

Cabinet

7 FEBRUARY 2011

LEADER

Councillor Stephen Greenhalgh

**CABINET MEMBER
FOR CHILDREN'S
SERVICES**

Councillor Helen Binmore

**CABINET MEMBER
FOR RESIDENTS
SERVICES**

Councillor Greg Smith

CONTRIBUTORS

CSD, CHS, H&FH,
ENV.
DFCS
ADLDS

**HAS A EIA BEEN
COMPLETED?**

Yes. This is available electronically.

**HAS THE REPORT
CONTENT BEEN RISK
ASSESSED?**

yes

SANDS END COMMUNITY CENTRE**Ward:****Sands End**

This sets out the consultation undertaken regarding the Sands End Community Centre. This was originally part of the Buildings Consultation and is now a separate report, following extended consultation with the community. The report presents recommendations for the future of this property. Cabinet is asked to note the financial position of the council, with around £60m of savings needing to be achieved in the next three years. In light of this it is recommended to dispose of buildings, such as Sands End Community Centre, which are no longer required or which can no longer be economically retained by the council, in order to preserve as much funding as possible for vital services to vulnerable residents. Cabinet is asked to consider the recommendations as set out in this report.

Recommendations:

1. **That the services currently located within the Centre be relocated at suitable alternative venues within the Sands End Ward.**
2. **That all services be relocated before the Centre is closed.**
3. **That any shortfall in capital funding required to relocate services will be met from the capital receipt for the Centre.**
4. **That, subject to recommendations 1-3 above, the Council can no longer afford to keep and maintain the Sands End Community Centre (or subsidise others to do so) and that it is disposed of on terms which the Assistant Director (Buildings and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.**
5. **That the Cabinet Member for Children's Services be authorised to take all necessary steps to give effect to the above matters.**

1. Introduction

1.1 Council's portfolio of premises:

- 1.2 The council owns an extensive range of properties – 18,215 residential dwellings (a combination of tenanted and leasehold) and 836 non residential buildings, including civic buildings, schools and electrical substations.
- 1.3 The council has sold 58 buildings since 2006, achieving over £56million in capital receipts.
- 1.4 **Financial pressure:** It is well known that local authority funding is facing a very tough future, with unprecedented levels of savings needing to be found over the next 3 years.
 - 1.4.1 Cabinet is asked to note the financial position facing the council, since the H&F Buildings Consultation was undertaken. The Comprehensive Spending Review has been further clarified and the Borough is now required to identify around £60 million savings by 2013/14 with in excess of £28 million in the next financial year. Disposal of assets is therefore required to help the council achieve the necessary savings.
- 1.5 In addition to this, the council has a corporate debt of £133 million, which costs £5 million a year in interest payments alone – money which could otherwise be spent on vital services.
- 1.6 The council is making every effort to reduce costs and the council's level of debt. The council's priority is to protect the quality of front-line services and it will continue to achieve efficiencies wherever possible
- 1.7 However, the size of the debt and the economic position we are in means that these activities alone will not be enough. The council's priority has to be people and services, not buildings per se. Therefore, from July to September 2010, the council consulted local residents and organisations on a proposal to consider 9 buildings for disposal, including Sands End Community Centre, plus withdrawal from 3 other leased buildings that are no longer needed and a proposed alternative use of another building.

2. H&F Buildings Consultation

- 2.1 Officers have carried out a substantial programme of consultation using a variety of means as explained later in this report. The essentials of a lawful consultation process are that consultation is carried out when proposals are at a formative stage, sufficient time and information is given to those with a reasonable expectation of being consulted to permit intelligent consideration and response and the product of the consultation is conscientiously taken into account by Cabinet in reaching a decision. Officers are of the view that a fair and lawful process has been carried out and that the product of the consultation has been accurately reported and summarised in the report for Cabinet's consideration.

- 2.2 The H&F Buildings Consultation asked residents for their views on the possibility of disposing of LBHF owned assets including the Sands End Community Centre, Broughton Road, SW6 5LE. The consultation was launched on 17th June 2010, and initially closed on 30th September.
- 2.3 The consultation, on SECC only, was extended to 10th November 2010 following representations by residents to the effect that more detailed proposals in relation to the future provision of services if the centre was to be close, be provided. Residents or interested parties could submit feedback via the online questionnaire, or by post, hand delivery or attend one of the two open consultation days at the Hammersmith Town Hall on 12th August and the 10th September 2010.
- 2.4 The consultation was promoted through H&F News, local newspapers and on the council's website. Hard copies of the consultation were sent directly to the building, local libraries across the borough, including that at Sands End, and local community organisations. Notices were also put up in the Community Centre by the Centre Manager.
- 2.5 Sands End Community Centre (library provision) and Hammersmith Library were also included in a separate consultation on local library services. The library consultation covered the whole borough strategy for library services and could be accessed:
- online
 - via hard copy from any of the libraries, including Sands End and
 - via 3 open days on 24th August at Hammersmith Library, on Thursday 2nd September at Fulham Library and on 7th September 2010 at Shepherds Bush Library. These sessions provided opportunities for people to come in, chat to senior staff and find out more about the proposals and to tell us what they think about the proposals.
- 2.6 A separate report (dated 10th January 2011) from Residents Services regarding a library strategy for the borough should be referred to in relation to the Sands End library service. The H&F Libraries Report was considered and its recommendations agreed by Cabinet on 10th January 2011. It should be further noted that there is a potential £80K overspend within Residents Services if there is a delay in the implementation of the Libraries report recommendations.
- 2.7 In addition to the council's formal consultation officers have also taken account of:
The letter received from Leigh Day & Co Solicitors.
The letters from Langford Primary School pupils.
The Petition and response document from Sands End Action Group (SEAG).
Feedback from meetings between the Leader and the SEAG.
Feedback from meetings between the Cabinet Member for Residents Services and the SEAG.
Finance submission from the SEAG.

3. The Sands End Community Centre

- 3.1 The Sands End Community Centre, formerly a public laundry, is a vast building housing a gym, dance studios, library, jewellery workshop, pottery studio, crèche, two classrooms, offices, large meeting room and caretakers flat, amongst others.

- 3.2 A range of council services operate from the premises: public library, pay-as-you-go gym, children's centre, adult education. General lettings at the community centre have been minimal in the last several years mainly due to the location of the centre and its accessibility. This year there was only one core letting to the PCT, which was short term. Other lettings e.g. of dance space have generated a small income stream for the relevant team (against a budget target) but these lettings have generated no income for the core costs of the premises.
- 3.3 The Sands End Community Centre has been under utilised for many years. Officers have tried to generate more activity particularly via the appointment of a part time centre manager whose brief was to generate more letting activity and income. The under utilisation has continued across all the many services in the building and none offer good value for money. Some services are due to be considered, in any event, for relocation as part of service redesign programmes (e.g. the children's centre and the library). Other services can be relocated and the asset freed for disposal.
- 3.4 The proposed new locations offer the potential for efficiencies in overheads and improved customer footfall (due to increased profile and opening hours which may be more flexible to customer demand). Hurlingham & Chelsea Secondary School is willing to host adult learning (including the pottery and jewellery), community library and, if required, sports provision.
- 3.5 Two consultations were undertaken which relate to the proposals for Sands End Community Centre:
- a) The buildings consultation covered the list of all the buildings the council is currently considering for disposal.
 - b) The library consultation which covered the whole borough strategy for library services.
- 3.6 Ward councillors, a Cabinet Member, Director of Children's Services and the Leader of the Council have also met, variously, with concerned local residents in the Sands End Ward, on at least three occasions.
- 3.7 A number of prerequisites have been agreed, were the Cabinet to decide to close and sell the Centre, following the consultation process:
- ❖ All services within the Sands End Community Centre will be relocated before the Centre is closed. This will minimise any adverse impact on service users, the community and protected groups.
 - ❖ All services within Sands End Community Centre will be relocated/reconfigured within Sand End Ward. None of the services currently provided will cease as a result of the relocation.
 - ❖ Any shortfall in capital funding required to relocate services will be met from the capital receipt for the Centre.
- 3.8 The Council received a comprehensive report from the Sands End Action Group – some of whom are regular users of the centre. Their issues are listed on the left and the Council officers' response on the right.

<p>1. What criteria, reasoning and figures were used to identify Sands End Community Centre as “under-used”.</p>	<p>The figures used were actual library usage and a comparison made to other libraries in the borough, gym take up and average daily usage, adult learning take up in comparison to other centres borough wide. The children’s centre is well used but is a multi area model with services currently being delivered both at Sands End and at three venues in central Fulham.</p>
<p>2. The Centre provides an extensive range of very valuable, well-used, popular services for all sectors of society. To sell Sands End would be to terminate these services and severely damage the quality of life for all those who used them.</p>	<p>Termination of services has not been proposed; suitable alternative premises in the ward will be secured for service delivery</p>
<p>3. Is the building listed and if so to what level and would it be sold for development? Would any buyer have to keep the facade?</p>	<p>The building is not listed nor is it a local ' Building of Merit'. There would be no need to retain the façade in any redevelopment. The design of any new development would need to be considered on its individual merits, having regard to its impact on the appearance of the street scene and its likely impact on the amenities of the occupiers of the adjoining properties.</p>
<p>4. Sands End Centre has been labelled by the Council as being surplus to requirements and on these grounds is to be put up for sale. We are being consulted on the proposition that the Council needs this sale in order to raise capital to repay long term debt and thus interest payments, which would help enable it in its aim of lowering council taxes.</p>	<p>Rationale is to decrease debt to be able to focus resources on front line service. Lowering council tax was not an aim of the proposal. Council tax has been frozen this year.</p>
<p>5. In essence, on behalf of the 6900 signatories to our petition, we argue that the Council would seem for some years to have been creating a case that the Centre is underused in order to justify its sale; we challenge the assumptions in the pages which follow and many assertions made in the Council’s consultation document.</p>	<p>This is not accepted. We have employed a centre manager to assist with increasing usage of the property. Unfortunately the location of the site has meant that organisations are not interested in the location because of its accessibility for borough residents. All individual service providers market their provision to local residents and service information is available on the LBHF WebPages. An earlier proposal to close the library in May 2006 was overturned to give the service a chance to meet perceived local needs, but usage has not significantly increased. In officers opinion the Centre is not viable particularly in the current economic climate.</p>
<p>6. A substantial number of local residents of all ages are likely to be adversely affected by the closure proposed by the Council and the opportunity for support for an even greater number would be reduced by its demise. Those currently impacted range from 705 families using the children’s services, up to 40-50 residents a day coming in off the streets into the library to use computers, to a number of elderly who would otherwise be asking for home services for mutual support</p>	<p>The council is committed to ensuring that children’s centre activities are delivered in the area. The reach for this particular centre is a two area model in any event and residents of central Fulham also access services which are delivered in satellites in the central Fulham area. Registered users are both from central Fulham and the Sands End area. There has been a reduction in learners using our adult education facilities at Sands End, with 554 enrolments in 2009-10, to currently 301 in-year enrolments to date in 2010-11. The number of actual participants is lower than the number of enrolments, but we envisage that we can accommodate the majority of learners accessing pottery, jewellery and stained glass at both our Macbeth site and at</p>

	other sites in the community, such as Hurlingham and Chelsea school.	
7.	<p>Of note in any comparison with other Wards is that Sands End with its back to the river has a customer base over an arc of 120 degrees, whereas others areas of the borough which it has used as comparators have 360 degree coverage, the transport facilities to match and the Council's intention through advertising, actively to encourage their use - which has been denied to Sands End. Little has been spent on raising the profile of the Sands End Centre and no brief seems to have been given to the current manager actively to increase its footfall. The individual units in the centre are separately managed, almost in competition it seems.</p>	<p>The centre manager has been tasked with raising the profile of the building ensuring that all locally delivered services have publicity materials available for residents. The manager also coordinates a service users group to ensure mutual cooperation. Children's Centre staff have been fully informed of potential relocation particularly as the current centre does not offer access to outdoor play space deemed essential for child development. Centre staff have been active in advertising the consultation and have been encouraged to complete consultation documents themselves. Our assessment is that we are very unlikely to improve usage of the centre even were funds available, because we have looked at usage and the financial context.</p>
8.	<p>To emphasise the assumed policy of neglect, during the collection of the signatures, we heard comment from citizens that they were unaware of the Centre, the Library and the various services on offer. We note that at no time in the recent past has the Council taken any step to correct this apparent lack of awareness, nor have any moves been taken to save this valuable community asset. Indeed one could easily go as far as suggesting that, in this respect, the Council has been negligent.</p>	<p>There is no policy of neglect, assumed or otherwise. The centre users (the Children's Centre, adult learning, and Library Service) all advertise their services on the LBHF web pages and via leaflets and training guides. There is also a generic children's centre leaflet which maps all centres – this too is available via the Family Information Service and in line with current practice for all other Children's Centres. Activities for children and families have also been advertised in the Extended Services newsletter (e.g. Fulham Cluster January 2010 page 5) which goes out to all school pupils in the South Fulham Cluster (one of the 6 across the borough). We strenuously deny that there has been any policy of neglect.</p>
9.	<p>There is absolutely no guarantee that any of the services at the Centre will be provided to the same standard in terms of space, quality, availability and accessibility. This is, especially the case for those catering for the elderly and less mobile. Also lost will be the community support, cohesion and networking coming from the provision of a multitude of facilities under one roof.</p>	<p>In terms of children's centre activity, we would expect to locate activity where children would have the ability to have open access outdoor play space which currently is unavailable to them at Sands End Community Centre.. The children's centre is located in two separate areas of the centre; up on the first floor and on the ground floor in a room with no windows and therefore very limited natural light The importance of outdoor play in children's health and well being and physical development is well documented in the Early Years Foundation Stage documentation. A separate consultation has been launched on proposals for a borough wide network of 16 Sure Start Children's Centres to provide targeted support for vulnerable children and their families. In the Sands End ward it is proposed to commission a Sure Start service to be delivered from council premises in William Parnell Park.</p>
10.	<p>The Consultation document is quite unsure as to the provision of substitute facilities at all, using expressions like - "it is hoped that", "...the head has kindly agreed to make every effort..", "if</p>	<p>All services inside the Sands End Centre will be relocated before the centre is closed. All services will be relocated within the Sands End ward. Capital funding to assist relocation to Hurlingham & Chelsea School has been identified.</p>

<p>it is decided to continue the provision... alternative accommodation would have to be found." En passant the paper suggests that relocating and splitting services and amenities would "offer the potential for efficiencies in overheads..." but with no substitution guaranteed and at a hidden and actual cost in both financial and social terms to the voters of Sands End.</p>																			
<p>11. When it comes to expanding the use of the Centre we have found that the current officially-sanctioned timetables and opening hours are not suitable for working users (unlike hours prevailing at centres in other parts of the Borough). Demand is growing with greater publicity following the recent efforts of the Action Group and other residents - for example in the past couple of months Fencing and Tai Chi clubs have been formed. However, we hear that while there is demand for other classes, especially in the Arts and Craft subject areas, the hours offered are incompatible with the demand. What a waste.</p>	<p>This is not correct. In terms of adult learning classes the full range of times have been offered. Monday to Friday From 10am to 12.30pm; 1pm to 3.30pm and 6-8pm or 6.30pm to 9pm. Including Saturday stained glass 10am to 4pm. The classes include pottery, stained glass, jewellery and Amici Dance group which will potentially relocate to the Wharf Rooms along with other dance and exercise classes. The adult learning service across the borough operates for 36 weeks per annum. Broad timetable e.g. pottery (see course guide for current classes offered). Enrolments for term 1 2010/11</p> <table border="1" data-bbox="708 958 1474 1196"> <thead> <tr> <th>Code</th> <th>Class</th> <th>Enrolments</th> </tr> </thead> <tbody> <tr> <td>AF1500 Mon pm</td> <td>Pottery beginners</td> <td>10</td> </tr> <tr> <td>AF1510 Mon am</td> <td>Pottery mxd ability</td> <td>11 (inc. 5 non starts)</td> </tr> <tr> <td>AF1511 Wed am</td> <td>Pottery beginners</td> <td>12</td> </tr> <tr> <td>AF1512 Wed pm</td> <td>Pottery beginners</td> <td>13</td> </tr> <tr> <td>AF1513 Wed eve</td> <td>Pottery beginners</td> <td>14</td> </tr> </tbody> </table> <p>(no waiting list for any classes) Friday morning pottery club for those with experience. The gym opening hours are limited by funding for staff.</p>	Code	Class	Enrolments	AF1500 Mon pm	Pottery beginners	10	AF1510 Mon am	Pottery mxd ability	11 (inc. 5 non starts)	AF1511 Wed am	Pottery beginners	12	AF1512 Wed pm	Pottery beginners	13	AF1513 Wed eve	Pottery beginners	14
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<p>12. Offices lie empty that could easily accommodate Council offices should other buildings be sold. Or commercial users. Given the country's economic circumstances we can expect a greater need for retraining to fill the capital's many skills gaps; for those unskilled workers who may soon be losing benefits and for older people to allow them to remain in work as the retirement age advances. Such training could be carried out here as it has been in the past. So could training for teenagers unable to access universities.</p>	<p>The council is relocating all of their back office staff to central Hammersmith for efficiency purposes. Lettings to commercial users have not previously been successful.</p>																		
<p>13. We question too the capital gain argument. The current property market is at least uncertain. To judge by the precedent of other Council buildings in the Borough we, the council tax payers, may be landed for years with a mothballed building which cannot attract a buyer and be left with costs</p>	<p>The Council has taken property advice on this property and believes that a sale can be achieved within a reasonable timescale. The Council believes that a good range of services will continue to be available to local residents – including local youth centres, older people's sheltered housing schemes and other community based services that are available in this part of the borough.</p>																		

<p>associated with the needless and hugely unpopular relocation of services. There are too all the many hidden costs, as the lives of the elderly, the infirm and our young people are deprived of opportunities for self development and the social and community health benefits associated with having all these facilities under one roof and in the very heart of their community.</p>	<p>We reiterate the intention to reprovide services within the ward – i.e. the library and adult learning at Hurlingham & Chelsea secondary school, gym provision at a local gym club and children’s centre services in the local Playhouse.</p>
<p>14. Properly managed the Centre could and should be once more a force for good, for mutual support and a source of practical help, education and skills training for our community - not only in these present difficult times but also for generations to come.</p>	<p>We believe the centre has been managed appropriately and within the resources allocated for the individual services and central management activity. Pressure on budgets and reduced external funding for adult learning has meant that heads of service have had to undertake reviews across the borough to look at value for money and effective use of resources. The relocation proposals for services in the building have been determined with sustainability in the medium term in mind in the light of the current financial circumstances.</p>
<p>15. Having Your Say</p>	
<p>16. Consultation does not ask residents whether or not they wish to retain the building</p>	<p>The consultation questionnaire gave residents the opportunity to state if they were opposed to the disposal of the building. The majority of responses in fact did not support the proposal (i.e. were opposed to disposal and preferred to retain). Members and officers are continuing to meet with the Sands End Action Group to consider all possibilities for the future of this building.</p>
<p>17. Consultation speaks only of “relocating services” implying sale of the building is a foregone conclusion</p>	<p>The consultation focussed on the services that would be affected should a decision be made to dispose of the building. The Council considers it reasonable and appropriate to consider options for relocating services based at the centre as part of the council's consideration of the future of the building itself.</p>
<p>18. We question the Council’s intention to act upon any responses it may receive to this consultation</p>	<p>The Cabinet will carefully take into consideration the responses received to this consultation, as well as other factors that will determine the final outcome. This will include legal, financial and service imperatives as well as the Equalities Impact Assessment.</p>
<p>19. Council has made little effort to publicise this consultation, even amongst its own employees. The Centre Manager never knew there was a Buildings Consultation separate to one for the Library</p>	<p>All staff working in the building were aware of the consultation. Posters were put up in the building by the centre manager both advertising the consultation and the extension. The level of public response to the consultation certainly belies the suggestions that we made insufficient efforts to publicise the consultation and indeed the initial responses resulted in additional information being provided and an extension of the closing date for the Sands End element of the public consultation. Officers and members also met with the residents groups at least 3 times during the consultation process. The product of the consultation is set out in the report.</p>
<p>20. Confusion regarding the end date of the Consultation - quoted on LBHF website as “end of November” but document reads “10 November”.</p>	<p>The Council apologises for any confusion caused by this. We do not however, believe that this has affected anyone’s ability to respond.</p>

21.	Have learned from an informed source that GVA Grimley has been alerted to a forthcoming instruction regarding sale of the building	All those who have contacted the Council regarding this property have been informed that a decision to sell this property has not been made. This will only take place if a decision is made to dispose of the premises and the council has not taken any steps to instruct agents.
22.	We are led to believe Consultation is a sham and that a decision to sell the building has been already made	Extension to the consultation timescale indicates how seriously the Council has taken this, as we wanted to ensure residents had as much information as possible in order to respond to the consultation. The council takes it legal obligations seriously and has made commitments to residents in response to issues raised with Members during the consultation process. e.g. the commitment to relocate services within the ward. (see recommendations 1-3)
23.	SECC Background	
24.	Consultation contains staggeringly inaccurate description of the Centre	All services located in the building contributed to the information provided and officers are confident that the information in the consultation document was accurate.
25.	Off-hand description of services	Services described by the respective services themselves so accurate descriptions
26.	Inaccuracies about lettings There are no current lettings other than the services acknowledged in the report. The cardio group have moved locations	
27.	Offers from third parties to rent space and provide services have been thwarted	We have not turned down any requests to rent space in the centre.
28.	Suggestion that the services at the Centre could be easily rehoused without being severely compromised is untrue	The Council disagrees with this statement. Our assessment of location of service users and of access via public transport to proposed relocated services shows no significant impact
29.	Council has been negligent in allowing the Centre to run down	We deny this. The building has benefited from considerable capital refurbishment both in the lobby, the first floor, the crèche as well as the library during the tenure of the children's centre. Repairs have been made to the roof and the damage cause by roof leaks made good. The building is cleaned daily and maintenance repairs are made in a timely manner either by the resident caretaker or when required by contractors.
30.	Under-Use and Cost-Effectiveness	
31.	The statement, "Last year hiring out the building's offices and classrooms brought in no income at all" is untrue	Current providers do not pay rent and there was no income from the health provision. Individual services received fees which were against income targets but these did not contribute to the running costs of the building.
32.	Poor advertising, poor management and lack of initiative	We accept that the budget for promotion and advertising has been limited, but not withstanding this we have used corporate channels, pan borough adult education publicity materials and Extended Services local newsletters distributed via schools. Each service advertise their own provision and this information is found not only in individual leaflets and publications but on the LBHF website and via the Family Information Service. The centre users (the Children's Centre, adult learning, Library Service) all advertise their services on the LBHF web pages and via leaflets and training guides. There is also a generic children's centre leaflet which maps all centres – this too is available via the Family Information

	Service.
33. Consultation has failed to provide the following information:	
34. No figures or research into cost of relocating services	The cost of relocating services has been considered by officers, but this is not thought pertinent to the consultation on the future of the building. The costs are not considered to be significant in relation to the value of the building itself and its running costs.
35. No research into whether or not it would actually be a better idea to keep the Centre and revitalise it, rather than merely selling it off and hoping for the best	Retention and sustainability of services has been our primary focus, however, the SECC remains a large and uneconomic building from which to run public services.
36. All of the above render the Consultation fragile at best, if not substantially inadequate or actually meaningless	The Council believes the consultation was robust, particularly given the additional information provided regarding Sands End Centre and the extension to the consultation period. The product of the consultation is evidence of this.
37. Merits of the Centre providing a multitude of services under one roof	Options to relocate a range of services to Hurlingham & Chelsea school would provide a local facility enabling a wide range of activities to be available from one site.
38. Council taking short-term view at a time when skills and retraining will have to increase	25% cut in national budget for adult learning from now until 2014. Yet LBHF ALSS has still maintained a wide programme for Arts and Crafts in Sands End ward, demonstrating it's commitment.
39. Facilities at Centre ideally suited for purpose	Take up figures for courses show viability in Sands End is an issue. But, notwithstanding this, following meetings with the SEA Group relocation within the ward is now being arranged in order to meet residents concerns.
40. Council has not consulted teachers or students	All staff were informed of the consultation and could reply. We are aware that at least one adult learning tutor and one family assist teacher did respond to the consultation. Copies of the consultation were available at the building, and we received a number of responses from adult learners and library users
41. Family Assist desperately do not want to be relocated. Troubled youngsters simply would not travel out of their 'comfort zone' for fear of attack	Family Assist team is planned for reorganisation under the Family Support programme. Young people attend the service as an alternative statutory education provision - a similar offer is available in Cobbs Hall. These are professionally run services with staff conducting appropriate risk assessments for each individual student
42. Section 5 mislabelled 'Section 4' in Consultation document	The Council apologises for any confusion this may have caused.
43. Management of the Centre has been highly unsatisfactory	There is a service provider's coordination group which is designed to ensure cohesion of service provision, however, cross service efficiencies and benefits have been difficult to identify.
44. Covenants on the building would restrict its marketability	The Council has carried out a Title check on this property and there are no restrictive covenants on this property which would adversely affect a sale.
45. Council states that the Action Group "would have to buy the building" without them making any effort to approach residents first on how it could be better run	Members and officers have continued to meet with the Sands End Action Group to consider all possibilities for the future of this building.
46. Consultation has not been genuine	The Council has striven to ensure that the Consultation has been thorough and robust, and extended the consultation

	period for this building to enable residents to review additional information provided before considering their response.
47. Solicitors letter	Leigh Day & Co wrote in 27 th September 2010 and 7 th October 2010. In both cases a response was provided and included additional information as available or the council response is clarified in this document.
Will services continue to be provided in borough?	Yes, relocation in ward (although 'like for like' not guaranteed).
Will services remain together in one place?	No – although library and adult learning service provision would be co-located.
Where exactly is the new location?	See table in section xxxxx
What changes are to be made to services due to relocation?	No changes are to be made solely due to relocation – some changes will be made due to reconfiguration of the whole service and budget pressures.
A copy of the equality impact assessment Evidence and basis of under use and poor value for money	Insert link See usage figures, spend and budget pressure issues throughout the report

4. Impact on the 3rd sector

- 4.1 The term “3rd Sector” describes community and voluntary groups, registered charities both large and small, such as, foundations, trusts, social enterprises and co-operatives. Some of these types of organisations have, in the past, made use, to a limited extent, of the Sands End Community Centre (SECC):
- 4.2 For those organisations that would be affected by the loss of the building being considered for disposal, the council will endeavour to ensure they are provided with support:
- Those organisations who are grant funded by the council’s 3rd Sector Investment Fund will be prioritised for any available council accommodation.
 - For all other organisations, the council will seek to ensure appropriate advice and support is available to assist them in identifying alternative premises.
- 4.3 The council has to radically rethink how it provides services in light of the current financial pressures, and we expect the organisations we fund to do likewise. The majority of groups recognise the financial crisis we are all in and are constructively working with us to protect local services. Many of the best-organised groups have shown an impressive recognition of the need to strive for increased independence from LBHF funding, develop new ways of working and provide more sustainable services.

5. Impact on the community

5.1 Impact on the Community

In response to the consultation, solicitors for one of the residents wrote to the Council raising a number of issues in relation to consultation, equalities impact assessments and the potential loss of community. Officers believe that the points in relation to the first two matters have been resolved. As far as the third point is concerned the solicitors argue that many of those who use the Centre have done so

for several years and as such have formed a "community" as recognised by Article 8 of the Human Rights Act.

5.2 Article 8 provides as follows:-

Right to respect for private and family life

Everyone has the right to respect for his private and family life, his home and his correspondence.

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

It is argued that if the Centre is sold then this will result in the break up of the community and that the Council is under an obligation to properly assess and consider the effect on the Community itself and its members and that the Council must satisfy itself that the proposal is proportionate.

Whilst the Council does not concede that Article 8 is engaged in this case, it accepts that the impact on the community is a relevant consideration which should be taken into account by Cabinet and weighed against the counter vailing matters, not least the Council's financial position and the need to preserve front line services for residents, including the vulnerable and protected groups.

The impact on the community has been assessed from the outcome of the consultation, the petition and the various discussions between resident and senior officers and members outlined in the report. This impact will be significantly reduced, if not eliminated, by the commitment to re-provide the services within the ward.

There is no evidence that there is a significant single cohesive community centred around the building as opposed to the communities which may exist around particular activities which will be relocated and therefore preserved. The service user maps show the disparate nature of the home addresses of the various service users. Sessional service delivery for many of the classes also mitigate against a cohesive community of service users as a whole. However, even if this were to be the case, officers are of the view that the benefits of disposing of the Centre will outweigh the impact on such a community, given the financial circumstances and the desire to preserve front line services.

Even if, which is not accepted, Article 8 is engaged and potentially breached by the closure of the Centre and the relocation of the services, then officers are of the view that the financial circumstances and the need to protect front line services for residents, including vulnerable and protected groups render the decision as necessary and proportionate, and hence a lawful, means of achieving legitimate aims.

Cabinet will need to carefully consider and weigh these matters, along with all other relevant matters, in reaching their decision.

6. The impact on Council services

6.1 The proposal to relocate or reconfigure services, within the Sands End ward., aims to ensure that suitable alternative services continue to be available. This does not, however, imply an exact "like for like" offer being in place as is the case for all non

statutory council services in this unprecedented financial climate. The disposal of the Sands End Community Centre is not the only factor that will have an impact on services for Sands End residents.

- 6.2 The services delivered within the Sands End Community Centre includes the following: library, adult learning, gym, children’s centre plus a number of health, sports and learning activities run by external organisations. Relocation may include a reconfiguration of the service to make it work better for local residents, be more cost effective and deliver better value for money.
- 6.3 The concept of moving council services is not new. Since 2006 the Council has been making better use of assets by moving staff into fewer, more cost-effective sites. The council has shrunk its use of space by 40 per cent already.

7.0 Alternative sites or host agencies

- 7.1 Hurlingham & Chelsea School is willing to accommodate many of the activities. All schools have a responsibility to demonstrate community cohesion and the hosting of services on behalf the local community is seen as a key element of this. The development of community library services and adult/family learning provision is seen as pivotal to enhance these opportunities and facilitate engagement of pupils and local residents.
- 7.2 Walking distance from Sands End Community Centre to Hurlingham & Chelsea secondary school is 0.65 miles and takes approximately 15 minutes for an able bodied person. The journey takes about 13 minutes by the number 424 bus route.

Alternative Sites Or Host Agencies	
Council has evidently received no assurances that any of the services could be provided at Hurlingham And Chelsea School	Hurlingham & Chelsea School has confirmed its willingness to host jewellery, pottery, and community library and gym provision for residents.
Floor plan of the school	Architects have been instructed to look at initial proposed sites. No finalised plans have been agreed, as this is subject to the H&F Buildings consultation and Cabinet consideration.
Any planning considerations that might prevent the development of the School buildings. Whether each new proposed location is accessible to disabled residents. Possibility of removing and reassembling a University-standard pottery. Health and Safety provisioning. Child safety provisions.	All relocation of services would be risk assessed and health and safety checked. Access to provision where children were present would be developed with safeguarding in mind. It is proposed that Sure Start provision would be located in premises exclusively for under 5s and families usage which improves the current offer.

8.0 ADULT LEARNING PROVISION

- 8.1 The Adult Learning and Skills Service presently offers the following provision at Sand End:

- ❖ Pottery x 5 classes per week term time in large specialist studio A
- ❖ Jewellery x 5 classes per week in specialist studio B
- ❖ Stained Glass x 3 classes in specialist studio B
- ❖ AMICI - Dance dynamics x 1 class per week in studio D
- ❖ Drawing x 1 class per week in classroom C
- ❖ DIY x 1 class per week in classroom C
- ❖ AGEWELL exercise classes for over 50's x 2 classes per week in studio D

8.2 Around 200 adults attend this provision per week during term time (34 weeks per annum). 164 people are currently enrolled on courses at Sands End Community Centre – with about 140 being borough residents of whom 60 live in the SW6 post code area (which is wider than the Sands End ward).

8.3 Whilst the pottery and jewellery rooms are specialist facilities (with a limited number of alternatives elsewhere in the borough) they could be replicated at another site if the decision is taken to continue to dispose. By moving the provision to Hurlingham & Chelsea School, the service would be retained within the ward. Service closure would not be as a result of relocation. The 25% reduction in LSC funding means all classes across the borough are subject to regular review in terms of both take up and funding available.

8.3 Alternative accommodation for the dance and exercise classes has been identified both at Hurlingham & Chelsea school (with a sprung floor) and in the Wharf Rooms. Other provision could be accommodated by utilising other available community facilities.

8.4 In comparative terms the usage rates for the last two years (based as a percentage of total capacity) for the three borough centres for adult education were as follows:

	2008/09	2009/10
Sands End	40%	64%
Macbeth	87%	91%
Bryony	79%	83%

8.5 Data from two sample weeks (one in 2008/09 academic year) and is shown below.

2008/9 - example week

Rooms in use-

Day	Room	Time	No's students
Mon	Pottery Studio	AM	16
Mon	Pottery Studio	PM	16

Rooms unoccupied: Art room and Jewellery Studio all day & evening plus Pottery Studio Evening

Tues	Jewellery Studio	EVE	14
Tues	Studio 2	EVE	18

Rooms unoccupied: Pottery Studio, and Art room all day & evening + Jewellery Studio all day

Wed	Art Rm	AM	14
Wed	Gym	PM	24
Wed	Gym	Twilight	16
Wed	Pottery Studio	EVE	16

Wed Art Rm EVE 14
 Rooms unoccupied: Jewellery Studio all day & evening. Pottery Studio all day.

Thurs Art Rm EVE 14
 Rooms unoccupied: Pottery Studio, Jewellery Studio all day & evening + Art Room all day.

2009/10 -example week

Rooms in use-

Day	Room	Time	No's students
Mon	Pottery Studio	AM	14
Mon	Pottery Studio	PM	12
Mon	Studio 2	EVE	18

Rooms unoccupied: Art Room & Jewellery Studio all day & evening + Pottery Studio evening

Tues	Jewellery Studio	AM	13
Tues	Jewellery Studio	PM	12
Tues	Jewellery Studio	Eve	14

Rooms unoccupied: Art Room and Jewellery Studio all day and evening

Wed	Pottery Studio	AM	16
Wed	Pottery Studio	PM	16
Wed	Pottery Studio	EVE	16
Wed	Jewellery Studio	PM	13
Wed	Jewellery Studio	EVE	6
Wed	Gym	Tw	24

Rooms unoccupied: Art Room all day & evening + Pottery Studio evening and Jewellery Studio am

Thurs	Gym	PM	9
Thurs	Gym	PM	24
Thurs	Art Rm	EVE	14

Rooms unoccupied: Pottery Studio, Jewellery Studio all day & evening + Art Room all day.

Fri Pottery Studio AM 14
 Rooms unoccupied: Art room, Jewellery Studio all day & evening + Pottery Studio pm and evening.

Note Gym used by ALSS very infrequently and unsure of Sports take up - if gym figures excluded usage figures significantly lower as it is those classes that have largest enrolments and make most money or cost the least to put on !!

In summary:

2008/9

Up to 5 rooms available, assuming 3 sessions a day - at other centres Bryony and Macbeth we assume 4 - there are potentially 25 sessions per week usage and 10 sessions had classes i.e. 40% usage rate and 162 enrolments and average class size of 16

2009/10

As above usage rate of 64% and 225 enrolments and average class size of 14
Similar usage at Macbeth - 2008/9 - 87% AND 2009/10 91%; Bryony 79% and 83%
pro rata

So whilst we did endeavour to increase provisions at Sands End, usage still significantly below other centres, income lower than other centres and ALSS already knows its grant been reduced by 25% in 2010/11 from Skills Funding Agency - its funding body

- 8.6 The Bryony Centre has recently been closed with some services relocated to The Paragon premises in White City Estate and others to the Macbeth Centre.
- 8.7 Adult learning funding has been significantly reduced by 25% by 2014 and services across the borough are being reviewed and taught sessions will be fewer in most subject areas. Current ALS staffing funding for all the courses run at Sands End Community Centre is £44,360. A further contribution is made to overheads. ALS services run for 27 hours per week (although one classroom is used for only 2 hours pw). Please refer to Sands End learner's map to show the home address of users.

48. The Macbeth centre this is a very great distance from Sands End and is therefore impractical for SW6 residents. It discriminates against the Fulham half of the Borough in favour of the Hammersmith half and yet all pay the same rates.	Relocation of adult learning within the Sands End Ward is being proposed.
49. Hundreds of local residents use the various leisure facilities. All this is only from what we know – a remarkable feature of our research into the Centre was the discovery of hitherto unchronicled activities.	We have in fact closed very few classes at Sands End despite the fact that many of them did not recruit the minimum numbers. This was due to the fact that ALSS were committed to the centre and ensuring a wide offer to the local community in South Fulham. ESOL and basic skills classes which were offered in 2005-6 and 2007 did not recruit and we were forced to close these classes. We ran new classes in response to demands. i.e. Ran new art classes, stained glass, and pottery. Despite not filling the classes with minimum numbers, have still run classes with below minimum numbers to see if recruitment and take up would increase.

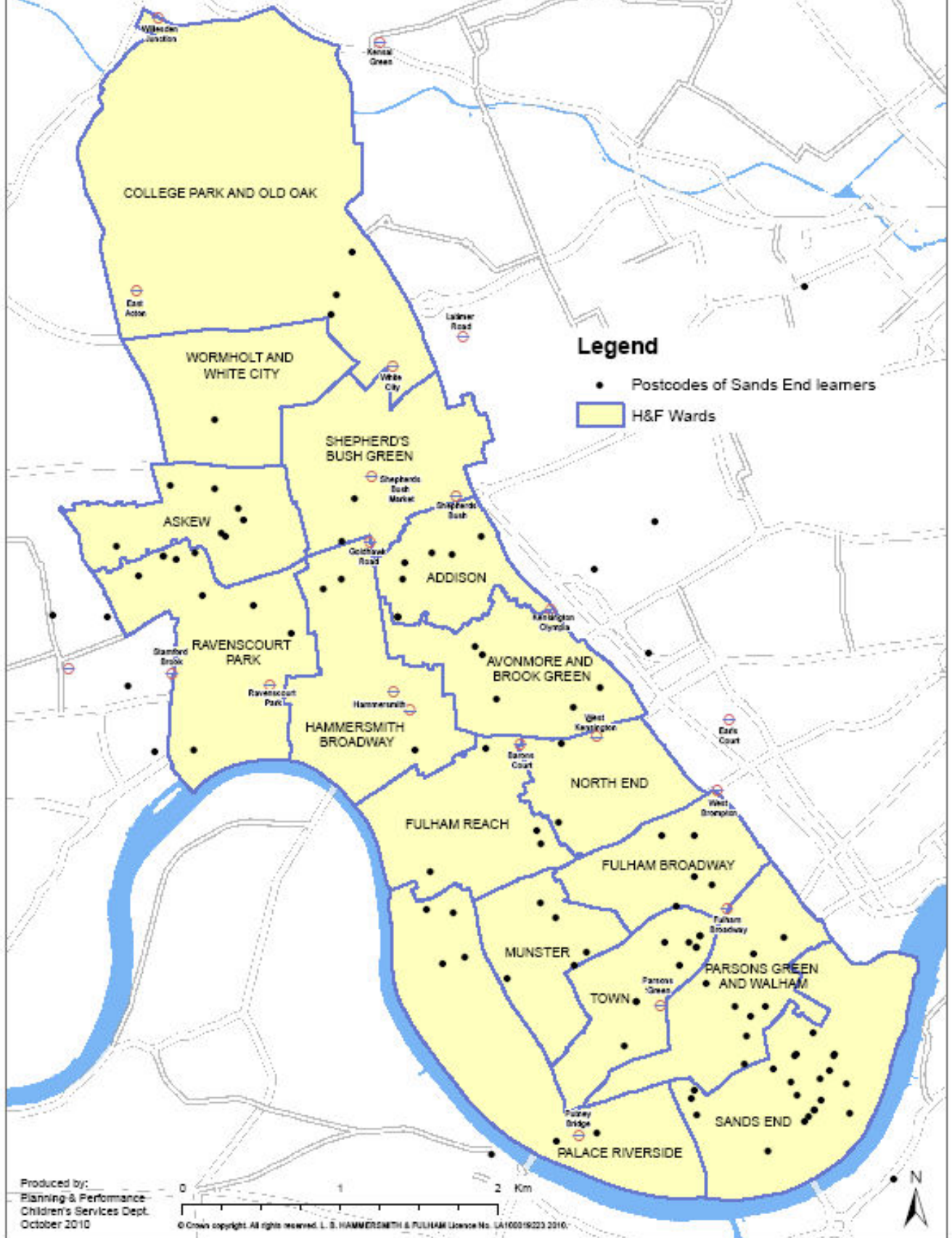
<p>50. Demand for Adult Ed but not enough classes or variety</p>	<p>In terms of adult learning classes the full range of times have been offered. Monday to Friday From 10-12.30 am. 1-15.30 pm and 6-8pm. 6.30-9pm. Including Saturday stained glass 10-16.00. The classes include pottery, stained glass, jewellery and Amici Dance group.</p> <p>Broad timetable e.g. pottery see course guide for current classes offered. Enrolments for term 1 2010/11</p> <table border="1" data-bbox="694 488 1543 790"> <thead> <tr> <th>Code</th> <th>Class</th> <th>Enrolments</th> </tr> </thead> <tbody> <tr> <td>AF1500 Mon pm</td> <td>Pottery beginners</td> <td>10</td> </tr> <tr> <td>AF1510 Mon am</td> <td>Pottery mxd ability</td> <td>11</td> </tr> <tr> <td colspan="3">(inc. 5 non starts)</td> </tr> <tr> <td>AF1511 Wed am</td> <td>Pottery beginners</td> <td>12</td> </tr> <tr> <td>AF1512 Wed pm</td> <td>Pottery beginners</td> <td>13</td> </tr> <tr> <td>AF1513 Wed eve</td> <td>Pottery beginners</td> <td>14</td> </tr> <tr> <td colspan="3">(no waiting list for any classes)</td> </tr> <tr> <td colspan="3">Friday am pottery club for those with experience.</td> </tr> </tbody> </table>	Code	Class	Enrolments	AF1500 Mon pm	Pottery beginners	10	AF1510 Mon am	Pottery mxd ability	11	(inc. 5 non starts)			AF1511 Wed am	Pottery beginners	12	AF1512 Wed pm	Pottery beginners	13	AF1513 Wed eve	Pottery beginners	14	(no waiting list for any classes)			Friday am pottery club for those with experience.		
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<p>51. Comparing take-up to Macbeth is meaningless, as Macbeth is in a much more densely populated part of the Borough and is not in Fulham (King St. Hammersmith</p>	<p>Please refer to map of adult learners which demonstrates a clear spread of adult learners attending Sands End from every one of the 16 wards in the borough.</p>																											
<p>52. Remoteness of Sands End - distance to Macbeth and other more populated areas</p>	<p>People travel from all over the borough and beyond to our adult learning classes. Please see the map attached to the report, which demonstrates that adult learning provision is accessed by residents from all of the boroughs 16 wards.</p>																											
<p>53. Despite cuts, Council mandated to look at viable ways to provide Adult Ed to citizens of the Borough</p>	<p>Adult learning is not a not a statutory service and as such the Council does not have to provide adult learning activities, and in fact, does not put any of its general fund into cost of provision. The only public subsidy comes from Skills Funding Agency, formally the Learning and Skills Council (LSC). LBHF has chosen to maintain an Adult Learning service unlike some other boroughs.</p>																											
<p>54. Pottery and other studios difficult or impossible to relocate</p>	<p>The Council does not agree with this statement. See extract from feasibility study below.</p>																											
<p>55. Pottery best equipped in London and space in which it is housed is the minimum for the range of work which goes on there</p>	<p>Though facilities are good, the Council does not agree that they are the best equipped in London.</p>																											
<p>56. Classes for both pottery and jewellery-making oversubscribed</p>	<p>They are not oversubscribed see figures provided in paragraph 8.6 above.</p>																											
<p>57. Costs of relocation of the pottery prohibitive</p>	<p>The Council does not agree with this statement. There has been discussions with Hurlingham & Chelsea school to accommodate pottery, arts & crafts and jewellery.</p>																											

<p>58. As with other areas, crafts here suffer from a lack of adequate marketing. Despite this, they are thriving</p>	<p>We had a huge launch when the centre re-opened. Leaflets went through every door and articles in local press and banners still hang from the building. Since then classes at Sands End receive the same level, if not more marketing than other curriculum areas or ALSS centres. Once a year a prospectus goes through every door in the borough. Twice a year a listing is produced and distributed via centres, libraries etc. Craft classes are always listed and often a story & photos appear in these publications (see January 2011 publication). End of year exhibitions are held and craft student show their work. Regular pottery sales are held. We undertake e-marketing to 1000s of current and past students regularly. If you Google, "adult education Fulham" a link to LBHF and ALSS websites appear with information about classes.</p>
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- 8.8 The Sands End Action Group suggests that the £42k received from the LSC in 2010/11 could be offset as rental income for the premises. However, we are only able to use this funding for the direct delivery of classes i.e. student fee income and LSC funding combined cover the costs of tutors and materials. In addition the SEAG assume that weekly income for jewellery, stained glass and pottery of £1,920 could be achieved from daily activity. Based on 24 adults a day Monday to Friday and 30 families on a Saturday. In our experience we have generally achieve £1000 per week in fees income from these activities (and for 34 weeks of the year only). Many years ago we also maintained a pottery at the Masbro Centre, but that proved to be was unviable.
- 8.9 Adult learning revenue funding would transfer to Hurlingham & Chelsea school for the jewellery and pottery classes currently run at SECC.
- 8.10 If the council make a decision to dispose of the SECC it would take forward elements of a feasibility study undertaken by Hurlingham & Chelsea school. The brief provided to the school includes the relocation of adult learning (arts and pottery):
- Potential relocation of the arts and pottery from Sands End Community Centre within Hurlingham & Chelsea School
 - Two bright airy spaces are required. The use of these spaces could be timetabled and shared with the school.
 - Relocation of 4 kilns and 7 pottery wheels (legacy)
 - Within pottery room there is a requirement for separate areas for making and glazing
 - Large amounts of storage is required for artwork and materials
 - Easy access for the community to the existing darkroom is required
- 8.11 There is to be a 25% decrease nationally in funding for adult learning over the next four years to 2015. The council has not yet been given its allocation for 2011/12 from the Skills Funding Agency (who replaced the LSC in March 2010) but expect a reduction of approximately 10-15% for 2011/12 and have already experienced a 20% reduction in our 2010/11 allocation.

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Sands End Learners



9.0 LIBRARY PROVISION

- 9.1 Cabinet are asked to note their previous decision in relation to the Library Strategy on 10th January 2011 to refer to the Cabinet paper report which outlines the strategic vision for a public library service within the borough and within the constraints of the available funding when considering this matter. If cabinet agree to the disposal of Sands End Community Centre, the library service will be re-provided in an alternative community setting. One possibility would be to further support the current worth of H&C in developing itself as a community hub. The school already has plans in this academic year to develop elements of youth provision, adult education and extended community entitlement.
- 9.2 There were 32,683 items loaned from Sands End Library in 2009/10 and 67,045 visits to the library. Sands End library is located within a mile (20 minutes walk) of Fulham Library and the proposed community library at Hurlingham & Chelsea school would be 15 minutes walk away from the current location. Additionally, Sands End is only 1.7 miles from Brompton Library in RBK&C. In 2009/10, Sands End was the worst performing library overall in the borough (see table below) with:
- ❖ the lowest number of items issued per hour of opening
 - ❖ lowest total number of items issued
 - ❖ highest net cost per issue
 - ❖ lowest number of visits
 - ❖ lowest number of visits per hour of opening
 - ❖ highest net cost per visit.
- 9.3 For example, it costs an extra £4.80 to issue a book at Sands End than it does at Hammersmith Library.

Library	Total no. of issues	No. items issued per hour of opening	Net cost per issue* (£)	No. of visits	No. of visits per hour of opening
Hammersmith	173,745	56	6.1	281,997	90
Fulham	153,429	49	6.73	265,910	85
Shepherds Bush	117,684	36	5.15	350,208	107
Askew Road	41,825	17	5.69	93,056	37
Barons Court	46,248	19	7.53	86,972	35
Sands End	32,683	13	10.82	67,045	27
Mobile Library	408		45.26	232	

- 9.4 Since the adoption of the Library Strategy 2009-14, a number of improvements to the library service have been made (such as the new Shepherds Bush Library) which are now providing the model for the future of library services in the borough. A step change is necessary to develop libraries that are centres of excellence, cost effective to run and offer a wide range of modern and accessible services to residents. To achieve this, it is proposed to review the number of libraries and the

mobile library service, to achieve fewer, but better, libraries as centres of excellence and small library community hubs in locations such as schools and children's centres.

- 9.5.1 There will be a risk of £80,000 overspend to Resident's Services if the implementation of the library plan is delayed. Borough wide the council is looking to reduce spending on libraries by £310,000 in 2011/12.
- 9.5.2 It is proposed that some of the surplus book stock from Sands End Library could be relocated to the Sands End Sure Start Children's Centre – to provide a small integrated locality library focussed on parenting, early years, child development etc.
- 9.5.3 Some Key Stage 1 and 2 books could also be provided at Langford Primary School. The school have been approached on two occasions about hosting a community library but have said that there is not enough space on the primary school site for this.
- 9.5.4 Another action would be to support the already planned the creation of a community hub in Hurlingham & Chelsea School, reshaped to include a community library offer in partnership with Residents Services and Adult Learning. Although book issues would not count as part of the overall library activity it means a local service will remain in the Sands End ward. The bulk of the book stock would be relocated to Hurlingham & Chelsea School library. Please refer to Sands End Libraries map.
- 9.5.5 The library service would make an annual revenue contribution to Hurlingham & Chelsea school to replenish book stocks.

<p>59. Number of books issued per hour is irrelevant. The important thing is that there is a library at all</p>	<p>As part of the customer profile research the users of both Sands End Library and Fulham Library were mapped. This showed that the users of both libraries geographically overlap illustrating that library users living in Sands End also use Fulham Library. The usage figures of Sands End Library also illustrate this point with Sands End receiving the lowest number of visits of any library in the borough. The number of books issued per hour and the number of visitors give an indication of how well used the library is. The usage figures show that Sands End Library is the least well used library of all the borough libraries.</p>
<p>60. Relocating a public Library - or indeed a gym into a local school is fraught with problems</p>	<p>There are many successful examples across the country of libraries being located within schools. As with any change there will be challenges that will need to be overcome, but these are not insurmountable. As has been demonstrated in Birchwood Community High School, Cheshire and Castlefield County Combined School, Buckinghamshire the co-location of libraries in schools is possible and can provide significant benefits to the school and community.</p>
<p>61. Council's cost analysis meaningless relocation, lack of promotion. Compare Askew Road facilities</p>	<p>The Library Service markets all of its libraries in the same way. The facilities and services available have been promoted on the borough's website and via H&F News. When comparing Sands End Library with Askew Road Library, Askew Road Library has more visitors per hour of opening and issues more items per hour of opening. Sands End Library offered more library activities in 2009/10 in terms of reading groups, under 5 sessions, literary events and yet attracted fewer attendees than Askew Road library.</p>
<p>62. Council has ignored complaints at lack of reference books, Talking Books, CDs etc</p>	<p>The council commits to answering all complaints that it receives and apologies if there have been complaints in the past that have not been answered. The council has a limited</p>

	<p>budget which it can spend on stock in the libraries. It will not be possible for all requests or complaints to be resolved through the purchasing of stock. The council has to ensure that its library stock is as appealing as possible to a wide audience; it will not always be possible to purchase specialist titles. However, the council does ensure that its stock is rotated throughout the borough's libraries and stock in other libraries can be reserved (for a small charge) and delivered to a more convenient branch.</p>
<p>63. Council statistics selective: under-report use, ignore bookings for use of computers, Story Telling etc</p>	<p>The Council has selected the indicators of visits and issues as these are easily comparable with other boroughs across London and nationally and the data has been collected for a long period to enable trend analysis and assurance of the quality of the data being provided. The quality of the information on the number of computer bookings cannot be guaranteed as there currently is no consistent and robust way of collecting it. However, we are rolling out an improved method of data collection for computer bookings across the borough's libraries and expect to have it in place by the end of March 2011. In 2009/10 Sands End Library held 46 under 5s story sessions attended by 899 children. In the same year Askew Road Library held 39 sessions attended by 952 children. In 2009/10, Sands End Library held 13 reading group sessions attended by 58 adults. Barons Court Library held 12 sessions attended by 81 adults. These figures support the statistics in the consultation paper that Sands End Library as the least well used in the borough.</p>
<p>64. Council plans for "super libraries" inaccessible for Sands End children and elderly. Local school outrage at suggested closure</p>	<p>The Council could explore the potential for the school to have a child focused library resource. If agreed, the relocation of Sands Library into Hurlingham & Chelsea School would improve accessibility for Sands End children to the library as it would be located in an environment familiar to them. We would also be keen to use the consultation information collected and to work with the school, community and local children to help design services that they would like to see within their library.</p> <p>We have conducted an equality impact assessment which shows that the majority of Sands End Library borrowers are aged 0-19 years, followed by 20-39 and then 40-64 year olds. Usually this group are mobile and therefore will be affected minimally by a move within the ward. For those elderly people who are unable to access the library, the home library service is a doorstep delivery service, which brings the library to homes.</p> <p>As part of changes to the library service there will be a new Adults & Children's Services Manager who will be able to develop library services to children. It would be feasible to take some elements of the library into schools as has happened at some nurseries in the borough.</p>
<p>65. Expert opinion supports concept of small, local libraries</p>	<p>The Museum, Libraries & Archive Council (MLA) published a piece of research called <i>What do the public want from libraries?</i> in November 2010. Among some of their findings, the importance of inconvenience as a disincentive for library use frequently came up. Distance was not a 'barrier' as such – some of these participants could get to the library if they really wanted to - but because it was no longer convenient, the incentive to use libraries had been taken away. The</p>

	<p>research suggested that smaller, local libraries are important for many current users, who would not or could not always use larger, town centre libraries. Focus group participants tended to think that a mix of large and small libraries was needed because these catered to different groups and user needs. Some research participants had heard of ideas to put libraries in 'unconventional' locations, such as supermarkets, and there was some tentative support for these ideas, as long as they were "meeting a need", rather than "creating one that doesn't exist".</p> <p>This research shows that people want convenience and in a small borough like Hammersmith & Fulham where there are distinct shopping areas, which people visit frequently, locating libraries in these town centre locations are more convenient for people. This convenience is illustrated in the high usage figures of the town centre libraries and the lower usage rates of community based libraries.</p>
66. Unsuitability of school as relocation for library - distance from Sands End - Child Protection Act issues relating to general public access	All services planned would consider safeguarding as paramount as is currently the case at Sands End. There are many successful examples nationally of libraries co-locating with schools. The distance from Sands End Library to Hurlingham & Chelsea School is 0.6miles and can be walked in 12 to 15 minutes. The feasibility brief has regard to child protection issues.
67. Community could lose valuable educational resource because Council has failed to develop, encourage use of Library	The council has encouraged the use of the library in a variety of ways. It runs regular reading groups, under 5 sessions, and is an active member of Bookstart distributing books to babies to grow a love of reading from a really young age. The council has encouraged the use of the library by having 24/7 online access to the library catalogue and to library accounts to enable people to access library services at times convenient to them. The council runs free IT help sessions to help people improve their IT skills and runs literary events to enable people to come together to discuss books.
68. Need for Council to work with community - ideas for improvement. See excellent Hillingdon Council initiatives	London Borough of Hillingdon has undergone a transformation programme which has seen them start implementing a refurbishment plan for all their libraries whilst extending opening hours. These were achieved through reducing back office and management functions, direct delivery of stock, renegotiating the supplier contract and creating a flatter staffing structure giving local managers greater empowerment. LB Hillingdon also has an innovative arrangement with Starbucks to offer We Proudly Brew Starbucks products in the libraries. Many of these actions are ones that have been or are being implemented; however, if implemented in full the savings that these actions could generate are not significant.

9.6 In the financial assumptions made by the SEAG it was suggested that £301.50 per week could be generated from library computer usage and £340 from rental income of the library archive.

9.7 Officers could not identify any possible source of funding for the library archive space – current books in storage will be reviewed and. The fee income suggested by SEAG from computer usage seems very high since the current fee is 50p per hour (with the first 30 minutes being free) and their proposals advocate a £1.50 per

hour fee. Feedback from library users is that there should be more free computer access.

9.8 The feasibility study brief for Hurlingham & Chelsea Secondary School states:

9.8.1.1 A new community library

9.8.1.2 Relocation of the local community library and ancillary spaces from Sands End Community Centre

9.8.1.3 The library should be conceived as open plan, with low level shelving units to sub-divide the space

9.8.1.4 Shelving units for magazine, newspapers, books and DVDs

9.8.1.5 Desking along the perimeter should be provided for PC stations (legacy) – it is noted that a separate PC room is not required

9.8.1.6 The library requires a reception and separate storage space/archive Disabled access should be provided throughout

9.8.1.7 Alongside this a new front to the school and café area are also described.

9.8.2 It has been confirmed that under the proposals the new community library would be based (in the current undercroft area) on the ground floor opposite the main entrance to the school and to be open from 9am to 6.30pm. The Local Authority will fund one member of staff and the school another. A 3rd post might also be viable.

LIBRARY CUSTOMER DISTRIBUTION MAPPING

Branch Libraries for the borough of Hammersmith and Fulham

Fulham and Sands End Libraries

Each dot symbol represents the postcode of active borrowers for 2009/2010

-  Library
-  Sands End Library Customer
-  Fulham Library Customer
-  Minor Roads
-  Arterial Roads
-  Wards
-  Borough Boundaries
-  Town Centres
-  Waterways
-  Hammersmith & Fulham Area



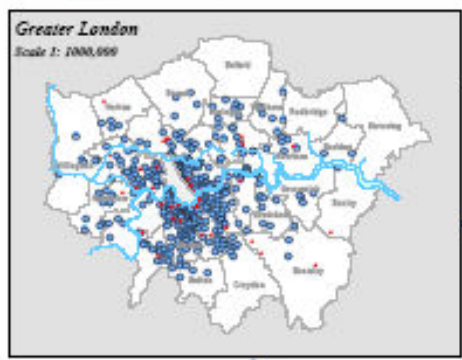
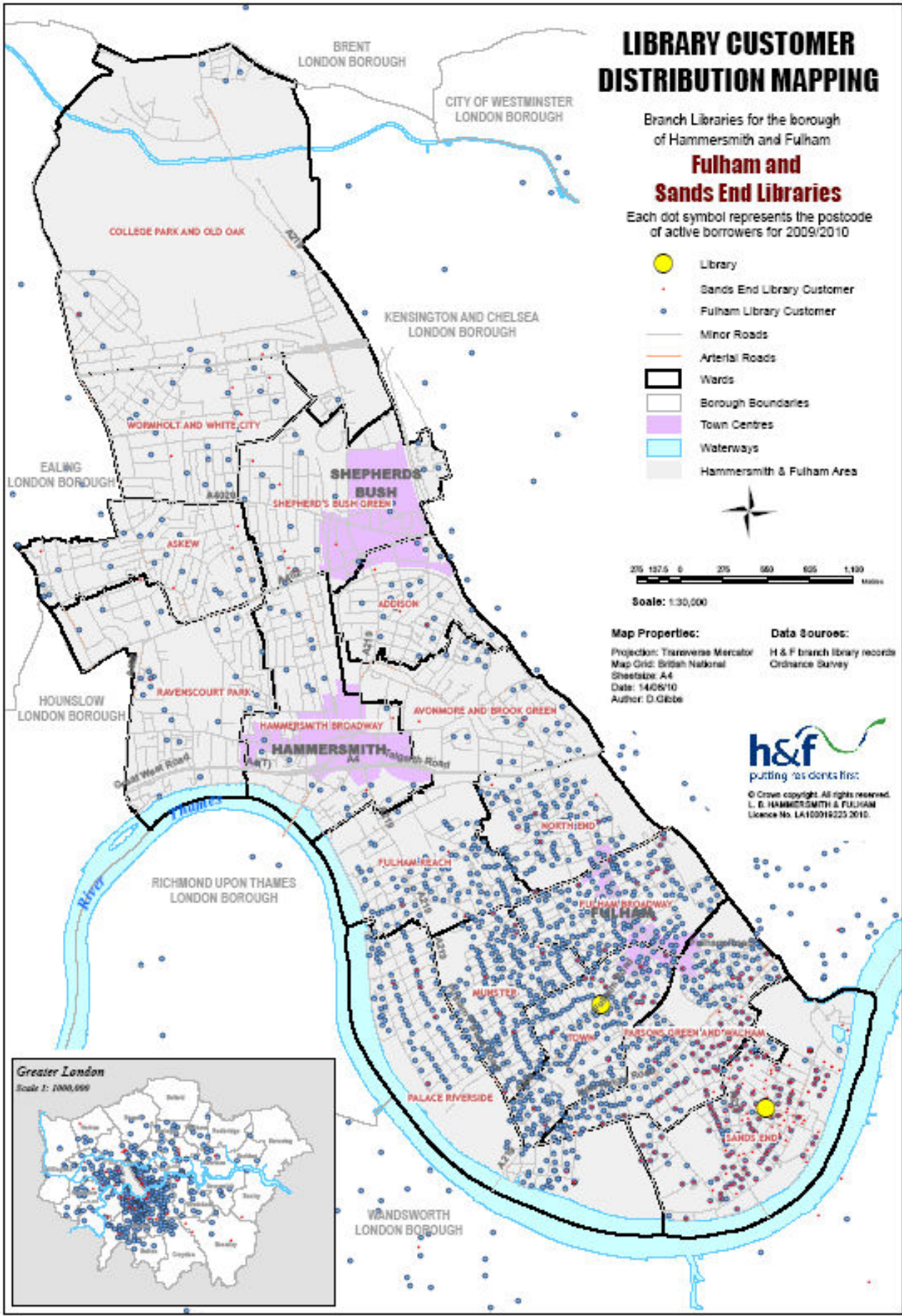
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Map Properties:

Projection: Transverse Mercator
 Map Grid: British National
 Sheet Size: A4
 Date: 14/08/10
 Author: D.Gilbe

Data Sources:

H & F branch library records
 Ordnance Survey



10.0 GYM PROVISION

- 10.1 Sands End gym has been open for approximately thirty years. The gym and sports hall are in need of urgent investment to bring up to a fit for purpose standard. Currently, there are 200 full members plus a range of lifestyle card holders that use the facility. The sports element of the centre only receives 850 users per month. This equates to 4 per hour of opening hours.
- 10.2 There are three other similar gyms in the borough, comparative usage data shows the annual visitor figures as follows:
- | | |
|----------------------|---------|
| Sands End | 10,200 |
| Lillie Road | 113,818 |
| Hammersmith Broadway | 153,122 |
| Phoenix | 63,924 |
- 10.3 The council has facilitated with one of the private gym providers in the Sands End ward the transfer of membership of SECC gym members if the centre were to close. This would provide current users with access to high quality commercial gym facilities with the following opening hours: Mon –Thurs 6.30am -10.00pm, Friday 6.30am – 8.30pm and weekends 8am -5pm.

Please refer to maps: Gym members by size and Gym members by type.

<p>69. Gym must be provided locally and at a price which people can afford. Meaningless to compare gym usage to others that are in densely populated areas and run by a large company (GLL)</p>	<p>Officers have been investigating other local facilities and the potential to offer lower prices. Within the ward there are a number of private gyms. The Sands End ward is identified as having the third best provision of gyms in all borough wards with 22.55 work stations per 1000 residents, where the borough average is 10.51. One of the private gym providers in Sands End ward has been approached and is potentially agreeable to accepting transfer of membership of SECC gym members if the centre were to close. Negotiations are under way. If this option is secured the current users would have access to high quality commercial gym facilities with the following opening hours: Mon –Thurs 6.30am -10.00pm, Friday 6.30am – 8.30pm and weekends 8am -5pm</p>
<p>70. Gym equipment could do with updating but is nevertheless adequate. All machinery now works</p>	<p>We agree that the equipment is adequate and in the event of a decision to dispose it will all be relocated e.g. to Hurlingham & Chelsea school.</p>
<p>71. Changing rooms could be refurbished somewhat</p>	<p>Ongoing repair and maintenance costs for the gym continue to increase and with low membership numbers investment outweighs the return on capital spend.</p>
<p>72. Despite the above, users are very happy with it</p>	<p>New users are not joining in sufficient numbers, even though prices are well below commercial rates. Thus it is not economically viable to sustain the service.</p>
<p>73. Quoted visitor figures do not include non-members or 'lifestyle card' holders</p>	<p>The recorded usage details for cardholders and non-members were used to calculate the average hourly usage.</p>

74.	Comparisons to Lillie Road and Hammersmith Broadway gyms meaningless, as those are run in partnership with GLL and are in far more densely populated areas	Without significant investment the gym is unlikely to attract the number of users to make it viable.
75.	Overwhelming demand for a 'pay-as-you-go' gym	The Council does not consider a pay-as-you-go gym to be sustainable because staff costs need to be paid regardless of take up.

76.	Dissatisfaction with restricted opening times at Sands End gym	Expensive to staff and keep centre open and no certainty of increased membership.
77.	Demand for more studio classes. Continued demand from Pre-Amici dance group. Continued demand for badminton and table tennis. If demands addressed, usage figures would soar	Demand has been met. We are not turning customers away and a service can be provided elsewhere if the centre is not viable.
78.	Relocating gym to H&C School unacceptable for many reasons	Similar relocation of services to Phoenix High School has gone well.
79.	Gym is affordable and inclusive	The Council does not consider the gym provision as currently provided to be sustainable.
80.	If gym were to close, other options to users would be expensive	Not necessarily. GLL offer £19.95 per month membership.
81.	Pre-Amici Dance Group for young adults with learning difficulties wants to remain at the Centre	Groups using the centre will be provided with information on other halls and venues available for hire in the borough.
82.	The Consultation mentions Tae-Kwan-Do, which has not been provided at the Centre for over a year	Tae-Kwon-Do - Sessions stopped during summer 2010 due to insufficient interest
83.	Tai-Chi and Fencing new and popular classes	Average class numbers between 10-12. Tai Chi pays £10ph and fencing £18.50ph
84.	Table Tennis and other Agewell provisions should not be relocated as suggested alternative venues are too far away	The Agewell table tennis is now being provided at Charing Cross Hospital.

10.4 Council budget pressures on Community Sports Services is £90,000 in 2011/12.

10.5 The SEAG financial proposals suggest that the gym facilities should be open 7 days a week and that £900 a week income could be generated from 15 to 30 paying users per day at £5 per visit. i.e. £43,200 per annum. At present users pay £3 per visit, and an Agewell user 55p. Current gym income is actually £12,000 per annum and additional staffing to cover the proposed opening hours would cost in the region of £15,000.

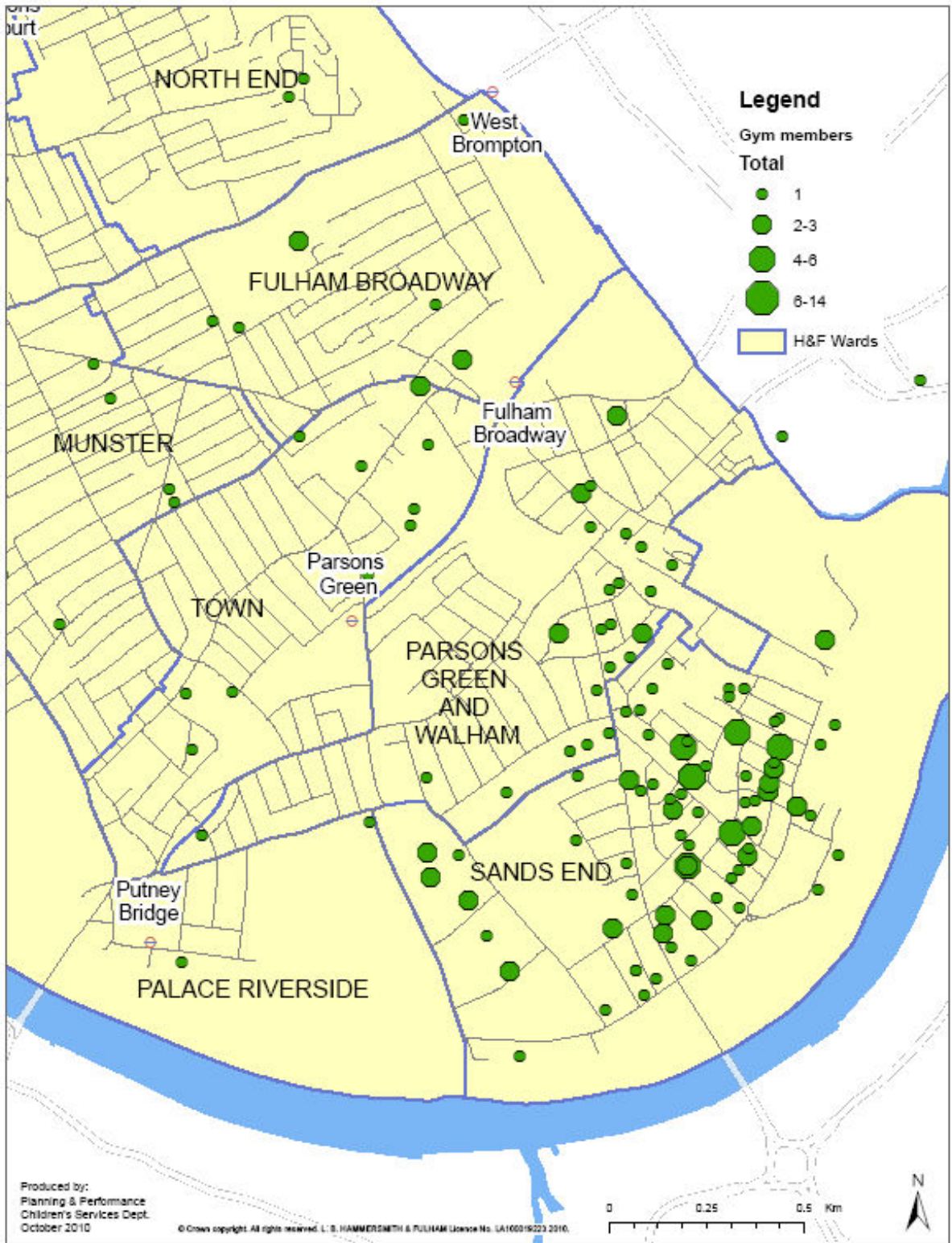
10.6 They suggest that £150 per week could be raised from basket ball and £335 from climbing. However, it is not viable to run basketball and climbing simultaneously, nor do we have any evidence or suggestion that there would be this level of demand. Climbing wall sessions have to be led by at least one trained instructor.

10.7 The private provider in the Sands End ward can offer a service that if used 5 times a month would cost the same (Private gym cost £25-£32 per month versus Sands End costs of £7.90 per week or £5 per visit as suggested by

SEAG) as the existing provision but would offer substantially superior facility which is open later in the evenings and on Saturdays and Sundays.

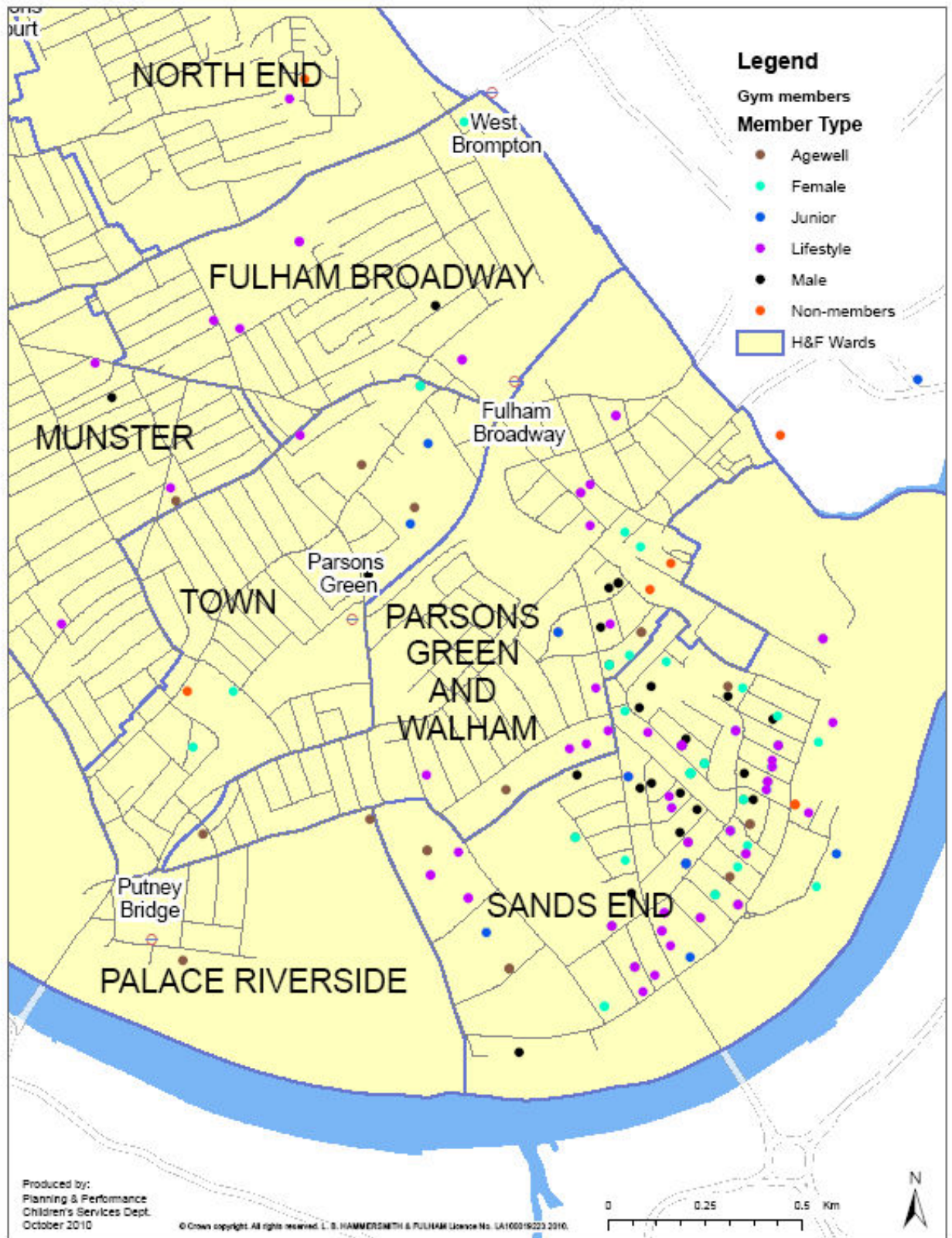
LONDON BOROUGH OF HAMMERSMITH & FULHAM

Sands End Gym Members



LONDON BOROUGH OF HAMMERSMITH & FULHAM

Sands End Gym Members



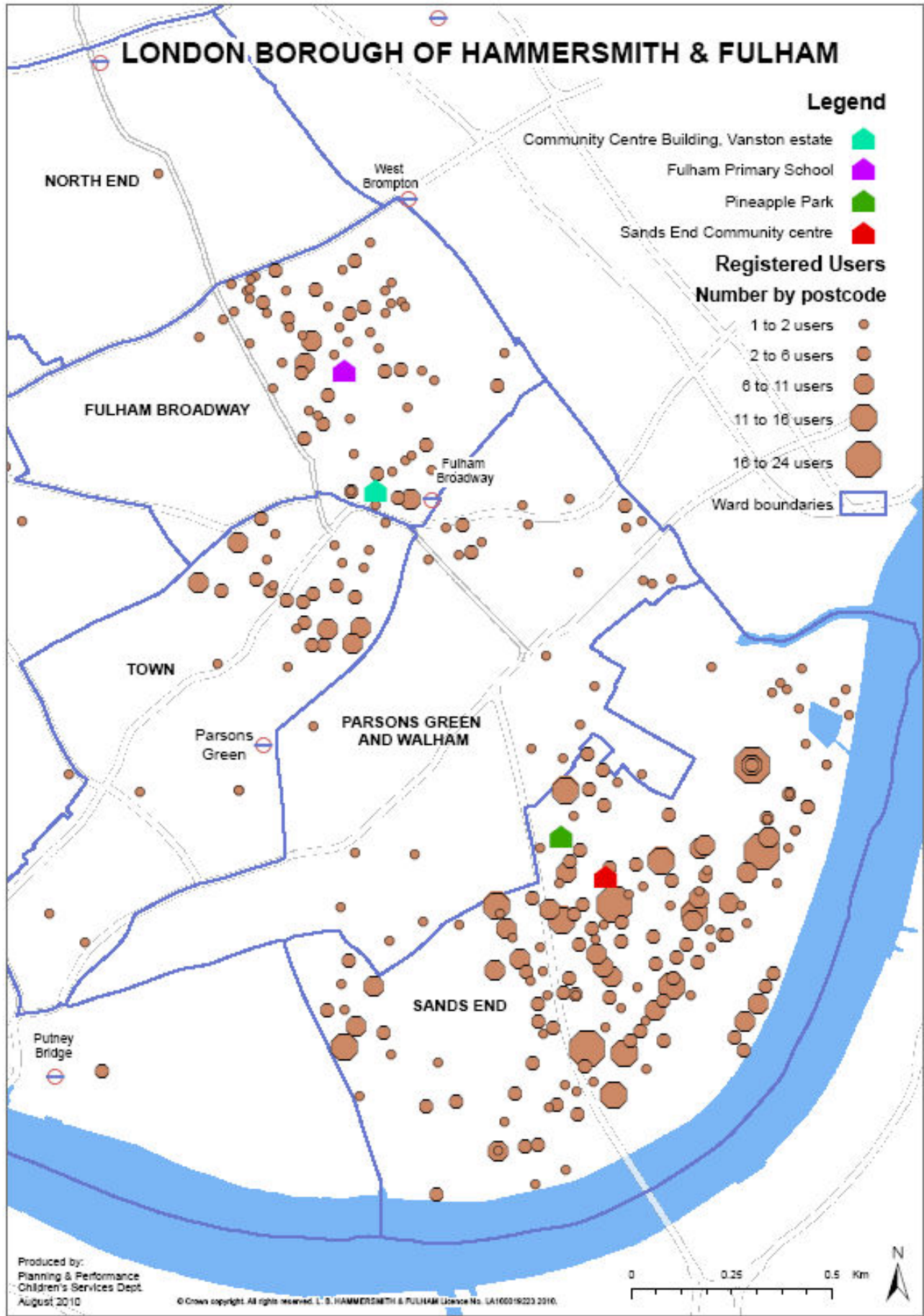
11.0 FULHAM SOUTH CHILDREN'S CENTRE

- 11.1 Fulham South Children's Centre is currently occupying two areas in the centre, one on the first floor and an area on the ground floor where the crèche facility is located opposite the public access toilets. Its services are well used and provide a valuable community asset particularly in terms of school readiness for young children. This children's centre was designated as a two area mode I (Fulham Central and Fulham South) and funding was also invested in a sites at Vanston Place and Fulham Primary School where services have also been delivered by the existing staff team. It is proposed that we continue to deliver Sure Start front line services in the ward. The whole of the Sure Start Children's Centre programme is being reviewed and a public consultation on this began on 22nd January 2011. The proposed reconfiguration would mean a local service, locally run in Sands End ward. Three of the borough's 15 centres are currently managed by the council, seven by local schools, and five by voluntary sector providers. In the public consultation, it is proposed that the newly configured service would be delivered by a local third sector group, rather than the council. One group has already indicated their interest in being a partner provider in the Sands End ward delivering services from the Sands End Playhouse..
- 11.2 As part of the consultation and service review process officers have met with Sands End Association Projects in Action (SEAPIA) staff, parents and management committee members and with members of a newly formed Fulham charity, Ray's Playhouse Limited. The latter group are keen to take on a lease of the soon-to-be vacant council Playhouse in William Parnell Park and to deliver services for parents and children under 5. They have trust funding to enable this and are also willing to be considered as a partner provider to deliver a satellite/spoke Sure Start model Children's Centre under a commission agreement.
- 11.3 Please refer to the Children's Centre user's map which shows spread of current users of all 3 venues which are serviced by the Fulham South Children's Centre staff team.

<p>85. The Council proposes to move a number of services and activities to other locations. Of particular concern is the resulting dwindling of services - The Sure Start Fulham South Children's Centre, would be especially badly hit as would the Family Assist programme and, in the area of Adult Education, the university-standard Pottery. All of these highly valued facilities are most definitely impossible to move without severe repercussions – the first for their wide-ranging social support to large numbers of local families and the pottery, being a very well used, uniquely well-equipped and highly specialised, although again under marketed, facility.</p>	<p>As mentioned previously, the Children's Centre is a two area model with services delivered from 3 venues. The new proposals would ensure that Sure Start activity remains in the Sands End area.</p> <p>It is a fact that our resources for pottery are high quality and we have continued to invest in these for many years. We have also looked at alternative sites for our adult learning provision for some time. This is part of our ongoing contingency planning due to the reduction in national funding, year on year, culminating in this year's reduction in the national adult and further education budget by 25%. In July 2010 we have successfully moved and accommodated most of our adult learning provision at our Macbeth centre and elsewhere in the community, following the closure of the Bryony Centre, W12. We are currently in discussion with Hurlingham & Chelsea school to offer adult learning pottery and crafts classes on their school site. We have also invested heavily in the past in the pottery provision at the Masbro centre, which continues to offer pottery and crafts in the community. The logistics of moving the pottery provision to alternative sites are not beyond the capability of the service.</p>
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86.	870 families registered - of these, 81% attend FSCC	This is correct, but it is a two area model with nearly 50% of its membership coming from the central Fulham area. Please see the user map.
87.	Consultation once again misleading in its description - in this case of how the FSCC is housed and run	As mentioned previously – each of the service managers of provision at the centre inputted the information into the consultation document so is accurate
88.	Should be a priority of the Council to keep Sure Start where it is	Commitment has been made to ensuring children's centre activity in the Sands End ward, via a commissioned service. and the proposals suggest a more suitable site for children and families.
89.	Consultation fails to point out wide range of services provided under the umbrella of FSCC	Services provided by the centre are advertised in their leaflet. Some services are provided by partners such as the PCT and Midwifery and these would continue regardless of location.
90.	FSCC uses many other parts of the Centre - Library, Gym etc	The centre accesses a range of space in the building but also in other community sites in central Fulham
91.	Tremendous value in having the Centre's children's services together under one roof	Currently successfully delivering services in 4 additional locations including gardening in local green space.
92.	Relocating to the Playhouse in Pineapple Park impossible	The site would make a very good children's centre and is now being considered as a potential site for some Sure Start activity.
93.	Would be difficult to run Sure Start from a school	We currently run 7 children's centres on school sites with success and evidence of a strong joined up approach with other school related activity.
94.	"Lack of outside space" never a problem before; and meaningless anyway as Centre is surrounded by parks	Open access to outdoor space has always been an issue and the preferred option especially for children who have limited access to outdoor play on a regular basis. The Early Years Foundation Stage promotes the ability for children to have open access to outdoor play space as an essential part of their development.
95.	Staff talk of the tremendous value placed on having different elements of FSCC and Sure Start under one roof	The services have never been delivered under one roof only as highlighted previously. There is great value for parents and children alike to experience a range of provision enabling them to make good use of all facilities offered in the borough.

11.4 The SEAG made some assumptions regarding the Children's Centre funding. Of the total allocated to Fulham South Children's Centre only £13,700 to £27,000 has been used in any financial year to contribute to the financial running costs and overheads of the SECC premises and core staffing. All the other funding has been used for Children's Centre staffing and Sure Start objectives. Future funding will be used to contract providers to deliver in community or school venues. Whilst it may be the case that some future services for under 5s would be charged for, and thus the suggested £100 per week from the crèche (£20 per day) and £300 per week (60 people per day) for activities might be achievable, the suggestion that £10,400 per week rental income could be generated is totally unrealistic.



12.0 OTHER USERS

96.	The NHS Pulmonary Rehab project moved out recently because of uncertainty (created by the Council) surrounding the future of the building. They would gladly move back – we know this because they have told us.	The Council cannot comment on the PCT's decision regarding where to locate their outreach services. The PCT had not been advised by the Council that the centre may not be available to them in the future.
97.	NHS did not move out of building through choice - they left due to the uncertainty over the building's future	The Council cannot comment on the PCT's choice of locations to deliver its services. However, the Council did not inform the PCT that the centre may be unavailable in the future.

- 12.1 The SEAG also advocate that the five admin rooms and room 1 (2nd floor) could between them generate £680 per week rental income. In more than ten years of managing the centre we have no evidence of this level of demand for low cost office accommodation. Past users of office space have included borough based groups such as ARISE, PSLA and the PCT. None has provided a regular rental income and in the past few years the major user has been council services on an interim basis e.g. catering team prior to outsourcing. With the council's strategic approach on accommodation we are looking to accommodate most staff in Hammersmith with some front line teams based in local community venues such as schools.
- 12.2 The internet café has sadly never taken off. A charity in Wandsworth was approached about running a community café staffed by their trainees but projected footfall from the local community was insufficient to make the option viable. A proposed parent run scheme via the Children's Centre became unviable due to both health and safety requirements and childcare issues.
- 12.3 The two studios have been reasonably well used and have generated small amounts of income for the Sports Development Team. However, regular daytime and evening bookings would be needed to ensure they were commercially viable in future. £660 per week (as suggested by the SEAG) would create an annual income in excess of £25,000 which is far above the income currently achieved.

13.0 STAFFING ISSUES

- 13.1 Sands End Community Centre has a residential site manager who lives in a three bedroom flat at the top of the building. Given the location of the accommodation (first floor), they would need to be re-housed before any sale could take place. Residential Site Managers are traditionally 'site specific' and as such do not move from premise to premise when a change of use takes place. The closure of the site would therefore mean that the post would be rendered redundant.
- 13.2 Other council staff in the premises will be relocated, redeployed or made redundant, under separate proposals due to other service reviews being undertaken. The admin and centre manager posts would also be made redundant.
- 13.3 The budget for the core team amounts to £75,600 which includes £67,100 for staffing and £8,500 for running costs. All services within the premises currently contribute a portion to the overheads (inc. cleaning and utilities) based on

occupancy square footage. The total building running costs amount to £135,053 and the centre is open for 67 hours per week.

14.0 RISK MANAGEMENT

14.1 There are risks in not securing viable alternative locations for all service delivery. A cross council officer group is working with partner agencies to identify and secure reasonable alternative locations in the Sands End Ward. Officers are confident that reasonable alternatives within the ward have been identified for each service strand.

15.0 Consultation

15.1 See section 2 of this report which outlines the borough wide buildings consultation process.

15.2 Disposing of buildings is not a new approach. Since 2006, the council has disposed of 58 buildings that have been identified as surplus to requirements, in order to address the council debt, and to make better use of resources.

15.3 Officers have concluded and recommend that, on balance, the interests of local people are best served by disposing of buildings such as Sands End Community Centre, that are considered surplus to council requirements, and focusing our resources on investing in our front line services. By relocating all the services within the Sands End ward prior to any closure the overall interests of the ward residents and other users are being maintained.

15.4 The financial position facing the council has been updated since the consultation exercise was undertaken, with even greater pressure now facing the council to find additional savings in the next 2 years. Although the clear majority of respondents disagreed with the council's proposal to dispose of buildings considered surplus to requirements in order to preserve as much funding as possible for frontline services, officers continue to recommend this approach as the best way to ensure that vital services to vulnerable residents are protected. Notwithstanding the equalities assessment it was determined that the economic issues outweighed the local impact.

15.5 Feedback:
443 responses were received in relation to Sands End Community Centre; including 152 contributors to a petition, and a comprehensive 76 page single response from "Save Sands End Community Centre Action Group", which included a high number of letters of support from local residents and groups

- Responses supporting disposal: 4%
- Responses opposed to disposal: 69%
- No preference: 27%

15.6 Feedback summary:
The majority of respondents are opposed to the idea of disposing of Sands End Community Centre, with clearly strong feelings that the centre provides multiple, valuable resources and is well-used, and therefore its sale would be severely detrimental to the Fulham community. Many commented on the benefits the centre

offers to young people and expressed the view that this is likely to have knock-on effects for the community as a whole. The use of the centre for adult education and leisure activities is also strongly championed. Those in favour of the sale suggested that if it is underused, it makes sense to sell, or that the sale should go ahead as long as the services it provides are accommodated in an alternative building or redevelopment such as at the Community Centre at Imperial Wharf.

- 15.7 The suggestion that the community will be disrupted is not accepted since:
- all services are being relocated within the Sands End ward and
 - the users are not part of a local cohesive community in the ward, but come from across the borough, as the maps throughout this report demonstrate. Given that adult learning classes and gym sessions run at various times throughout the week and day there is no collective community which encompasses the whole. The pottery group are able to relocate as a community, as are adult learners of specific topics. Likewise if gym users maintained the same pattern of usage they would continue to meet with other users as they do now.
- 15.8 Save Sands End Community Centre Action Group response
This group have been thorough in attempting to understand the issues and a detailed response is found in their comments in the text above.

15.9 Summary of relocation proposals

Service currently at Sands End Community Centre	Size	Proposed new location within Sands End ward	Proposed Size	Distance
Public Library	213.56 sq m	Community Library in new build area at Hurlingham & Chelsea Secondary School – also exploring option as to whether some book stock can be moved to Langford Primary School or Sands End Playhouse	247m ² inc café	0.6 miles
Pay as you go Gym		Private provider in the ward		
Table Tennis		Hurlingham & Chelsea Secondary School		0.6 miles
Children's Centre	234.07 sq ft	Spoke offer to be developed at Sand End Playhouse (subject to separate public consultation) delivered by local charity	17.9 sq m	0.3 miles
AL&S Pottery	183.22 sq m	Hurlingham & Chelsea Secondary School	146m ²	0.6 miles
AL&S Jewellery	75.36 sq m	Hurlingham & Chelsea Secondary School		0.6 miles
Dance studio lettings		Sprung floor studio at Hurlingham & Chelsea; or Wharf Rooms		0.6 miles
Family Assist		Service to be transformed as part of Family Support Localities Project		N/A
SECC management and support		3 posts to be deleted		N/A

- 15.10 **Conclusion** - It remains the view of officers that the uneconomic costs of maintaining Sands End Community Centre can be neither maintained nor justified in

these times of economic restraint. It has been identified that a level of ward based service can be retained using Hurlingham & Chelsea school and other community venues (e.g. the Playhouse). Thus the level of detriment to residents and other service users from across the borough is small in comparison to the benefit to the wider community in terms of delivering cost effective services. This particularly in a time when all council services are under review and efficiencies are required in terms of staffing, service delivery venues and external contract terms. The priority remains to protect front line services wherever possible and to reduce back office, management and overhead costs to enable this. Thus it is recommended that Sands End Community Centre be determined uneconomic to keep and maintain (or subsidise others to do so) and disposed of, subject to the relocation of services within the ward as detailed in the report.

16.0 Equalities Impact Assessment

- 16.1 A detailed EIA has been carried out and is available for Members electronically. Officers considered equality strands, taking into consideration the impact on factors that might result if the buildings detailed were no longer available for their current use.
- 16.2 Significant service reviews have been undertaken on libraries, gyms and Children's Centres across the whole borough. Where it is most viable to sustain current levels of service, proposals based on both current uptake and alternative options have been considered. The council is unable to identify a comprehensive sustainable programme of activities for the centre and has identified alternative venues inside the ward for the comprehensive range of services currently operating from the centre. Therefore disposal is a reasonable and appropriate course of action in all the circumstances.
- 16.3 We are aware that users are not Sands End specific and reside in every ward in the borough (see maps of service users in the cabinet report). As long as venue changes are accessible by public transport a change in buildings would have a neutral effect on delivery and access.
- 16.6 We will ensure that all relocated services will be in accessible buildings and funding has been identified to make reasonable adjustments.
- 16.4 Some activity delivered in the centre is age specific (the children's centre supports families with children under the age of 5). There will again be a neutral impact as the activities delivered will be located within the ward in a venue suitable for children under fives. The venue identified will also have access to outside play space so will offer an improved service for young children. In a separate user survey, parents indicated that a change in location would not affect their use.
- 16.6 With the relocation of services, Sands End Community Centre is agreed as uneconomic to retain and can be disposed of
When making a decision in relation to any of its functions such as to changes in service provision and disposing of land the Council must comply with its general equality duties imposed by each of the Sex Discrimination Act 1975 ("SDA"), Race Relations Act 1976 ("1976") and Disability Discrimination Act 1995 ("DDA").

These provisions in similar, but not identical, terms require public authorities in the carrying out of their functions to have due regard to the need among other things to eliminate unlawful discrimination and to promote equality of opportunity. Copies of the full and initial Equality Impact Assessment templates and guidance need to be considered by Cabinet as part of their decision making and are available from: Opportunities Manager, Organisation Development, 3rd Floor, East Wing, Hammersmith Town Hall, King Street, London W6 9JU. Telephone: 020 8753 3430 Email: PEIA@lbhf.gov.uk. The duties are to be recast into a single equality duty from 6th April 2011 but they are currently as follows:-

Equalities Duties

When making decisions relating to services, public authorities must consider the Equality Act (Sexual Orientation) Regulations 2007, prohibiting discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, in education and in the exercise of public functions. The Regulations make it unlawful to:

- Refuse to provide goods, facilities and services on grounds of sexual orientation;
- Provide goods, facilities and services of a different quality on grounds of sexual orientation;
- Provide goods, facilities and services in a different manner on grounds of sexual orientation; and
- Provide goods, facilities and services on different terms on grounds of sexual orientation.

Authorities must also consider the Equality Act 2006, making it unlawful (subject to certain exemptions) to discriminate on the grounds of religion or belief (including non-belief) in the following areas:

- The provision of goods, facilities and services;
- The disposal and management of premises;
- Education; and
- The exercise of public functions.

In addition, legislation implementing the European Union's Equality Framework Directive 2000 came into force in December 2003, making it unlawful to discriminate against anyone directly or indirectly on the grounds of faith.

Age discrimination law does not currently apply to goods and services, though human rights law may give some protection in these areas. The council has an Age Equality Scheme, which sets out LBHF's commitment to age equality for people of all ages, including children and younger people and older people, across employment and service delivery. Officers are required to consider this when considering the impact on Age.

- 16.7 The specific matters to which the authority needs to have due regard in the exercise of its functions are set out in the relevant sections as follows:

DDA - s 49A General duty

- (1) Every public authority shall in carrying out its functions have due regard to:

- (a) the need to eliminate discrimination that is unlawful under this Act;
- (b) the need to eliminate harassment of disabled persons that is related to their disabilities;
- (c) the need to promote equality of opportunity between disabled persons and other persons;
- (d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- (e) the need to promote positive attitudes towards disabled persons; and
- (f) the need to encourage participation by disabled persons in public life.

SDA - s 76A Public authorities: general statutory duty

(1) A public authority shall in carrying out its functions have due regard to the need:

- (a) to eliminate unlawful discrimination and harassment, and
- (b) to promote equality of opportunity between men and women.

RRA - s 71 Specified authorities: general statutory duty

(1) Every body or other person specified in Schedule 1A or of a description falling within that Schedule shall, in carrying out its functions, have due regard to the need-

- (a) to eliminate unlawful racial discrimination; and
- (b) to promote equality of opportunity and good relations between persons of different racial groups.

16.8 Case law has established the following principles:

(i) Compliance with the general equality duties is a matter of substance not form.

(ii) The duty to have "due regard" to the various identified "needs" in the relevant sections does not impose a duty to achieve results. It is a duty to have "due regard" to the "need" to achieve the identified goals.

(iii) Due regard is regard that is appropriate in all the circumstances, including the importance of the area of life of people affected by the decision and such countervailing factors as are relevant to the function that the decision-maker is performing. The weight to be given to the countervailing factors is a matter for the authority.

(iv) The general equality duties do not impose a duty on public authorities to carry out a formal equalities impact assessment in all cases when carrying out their functions, but where a significant part of the lives of any protected group will be directly affected by a decision, a formal equalities impact assessment is likely to be required by the Courts as part of the duty to have 'due regard'. Due regard is established as having a conscious state of mind and approach.

16.9 Equality Impact Assessment has been carried out and are available electronically for Cabinet's consideration. The Equality Impact Assessment was informed by the consultation process. For the purposes of this report those covered by the general duties under the DDA, SDA, and RRA are referred to as "protected groups". Because of the timing of the decision members should also be aware of impending changes to the law, from 6th April 2010, when the general and specific duties arising from the Equality Act 2010 come into force. The general duties are outlined below; specific duties come into force on the same date but the government has laid out different timelines to allow public authorities time to prepare.

16.10 Parts of the Equality Act 2010 came into force on 1st October 2010 but not those parts of the Act which cover the new public sector equality duty, which has been the subject of recent consultation by the Government. When the public sector equality duty provisions of the Act come into force (date as yet uncertain but possibly on 1st April 2011) it will widen the general equalities duties with which a local authority has to comply. It will (among other things) include age as one of the protected characteristics to which the general equality duties will apply and will amend slightly the factors to which authorities will need to have due regard if they are to comply with those duties. Section 149 of the Act provides (so far as relevant) as follows:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(3) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(4) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) tackle prejudice, and

(b) promote understanding.

(5) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

- 16.11 In addition, local authorities will be under a duty by virtue of s 29 of the Equalities Act 2010 not to discriminate against, victimize or harass any person to whom they provide services on any of the protected grounds. The protected grounds will include age as well as the grounds on which the existing equalities legislation already protects people from discrimination by local authorities (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex). Discrimination means (1) treating someone less favourably because of a particular protected characteristic (or for a reason related to it, in the case of disability) ("direct discrimination") or (2) applying a provision, criteria or practice equally to everyone but which puts people of a particular protected characteristic at a particular disadvantage (indirect discrimination). An authority may rely on a defence of justification (i.e. that the discrimination was a proportionate means of achieving a legitimate end) in response to a claim of indirect discrimination, or in response to a claim of direct discrimination on grounds of age. Otherwise, direct discrimination cannot be justified.
- 16.12 Whilst the provisions as to age are not yet in force, the forthcoming change in the law is a relevant consideration which a local authority can take into account when making decisions as to service provision.

17.0 Comments of the Assistant Director Building and Property Management

- 17.1 The building and property management comments have been incorporated within the body of this report.
- 17.2 As stated in the comments of the Assistant Director (Legal and Democratic Services) any property identified for disposal will be sold in accordance with Section 123 Local Government Act 1972.
- 17.3 If Cabinet resolve to declare this property surplus to the Councils requirements and for disposal, the capital receipt achieved from the sale will contribute to reducing the council's debt.

18.0 Comments of the Director of Finance & Corporate Services

- 18.1 Generally, the capital receipt derived through the disposal of a building and the subsequent revenue saving achieved on running costs and business rates are discrete from decisions taken to support activities currently provided. The council is committed to achieving value for money through rationalising its property holding and as a result of a wide-ranging consultation is in a position to declare a number of buildings surplus to requirements, whilst reducing its office leasehold portfolio.
- 18.2 The disposal of assets will assist the council towards achieving the necessary savings, by allowing it to reduce debt and therefore the interest costs of servicing

that debt. It is not appropriate to declare values for individual buildings but the disposal could generate in the region of £2 million.

- 18.3 In addition to the revenue saving achieved through disposal there will need to be an alignment of other budgets, for example, where a revenue income budget is associated with a particular property, the council will remove that income budget, by offsetting it against the revenue saving and then against some of the interest saved.
- 18.4 The report requests that up to £49k per service is set aside to cover the relocation costs of existing services. This is delegated to Lead Cabinet Member and will be monitored by the Corporate Asset Delivery Team and reported through the Corporate Revenue monitor. These costs are based on an estimate and any increase on this will be the subject of separate Cabinet Member Decision reports.
- 18.4 The Council currently pays £5m on servicing £ 133m of debt and is keen to reduce this liability by disposing of under utilised assets whilst focussing on the delivery of priority services

19.0 Comments of the Assistant Director (Legal and Democratic Services)

Powers to dispose of Land

19.1 Under s.123 of the Local Government Act 1972 the Council may dispose of land held by it in any manner it sees fit. The Council may not dispose of freehold land or grant a lease of more than seven years at less than the best consideration reasonably obtainable without obtaining specific consent of the Secretary of State to disposal at an undervalue or by relying one of the general consents issued by the Secretary of State. In exercising its powers under s.123 the usual public law principles apply.

Consultation

- 19.2 As is stated clearly in the main body of the report the proposed disposal required full consultation. There is case law guidance as to what constitutes proper consultation. Consultation should include the following:
- It should be carried out when the proposals are still at a formative stage.
 - Sufficient reasons should be given for the proposals to allow those consulted to give intelligent consideration and an intelligent response.
 - Adequate time must be given for responses.
 - The product of consultation must be conscientiously taken into account when the ultimate decision is taken.
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- 19.3 The consultation process followed and the product of the consultation are described in the body of the report. The product of the consultation was also used to inform the Equalities Impact Assessments which are available and should be read electronically and which are summarised as to equalities implications at section 16 of the report. A petition submitted under the Council's Petition Scheme has also been considered by the Council and discussions have taken place between residents and senior members and officers. Officers are of the view that an extensive and lawful consultation process has been carried out.

Equalities Duties

19.4 When making a decision in relation to any of its functions such as to changes in

service provision and disposing of land the Council must comply with its general equality duties imposed by each of the Sex Discrimination Act 1975 ("SDA"), Race Relations Act 1976 ("1976") and Disability Discrimination Act 1995 ("DDA"). These provisions in similar, but not identical, terms require public authorities in the carrying out of their functions to have due regard to the need among other things to eliminate unlawful discrimination and to promote equality of opportunity.

Human Rights Issues

19.5 Solicitors acting for one resident have argued that Article 8 of the ECHR is engaged. This matter is dealt with fully in the body of the report at paragraph 5.

Conclusion

19.6 In reaching its decision Cabinet must take into account all relevant matters, both general and particular, which are set out in the report, its appendices and the equalities impact assessments available electronically. Cabinet will need to pay particular regard to the outcome of the consultation exercise and the views of residents. Cabinet must also have due regard to the positive and negative aspects of the equalities duties as explained above. Cabinet will need to consider and balance the views of residents, the impact on the equality duties and the community in general and other relevant matters with the Council's financial position, its duties to maintain certain statutory services, its fiduciary duty to Council Tax payers and other relevant counter veiling matters in reaching its decision.

20.0 Conclusions:

20.1 Increased community cohesion is an important local issue. A number of respondents felt that should buildings in the consultation no longer be available, that this would negatively impact neighbourhoods and communities. However, the council is of the view that by making better use of alternative buildings, encouraging services to share space and increase the offer to local residents from locations across the borough, that this will deliver a positive impact in terms of an improved offer to residents, and may also have a positive impact for organisations, enabling closer working with other organisations who can offer services which complement their own.

20.2 Like councils across the country, Hammersmith & Fulham Council is under serious financial pressures as a result of the national budget crisis. The council needs to achieve £60m of savings in the next three years. We have concluded that, on balance, the interests of local people are best served by disposing of buildings that are surplus to requirements, and focusing our resources on investing in our front line services. The priority is people and services not buildings.

20.3 Based on the consultations which have taken place, concerns were raised about potential loss of services. As stated, services will be delivered from alternative locations within the ward and there is not an expectation that there will be a loss in service delivery/activity. The equalities policies and procedures will remain intact.

20.4 Parents, when asked in the children's centre consultation indicated that a change in venue would not affect their service usage.

20.5 We have reviewed the consultation responses and have mapped service users from the existing services delivered from the centre. Service users reside in a range of locations across the borough and not exclusively from the Sands End area. In many cases future potential relocation of services will be nearer to their residence reducing their journey times. We will ensure that all relocated services will be in accessible buildings and funding has been requested to make reasonable adjustments.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	3 rd Sector Strategy	Sue Spiller ext 2483	CSD, Glenthorne Rd
2.	H&F Buildings Consultation document	Sue Spiller, ext 2483	CSD, Glenthorne Road
3.	Sands End Community Centre Consultation responses	Gill Sewell, ext 3608	ChSD, Cambridge House
4.	H&F buildings consultation responses summary	Sue Spiller, ext 2483	CSD, Glenthorne Rd
5.	Consultation responses / answers	Sue Spiller, ext 2483	CSD, Glenthorne Rd
6.	Equality Impact Assessment	Pat Bunche, ext 3772	ChSD, Barclay House
7.	Halls for Hire	Sue Spiller, ext 2483	CSD, Glenthorne Rd
8.	Sands End Action Group Response Document	Gill Sewell, ext 3608	ChSD, Cambridge House
9.	Council Assets register	Maureen McDonald Khan, ext 4701	Env, Hammersmith Town Hall Extension
10.	Sands End CC Consultation extension document 6 th October – 10 th November 2010	Gill Sewell, ext 3608	ChSD, Cambridge House
11.	Extracts from the Hurlingham & Chelsea School Feasibility Study 9 th December 2010	Gill Sewell, ext 3608	ChSD, Cambridge House
12.	LBH&F Library strategy cabinet report	Sue Harris, ext 4295	RSD, Glenthorne Road
13.	Two letters from Leigh Day & Co (27.9.10 & 7.10.10)	Michael Cogher, ext 2700	FSD, Hammersmith Town Hall
14.	Sands End Action Group financial projections	Gill Sewell, ext 3608	ChSD, Cambridge House