

MIDDLESBROUGH COUNCIL

EXECUTIVE SUB-COMMITTEE FOR PROPERTY

16 JUNE 2014

<p>RESULT OF CALL - IN - FUTURE OF NETHERFIELDS COMMUNITY CENTRE</p>

PURPOSE OF THE REPORT

1. In accordance with Middlesbrough Council's call-in procedure, to report the outcome of the meeting of the Overview and Scrutiny Board (OSB) held on 9 June 2014. The purpose of the OSB meeting was to review decisions made by the Executive Sub-Committee for Property on 19 May 2014.

BACKGROUND INFORMATION

2. The call-in procedure was instigated following decisions of the Council's Executive Sub-Committee for Property in respect of the future use of Netherfields Community Centre. These decisions were as follows:
 - That the use of Netherfields Community Centre to facilitate an extension to Priory Woods School be approved; and
 - That Priory Woods School is encouraged to work with the local community to accommodate their aspirations wherever possible.
3. A meeting of the Overview and Scrutiny Board was held on 9 June 2014 in order to review the above decisions. A copy of the report submitted to the Executive Sub-Committee meeting was included with the OSB meeting papers.
4. The Overview and Scrutiny Board heard from the Member who initiated the call-in; from the Deputy Mayor/Executive Member - Finance/Governance, who had chaired the meeting of the Executive Sub-Committee for Property; and from Council Officers from Economic Development and Communities and Wellbeing Care and Learning.

5. The Member who initiated the process explained the reasons for the call-in and the Executive Member and officers explained the background to the decisions and the rationale involved. OSB discussed at length the issues concerned and all parties present were given the opportunity to ask questions. The following points were highlighted during the discussions and questioning:
- The process leading up to Priory Woods School being offered use of the Netherfields Community Centre.
 - How, or whether, community usage of the facility could be guaranteed following transfer of the building to the school - especially if the school converts to academy status in future. The Chair suggested that OSB could recommend that this could be incorporated into a binding legal agreement.
 - The implications for the authority and for Priory Woods if the community centre was not used for an extension to the school. This included how the necessary expansion of special educational needs placements could otherwise be accommodated and the associated financial implications.
 - The implications for the local community following closure of the centre and the impact on groups currently using the facility and provision offered for such groups.
 - The process surrounding support for a possible community asset transfer to the centre's Management Committee and the reasons why this had been rejected. OSB noted that the financial information contained in the re-submitted business case, which had been considered to be non-viable, had been provided by the Management Committee, rather than by the Council - with projected income levels requiring a 500% increase.
 - The budget implications relating to the proposals. It was explained that the £250,000 capital funding required would be from a ring-fenced education capital budget. As a result of the expenditure saved, this amount would be more than recouped in under 12 months due to savings made by not having to utilise private special educational needs placements outside Middlesbrough. None of the expenditure required would come from the Council's main Revenue Budget.
 - The Member leading the call in had attended the Executive Sub-Committee for Property meeting on 19 May 2014. At that meeting they had outlined a very similar case to the case that was presented to OSB.
6. The relevant parties then made closing statements in support of the call-in and in respect of the decisions of the Executive Sub-Committee.

CONCLUSIONS AND DECISION

7. The Board discussed the information presented in detail. Members acknowledged that the decision to reject a community asset transfer to the Community Centre's Management Committee had been made some time before the May 2014 meeting of the Executive Sub-Committee for Property. As such, that decision could not, in itself, be referred back for reconsideration.

8. However, Members questioned whether the authority could have done more to support, or encourage, the community asset transfer in order to ensure the continued use of the building as a community centre and to safeguard the provision of community facilities in the area.
9. Each Member advised on their assessment of the information presented. As there was no consensus view on a proposed course of action, OSB voted on whether the decisions should be referred back to the Executive Sub-Committee for Property for reconsideration:
 - Having expressed concern in respect of the decisions of the Executive Sub-Committee, six Members voted that the decisions should be referred back to the sub-committee.
 - Three Members voted that the decisions should not be referred back and indicated that they were satisfied with the decision making process that was followed and the decisions that were taken.
10. The Overview and Scrutiny Board therefore **AGREED** that the decisions of the Executive Sub-Committee for Property in respect of the future use of Netherfields Community Centre be referred back to the decision making body. The reason for the referral back is as follows:

The proposed use of the building raises concerns regarding a future lack of provision of community facilities in Netherfields.

BACKGROUND PAPERS

11. The following background papers were used in the preparation of this report:-
 - Middlesbrough Council's Constitution/Call-In Procedure.
 - Middlesbrough Council's Scrutiny Handbook.
 - Report to Executive Sub-Committee for Property - 19 May 2014.
 - Call-In Form - 27 May 2014
 - Report to Overview and Scrutiny Board - 9 June 2014.

COUNCILLOR NICKY WALKER

CHAIR - OVERVIEW AND SCRUTINY BOARD

Contact Officer:

Alan Crawford
Scrutiny Support Officer
Legal & Democratic Services
Tel: 01642 729707 (direct line)
e-mail: alan_crawford@middlesbrough.gov.uk