



Notice of meeting of

Decision Session - Executive Member for Leisure Culture & Social Inclusion

To: Councillor Ayre (Executive Member)

Date: Tuesday, 12 January 2010

Time: 4.15 pm

Venue: Guildhall

AGENDA

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10.00am on Monday 11 January 2010 if an item is called in before a decision is taken, or

4.00pm on Thursday 14 January 2010 if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Any written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm on Friday 8 January 2010**.

1. **Declarations of Interest**

At this point, Members are asked to declare any personal or prejudicial interest they may have in the business on this agenda.

2. Minutes (Pages 3 - 4)

To approve and sign the minutes of the meeting held on 8 December 2009.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Monday 11 January 2010.**

Members of the public may register to speak on:-

- an item on the agenda;
- an issue within the Executive Member's remit;
- an item that has been published on the Information Log since the last session. Information reports are listed at the end of the agenda.

4. 21st Century Learning: 21st Century Libraries - Taking the Vision Forward. (Pages 5 - 18)

This report asks the Executive Members to agree new staffing structures for the Library and Archive Service and the Adult and Community Education Service.

5. Investment in Community Facilities £200k Fund: A Revised Scheme for The Melbourne Centre (Pages 19 - 26)

This report asks the Executive Member to agree to allocate the remaining £175k of the £200k Community Facilities fund to take forward a revised scheme to refurbish the Melbourne Centre for community use.

6. The William Reed Trust (Pages 27 - 32)

This report asks the Executive Member to agree to extend the objects of the William Reed Trust to include conservation of fossils and to agree to spend the trust's permanent endowment as well as the accrued interest.

7. Any other business which the Chair considers urgent under the Local Government Act 1972

Information Reports

No information reports have been published on the Information Log for this session.

Democracy Officer:

Name- Louise Cook/Catherine Clarke

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR LEISURE CULTURE & SOCIAL INCLUSION
DATE	8 DECEMBER 2009
PRESENT	COUNCILLORS AYRE (EXECUTIVE MEMBER)

5. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. None were declared.

6. MINUTES

RESOLVED: That the minutes of the Decision Session – Executive Member for Leisure, Culture and Social Inclusion meeting held on 9 June 2009 be signed and approved as a correct record by the Chair.

7. PUBLIC PARTICIPATION - DECISION SESSION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Councillor Crisp expressed her appreciation to officers for the work they had done on this report. She discussed the government funding for the Playbuilder scheme and commended officers on the speed of their work on this project. She also stated that officers should continue to work with the schools and assist with the improvements needed to get the community involved in using the schools outdoor sports facilities.

8. IMPROVING YORK'S GREEN SPACES: RESPONSE TO THE POLICY PLANNING GUIDANCE 17 OPEN SPACE SPORT AND RECREATION STUDY

The Executive Member considered a report which informed him of the response to the Open Space Sport and Recreation Study undertaken as part of the Local Development Framework process and was asked to:

- note the current actions
- agree the future actions in paragraph 36
- agree any additional projects and priorities possible

Officers gave a brief update on the current situation and stated that the 'Playbuilder' programme had been discussed at the Learning, Culture and Overview Scrutiny Committee.

The Executive Member thanked officers for the report and noted the excellent work that had been achieved. The Executive Member agreed to receive an update from officers in 6 months time.¹

RESOLVED: That the Executive Member:

- (i) Notes the work currently being undertaken
- (ii) Agrees the proposed actions in paragraph 36 of the report with the following additions:
 - Paragraph 11 – To draw up a specific development plan for St George’s Field.
 - Paragraph 15 – Further work to establish opportunities and resources to deliver improvements at the remaining sites.
 - Paragraph 19 – To draw up development plans for North Street Gardens and Monk Bridge Gardens and to further pursue how amenity green space can be increased in those areas of the city currently deficient.
 - Paragraph 23 – Note that this report does not address provision for the age range over 13 and to examine opportunities to address a shortfall in this area.
- (iii) Agrees any additional projects and priorities

REASON: To develop sufficient high quality open space that meets the needs of the City’s residents and visitors.

Action Required

Officers to give an update on Improving York's Green Spaces in 6 months time. SB

Cllr Ayr, Chair

[The meeting started at 4.20 pm and finished at 5.00 pm].



Decision Session - Executive Members for Leisure,
Culture and Social Inclusion and Children and Young
People's Services

12 January 2010

Report of the Assistant Director (Lifelong Learning and Culture)

21st Century Learning: 21st Century Libraries – Taking the Vision Forward.

Summary

1. This report asks the Executive Members to agree new staffing structures for the Library and Archive Service and the Adult and Community Education Service.

Background

2. In 2006 members agreed *21st Century Learning 21st Century Libraries*, a vision for delivering learning through library learning centres and other community facilities underpinned by a partnership between the Library and Archive Service, the Adult and Community Education Service and the development of explore centres.
3. Since then the partnership has secured external funding of just under £1m, developed two new Explore Centres and, in early 2010, will open York Explore, a fully refurbished library learning centre, as part of a ground breaking public/private partnership with Aviva.
4. *21st Century Learning 21st Century Libraries* supports the Government's ambitions for Informal Learning set out in the *Learning Revolution*, the recent government White Paper on the future of informal learning. It aims to:
 - Build a culture of informal learning across the City.
 - Support people to drive their own learning, through self organised groups.
 - Broaden choice and clarify opportunities through better information provision.
 - Deliver and support e learning by offering state of the art technology and training.
 - Place the local authority as the lead strategic body for the delivery of informal learning.

5. The proposals in this paper will support and strengthen the key strategies of *21st Century Learning 21st Century Libraries*:

- **A broad informal learning offer with clear progression routes:** The combination of the two services has developed a powerful informal learning offer. This enables learners to make progress from informal learning for example, a reading group to more structured learning for example in an accredited ICT course.
- **A strong and shared vision for learning:** When Aviva were looking for partners to deliver a community project, the combination of the two services was able to articulate a powerful vision for a community based financial capability programme that built on the core strengths of both organisations.
- **Multiple entry routes to learning:** Learners can access learning in many different ways and easily progress to other learning, e.g. from a reading group to a language class, from reading a basic text to getting support with literacy, from a basic computer taster course to a more complex accredited programme.
- **A community based library service supporting learning:** Universities and colleges all have their own library. York public library service is there to support adult community based learning across the city. By working closely with ACE it can support adult learners through the provision of stock, access to the internet and space to study.
- **Developing digital participation:** It is vital in today's world that everyone has access to a computer and can easily learn how to get onto the internet. This is particularly true for those who for many reasons are excluded. Older learners are a particular target group to ensure that the digital divide does not grow. This begins from free 1 2 1 starter sessions for people who have never used a computer through to accredited IT courses run through our flexible learning centres. Thus every resident in York can access CYC services online for free and with support how and when they need it.
- **A community based learning network:** The continued development of flexible ICT centres in 5 of the largest libraries ensures that learners have access to ICT and skills for life programmes particularly during the day when other venues such as schools are not available.
- **Developing and supporting adult literacy:** By close working arrangements Adult literacy provision is enhanced and opportunities maximised. For example in a recent work-based reader development initiatives using the six book challenge, people were encouraged to read their six books and then an adult education Literacy tutor went to speak with the group about how they could further improve their skills. Further Adult literacy classes are supported by library visits and the setting up of reading groups working with Reader Development Librarians.
- **Supporting older learners:** This is a key group for both services. As it highlighted in the recent enquiry into the future for lifelong learning the demographic changes that are happening over the next 20 years are significant as we experience an increasingly ageing population. Support to this group through learning to both increase skills for employment and

support leisure and community development is going to be key to ensuring productive functioning into the fourth age for most people.

Consultation

6. The Council's restructure guidance has been followed throughout the process with particular emphasis on consultation with staff. Their thoughts and comments have directly influenced the final proposal – especially those of frontline staff. Unison has been kept informed.

The Restructure Proposals

Outcomes for customers:

7. Key outcomes of these proposals for customers and staff will be:
- Improved literacy and numeracy skills and more people achieving qualifications
 - More staff on the frontline working directly with the public
 - Improved access to archives and local history
 - Improved library services for older people including those in residential care
 - Free access to an excellent information service that supports democracy and independent living
 - A coherent ICT offer to enable people to improve their ICT skills
 - Improved Personal and Community Development Learning to respond to the challenges of the Learning Revolution
 - More provision for people with disabilities, learning difficulties and mental health issues
 - New Family Learning Intervention Funding programmes
 - A new ESOL centre in the new York Explore centre
 - Further development of Community based informal learning provision
 - Greater digital participation - building on the existing good work and training more library staff to deliver flexible IT learning
 - Strengthened Information, Advice and Guidance function with the provision of learning information points
8. The proposed restructure follows the principles of *More for York* to deliver:
- #### **More for our customers:**
- More opening hours at times that are more convenient for people
 - Staff freed up to work directly with customers and learners
 - New services and new learning programmes
 - Communities involved in the development and delivery of services
 - Greater focus on older learners in response to demographic changes
 - A wider range of learning programmes that are more joined up

More for our employees:

- Simpler, more efficient decision making with front-line staff having the authority to meet customers' needs
- Clearer roles with potential for personal and professional development
- More time to spend with customers giving more job satisfaction
- Staff freed up to innovate and improve services

More for our money:

- Fewer management posts
- More front line posts
- New income streams to resolve the current income deficits
- Budget pressures resolved across both services including projected overspends

9. The main features of the proposed staffing structures are as follows:

Bringing the Services together:

- Single Performance Management Function, including Management Information (MIS)
- Joint ICT team to enable progression from taster to more advanced skills
- Creation of a team to develop and delivering more informal learning and the learning revolution
- Explore Centre managers from libraries and area organisers and curriculum managers from adult and community education forming single teams to develop and deliver the learning offer
- Joint IT and elearning technical support team
- Creation of a single information function including exploiting web 2 technology, the further development of Yortime and the creation of an on line booking system

Library and Archive Service:

- An Information and E Services Librarian post which will make our reference and information service fit for purpose in the 21st century
- A Business Development Manager post which will maximise income generation and exploit the potential of the explore centres
- A Families and Inclusion Librarian post which will develop work with older people and tie the service closer to the Children's Trust
- The Archives Development Manager (previously temporarily funded) to bring together the City Archive and Local History services
- New "explore" centre manager posts with a wider remit than current library manager posts which will aid the development of the existing and potential centres

- An Early Years Coordinator who will ensure the continuance of the Bookstart project
- Fewer tiers of management ensuring that the service can work more efficiently and effectively

Adult and Community Education:

- A new “support services” function under a single manager, bringing together fragmented functions and creating some further capacity to manage accreditation
- A single curriculum team under one manager for planning, quality assurance and programme development
- Area Co-ordinators to replace Centre Co-ordinators (a reduction of 1 FTE) making for more efficient and effective working
- “Supported Learning” Manager who will develop new provision for people with learning difficulties and disabilities
- A new full-time teaching post to work across Skills for life, flexible and work-based learning
- A new post of Curriculum manager ICT and elearning
- Reduction in outreach development posts by 1 FTE to ensure that they are sustainable
- Rationalisation of some front line staff following the closure of one centre last year

Options

10. The principal options are:
 - to implement the proposed new staffing structures
 - to maintain the status quo

Analysis

11. The new staffing structures are recommended in order to deliver the following outcomes:
 - Learning services aligned with national and local priorities particularly the Foundation Learning Tier, Functional skills, including Literacy, Numeracy and ICT and Employer responsive funding
 - A flagship Explore York Library Learning Centre – open seven days a week with a range of activities for all the family including a café that is open in the evenings and on Sundays
 - Increased opening hours at York Explore Centre within budget through the introduction of self issue machines . The technology will be paid for through Prudential borrowing repaid over three years by a small reduction in staff hours

- Increased income: The Business Development Manager will exploit all opportunities to increase income. notably through room hire and café income. Sunday opening will be key to the success of this.
- The City Archive and the Local History Library brought together as one service in York explore centre, creating a synergy that allows these internationally important collections to be managed to their greatest potential.
- The Learning Development Officer working to develop the further informal learning activities and events responding to learner needs in communities
- National Standard for Information Advice and Guidance (Matrix Accreditation) across both service areas in 2010 ensuring a leading edge information and advice function
- More staff focused on service delivery so they can spend more time with the public both inside and outside of library buildings developing the above partnerships
- A secure future for Bookstart in York

Implications

Financial

	Library & Archive		Adult Education	
	2010/11 £'000	Max. Cost £'000	2010/11 £'000	Max. Cost £'000
Cost of Structure	1,650	1,757	908	956
Funding				
Existing Staffing Budget	1,754		973	
Adjustments:				
- Loss of Grants	32			
- Cost of self-issue machines	35			
- Archive Manager Post: fall out of one-off funding	32			
Total Available Funding	<u>1,665</u>		<u>973</u>	
Surplus	<u>15</u>		<u>65</u>	

All figures are shown at 2009/10 prices

12. The proposed restructure of the Library & Archive Service is shown in detail at Annex A. The summary table above shows that the full year ongoing cost of the proposed structure is £1,650k against an existing ongoing staffing budget of £1,665k, an expected long term saving of £15k.
13. In the short term, however, there are likely to be pay protection costs to be funded by the Service following the implementation of this structure. These have yet to be confirmed but are estimated to be in the region of £13k in 2010/11.

14. The proposed restructure of the Adult & Community Education Service is shown in detail at Annex B. The summary table above shows a full year ongoing cost of £908k against an existing staffing budget of £973k, a saving of £65k over the current structure.
15. It should be noted that the Service will offer up a £65k saving in the 2010/11 budget round.
16. The new structure is within budget for the Library and Archive Service and resolves the £32k current shortfall in the City Archive budget. It achieves this with no loss of service to the public.
17. Funding for Adult and Community Education is negotiated on an annual basis with the Learning and Skills Council (LSC) in line with national priorities. Funding comes for specific areas of provision to essentially purchase programmes from the council. In some areas this funding has been reduced for academic year 2009/10 and is likely to reduce further in 2010/11. Funding was reduced for 2009/10 by some £50k and there may be a similar reduction for 2010/11.
18. In some areas there have been increases in funding for example in Family Learning, where a new grant of some £60k is available to fund new Family Learning Intervention programmes.
19. The proposed structure takes account of these funding variations aiming to reduce management overheads. Further reductions in management costs may be required in the future depending on funding levels.

Human Resources (HR):

20. There are major HR considerations to be taken into account when decisions are made on the scale and time frame for the restructuring of both of these service areas. Extensive consultation and discussions have been held between Senior Management, Human Resources, Unions and the relevant staffing groups. Further discussions are planned to identify key dates to brief staff groups and their relevant Associations. This has been managed in line with the current Change Management Procedures and this needs to continue when looking at the next steps of the process.
21. There are no Equalities, Legal, Crime and Disorder, Information Technology or Property Implications arising from the restructure.

Next Steps

22. Formal implementation is expected from 1 April 2010. However, because both services are carrying a number of vacancies there will need to be some recruitment to posts immediately following approval. This will follow current departmental budget processes relating to budget constraints and HR processes in relation to redeployment.

Corporate Objectives

23. The restructure proposals contribute to the following Corporate Objectives:
- City of Culture – by increasing participation
 - Learning City – by providing improved facilities and services
 - Sustainable City – by creating or improving local places to learn
 - Inclusive City – by involving children, young people and their community in the design of their services
 - Effective Organisation – by implement the More for York principles including the reduction of management posts

Risk Management

24. Both services rely on generating substantial income streams from either course fee income or room hire to balance their budgets. The staffing structure proposed aims to support effective income generation. Close monitoring will be required on performance in this area especially in relation to new services.

Recommendations

25. The Executive Member for Leisure, Culture and Social Inclusion is asked to approve the new staffing structure for the Library and Archive Service set out in Annex A.
26. The Executive Member for Children and Young People's Services is asked to approve the new staffing structure for the Adult and Community Education Service set out in Annex B.

Reason: So that the *21st Century Learning: 21st Century Libraries* vision may be taken forward effectively.

Annexes:

- A. Library and Archive Service Proposed Staffing Structure
- B. Adult and Community Education Proposed Staffing Structure

Contact Details

Authors:

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Head of Adult and Community
Education
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Chief Officer Responsible for the report:

Charlie Croft
Assistant Director (Lifelong Learning &
Culture)

**Report
Approved**

Date 22 December, 2009

Specialist Implications Officer(s):

Katherine Finnie
Principal Accountant
LCCS
Tel. 554226

Kirstie Ellison-Jones
HR Advisor
LCCS
Tel. 554366

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Project files held by the report authors.

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Annex A

Library & Archive Service

Title	Grade	Fte
Head of Libraries and Heritage	12	1.00
Library Service Delivery Manager	11	1.00
York Explore Centre Manager	8	1.00
Clifton Explore Manager	8	0.59
Acomb Explore Manager	8	1.00
Tang Hall Explore Manager	8	1.00
Explore Manager New Earswick	8	0.41
Explore Leader	5	4.50
Café @ York	4	2.50
Café @ Acomb	4	1.00
Reading and Information Assistants	4	24.20
Saturday Assistants	3	0.78
Operations Manager	7	1.00
Community Library Manager	7	4.67
Community Library Manager - Mobile	7	1.00
Reading & Information Assistant Mobile	5	0.50
Learning Network Manager	9	1.00
Technical Administrator	5	1.00
Delivery Driver	3	1.00
Caretakers	3	1.93
Stock & Systems Librarian	6	1.00
Family & Inclusion Librarian	9	1.00
Information & E Services Manager	9	1.00
Learning Development Manager	8	1.00
Children & Young People Co-ordinators	5	0.88
Learning & Skills Co-ordinator	5	1.00
Reading Development Co-ordinator	5	1.00
E Services Co-ordinator	4	1.00
Early Years Co-ordinator	5	0.50
Business Development Manager	9	1.00
Performance / Management Information	7	1.00
Archives Development Manager	10	1.00
Archivist	7	1.00
Archivist (Reader Support)	6	1.00
Family and Local History Librarian	7	1.00
Family and Local History Advisor	6	1.00
Prison Librarian	6	0.32

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Annex B

Adult & Community Education

Title	Grade	Fte
Head of Adult and Community Education	AD 11-14	1.00
Head of Curriculum and Quality	AD5-08	1.00
Family Learning & SFL Manager	Grade 10	1.00
Head of Operations and Support	Grade 10	1.00
Curriculum Managers	Grade 9	2.55
Supported Learning Manager	Grade 9	1.00
ICT Curriculum & E Learning Manager	Grade 9	1.00
Childcare Manager	Grade 9	0.60
Skills for Life/Flexible Learning Tutors	Grade 7	3.00
Lead Tutors ESOL & Maths	Grade 8	0.16
MIS Manager	Grade 8	1.00
FL Skills for Life Development Worker	Grade 7	3.50
Operations & Support Co-ordinator	Grade 7	1.00
Flexible Learning Co-ordinator	Grade 6	1.00
Area Co-ordinators	Grade 6	3.00
Publicity & Promotions Officer	Grade 6	0.50
FLC IT Facilitators	Grade 6	1.46
Family Learning Creche Co-ordinator	Grade 5	0.32
Administrators	Grade 4	4.70
Administrators	Grade 2	2.35

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Meeting of the Executive Member for Leisure and Culture and Social Inclusion

12 January 2010

Report of the Assistant Director (Lifelong Learning and Culture)

Investment in Community Facilities £200k fund: A Revised Scheme for The Melbourne Centre**Summary**

1. This report asks the Executive Member to agree to allocate the remaining £175k of the £200k Community Facilities fund to take forward a revised scheme to refurbish the Melbourne Centre for community use.

Background

2. The £200k fund is a Leisure and Culture capital programme scheme, the money coming from part of the proceeds of the sale of the Kent Street coach park site.
3. The Council chose to allocate the £200k for community facilities in lieu of any developer being required to build a new community facility on the redeveloped Kent Street site. The following criteria were agreed by the Executive for the money:
 - It should be invested in existing facilities to improve community access and / or the quality of service offered
 - Facilities must benefit residents in the immediate vicinity of the Barbican
 - Priority will be given to schemes that benefit those groups most disadvantaged by the loss of facilities on the Barbican site
 - Preference will be given to schemes that lever in funding from other sources
 - Investment must be in the form of capital, not revenue
 - Schemes must be sustainable (there must be no requirement for ongoing funding from the Council)
4. In July 2008 the Executive Member agreed to allocate the money as follows:
 - £25k for Space 109 to develop the shop next door as space for their community arts centre.
 - £175k for Accessible Arts and Media as a contribution to a £500k scheme to take forward a refurbishment of the Melbourne Centre. Part funded by the Big Lottery Fund the scheme would make the building more sustainable

and environmentally sound, providing the first community centre to ensure that people with disabilities can use the space in a fully integrated manner

5. The Space 109 scheme has now been implemented and the Council is at the point of paying over the final instalment of the £25k. Unfortunately the Accessible Arts and Media scheme has not been able to move forward. The capital and revenue consequences of the proposed scheme were beginning to impact negatively on the charity and it became necessary for them to withdraw from the scheme. They have subsequently relocated to Burtonstone Community Centre.

Consultation

6. All the community organisation and stakeholders in Guildhall and Fishergate wards were first written to in May 2006 to inform them about this fund and invite them to submit project or investment ideas that would meet these criteria. It was also advertised through the ward committee meetings and newsletters. This process was repeated in February this year. Outline ideas were sought capable of demonstrating:
 - That the organisation is in support of the idea
 - That the project is broadly feasible – e.g. any necessary land or other assets are available or can be acquired
 - Broadly how much it will cost
7. A public meeting was held in May 2008. Five community organisations were represented and there was a round table discussion with local members about the potential ideas. Consideration was given to whether there were any common themes or approaches emerging but the conclusion reached was that the ideas were in fact quite separate. Following the discussion organisations still interested were asked to submit formal proposals in June 2008.
8. Since the demise of the Accessible Arts and Media scheme consultation has taken place with the ward councillors, Fishergate School, Accessible Arts and Media, York CVS, current Melbourne Centre user groups, and a range of potential new community user groups.

Proposal

9. The Melbourne Centre is now effectively empty although Accessible Arts and Media have continued to provide a management service to allow a small number of remaining community groups to continue to use it. A wide range of possible alternative users for the Melbourne Centre have been followed up by officers in consultation with stakeholders. Only one scheme has come forward that appears to be viable. This is from the Blueberry Academy.
10. Under this proposal the Blueberry Academy would take a 15 year lease on the Melbourne centre to provide affordable community facilities for learning, leisure and other community activities. The Blueberry Academy provides personal development for individuals and organisational development for the private, public and third sector with a focus on skills development:

- Andy Bucklee (Director of Learning and Curriculum) has pioneered innovative learning experiences for adults with learning difficulties and is instrumental in the development of Skills for Work initiatives - modernising literacy and numeracy learning to embed skills for the workplace and personal development.
 - Andrew Cambridge (Director), has 15 years experience of supporting adults with learning difficulties and has developed regionally and nationally recognised projects for disabled people and clients with mental health issues.
11. The Blueberry Academy would establish a new not-for-profit organisation to fit the business and community needs of the centre, local community, school, church and the Council. With clear terms of reference this would enable partners to have confidence in the vision for the centre whilst reducing some operational costs (such as rates) and open up new funding channels to help the sustainability of the centre.
 12. The Melbourne Centre has several current user groups who will be accommodated into the new centre management and planning arrangements. The groups will be invited to assist in forming a user group along with new groups using the facilities. The Melbourne centre has also developed a user base of disabled people and accessibility will be incorporated into all future plans and improvement.
 13. A minimum amount of work is required to bring the building up to a standard viable for the proposed use. This comprises:
 - New parking arrangements to ensure the safety of pupils and centre users
 - Accessible entrance to the Melbourne centre
 - New heating and electrical system
 - Asbestos removal
 - Internal cosmetic improvements to encourage bookings and improve income potential
 14. The business plan will also look towards energy saving and environmentally beneficial solutions to centre operations and for any improvements made to the building and its fixtures. The Blueberry Academy are committed to delivering an ecologically sound operation with all centre proposals adhering to this principle. The team has a vision to take proactive strategic measures to make improvements on social, community and environmental issues.
 15. The centre depends on a successful and sustainable model for paying for efficient day to day operations and building in a strategy for future improvements and depreciation. The centre will look to maximise day, evening and weekend markets and will target a blend of community, voluntary and commercial use. The centre will also look to utilise the 'accessibility' of the centre for use by disabled people and people with mobility issues.

16. Precise targets for centre use have not been agreed, though as an initial monitoring target the centre will aim for approximately equal use between community groups, disability groups and commercial users. Example user groups include:
 - Community groups: Playgroups, local clubs, etc..
 - Disability groups: Gateway club, Disability Sports groups, etc..
 - Commercial users: Adult Education, Sports/leisure, meeting/conference space, etc.
17. This blend of users will make use of different income streams and offers the opportunity for a pricing structure which reflects the needs/finances of the groups. A business plan has been developed to create a staffed centre delivering a service for booking rooms and catering for meetings / conferences, and providing a hub for other community activities / ventures.
18. The management team is experienced in bringing in new funding to continue and improve service and capacity. It is anticipated that key improvements can be made through accessing external funding, though the operational financial model will not depend on lump sum funding after the initial investment. Examples of future developments for the centre include:
 - Changing rooms to support improved use of outside area
 - ICT technology to support learning and provide a hub for community use
 - Social enterprise activity to create jobs and provide development routes for people in social care
 - Environmentally friendly energy solutions for the centre /school

Options

19. The principal options are:
 - a) Not to proceed with any scheme
 - b) To seek an alternative scheme within the Fishergate / Guildhall Ward
 - c) To proceed with the proposed scheme

Analysis

20. If option a) were taken the building could be returned to its owners, the Methodist Church, with 3 months' notice. There would, however, potentially be a dilapidations cost to the Council of around £30k which would have to be funded. The remainder of the £175k could be reallocated within the Council's capital programme.
21. If option b) were to be pursued there is no immediate likelihood of an alternative, viable scheme coming forward to create community facilities. Previous extensive consultation did not reveal any alternative ideas.
22. Option c) is recommended as providing the most effective way to deliver sustainable community facilities for the Fishergate Ward.

Corporate Priorities

23. This scheme particularly contributes to the Inclusive City aim of improving opportunities for third sector involvement in the shaping, influencing and delivery of services.

Implications

Financial:

24. The Leisure and Culture Capital programme currently has £175k remaining unallocated in the Community Facility budget, in 2010/11.
25. Additional funding would be required to fund the full cost of the required works (see below). This would be funded through prudential borrowing and recharged to the tenant (see below).
26. For the financial year 2009/10 the council will incur a rental charge of £3,000 (£250 a month). In addition the operating costs of the building for the six month period from 1st October 2009 when the council became responsible for the costs are £2,580 (£430 a month), for insurance, utilities and cleaning. The total impact on the LCCS budget for 2009/10 will therefore be £5,580 for which there is currently no budget provision.

Property:

27. The cost of the required works is as follows:

Element		£
Asbestos removal		22,000
Car Park		51,000
Ramp		8,000
Electrical		16,000
Mechanical		35,000
Painting and new entrance		18,000
		150,000
Contingency	7.5%	11,250
		161,250
Prelims	10%	16,125
		177,375
Professional Fees	15.0%	26,606
		203,981

28. This work would be undertaken by the Council. It would be funded using the £175k available plus prudential borrowing to be recharged to the tenant in the form of an increased rent level payable over and above the rent that the

Council will pay to the Methodist Church. Assuming prudential borrowing of £30k and assuming the expenditure and therefore the prudential borrowing takes place in 2010/11, there would be an interest only charge in 2010/11 of approximately £700 followed by 15 annual payments of £2,800. These figures are based on the current interest rate of 4.53%, and would be added to the rent payable, making a total annual rent of £5,800 per annum

29. The rent of £3,000 p.a. (less than £1 per sq ft) is a low rental which reflects the current condition of the building. Refurbishment works would also be excluded on review during the 15 year lease term. Thereafter, the value of the refurbishment works (particularly the improvements to the heating and electrical system) could be taken into account. As the rent charged to Blueberry needs to be sustainable in terms of the proposed hire charges to the 'charitable users', there will be no profit rent for the council i.e. the rent charged to Blueberry will be the same as that paid by the council (plus the additional amount to cover the loan). Therefore, the council are not receiving any monetary return on the £175k invested in the refurbishment. However, the council would be ensuring the provision of community facilities in line with its policy on community use of assets.
30. The risk to the council is that if Blueberry is not successful in sustaining the centre, it could serve Notice to terminate and the council would be left with a building which it had no use for and potentially other users which it would need to manage. If that happened, the council would look for another community group to manage the centre which would not only take time but may not necessarily be successful.
31. The head lease between the Methodist Church and the council will be on the following terms:
 - 15 year term
 - Rent - £3,000 p.a
 - 5 yearly rent reviews
 - 5 yearly break clauses proposed
 - Full Repairing and Insuring
32. The sub-lease between the Council and Blueberry will be on the following terms:
 - 15 years less 1 day
 - Rent - £3,000 p.a. (plus additional amount to cover the loan)
 - 5 yearly rent reviews
 - Contracted out of security of tenure provisions
 - Annual break clauses on Blueberry giving 6 month's Notice
 - Full repairing and insuring
 - Use – in line with other community assets and allow for public use but also allow income to be generated to ensure the viability of the centre

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Meeting of the Executive Member for Leisure,
Culture and Social Inclusion

12 January, 2010

Report of the Assistant Director (Lifelong Learning and Culture)

The William Reed Trust

Summary

1. This report asks the Executive Member to agree to:
 - i) extend the objects of the William Reed Trust to include conservation of fossils, and
 - ii) spend the trust's permanent endowment as well as the accrued interest.

Background

2. The "William Reed Bequest for the Yorkshire Philosophical Society" was made through a will proved on 21 May 1892. The current charity was registered with the Charity Commission on 26 August 1987. Although a separate charity it is linked to the Yorkshire Museum and Gardens Charity. The scheme document (see Annex A) names North Yorkshire County Council as sole trustee. This responsibility passed to City of York Council on Local Government Reorganisation.
3. The objects of the charity are "the purchase of British fossils and works on natural history and especially on geology and palaeontology to be added to the geological collection and to the "Reed Reference Library" in the Yorkshire Museum.

Consultation

4. Consultation has taken place with the York Museums and Gallery Trust (YMT) who are the managing trustee for the Yorkshire Museum and Gardens Charity.

Proposal

5. YMT are proposing to conserve the Ichthyosaur fossil, a giant sea-creature, as part of the redisplay of the Yorkshire Museum. It is estimated that this project will cost in excess of £20k. The Yorkshire Museum Ichthyosaur is ten metres long, the largest in Britain. It was the original 'type specimen' from which the newly discovered species was described in 1876. The Ichthyosaur will form the centrepiece of the new gallery 'Extinct: A Way of Life'. No funding has currently been identified for the project. It is proposed to use the

£600 of permanent endowment and the accrued interest of just over £18,000 as a contribution towards this project. To do this it will be necessary to amend the charitable objectives to include conservation of fossils and to resolve to spend the trust's endowment as well as the interest.

Options

6. The main options are:
 - a) to maintain the status quo and retain the current charitable objectives of the fund
 - b) to change the charitable objectives to include conservation and to spend only the interest in the fund
 - c) to change the charitable objectives to include conservation and to spend both the interest and the endowment

Analysis

7. Very little has been spent from this fund since 1987 which is why the interest has accumulated to this level. There is little current demand to purchase fossils or books and any purchases required can be accommodated from YMT's operational budgets. The proposed conservation project on the other hand represents a significant, one-off opportunity to conserve an important fossil as part of the refurbishment and redisplay of the Yorkshire Museum.
8. It would be possible to spend only the interest and retain the endowment but given the small sum involved it would not make sense to continue to administer the charity; it would be better to spend the full sum.
9. Under the circumstances option c) is recommended: to change the charitable objectives to include conservation and to spend both the interest and the endowment.

Implications

10. **Financial** – The balance of the fund at the start of 2009/10 is £18,528 and the interest the fund receives is between £800 and £900 per annum.
11. **Legal** - The charity is categorised by the Charity Commission as a "smaller charity" having a yearly income of less than £10,000 and no land. Relevant guidance on how to deal with smaller charities is contained under the heading "Smaller charities: changes, transfers, voluntary removal and winding up" on the Charity Commission website. There is a simple procedure available to the Council procedure, set out in section 75 of the Charities Act 1993 as amended by the Charities Act 2006, for changing the purposes of the charity and to authorise the spending of the permanent endowment.
12. Once relevant procedures had been complied with the proceeds from the fund would be paid to YMT by the Council in the form of a grant to complete the work on the Ichthyosaur.

13. There are no Human Resources, Property, Equalities, Crime and Disorder, Information Technology or Property Implications arising from this report.

Risk Management

14. In compliance with the Councils risk management strategy. There are no risks associated with the recommendations of this report.

Recommendations

15. The Executive Member is asked to agree to:
- change the charitable objectives of the William Reed Trust to include conservation of fossils, and
 - to spend the fund’s endowment as well as the accrued interest

Reason: To facilitate conservation of the Ichthyosaur in the collection of the Yorkshire Museum.

Annex A: William Reed Trust registration document

Contact Details

Author and Chief Officer Responsible for the report:					
Charlie Croft Assistant Director (Lifelong Learning & Culture) 01904 553371	Report Approved	✓	Date	16.12.09.	
Specialist Implications Officer: Brian Gray Legal Services					
Wards Affected:				All	✓
For further information please contact the author of the report					

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Scaled 20th February 1987

N39(S)
87

County - North Yorkshire
Place - York
Charity of William Reed for the
Yorkshire Philosophical
Society

L3
529,709 A/1

Scheme

C H A R I T Y C O M M I S S I O N

In the matter of the Charity of William Reed for the Yorkshire Philosophical Society, at York, in the County of North Yorkshire, founded by will proved at York on the 21st May 1892; and
In the matter of the Charities Act 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established:-

S C H E M E

1. Administration of Charity. The above-mentioned Charity and the property thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed upon the subsisting trusts thereof as varied by the provisions of this Scheme.

2. Trustee. North Yorkshire County Council shall be the Trustee of the Charity.

3. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

S C H E D U L E

The following sums of cash on deposit with the Charities Deposit Fund standing in the name of the Yorkshire Philosophical Society:-

£600 being permanent endowment.

~~£5,277.17~~ £5,877.17 being accumulations of income.

£1,179 11¼% Merton Redeemable Stock 2017 standing in the name of the Midland Bank Trust Company Limited and representing accumulations of income.

£859.16 cash on deposit account at the Parliament Street, York branch of Midland Bank plc being accumulations of income.

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Sealed by Order of the Commissioners this 20th day
of February 1987.

L.S.

N986