinator and don’t understand why there is a need to change. It is suggested that instead of the Council hiring numerous staff on little hours it could hire one person who would be the centre co-ordinators person to go to for information. Specific concerns include:*

- *The community centre would lose its personal touch due to people working there not living in the community and working for the community.*
- *The flexibility of the centre would also go.*
- *Concern about how the partnership would work between paid staff and volunteers.*
- *Concern about a lack of involvement from the lifelong learning team, as the lifelong learning team have been working in regeneration areas because of this they have formed new partnerships.”*

5.2.3 **Dyce Management Committee**

A meeting took place with Dyce Management Committee on Friday 27 July 2012. It was unanimously agreed that the arrangement approved for 3Rs Schools would be the most appropriate for Dyce in the light of both the nature of the building and the range of Council led or sponsored organisations operating within the complex in addition to the Management Committee’s programme e.g. Aberdeen Aquatics, Playgroup, Out of School Club, School; Extra Curricular activities, Councillor Surgeries, Blood Transfusion Service etc

5.2.4 **Tullos Management Committee**

A meeting took place with Tullos Management Committee on Friday 20 July 2012. After considering the proposals, the Management Committee agreed in principle

that they are willing to go with the option of the City Council retaining management of the building but they have the following concerns :-

- *“How is use of the facility going to be decided? Who decides what is going to be the priority. There have been issues with school taking over rooms in the past and they are nervous that this could happen again.*
- *How does Tullos Community Centre Management Committee make money to support their Learning Programme under this regime? Need clarity about how much evening and weekend use they are going to get and which parts of the building will be available for their use.*
- *What level of janitorial support will there be concerns about low level at present.*
- *When are the repairs to the building going to be done?*
- *Management Committee would like some input in to what the responsibilities of the new posts are going to be and who is going to be appointed to them.”*

5.2.5 Cornhill Management Committee

A meeting took place with Cornhill Management Committee on 22 August 2012. Cornhill Management Committee confirmed that it is their general view that the proposals that the community centre remain within the responsibility of the Council will work in practice. However, they wished the following points to be noted:

- The proposed staffing structure for the facility will not allow for fundraising work to be carried out or outreach communications with the local community to be carried out by paid staff. Both of these strands of work are seen as being valuable in relation to the running of a community centre.
- The Council’s bookings and lettings system needs to be improved.
- Consideration should be given to the fact that moving times of activities for people with learning difficulties (to meet with janitorial services availability) can be challenging for the individuals involved in these learning activities. The Management Committee would request that consideration be given to the potential of setting up a grant fund to help support the provision of activities for people with significant learning difficulties.

5.3 Progress towards appointment of Learning Centre Supervisors and Reception/ Clerical Assistants for 3Rs Community Facilities, Torry Youth Centre and Rosemount Community Centre

At the Council meeting on 13 June 2012, it was agreed that Community Centres within 3Rs facilities, Torry Youth Centre and Rosemount Community Centre would remain within the responsibility of the Council. This means that the Council will retain the responsibility for the operations and the programme within these community centres.

To discharge this responsibility it is intended to appoint two Learning Centre Supervisors to manage the operations and programmes within these centres. One of these posts would be based at Rosemount Community Centre and the other will work between the other community centres. Each community centre would also have a dedicated Clerical Receptionist (with the exception of Torry Youth Centre). All of these Clerical Receptionists will be part time with the exception of Rosemount Community Centre. The Clerical Receptionists will deliver reception duties and provide clerical support to the operation of the programme within the building. This

may include booking people onto learning classes, taking payments on behalf of the Management Committee, compiling and administering waiting lists for classes etc.

The Learning Centre supervisor will work in partnership with the Management Committee to develop a programme that meets the needs of the local community. It is anticipated that the Management Committee and other partners will deliver classes in the programme along with the Council.

The Capacity Building Officer will continue to provide development and governance support to the Management Committee.

The approval and recruitment process for these staff is currently ongoing, and it is hoped that these new posts will be in place during November 2012.

6. **IMPACT**

This report relates to the Combined Community Plan and Single Outcome Agreement as follows:

- Protecting children and vulnerable adults
- People of all ages take an active part in their own learning to achieve their full potential Learning and training is appropriate and accessible to learner's needs
- Children and young people access positive learning environments and develop their skills, confidence and self esteem to the fullest potential
- Children, young people and their families/carers are involved in decisions that affect them. Their voices heard and they play an active and responsible role in their communities
- Educational attainment in Aberdeen is continuously sustained and improved
- School leavers enter positive destination of employment, training or further and higher education with a focus on and support for young people who require More Choices and More Chances
- Children and young people actively participate in their communities and have optimum involvement in decision making
- All children, young people and their families have access to high quality services when required and services provide timely, proportionate and appropriate response that meeting the needs of children and young people within Getting it Right for Every Child, (GIRFEC) requirements
- Improve the quality of life in our most deprived areas
- Citizens are increasingly more active in their communities regardless of age, gender, sexual orientation, ethnic origin, where they live, disability or faith/religion/belief and contribute to 'active citizenship'
- Develop pathways to participation which enhance the diversity of local representation at and engagement with regional, national and international arts, heritage and sporting events
- Our public services are consistently high quality, continually improving, efficient and responsive to local people's needs

Public – This report will be of interest to the public, as the recommendations will impact on services delivered throughout the city.

An Equality and Human Rights Impact Assessment has been completed in respect of this budget decision.

7. **BACKGROUND PAPERS**

6/7/12 Education, Culture and Sport Committee, Community Centres
28/3/12 Special Education, Culture and Sport Committee, Community Centres
23/2/12 Education, Culture & Sport Committee, Community Centres
24/11/11 Education, Culture & Sport Committee, Community Development Fund –
Childcare and Out of School Provision
24/11/11 Education, Culture & Sport Committee, Community Centres
15/9/11 Education, Culture & Sport Committee, Update on Implementation of
Budget Decision - Reduce Communities Team
17/6/11 Finance & Resources Committee, Kaimhill Community Facilities – Update
on Progress of Management Agreement
2/6/11 Education, Culture & Sport Committee, Update on Implementation of Budget
Decision - Reduce Communities Team
24/3/11 Education, Culture & Sport Committee, Implementation of Budget Decision
– Reduce Communities Team

8. **REPORT AUTHOR DETAILS**

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