

To: City Executive Board

Date: 15 October 2015

Report of: Scrutiny Committee

Title of Report: Proposed Lease and Monitoring Arrangements for Community Centres

Summary and Recommendations

Purpose of report: To present recommendations from the Scrutiny Committee on the Proposed Lease and Monitoring Arrangements for Community Centres decision

Key decision? No

Scrutiny Lead Member: Councillor Craig Simmons

Executive lead member: Councillor Christine Simm, Board Member for Culture and Communities

Policy Framework: Asset Management Plan; Stronger Communities

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the four recommendations set out in the body of this report.

Appendices

Appendix 1 – Suggested CEB response provided by the Board Member for Culture and Communities

Introduction

1. The Scrutiny Committee pre-scrutinised the Proposed Lease and Monitoring Arrangements for Community Centres decision at its public meeting on 6 October 2015. The Committee would like to thank Councillor Christine Simm and Ian Brooke for presenting this item.

Summary of the discussion

2. The Board Member for Culture and Communities presented an updated report and explained that the revised version would be submitted to CEB on 15 October 2015. The Board Member outlined the main changes in the report and said that the revisions reflected recognition by the Board of the significance of concerns raised by Community Centre Associations.
3. The Committee questioned why the proposals for lease renewal and monitoring arrangements were being presented independently of the Community Centre Strategy. The Head of Community Services explained that it had been the original intention to present the two reports in parallel but that in view of the concerns expressed by the Community Centre Associations it was felt that delaying the lease proposal report would be unreasonable. He assured the Committee that, subject to the consultation results, there would be nothing in the draft Community Centre Strategy that conflicted with the lease proposals.

Recommendation 1 - That the City Executive Board should consider deferring the decision on this report and taking it alongside the Community Centre Strategy decision, which is expected in November.

4. The Committee requested more clarity about what expectations would be placed on Community Centres, for example the need for centres to be open and accessible to the whole community, and what mechanisms would be in place to ensure that such expectations would be met. The Committee suggested that guidance should be developed in the form of a code of conduct that sets out the expectations on Community Centre Associations and the types of support that Associations can expect from the City Council. This should form part of the lease and monitoring arrangements. The Committee noted that the guidance should not be too prescriptive because the individual organisations were very different.

Recommendation 2 - That the City Council should develop a “code of conduct” that sets out the expectations on Community Centre Associations and the types of support Associations can expect from the City Council. This code of conduct should be linked to the lease and monitoring arrangements for community centres.

5. The Committee questioned the conditions around the termination of leases if a Community Centre Associations defaulted or wanted to end their lease. The Committee heard that tenants would be required to provide 6 month’s notice in order to end their lease.

Recommendation 3 - That the report should provide more detail on the standard forfeiture (termination) provisions on tenant default or insolvency.

6. The Committee questioned whether independent advice would be made available to Community Centre Associations signing new lease arrangements.

Recommendation 4 - That City Executive Board should make arrangements for independent legal advice to be available to Community Centre Associations.

7. The Scrutiny Committee also agreed that the following comments should be referred to the City Executive Board:
 1. That the Scrutiny Committee regretted the late publication of the report but welcomed the revisions presented;
 2. That the Scrutiny Committee regretted the tone and language of the report and its reliance on legal arguments which gave no recognition to the important work of the Community Centre Associations and their volunteers. The Scrutiny Committee hoped that CEB would take the opportunity presented by this report to minute their thanks to volunteers who put time and effort into managing our community centres;

Further consideration

8. The Committee had previously agreed to pre-scrutinise the Community Centre Strategy before it goes to CEB for decision.

Executive response

See appendix 1.

Name and contact details of author:-

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List of background papers: None
Version number: 1

Appendix 1 - Suggested CEB response provided by the Board Member for Culture and Communities

<i>Recommendation</i>	<i>Agreed? (Y / N / In part)</i>	<i>Comment</i>
1. That the City Executive Board should consider deferring the decision on this report and taking it alongside the Community Centre Strategy decision, which is expected in November.	<i>N</i>	The report reflects the contents of the strategy report which will be brought in November. There is nothing within the leases report that is inconsistent with, or at odds with, the strategy report.
2. That the City Council should develop a “code of conduct” that sets out the expectations on Community Centre Associations and the types of support Associations can expect from the City Council. This code of conduct should be linked to the lease and monitoring arrangements for community centres.	<i>In part</i>	Many community associations will have their own Code of Conduct; this suggestion can be explored with community associations, either individually or through the Federation.
3. That the report should provide more detail on the standard forfeiture (termination) provisions on tenant default or insolvency.	<i>Agreed</i>	Agreed, we will seek further clarification from Legal.
4. That City Executive Board should make arrangements for independent legal advice to be available to Community Centre Associations.	<i>Agreed</i>	For those CAs moving from a licence to a lease, we will consider this during the period of discussion and negotiation. As there are areas of commonality in this process we can consider who would be the best source of advice of the CAs, for example, Community Matters. Associations with expired leases are being offered financial assistance towards seeking legal advice.