

meeting COUNTY COUNCIL

date 22nd September 2011

agenda item number **19**

REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES

CHANGE OF GOVERNANCE – BEESTON YOUTH AND COMMUNITY CENTRE

Purpose of report

1. This report seeks approval for a new scheme of delegation for the day to day management of Beeston Youth and Community Centre, in order to ensure compliance with charities law.

Information and advice

Background

2. Beeston Youth and Community Centre is a registered charity regulated by a Scheme of the Charity Commission dated 26 September 1975, subsequently amended by a Scheme dated 30 July 1985. This latter scheme states that '*The County Council of Nottinghamshire shall be the Trustees of the Charity*'. The Centre's land and buildings were originally left to a previous set of Trustees via an individual will in 1949.
3. The object of the Charity, as stated in the 1975 Scheme, is as follows:
 - (1) *The object of the Charity shall be the provision and maintenance of a youth and community centre for the use of the inhabitants of the area of the former Urban District of Beeston and Stapleford (hereinafter called "the area of benefit") without distinction of political, religious and other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.*
 - (2) *The said land and building shall be held upon trust for the purposes of a youth and community centre as foresaid'.*

4. The Centre is currently managed by the Council's Young People's Service, which delivers an extensive programme of youth work and positive activities for young people from the Centre. The Centre also hosts a substantial number of community groups and events.
5. At present neither Scheme contains any provision for the delegation of responsibilities from the Trustees to appropriate officers to ensure the effective day to day operation and management of the Centre. Therefore, as it stands every decision relating to the day to day management of the Charity should in principle be made through a full County Council meeting, with elected members sitting as trustees. Clearly such an approach is not appropriate, and in reality decision making and the day to day management of the Centre is undertaken by staff within the Young People's Service.
6. In order to ensure that the Centre is managed in accordance with its charitable purpose therefore, a new scheme of operation has been designed. The proposed new scheme will have the following key features:
 - Nottinghamshire County Council will retain the trusteeship of the Charity
 - The County Council will delegate rights to three appointed officers from the Young People's Service, namely; the Group Manager, the Broxtowe Locality Manager and the Beeston Level 1 Youth Worker
 - An annual report will be taken to a full meeting of the County Council summarising each year's activities, including the full accounts from the previous financial year.
7. The three appointed officers will have delegated responsibility for the day to day coordination and management of Beeston Youth and Community Centre. Regular meetings will be held by the appointed officers, to which the County Council Elected Members for Beeston North and Beeston South and Attenborough will be invited. Major strategic and policy decisions which would incur expenditure in excess of £100,000 will be taken by the full County Council (in accordance with current Council policy).
8. Legal services have consulted with the Charities Commission to confirm that this approach is in accord with charities law.

Statutory and policy implications

9. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service. Where such implications are material, they have been described in the text of the report. Attention is however drawn to the following:-

Personnel implications

10. This proposal has been subject to the normal consultation procedures with the appropriate Trade Unions. The officers who will be appointed have been consulted and day to day responsibilities have been agreed.

Financial implications

11. The net premises related budget for 2011/12 for the Centre is £22,756. The additional operating and premises related costs arising from the extensive community use of the Centre are offset by the income generated by this use.
12. Youth work provision and staffing for Beeston Youth and Community Centre will continue to be funded through the revenue budget of the Young People's Service.

Implications for service users

13. The proposed changes in governance do not alter the availability of youth work provision at the Centre but will ensure that local community use of is maintained and developed.

Property implications

14. The proposed new scheme of delegation will support officers' efforts to effectively maintain the Centre's premises, and will safeguard the income generating community activity that has contributed much to the Centre's current good state of repair.

RECOMMENDATION

15. That the proposed new Scheme of operation set out in paragraphs 6 and 7 above is approved.

COUNCILLOR PHILIP OWEN

Cabinet Member for Children and Young People's Services

Reasons for recommendation

15. To ensure that effective day to day management and decision making arrangements, that comply with charities law, are in place for Beeston Youth and Community Centre.

Other options considered

16. None.

Legal Services' comments (SB/2.8.11)

17. In its capacity as charity trustee, County Council is the appropriate body to consider the content of this report.

Financial comments of the Service Director – Finance (NDR)

18. The financial implications are set out in paragraphs 10 and 11 of the report.

Background papers available for inspection

Scheme of the Charity Commission dated 26 September 1975 and amended by a Scheme dated 30 July 1985.

Electoral division(s) affected

Beeston South and Attenborough
Beeston North

M19C2863