

EAST AYRSHIRE COUNCIL

CABINET – 23 JUNE 2010

REPORT FROM THE MEMBER/OFFICER WORKING GROUP TO REVIEW CABINS AND DAY CENTRES

Report by Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to inform Cabinet of the outcome of the Member/Officer Working Group in relation to the review of Cabins and Day Centres, and to seek approval for recommendations.

2. BACKGROUND

- 2.1** A report was presented to Cabinet on 23 April 2008 recommending that a Member/Officer Working Group should be established to review Cabins and Day Centres. The proposed terms of reference were to review these community facilities in relation to usage; facility management issues; and health and safety issues.

3. SUMMARY OF MAIN ISSUES

- 3.1** The Member/Officer Working Group has met on 7 occasions. All facilities were visited by representatives of the Member/Officer Working Group.
- 3.2** At the meeting of the Member/Officer Working Group on 7 November 2008, a number of initial recommendations were made in respect of the Cabins and Day Centres based on information presented to date. This included information about recurring revenue costs; current usage; physical infrastructure issues including DDA and potential availability of alternative monies.
- 3.3** The lead officer changed in January 2009 and further meetings were held on 13 March 2009; 10 June 2009 and 21 August 2009 as further detail and analysis relating to usage of the Cabins and Day Centres and in particular, health and safety issues were brought to the Member/Officer Group for its further consideration.
- 3.4** The further issues which the Member/Officer Group were asked to take into consideration at these meetings included:
- Child protection and vulnerable adult issues;
 - Risk management issues including fire safety issues on the basis that there are no permanent staff in the Cabins and Day Centres when they are in use;

- Issues regarding recurring revenue if Centre Supervisors were to be appointed to address the above;
- An assessment of the capacity of current user groups/management committees to take on more responsibility for individual cabins/day centres;
- Issues regarding capacity in the Community Learning and Development Service to promote Cabins and Centres in the light of other priorities recognising the need to continue working to build capacity with existing Community Associations;
- No formal letting arrangements;
- More detailed information regarding alternative options for users if any specific Cabins or Day Centres were to close.

3.5 Overall, extensive discussion has taken place regarding the value placed on Cabins and Day Centres by their users balanced with the need to ensure that the use of existing community facilities are maximised within the context of limited resources and due cognisance taken of health and safety issues. The minute of the meeting of 13 March 2009 set out the view of the lead officer that there remained outstanding issues of sustainability and health and safety.

3.6 At its meeting of 10 June 2009 the issues which still remained in respect of health and safety were discussed along with further information in respect of user group/management committee capacity.

3.7 The undernoted sets out the health and safety issues:

- **Risk Assessments**
User groups will require to undertake their own risk assessments. Given the status and capacity of groups, officers questioned whether this could be done.
- **Fire Safety**
As no staff are on site during the usage of the buildings, groups still access Cabins and Day Centres through local key holding arrangements. Daily inspections of fire exits, weekly checks of fire fighting equipment weekly fire alarm and emergency lighting checks are not being undertaken.

It is unknown to what extent groups carry out fire drills. There is no current system in place to record and report annually on the number of fire drills that have taken place.

As there is no formal letting system, there is no requirement for groups to evidence formal arrangements in respect of fire evacuation etc. Assessments are unlikely to have been undertaken or fire risk assessment training.

Since the Member/Officer Group met, Health and Safety colleagues have raised two further issues:

- Two-way communication may have to be provided in each establishment, so contact can be easily made with Emergency Services.
- The requirements of the new Risk Management Centre may have implications in the future, for example, testing of security or fire systems.
- **Protection of vulnerable children and adults**
In Community Centres, Community Associations adopt arrangements for the protection of children and adults in line with the Council's letting policy. There is no such 'protection' in Cabins and Day Centres as no formal letting procedures are in place.
- **Letting**
No formal letting system is in place. In other educational premises the let form signed off by the lessees is a means of ensuring that user groups comply with legal requirements relating to child protection, disclosure, qualifications, health and safety, fire wardens, portable appliances and licences. The letting system also ensures that lessees have been advised as to their insurance requirements.

3.8 An initial assessment of the capacity of users; user groups and Management Committees to take on more responsibility was discussed. The initial officer assessment was based on capacity to become a management committee which will have responsibility for the use of the facility, but not necessarily full Community Association responsibility in respect of establishing letting charges:

Catrine Day Centre

Not applicable.

Cumnock Day Centre

Potential for more responsibility but not necessarily full Management Committee responsibility.

Dalrymple Day Centre

Dalrymple Community Association have capacity to take letting responsibility for the Day Centre.

Galston Day Centre

No management committee at present. Initial assessment would suggest that user groups do have limited capacity.

Glebe Road

Currently used by three groups on a monthly basis. No current management committee. Limited capacity at this stage.

Muirkirk Day Centre

Three active members, but no formally constituted Committee. Limited capacity at this stage.

Newmilns Cabin

Potential capacity with support to further develop their role as an existing Management Committee.

Patna Day Centre

Potential to form a Management Committee.

Witch Road Cabin

Very diverse user groups, and initial assessment would suggest limited capacity at this stage.

3.9 The attached Appendix 1 – Recommendations of the Member/Officer Group and Management of Risk sets out the recommendations made by the Member/Officer Working Group.

3.10 The undernoted set out proposals from the Member/Officer Working Group.

Catrine Day Centre

Source an alternative facility for the Moving and Handling training currently based at Catrine Day Centre, thereafter, Catrine Day Centre be declared surplus to operational requirements.

Cumnock Day Centre

Establish Management Committee to regulate activity and develop a Service Level Agreement, failing which closure and relocation of users.

Dalrymple Day Centre

Remain open and support the Community Association to integrate the Centre with the Community Centre. This requires to be done within existing resources.

Galston Day Centre

Outstanding legal issues re ownership being progressed with a view to bringing Centre into Council ownership. Retain current status until outcome of Galston regeneration proposals are finalised. Since the Member/Officer Group met, it is now known that Galston Community Centre will be refurbished.

Glebe Road

Closure with support to groups to re-locate to alternative premises.

Muirkirk Day Centre

Remain open and managed by East Ayrshire Council.

Newmilns Cabin

- Investigate DDA compliance in Morton Hall.

- Enter into discussions with existing user groups with a view to establishing a constituted body to assume responsibility for a lease of the Cabin following remedial work by the Council.
- Return to Cabinet with the outcome of these discussions and outcome of DDA investigations.

Patna Day Centre

Remain open pending outcome of option appraisal for Patna/St Xavier's Campus, and implementation, as appropriate.

Witch Road Cabin

Enter into discussions with existing user groups with a view to establishing a constituted body to assume responsibility for the lease of the Cabin following remedial capital works by the Council, failing which, Witch Road Cabin remain open and that capital works, maintenance costs and any additional costs be met by East Ayrshire Council.

- 3.11** Since the Member/Officer Working Group met, Cabinet has agreed to a review of facilities locality by locality.

4. FINANCIAL IMPLICATIONS

- 4.1** There are financial implications arising from recommendations of the Member/Officer Group. These are set out in the Appendix as they relate to individual premises. Although the Member/Officer Working Group has not recommended additional Centre Supervisor hours, there would be an additional cost to the Council of £61,441 if these require to be resolved using increased hours to address some of the health and safety issues. Current estimate of £227,500 of capital costs if all Cabins and Day Centres were to remain open.
- 4.2** The overall budget for the Cabins and Day Centres referred to in this report in 2009/10 was £37,870.

5. PERSONNEL IMPLICATIONS

- 5.1** Cabins/Day Centres have no centre supervisors, however cleaning hours are allocated at a total cost of £12,212. Glebe Road has 1 hour of cleaning allocated and there will therefore be personnel implications for this employee.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1** Galston Cabin is not currently in the ownership of the Council but rather lies with the Trustees for the Old Men's Cabin by virtue of a Feu Disposition in their favour granted by the Provost Magistrates and Councillors of the Burgh of Galston in 1949. It is understood that notwithstanding the ownership position agreement was reached by the former Kilmarnock and Loudon District Council in the 1970's whereby the Council would re-acquire title to the property in exchange for taking on all maintenance obligations. Whilst the Council has and continues to maintain the Cabin no title transfer has taken

place. Initial discussions have however now taken place between the Estates Manager and one of the current Trustees with a view to agreeing terms and conditions which would allow the title transfer to take place on the basis of a previously agreed agreement with the Council's statutory predecessors. The Solicitor to the Council will ensure that any title granted adequately protects the interests of the Council.

7. COMMUNITY PLANNING IMPLICATIONS

- 7.1** The recommendations from the Member/Officer Working Group relate to a number of themes of the Community Plan. In particular, the theme of lifelong learning in respect of community capacity building.

8. RISK MANAGEMENT

- 8.1** There are risk management implications in respect of the use of Cabins and Day Centres. These are set out for each facility in the appendix to this report. They relate specifically to issues highlighted in section 3.4 and 3.7 of the report in respect of protection of children and vulnerable adults and health and safety issues. These risks will seek to be minimised by establishing constituted management committees which will have set out clear responsibilities in terms of governance arrangements in facilities. It must be noted that unlike Community Centres where an officer of the Council is present during lets, usually a Centre Supervisor, Cabins and Day Centres do not have this resource. The Management or User Committees would still have to rely on a system of key holding. In turn, the committees would have greater reliance on user groups to carry out any requirements to ensure the health and safety of their members.

- 8.2** Aspects of the Council's health and safety policies require that regular checking is in place. With no Centre Supervisor, some of these remain unresolved. Centre Supervisors act as fire controllers during lets. With a key holding system, it is unlikely that anyone has been designated as Fire Evacuation Controllers nor Fire Wardens. It is also very unlikely that any training relating to these roles has been delivered. However, the risk is reduced as most Cabins and Day Centres are of a very small size.

9. RECOMMENDATIONS

- 9.1** It is recommended that members of Cabinet:
- i) Approve the Member/Officer Working Group recommendations in respect of Catrine Day Centre; Dalrymple Day Centre; Patna Day Centre and Galston Cabin;
 - ii) Approve the Member/Officer Working Group recommendations in respect of Glebe Road, with a closure date of 30 September 2010;
 - iii) Remit to officers, to support the current users of Glebe Road Cabin to re-locate;

- iv) The remaining facilities should be considered as part of the officer review which will be undertaken in respect of a review of facilities locality by locality; and
- v) otherwise note the content of the report.

Graham Short
Executive Director of Educational and Social Services

March 2010
KG/SR

LIST OF BACKGROUND PAPERS

Member/Officer Working Group minutes of:

- 27 June 2008
- 1 September 2008
- 24 October 2008
- 7 November 2008
- 13 March 2009
- 10 June 2009
- 21 August 2009

Members wishing further information should contact Kay Gilmour, Head of Service: Community Support, Tel: 01563 576104

IMPLEMENTATION OFFICER: KAY GILMOUR

APPENDIX 1
RECOMMENDATIONS OF THE MEMBER/OFFICER GROUP AND MANAGEMENT OF RISK

CABIN/ DAY CENTRE	PHYSICAL/FABRIC ISSUES	CAPITAL COSTS (£)	MEMBER/OFFICER RECOMMENDATIONS	MANAGEMENT OF RISK
Catrine Day Centre	Not applicable	Not applicable	Relocate moving and handling training and thereafter declare surplus to requirements	Facility will remain open pending alternative accommodation for moving and handling training.
Cumnock Day Centre	<ul style="list-style-type: none"> • DDA upgrade • Fabric upgrade 	<ul style="list-style-type: none"> • £6,000 • £20,000 	Establish a Management Committee to regularise usage and develop a Service Level Agreement, failing which the Day Centre is closed and users of the Day Centre relocated to the Barrhill Centre.	<p>(i) The Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.</p> <p>(ii) if a Committee cannot be established, users will be supported to re-locate to new premises. However, some negotiation may be required regarding day and time of lets.</p>
Dalrymple Day Centre	<ul style="list-style-type: none"> • Fire alarm (linked with Youth Centre) to be installed 	<ul style="list-style-type: none"> • £500 	Remain open and support the Community Association to integrate the Centre with the Community Centre.	Negotiations may require to take place with existing lessees regarding time of lets
Galston Cabin		<ul style="list-style-type: none"> • nil at this time 	<p>Outstanding legal issues re ownership being progressed with a view to bringing Centre into Council ownership.</p> <p>Retain current status until outcome of the plan in respect of Galston Regeneration are known.</p>	(i) The Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.
Glebe Road	<ul style="list-style-type: none"> • Considered to be beyond economic repair and refurbishment. 	Estimated in excess of £140,000	Closure	(i) Users will be supported to re-locate to new premises. However, some negotiation may be required regarding day and time of lets.

CABIN/ DAY CENTRE	PHYSICAL/FABRIC ISSUES	CAPITAL COSTS (£)	MEMBER/OFFICER RECOMMENDATIONS	MANAGEMENT OF RISK
Muirkirk Day Centre		<ul style="list-style-type: none"> • Nil 	Remain open	(i) The Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.
Newmilns Cabin	<ul style="list-style-type: none"> • Baseline requirement works as identified by Contract Compliance Manager be carried out 	<ul style="list-style-type: none"> • £30,000 	Discuss with users of the Cabin the potential for them to lease the Cabin, following remedial works, failing which the Cabin remains open and any capital works and maintenance costs be met by the Council, pending the outcome of DDA investigations into Morton Hall	(i) If a lease is not developed or until a lease is developed the Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.
Patna Day Centre	<ul style="list-style-type: none"> • Car Park facilities need to be improved to reduce vandalism 	<ul style="list-style-type: none"> • £20,000 • An additional £10,000 if fence required 	Remains open with potential to integrate into the school campus development.	(i) The Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.
Witch Road Cabin	<ul style="list-style-type: none"> • level access provision from car park needs to be made available • existing water heater needs replaced by an instantaneous heater 	<ul style="list-style-type: none"> • £500 car park • £500 water heater 	Discuss with users the establishment of a constituted body to assume responsibility for a lease following remedial capital works by the Council, failing which, Witch Road remain open and that any capital, maintenance costs and any additional costs be met by the Council.	(i) The Management Committee will require to introduce a formal letting system which will ensure that user groups comply with legislation in relation to child protection, disclosure, qualifications, health and safety including fire safety, portable appliances and liquor licences. Their letting system should also ensure that lessees are advised about their insurance requirements.