

ABERDEEN CITY COUNCIL

COMMITTEE Finance and Resources DATE 28 January 2010

DIRECTOR Stewart Carruth

TITLE OF REPORT Single Equality Scheme - financial support to Shopmobility and
Aberdeen Action on Disability

REPORT NUMBER CG/10/006

1. PURPOSE OF REPORT

This report is to seek financial support to:

- a. Relocate ShopMobility from Flourmill Lane to alternative premises in the Skyline restaurant in the Bon Accord Centre.
- b. Reconfigure the Council's financial support to ShopMobility to assist with their running expenses.
- c. Reconfigure the Council's financial support to Aberdeen Action on Disability to assist with their running expenses.

2. RECOMMENDATION(S)

It is recommended that:

- a. the Committee approves the relocation of ShopMobility to the Skyline restaurant and meeting the costs of the alterations, up to £65,000 as a one-off cost from the Disability Strategy Action Plan budget.
- b. the Committee approves to reconfigure the existing financial support contribution of £22,000 per annum to ShopMobility from Social Care and Well Being budget to the Disability Strategy Action Plan budget.
- c. the Committee approves to reconfigure the existing financial support contribution of £23,000 per annum to Aberdeen Action on Disability from the Social Care and Well Being budget to the Disability Strategy Action Plan budget.
- d. the Committee approves, in principle, the grant of a sub-lease of the Skyline Restaurant to ShopMobility (as described in paragraph 6.4.2 below).
- e. the Committee remit to the Head of Resources Development and Delivery provisionally to negotiate terms and conditions of sub-lease that match (and

where necessary are complimentary with) the sub-lease already granted to the Bon Accord 2000 Indoor Bowling Club; and

f. the City Solicitor formally concludes such a sub-lease, on terms and conditions as are necessary to protect the City Council's interests.

3. FINANCIAL IMPLICATIONS

ShopMobility

ShopMobility occupies leased space in the Council underground car park on Flourmill Lane and receives financial support from the Community Planning and Regeneration budget for the rental costs for the premises of £34,000.00.

This report identifies funding opportunities of up to £65,000 available to Shopmobility to assist with the move from their present location in Flourmill Lane to alternative premises in the Skyline restaurant area of the Bon Accord Centre. In addition, following a review of commissioning, the Director/Head of Service has advised that Social Care and Wellbeing agreed to grant £22,000 to ShopMobility for 2009/2010 recommending that they sought financial support from elsewhere for future years. Social Care grants are under review as part of the budget process and it is likely that this funding for ShopMobility will not be available for the year 2010/2011.

Aberdeen Action on Disability

Aberdeen Action on Disability, together with the Aberdeen Access Panel, occupies leased premises from the Council in Spring Garden and receives financial support from the Community Planning and Regeneration Disability Strategy Action Plan budget for their rental costs for the premises of £10,000.00.

In addition, following a review of commissioning, the Director/Head of Service has advised that Social Care and Wellbeing have decided not to continue the £23,000 grant to Aberdeen Action on Disability beyond 2009/2010, recommending that they sought financial support from elsewhere for future years. Social Care grants are under review as part of the budget process and it is likely that this funding for Aberdeen Action on Disability will not be available for the year 2010/2011.

Proposed Reconfigured Funding

ShopMobility and Aberdeen Action on Disability occupy a low commercial profile in the city. It is, therefore, difficult for them to attract commercial sponsorship, Lottery, or other external financial assistance in sufficient quantity that would fill the gap of Social Care and Wellbeing funding being withdrawn. The implication of the withdrawal of the Social Care grants will be that both ShopMobility and Aberdeen Action on Disability would not be financially viable. This would result in one member of staff from ShopMobility and two from Aberdeen Action on Disability being made redundant.

If the committee agrees, the £65,000 costs of refurbishing the Skyline restaurant area for ShopMobility would be met from this year's Disability Strategy Action Plan budget, and future funding support for ShopMobility and Aberdeen Action on Disability could be reconfigured from Social Care and Wellbeing to the Disability Strategy Action Plan budget, as an appropriate funding source.

The Disability Strategy Action Plan revenue budget is £104,000. Expenditure this year is forecast to be £20,000 leaving a balance of £84,000. Committing to supporting ShopMobility to move to the Skyline area, and providing future support to them and Aberdeen Action on Disability would not jeopardise other commitments within the Single Equality Scheme and the Disability Action Plan.

4. SERVICE & COMMUNITY IMPACT

Shopmobility and Aberdeen Action on Disability are voluntary sector organisations working on behalf of people with disabilities. ShopMobility provides manual and powered wheelchairs, powered scooters, walking aids and safe accessible parking to people experiencing mobility difficulties. It aims to empower and liberate people with mobility difficulties and promote greater social inclusion by providing the tools needed to overcome physical barriers, improve mobility and create greater access to city and community life. Aberdeen Action on Disability promotes awareness, opportunity, training and employment actively to encourage barrier free integration, equality and social inclusion for people with a physical and sensory disability living in Aberdeen. Aberdeen Action on Disability is the only user led organisation that works with people with a physical or sensory disability in Aberdeen.

Both ShopMobility and Aberdeen Action on Disability link to outcomes in the Single Outcome Agreement and support our outcomes in the recently approved Single Equality Scheme. The Single Equality Scheme includes an action to ensure that voluntary organisations dealing with disability Issues, e.g. Aberdeen Action on Disability, Aberdeen Access Panel and Shopmobility are adequately and securely funded. The principal links are to the following points:

National Outcome 7 - We have tackled the significant inequalities in Scottish society

National Outcome 10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need.

National Outcome 11 - We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.

Within Aberdeen City, it is recognised that there are particular groups of people who are more at risk of experiencing inequality because of their previous history of facing disadvantage and discrimination. These groups or communities of interest include the equality strands of age and disability, where people are more likely to experience disadvantage because of disability.

ShopMobility and Aberdeen Action on Disability are striving to help people lead independent lives with appropriate support and so ensure everyone can lead active lives and contribute to active citizenship.

The Disability Equality Duty - part of our Single Equality Scheme - puts the onus on public bodies to work proactively to promote equality and eliminate discrimination in all their functions, including their partnership activities.

Providing support to ShopMobility and Aberdeen Action on Disability helps the Council deliver on the General Duty to people with disabilities in the city. Our Action Plan in the Single Equality Scheme seeks to ensure adequate funding for ShopMobility and Aberdeen Action on Disability.

An Equality and Human Rights Impact Assessment is attached to this report.

5. OTHER IMPLICATIONS

There are currently a number of concerns regarding the impact on services for people with disabilities in the budgeting decisions of the Council and its partners. The Council is undertaking detailed Equality and Human Rights Impact Assessments on all budget proposals with an impact on all equality groups.

6. REPORT

6.1 Current Financial Position

6.1.1 Social Care and Wellbeing have indicated that both organisations perform a vital role for people with disabilities in Aberdeen, however neither contributes to Social Care and Wellbeing priorities and officers have indicated that no further grant funding will be available beyond this financial year.

6.1.2 ShopMobility units around the country are funded and supported in a variety of ways. Some are wholly supported by the local authority, while some are funded and run as part of the commercial venture of a shopping centre. Some have a mixture of both funding streams. ShopMobility and Aberdeen Action on Disability have secured additional support from the business and retail sectors in the form of time and effort on business management, publicity and building design, while their financial funding has come from Aberdeen City Council, Trust contributions and other donations. In addition, their volunteer staff time at the minimum wage value amounts to £38,280 for ShopMobility and £12,760 for Aberdeen Action on Disability.

6.2 ShopMobility

Background

6.2.1 Shopmobility Aberdeen was established in 1992 with a Management Committee drawn from amongst the disabled community of Aberdeen. It aims to empower and liberate people with mobility difficulties and promote greater social

inclusion by providing the tools needed to overcome physical barriers, improve mobility and create greater access to the city and community life. Use of the wheelchairs, powered scooters and walking aids over the past 3 years has been consistent; 9,208 in 2007, 11,104 in 2008 and 11,347 for 2009.

Current Premises

6.2.2 Shopmobility's clients require its base to be central to the City's main shopping centres. It is currently located in part of the Council underground car park on Flourmill Lane, belonging to the Council that is due to be redeveloped in 2011, and receives financial support from the Community Planning and Regeneration budget for the rental. ShopMobility has a low profile out with its client group, despite the fact that many other stakeholders benefit from its operations. The premises in the current car park are not suitable, lacking sufficient space for storage and maintenance. Moreover, being located away from the main shopping centre car park for the Bon Accord Centre makes it more difficult for shoppers or visitors with reduced mobility to get a wheelchair or electric scooter.

6.2.3 As a consequence of the pending move of St Nicholas House to the Marischal College and the future demolition of St Nicholas House, Shopmobility will have to move to an alternative location. There could be an option to move to the Marischal College development, with the entrance off Queen Street, although no firm plans have been included in the development at this stage and would involve additional expenditure. This, however, would put Shopmobility even further away from the Bon Accord and St Nicholas shopping centres and put its users at an even greater disadvantage.

Proposed Location

6.2.4 An opportunity is available to use part of the redundant Skyline restaurant area, above the indoor bowling rink in the Bon Accord Centre, to create a Shopmobility unit. The unit has recently been declared surplus and, so far, there is no declared Council use for the premises. Shopmobility needs to be more visible to the retail sector and moving to Marischal College would not meet this need, whereas relocating to the Bon Accord Centre would. If Shopmobility were to move to the Bon Accord Centre in place of moving to the Marischal College this would avoid the need to construct a facility within the Marischal College for Shopmobility, thus avoiding build costs to include provision for Shopmobility and increasing the number of car parking spaces available for Council use. There are excellent lift facilities in the Bon Accord Centre that provide ideal level access for ShopMobility customers from the Skyline area to the shopping mall below. The Bon Accord Centre recognise the importance of Shopmobility and are prepared to see Shopmobility move over to the centre, and are willing to allocate additional disabled parking places in the car park next to the restaurant. This would permit a managed access with ShopMobility and could bring life back to a neglected area of the Bon Accord Centre.

6.2.5 Shopmobility asked Space Solutions to conduct a feasibility survey and advise them, on a no-cost basis, on how to make the best use of the space in the restaurant. Space Solutions also gave an outline of the costs that could be anticipated to carry out the work to convert the space in the Skyline restaurant to an

operational facility suitable for Shopmobility's use. Initial indicative costs are £61,343.72 (including VAT), plus an element for relocation costs and unforeseen expenditure. ShopMobility have indicated that they would be able to relocate their operation with an offer of help in kind. Therefore, allowing up to £65,000 would be sufficient to cover the cost of all the alterations.

Staff

6.2.6 ShopMobility employs one full time member of staff and has volunteer staff support of 112 hours per week.

Finance

6.2.7 ShopMobility has been very successful in raising significant support in kind from the private sector but not revenue funding:

- The volunteer staff support contribution of 112 hours per week is valued at £38,280 annually at the minimum wage equivalent
- ACVO has provided Communications team, and Funding and Business Planning support, valued at £2,656.
- The Visual Marketing Manager and team of the John Lewis Partnership have worked to help raise ShopMobility's profile and in helping to create a web site.
- A director of Adit Training acts as a business mentor.
- Space Solutions have undertaken two feasibility studies to assist finding new premises.
- Graham Dargie Photography has provided images to use in promotions and the web site.

6.2.8 In addition, Hammerson plc have supported ShopMobility by fitting out a unit at the Union Square development, which is valued at £150,000, as well as making a continuing undertaking to pay for the rent and utilities for the premises, valued in 2009 at £13,500 per year. The unit at Union Square is in addition to, and not a replacement for, the main facility at Flourmill Lane.

6.2.9 In the last full financial year to 31 December 2008, Aberdeen City Council funding to ShopMobility was £56,256, of which £32,000 was for the lease of the car park on Flourmill Lane. Total income amounted to £70,976, the balance (£14,720) being made up from Trust and other donations. Other than the rent, the largest expenditure was on staff costs at £33,074 (including on-costs); for the financial year to December 2008, total expenditure came to £79,223.

6.2.10 The financial estimates for 2009-2010 projected total expenditure at £83,359. Income is estimated at £69,340, comprising £63,715 in grants (including Aberdeen City Council), £3,096 in donations and £2,529 from other fundraising and sales. Balances carried over from 2008 were an additional £35,264.

6.2.11 Under this proposal, Aberdeen City Council would incur an additional non-recurring cost of up to £65,000 in this financial year, and in future years the recurring revenue support of £22,000 would be reconfigured to the Disability Strategy Budget under the Single Equality Scheme.

6.3 Aberdeen Action on Disability

Background

6.3.1 Aberdeen Action on Disability was established in 1992 and works with and for disabled people to help them live independently and overcome discrimination with equality of opportunity and unrestricted access to all services in daily living. This means that people with disabilities are able to participate in the community.

6.3.2 Aberdeen Action on Disability projects included:

- Delivering hydrotherapy sessions together with trained and qualified physiotherapists, funded by a grant from NHS Grampian. So far in this pilot, 36 participants have benefited from the sessions, which have brought relief from pain and encouraged further independence.
- Responding to a steady stream of enquiries and callers throughout the year and running a pilot project during 2009 to help people complete their claims for Disability Living Allowance. The importance of this project has been that it has delivered far-reaching benefits to the applicants who receive help and support.
- Providing advice to retail outlets on complying with the Disability Discrimination Act and assisting Council officers select appropriate and accessible venues for public events.

Finance

6.3.3 Aberdeen Action on Disability benefits from volunteer staff support and business support from ACVO as follows:

- The volunteer staff support contributed 44 hours per week, which is valued at £12,760 at the minimum wage equivalent.
- Governance and Funding and Business Planning support from ACVO, valued at £750.

6.3.4 In the last full financial year to 31 March 2009, Aberdeen City Council funding to Aberdeen Action on Disability was £23,500. An additional payment for the lease at Spring Garden was made by internal accounting transfer. Total income amounted to £25,739, the balance (£2,239) being made up from donations and fundraising activities. The largest expenditure was on staff costs at £19,298 (including on-costs); for the financial year to March 2009, total expenditure came to £29,536.

6.3.5 The financial budget for 2009-2010 projected total expenditure at £30,300. Income is estimated at £26,000, comprising £20,000 grant from Social Care and Well Being (down from £23,000 previously), £3,000 from NHS Grampian and £3,000 from other donations and fundraising.

6.3.6 Under this proposal, the future recurring revenue commitment from Aberdeen City Council of £23,000.00 would be reconfigured to the Disability Strategy Budget under the Single Equality Scheme.

6.4 Other Considerations

6.4.1 Aberdeen City Council pays a service charge to the Bon Accord Centre for use of the Skyline restaurant area. One half the fee is paid for by the Bon Accord Indoor Bowling Club, while the remainder is covered by a budget held by Culture and Leisure. Subject to Committee approval of this proposal the Culture and Leisure budget will be transferred to Community Planning and Regeneration to cover the service charge. ShopMobility's contribution could be secured from the current provision of £32,000 already available from within the budget held by Community Planning and Regeneration.

6.4.2 As the proposed users of the Skyline Restaurant are non City Council, then their occupation of the property needs to be legally sanctioned by a formal Sub-Lease, with the City Council as tenant of the property. Such a sub-lease ought to be drafted as closely as possible (and be complimentary with) the sub-lease granted by the City Council to the Bon Accord 2000 Indoor Bowling Club, of the remaining part of the property.

6.4.3 In terms of the City Council's tenancy of the Skyline Restaurant, a Committee decision to approve the principle of sub-leasing the property to Shopmobility requires the City Council to seek the formal consent of the Scottish Retail Partnership, as Landlord, to such a sub-lease. At the date of finalising this Committee report, officers have made contact with their Scottish Retail Partnership counterparts and told them of the possibility that such a request is to be expected. Their initial reaction is positive but, understandably, they will need to know more about the detail of the proposal before they make a final decision on whether or not to grant formal consent. If the Committee approve the report's recommendations, officers will take up the issue with the Scottish Retail Partnership in February and advise a future meeting of the Committee on the outcome.

6.4.4 The Bowling Club pay a sub-rent of £1 per annum (if asked) and similar sub-rent could be adopted here for ShopMobility. When the City Council want to lease any of our properties at a rent demonstrably below market rental value, we require to secure the consent of the Scottish Government, in terms of Section 74 of the Local Government (Scotland) Act, 1973. Officers in Resources Development and Delivery have advised that it may be considered in this situation that £1 per annum is a true reflection of market value.

7. REPORT AUTHOR DETAILS

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8. BACKGROUND PAPERS

None