

MAYOR AND CABINET			
Report Title	Proposal to Transfer Management of Five Community Centres to Lewisham Homes		
Key Decision	Yes	Item No.	
Ward	Evelyn Ward / Telegraph Hill Ward / New Cross Ward		
Contributors	Executive Director Community Services Head of Law & Financial Services		
Class	Part 1	Date:	15 January 2020

1. Summary

1.1 This report is seeking approval to transfer the management of five community centres to Lewisham Homes. The centres are:

- Evelyn, Kingfisher Square, 1 Clyde Street SE8 5LW
- Scotney Hall, 17 Sharratt Street SE15 1NR
- Barnes Wallis, 74 Wild Goose Drive SE14 5LL
- Honor Oak, 50 Turnham Road, SE4 2JD
- 2000 Community Action Centre, 199 Grove Street, SE8 3PG

2. Purpose

2.1 This report recommends that the Council enter into arrangements with Lewisham Homes under which they will manage the five community centres on behalf of the Council on terms as set out in this report, with further detail to be agreed between the Council and Lewisham Homes under delegated authority.

2.2 It is intended that existing occupational arrangements for the centres (including the Premises Management Agreements for some of the centres, and Hire Agreements) will remain in place although they will be reviewed by Lewisham Homes to ensure that the premises are providing benefit to the local community.

3. Recommendations

It is recommended that Mayor and Cabinet:

- 3.1 agree to the transfer of management responsibility of the centres listed at 1.1 as from 1 April 2020, to include the ability for Lewisham Homes to make decisions on the community use of the centres and any change to the existing occupational arrangements; and
- 3.2 approve delegation to the Executive Director for Community Services in consultation with the Head of Law for decisions about the nature and terms of agreement for the proposed transfer of responsibility.

4. Policy Context

- 4.1 The proposal to transfer the five Community Centres contributes to the following Corporate Strategy 2018 to 2022 priorities of the Council:

Building an inclusive local economy – Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy.

Making Lewisham Greener – Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.

- 4.2 The transfer is a key service priority within the Objectives of Culture and Community Development Services plan 2018-19. This is also a key action to ensure long term community provisions.

5. Background

- 5.1 Following a review of Community Assets in 2015 and previous consultation, Mayor and Cabinet have previously considered reports on The Voluntary Sector Accommodation Implementation Plan (15 July 2015 and 11 November 2015: see Reference Documents). This included a new framework for the management and rationalisation of community buildings. It was agreed that any proposal would be brought back to Mayor and Cabinet for decision.

- 5.2 The community centres listed at 1.1 above were designated in the community assets review as core community provision. This means that they are intended as an asset to contribute to the community development of their local neighbourhoods. These five centres sit within the Housing Revenue Account (HRA) as they were originally built to service the needs of the residents on the estates where they are located. Some of the Community Centres are currently underutilised. The proposals in this report will assist with better utilisation and ensuring that the centres are managed for the benefit of their local neighbourhoods.

- 5.3 Lewisham Homes are the Council's wholly owned subsidiary company. The role of Lewisham Homes is to be the Council's key housing delivery partner, housing manager, and new homes development partner as set out in the Agreement for Housing Management and Other Services 2017. The proposed transfer of the Community Centres is consistent with the Management Agreement.

- 5.4 The options which have been considered in relation to the objective to deliver better utilisation of the Community Centres and ensure that the centres are managed for the benefit of their local neighbourhoods are:

- Keeping the centres under direct management by the Council;
- Transferring the centres to Lewisham Homes (the recommended option);

- 5.5 The management of the five centres is currently undertaken by the Council's Cultural and Community Development Service. Three of the centres have Premises Management Organisations that provide the day to day management and the other two are directly managed by the council. All five centres are located within housing estates where Lewisham Homes is the main landlord. Lewisham Homes has direct and regular links with residents

on the estates. Under the management of the Council the link between these community centres and the residents of the estates had weakened meaning that in some instances the community centres have lost their neighbourhood relevance and are not being utilised enough by local residents.

5.6 Lewisham Homes has a long history of working within communities involving local residents and Tenant resident associations. Lewisham Homes have supported residents and communities through a number of projects and activities. They have a Community Engagement Strategy, setting out their mission, which is to deliver great housing services for thriving neighbourhoods. Their objectives are as follows:

- To improve the scope of engagement
- To listen to a wider group of residents, representatives of overall resident demographic
- To provide effective ways for residents to influence service quality and strategic direction.
- To give residents a say on how the community investment budget is allocated and which community projects are funded.
- To communicate outcomes of engagement and investment with stakeholders.

The management of the centres, and the services delivered at the centres will be in line with Lewisham Homes' Community Engagement Strategy. Lewisham Homes would seek to minimise the underutilisation of the Centres. It is intended that these centres will become neighbourhood based facilities predominately providing services at neighbourhood level. Transfer of management will support closer links between these community assets and the residents on the estates that they were built to serve.

5.7 The initial discussions for the basis of the terms under which Lewisham Homes will manage the Centres are set out below. These will be formalised in a "Service Transfer Agreement" pre transfer of the centres.

- They will manage the centres in line with their Community Engagement Strategy to provide benefits to residents living in the local neighbourhood.
- They will be fully responsible for repairs and maintenance;
- They will bear liability for business rates;
- They will pay for utilities;
- They will arrange for insurance;
- And take on all other liability for running the Centres.
- They will have the ability to cease/review all Hire and PMO agreements currently in place in line with the existing terms of those agreements,
- The Council may require centres to be temporarily closed for the purposes of holding an election (polling Stations or counts) or emergency planning responses.
- They will retain income from charges from room hire at the centres.
- They will be the Council's agent for delivery of obligations in relation to existing agreements between the Council and Premises Management Organisations. These are as follows:
 - Barnes Wallis Centre - Barnes Wallis Community Centre Association;
 - 2000 CAC – The 2000 Community Action Centre;
 - Honor Oak Community – Honor Oak Community Centre Association.

- They will report to the Council on their achievement of the objectives for the Centres, under the usual reporting arrangements for the Management Agreement.
 - Any request to close or redevelop a centre would need to be made to the council and would require written approval by the council.
- 5.8 The detailed arrangements for delivery of these responsibilities by Lewisham Homes, on the basis of the terms set out above, will be in line with the position as set out in the Management Agreement. Further detail will be agreed as necessary, and will be set out between Lewisham Homes and the Council.

6. Consultation

- 6.1 Lewisham Council sent an online consultation invitation to the 23 regular users and hirers and the three Premises Management Organisations. A total of 11 responses were received. The main concern raised was the fear that the proposal would lead to the centres being closed and the impact this would have on the activities currently being provided at the centres. There is no intention to close any of these centres. In fact the proposal is intended to improve the sustainability of these buildings and safeguard the long term future use of the centres for local residents. There were also some comments about not seeing the need to change the current arrangements but also some respondents welcomed the transfer of management. Concern was raised by one respondent about the need to ensure that any outstanding repairs are completed before transfer. This will be addressed during the handover period between Lewisham Council and Lewisham Homes.
- 6.2 Barnes Wallis, 2000 CAC and Honor Oak Community centres are managed by premises management organisations, as set out above. Joint informal meetings were held with each Premises Management Organisation and Lewisham Homes. There were no major concerns raised during these meetings.
- 6.3 Lewisham Homes also consulted with residents on the estates. Consultation took place through letters to all households and door knocking. 45 people on the Pepys Estate engaged with the consultation in relation to 2000 Community Action Centre. 10 out of 45 people who responded to the consultation do not use the centre for various reasons. The common reasons for this were; not having any reason to, or there not being any events or services that interested them. Some people said it was simply because they had no time. There was a complaint about the noise and litter generated by the parties hosted in the hall. There is a strong demand for exercise and dance classes and sports in general. There is a need for activities aimed specifically for elderly people. Provision for child care and activities for young children under 10. Improved ICT facilities was also popular. Many people also commented that the centre needed more opening hours in general.
- 6.4 32 residents on the Evelyn Estate responded. Many of those consulted had never used or used the hall a long time ago. This was mainly due to lack of information and clarity about how to hire, lack of activities and bad condition of the hall when visited. The hall has got great potential with its size and facilities.

- 6.5 55 people from the Honor Oak Estate engaged with the consultation. Most of the responses came from residents engaged during the door knocking. Honor Oak Community Centre is generally well used although most of the residents who engaged in the consultation, do not currently use the centre. Many residents who uses the centre value the space and want it to be fully utilised with full range of activities accessible to them. Some of the residents engaged during the door knock assumed that the community centre was the same as the youth centre and never thought about visiting because of this. Many also referred to more youth activities, some of which already takes place at the Youth centre.
- 6.6 60 people engaged with the consultation on the Winslade Estate in relation to Scotney Hall. Most of the responses came from residents engaged during the door knocking. Most people have visited the hall to attend a meeting, vote during election or used one of REMEC services. REMEC is the one of the main two users of the centre who deliver a range of community projects. The hall has only two main users, REMEC and Mount Carmel Apostolic Church. Many of those we consulted have never used, or used Scotney Hall a long time ago. This was mainly due to lack of information and clarity about how to hire, lack of activities and bad condition of the hall when they visited.
- 6.7 37 residents engaged with the consultation about Barnes Wallis. 12 residents use the community centre. 1 person attended the Church and karate, 2 residents used it for physical exercise classes, the other 9 residents attended meetings and community events there. 25 residents did not use the community centre, 13 of these residents said they weren't interested in using it/ didn't have time to. 8 residents stated they did not get information about what is happening there, or felt it was used too much by private bookings, such as the church and supplementary school. 1 person stated they were too unwell, 1 person cited safety and fear of going out at night. 2 people didn't give a reason why. Suggestions for activities at the community centre included Rainbows, yoga, tai chi, child education classes, new babies and carers, ESOL classes and dominoes. Residents wanted to be able to book the centre for private parties. One resident said it should be a flexible space catering for the whole estate.

7. Financial implications

- 7.1 This report seeks approval for the transfer of management responsibility of the centres listed at 1.1 as from 1 April 2020, to include the ability for Lewisham Homes to make decisions on the community use of the centres and any change to the existing occupational arrangements. The report also recommends that approval of terms of agreement for the proposed transfer of responsibility be delegated to the Executive Director for Community Services in consultation with the Head of Law.
- 7.2 Lewisham Homes would be responsible, under delegated authority, for the management and maintenance of the centres, with the HRA being liable for the associated costs. In addition, the HRA would also become liable for any ongoing investment needs. However, no budgets would be transferred as part of this proposal. Costs of repairs and maintenance are currently met from the Regeneration and Place budget and are typically £20k - £30k p.a. This would represent a saving to the Council's general fund revenue budget. The HRA would, however, be able to retain charges from room hire at the centres, to off-set some of the expenditure incurred.

- 7.3 The transfer agreement will ensure a mechanism is established for the funding of costs attributable to the General Fund where such circumstances arise. A breakeven position is currently forecast for the corporate estate contracts budget.

8. Legal implications

- 8.1 As set out in the report, Lewisham Homes are the Council's wholly owned subsidiary company. The role of Lewisham Homes is to be the Council's key housing delivery partner, housing manager, and new homes development partner as set out in the Agreement for Housing Management and Other Services 2017. That Agreement was entered into in compliance with the requirements set out in the Housing Act 1985 section 27. The proposed transfer of the Community Centres is consistent with the Management Agreement, and accordingly no amendment to the Management Agreement will be needed.
- 8.2 The delegation to the Executive Director in consultation with the Head of Law will be used to put in place clear arrangements between the Council and Lewisham Homes, subsidiary to those in the Management Agreement, which deliver the desired outcomes on the basic terms, both of which are as set out in this report.
- 8.3 The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 8.4 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 8.5 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as

recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.

- 8.6 The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

9. Crime and Disorder Implications

- 9.1 There are no direct crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 The five community centres are used by a range of different organisations providing services to diverse sections of the community. This includes a nursery, sports activities, faith groups, food bank, activities for older people and a wide range of community meetings. Agreements with current hirers and users will be transferred to Lewisham Homes and there will be no interruption to the usage. It is intended that over time Lewisham Homes will develop the use of the centres to better reflect the needs of residents on the estates where the centres are based. Most of the centres are currently under-utilised and in developing future activity Lewisham Homes will seek to reflect the diversity of the local neighbourhoods. Lewisham Homes will be required to provide equalities monitoring information in accordance with the management agreement. The Community Centres management is being transferred to Lewisham Homes with all the current Hire Agreements in place there is no change to the current users.

11. Environmental Implications

There are no environmental implications arising from this report. Lewisham Homes will manage the buildings in line with their environmental policies.

12. Reference Documents

- Voluntary Sector Implementation Plan July 2015
<http://councilmeetings.lewisham.gov.uk/documents/s37640/Voluntary%20Sector%20Accommodation%20Implementation%20Plan.pdf>
- Voluntary Sector Implementation Plan November 2015
<http://councilmeetings.lewisham.gov.uk/documents/s39530/Voluntary%20Sector%20Accommodation%20Implementation%20Plan%20update.pdf>
- Consultation Document
<https://consultation.lewisham.gov.uk/culture-and-community-development/93987d94/>