

DRAFT

EDUCATION, CULTURE AND SPORT COMMITTEE

7 JANUARY, 2010

**CONSULTATION OUTCOMES WITH LEASED COMMUNITY CENTRES -
ECS/09/080**

With reference to article 13 of the minute of its meeting of 8 October, 2009, the Committee had before it a report on the outcome of consultation which had been undertaken on options for improved support for leased community centre management committees and also clarification of their relationship with the Council. The report advised that there were 23 community centres in Aberdeen which were leased to their respective management committees in a variety of different ways and on leases that, by modern standards, were very out of date. It was noted that of the many hundreds of property leases granted by the Council to third parties, none were similar to the present leases to community centre management committees. Unusual features of the current leases were highlighted as being that the Council paid all heating and lighting bills and that the Council also paid all line rental charges for telephones.

The proposed new model community centre lease, which was attached as appendix A to the report, had been devised after taking the advice of Brodies, and was a much more comprehensive legal document including many terms and conditions not included in the original community centre leases. The report advised that the new model lease was similar to the Council's standard Full Repairing and Insuring lease (FRI) which would require individual management committees to have legal responsibility for fully repairing and insuring their community centre and to meet all normal property costs, including utilities bills. The report went on to advise that with this model lease, it was intended that each community centre management committee would receive an annual grant from the Council to cover the property costs of their lease plus provide further funding for their core community centre activities through a development grant.

The report advised that a consultation had taken place with leased centre management committees in October to outline the content of the report and to obtain views from the community centre management committees. Various areas for concern had been expressed at the meeting, namely that leased centres and community learning and development centres were two very different centres; leased centres wanted minimum changes; and that centres cannot operate as businesses and therefore a commercial lease and financial model were seen as being inappropriate. A full repairs and maintenance lease was not seen as being an option and so as a result of this meeting a further meeting had been arranged and an alternative lease had been prepared by officers for further consideration. At a further meeting, the community centre management committees had agreed that the new version

of the lease (version B) was a great improvement which would be acceptable with some other changes which were requested at the meeting, however concern was raised with regards to volunteers being required to take on responsibility for maintenance of fire safety equipment and public liability insurance, and the issue was raised as to whether or not the Council could take this on and act on behalf of the management committees. A copy of version B of the lease was attached as a further appendix to the report.

The report advised that a new model constitution had also been produced to address areas of concern which had been identified previously by both centre management committees and Council officers. The new constitution included updated clauses on equal opportunities, termination of membership, youth membership, staff membership on the management committee and various other issues. The report noted that centres had made representation that they had not been allowed sufficient time to consider the new constitution and it was hoped however that areas of previous concern had been addressed and that the second revision of the constitution could be adopted subject to any further minor amendments as required.

The report recommended:-

that the Committee –

- (a) approve version A as the model lease and management agreement to be offered to all leased community centre management committees with version 2 of the finance model as the most compatible with this lease;
- (b) instruct officers to obtain a detailed quotation for remedial works required to bring all leased centres up to an acceptable grade B standard;
- (c) agree, in principle, the adoption of the standard Constitution for Leased Community Centres and to authorise officers to finalise this document in liaison with the community centre management committees referring back to the Committee if there was no agreement on the same;
- (d) instruct officers to undertake a social capital analysis of leased community centres providing a further report on the outcomes to Committee;
- (e) agree that leased community centre management committees have, subject to their individual capacity, a role in delivering learning activity programmes, and/or providing venues for learning activity in the wider community as potential members of learning partnerships and learning communities;
- (f) refer a request for funding in relation to the remedial works required on Altens leased community centre to the Finance and Resources Committee for the reasons outlined in the report;**
- (g) approve closure of Dyce (Carnegie Hall) Community Centre on the basis of the activity level of the centre and the costs of remedial repairs;
- (h) approve that the vacant Cairnfield Community Centre is declared surplus to the requirements of the Education, Culture and Sport Directorate; and

- (i) approve the circulation of a handbook for leased community centres once completed.

As agreed at the start of the meeting (article 1 refers), the Committee received a deputation from Mr. Paul O'Connor of Inchgarth Community Centre. Mr. O'Connor advised the Committee that while he was there representing Inchgarth Community Centre, he also spoke on behalf of all leased community centres across the city. Mr. O'Connor noted his thanks to officers for taking forward the issues of community centre leases and management committees and noted that consultation had been carried out and that points which had been raised had been listened to but had not been acted upon. During his presentation, Mr. O'Connor outlined issues such as the impact of community centre management committees being responsible for the full repair costs of buildings and noted that there was no feasibility for this to be done. In relation to the matter of liability insurance, the Committee were advised that no volunteer was willing to take this matter on due to the high level of personal risk involved in taking on such a responsibility. Issues such as the annual grant which was given for heating and fuel costs were also raised, as was the question of whether or not the grant would increase along with the expected fuel price increases in future years. The possibility of having a maximum three year term for office bearers was also raised as a potential issue by Mr. O'Connor, as there was a general feeling that this would increase the risk of losing valuable volunteers and would provide no real benefit to the community centre management committees. In summary, Mr. O'Connor advised the Committee that the general feeling of leased community centres was that the review of leases and other such documentation was required, however, the documents which had been drawn up were seen as being overly complex and more suited to commercial operations, which the leased community centres were not.

The Convener, seconded by the Vice-Convener, moved:-

- (1) that recommendations (b), (c), (e), (h) and (i) as outlined in the report be approved;
- (2) that Version B be approved as the model lease and the management agreement to be offered to all leased community centre management committees, with Version 2 of the finance model as the model most compatible with this lease; and that Woodside Community Centre Management Group are offered an adapted lease with pro rata service charge payments under Version 2 of the finance model due to multiple occupancy arrangements at Woodside Customer Access Point, referring back to this Committee if no agreement is reached with management committees in this regard;
- (3) that officers be instructed to undertake a social and financial capital analysis of leased community centres providing a further report on the outcomes to Committee; and
- (4) **that a request for funding in relation to remedial works required on Altens Lease Community Centre and Dyce (Carnegie Hall) Community Centre be referred to the Finance and Resources Committee for reasons outlined in the report, and that the future of Carnegie Hall be included as part of the report back to the**

Education, Culture and Sport Committee on community learning hubs.

Councillor Cooney, seconded by Councillor Allan, moved as an amendment:-

- (1) that recommendations (b), (c), (e) and (h) as outlined in the report be approved;
- (2) that Version B be approved as the model lease and the management agreement to be offered to all leased community centre management committees with Version 1 of the financial model, and that Woodside Community Centre Management Group are offered an adapted lease with pro rata service charge payments under Version 1 of the finance model due to multiple occupancy arrangements at Woodside Customer Access Point, referring back to this Committee if no agreement is reached with management committees in this regard;
- (3) that officers be instructed to undertake a social and financial capital analysis of leased community centres providing a further report on the outcomes to Committee;
- (4) that a request for funding in relation to remedial works required on Altens Lease Community Centre and Dyce (Carnegie Hall) Community Centre be referred to the Finance and Resources Committee for reasons outlined in the report, and that the future of Carnegie Hall be included as part of the report back to the Education, Culture and Sport Committee on community learning hubs; and
- (5) that recommendation (i) in the report be not agreed.

On a division, there voted:- for the motion (16) – the Convener; the Vice-Convener; and Councillors Cormack, Dunbar, Leslie, McCaig, Reynolds, Robertson, Jennifer Stewart, Kevin Stewart, Wisely and Kirsty West; and Mr. G. Bruce, Mr. P. Campbell, Mr. S. Duncan and Mr. M. Vicca; for the amendment (6) – Councillors Allan, Boulton, Collie, Cooney, Crockett and Farquharson; absent from the division (1) – Mrs. M. Abdullah.

The Committee resolved:-
to adopt the motion.