

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 03 November 2014

Portfolio:	Leisure and Community
Subject:	Genesis Centre – New Constitutional Arrangements
Report of:	Director of Community
Strategy/Policy:	Leisure Strategy
Corporate Objective:	Leisure opportunities for health and for fun To build strong and inclusive communities

Purpose:

This report seeks to provide details of the new constitution for the Genesis Advisory Committee and sets out the roles and responsibilities of the key partners involved in the management of the Genesis Centre. The constitution has been revised in light of the new management arrangements for Genesis Young People's Centre in Locks Health.

Executive summary:

As a result of the recent changes, this report updates members on the role of the Genesis Advisory Committee and proposes a new constitution to support the new arrangements. The new constitution defines the role of the Advisory Committee, including arrangements for membership and representation. It has been developed in liaison with other partners. It is hoped that these will ensure the creation of greater opportunities for young people in the Western Wards of the Borough.

Recommendation/Recommended Option:

That the Executive approves the constitution for the new Genesis Advisory Committee and requests the Council to confirm the member appointments to this new body.

Reason:

To review and revise the management arrangements for the Genesis Centre. The new constitution will enable the Genesis Centre and its users to have a clear idea about the role of the various agencies involved in supporting Genesis.

Cost of proposals:

The new constitution does not require any additional funding.

FAREHAM

BOROUGH COUNCIL

Executive Briefing Paper

Date: 03 November 2014

Subject: New Constitution for Genesis Young Peoples Centre

Briefing by: Director of Community

Portfolio: Leisure and Community

INTRODUCTION

1. This report provides members with a proposed new constitution for Genesis Youth Centre in Locks Heath.
2. 'Genesis' is a Youth Centre for young people in the Western Wards. The Centre opened in 1997. It was developed and is owned by Fareham Borough but since opening seventeen years ago, has been operated under a joint management agreement with Hampshire County Council.
3. Members will be aware of the recent changes to the management arrangements for the building, which included releasing Hampshire County Council (HCC) from the previous Management Agreement, in order to enhance the operation and sustainability of youth work in the area.
4. In May of this year, the Council entered into a new agreement with 'Y Services for Young People' who have responsibility for managing and operating the Centre on a day-to-day basis, in addition to offering youth activities from the building for local young people. Fareham Borough Council is responsible for the maintenance of the building.

BACKGROUND

5. Following the termination of the arrangement with HCC, Fareham Borough Council entered into a new partnership with a local youth work charity, Y Services for Young People. Consequently, it has become necessary to review and update the constitution for the Genesis 'Management Committee' to reflect the new operational arrangements.
6. Since the planning and development of the facility in the late nineties, Genesis has been supported by the involvement of other local agencies and community representatives, who recognised the value of supporting their youth provision.

NEW CONSTITUTION

7. Despite the various changes in membership over the years, the importance of involving

local ward councillors, like-minded agencies, interested members of the community and representatives from user groups, in the direction and development of the centre, continues to be recognised as an important factor in managing the facility. It is acknowledged that a partnership approach to guiding the work of the centre has had a positive impact on the Centre, not least because of the ability of the management body to attract new funds, which, if working in isolation, the Council would be unable to secure.

8. Following the commencement of the new arrangements, it has been necessary to update the constitution to reflect the changes in the operational arrangements. It was felt prudent at this time to also review the role and membership of the management body, to ensure that it is still allied to the purpose of Genesis, while also being able to support Y Services in their role as managers of the building.
9. Y- Services for Young People is a local youth work charity, which currently operates a variety of sessions around the Borough. Several of these opportunities are operated with funding from Hampshire County Council, among other supporters and funders to provide 'commissioned' youth services.
10. As a relatively young charity, Y Services is hoping to strengthen its identity within the Borough and as well as operating the facility on behalf of the Council, is keen to secure Genesis as a local 'base' from which to co-ordinate and develop their activities. Management duties at Genesis will consist of :
 - General caretaking duties, liaison with hirers
 - Manage centre bookings on behalf of Genesis Advisory Committee
 - Supporting Genesis Advisory Committee with meetings and further development opportunities
 - Act as the responsible person for the health & safety of the building
 - Pay all utility costs (Gas, Electricity, Water charges, Sewerage charges)
 - Operate the recording studio and maximise income in this area
 - Produce a Development Plan for building the capacity of the Centre, maximising income streams with a focus of creating more youth opportunities at the facility.
11. Most importantly, it is recognised that the 'Genesis Advisory Committee' as it will now be known, actively continues to support the development of opportunities and the furtherance of activities for young people, in partnership with the Council and Y Services.
12. The proposed constitution is attached at Appendix A, however, in summary the key changes include:
 - Refreshing the objectives and purpose of the Centre, including the aims of the management partnership
 - The management body are clearly defining their advisory role and the contribution they will make to the new management arrangements.
 - Indemnity arrangements

- Clarification of the membership arrangements for user groups and interested parties, including representation and voting rights
13. The constitution has been developed in partnership with members of the committee and following negotiations with the Chairman of Genesis Management Committee, Director of Community and Y-Services who have agreed to the role, representation and voting rights of the various agencies involved.
 14. Although the Community Development Manager has and will continue to support the Genesis Centre and GAC, it is proposed that with these new arrangements in place, involvement will be on a needs basis, rather than attending every meeting.
 15. It is proposed that the Leisure and Community Policy Development and Review Panel will receive an annual report on the progress of the work and use of the Genesis Centre.

CONCLUSION

16. This report provides members with an overview of the new constitutional arrangements for the support of Genesis Youth Centre in Locks Heath. Having revised the Council's arrangements for the operation of the building, it is hoped that members support the proposed constitution. It is recognised that strengthening the governance arrangements will also assist in consolidating and maintaining this important provision for young people in the Western Wards.

Reference Papers:

Reports to The Executive for Decision - 'Genesis Young Peoples Centre – Proposed new management arrangements;

- 12 May 2014

Appendix A – Proposed Constitution for the Genesis Advisory Committee
Appendix B – Summary of Key responsibilities



Constitution

Revised on

GENESIS ADVISORY COMMITTEE

1.0 NAME

The Association established is called **Genesis Advisory Committee**. (Hereinafter called “ The Committee”).

2.1 OBJECTIVES

- 2.1 The objective is to provide and manage the Centre for the benefit of young people in the Western Wards, without distinction of age, sex and race, political, religious or other opinion.
- 2.2 Through associating the statutory authorities, voluntary organisations and inhabitants in a common effort, the ‘grouping’ seeks to advance education and provide facilities in the interests of recreation or other leisure- time activities, with the object of improving life opportunities for local young people;
- 2.3 To advise on the management and development of the Genesis Centre, to maintain it and to manage the facility in partnership with Fareham Borough Council. To oversee the running of the Genesis Centre and related activities promoted by the Committee and its constituent bodies in furtherance of the above objects for the benefit of local young people and with regard for the restrictions on the use of the building (as subject to the Planning Conditions in situ)
- 2.4 The Committee wishes that through providing the Genesis Centre, they are able to promote opportunities specifically for the development of young people, in particular:
 - Building positive relationships with young people that enable them to explore, make sense of their experiences and plan and take considered action.
 - Facilitate young people’s learning, providing opportunities for their personal and social development.
 - Enable young people to organise and take increasing responsibility for activities, events and personal goals.
 - Work with young people in accordance with the core values of youth work, support and develop effective, efficient and ethical practice in youth work.
- 2.5 In furtherance of the above objects, the Committee may:
 - 2.5.1 Provide or secure the provision of support services; educational and recreational facilities, including practical assistance for young people within the area of benefit.

- 2.5.2 Provide, maintain and equip, or assist in the provision of, maintenance and equipment of, premises and facilities designed to carry out the objects of the Committee.
- 2.5.3 Obtain, collect and receive money by way of grants, donations, bequests, legacies or other lawful method, provided that the Committee may not engage in any form of permanent trading.
- 2.5.4 Purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights and privileges necessary for the promotion of the above objects and construct, maintain and alter any buildings or erections which the Association may think necessary for the promotion of its objects.
- 2.5.5 Make any regulations for any property which may be so acquired.
- 2.5.6 Subject to any consents as may be required by law, sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the Association with a view to the furtherance of its objects.
- 2.5.7 Receive money on deposit or loan and borrow or raise money in such a manner as the Committee shall think fit subject to such consents as may be required by law.
- 2.5.8 Invest the monies of the Association not immediately required for the furtherance of the said objects in or upon such investments, securities or property as may be thought fit, subject nevertheless to such conditions (if any) as may for the time being be imposed or required by law.
- 2.5.9 Recruit and train volunteers with relevant skills to carry out the objects of the Association.
- 2.5.10 Employ and pay any person or persons to supervise, organise and carry on the work of the Committee and make all reasonable and necessary provision for the payment of remuneration to employees.
- 2.5.11 Promote and organise co-operation in the achievement of the above objects and to that end, to work in collaboration with local authorities and voluntary organisations engaged in the furtherance of the above objectives.
- 2.5.12 Do all such other lawful things as may be necessary for the attainment of the above objects or any of them.

3.0 MEMBERSHIP

- 3.1.1 Membership of the Committee shall be open to people, irrespective of political party, nationality, religion or political opinion:
- 3.1.2 Genesis Management Committee will be **advisory** in capacity and each of the recognised parties below is entitled to have at least one voting member, representing the views of their group or organisation;
- **Two** Councillors, appointed by Fareham Borough Council (as the landlord of the building)
 - **One** Councillor, appointed by Hampshire County Council (as provider of Children's and commissioner of Youth Support Services)
 - **One** representative of the Local Children's Partnership, or its successor group

- **One** Community Representative (on behalf of local residents)
- A maximum of **Four** representatives in total, **One** from each of the User Groups, who hire Genesis on a regular basis
- **One Ex Officio** representation from Y Services (as the operational charity)
- **One Ex Officio** representation from Fareham Borough Council, as and when required

- 3.1.3 It has been agreed that Y Services for Young People, a local Youth Work charity, has agreed to operate the building for the benefit of local young people, on behalf of the landlord, Fareham Borough Council and the Genesis Advisory Committee.
- 3.1.4 Organisations within the area of benefit, whether voluntary or statutory, may upon application to and with the approval of the Committee be admitted as Advisory Members and such approval shall not be unreasonably withheld;
- 3.1.5 Well-wishers anywhere or persons who, in the opinion of the Committee, have special knowledge or experience to offer to the Collective; such members shall be called Associate Members and shall [not have the right to vote at meetings of the Association. (e.g. FBC Officers)
- 3.2 Advisory members shall each be entitled to be represented at meetings of the Association by a duly authorised representative with power to vote on behalf of the Affiliated Member.
- 3.3 The Committee shall fix the hiring fees for the Genesis Centre on an annual basis and have the ability to terminate the membership of any member or user group, provided that the member concerned shall have the right to be heard by the Association before a decision is made.

4.0 ADVISORY COMMITTEE

- 4.1 Except as provided otherwise in this Constitution the policy and general management of the affairs of the Committee shall be directed by the Committee which shall meet not less than five times a year and shall consist of not less than One Third of members of the Association, elected at an Annual General Meeting.
- 4.2 Nominations can be accepted from interested parties, wishing to support the activities of the Genesis Centre.
- 4.3 Should the number of nominations exceed the number of vacancies, election shall be by secret ballot of the members of the Committee present and voting at an Annual General Meeting.
- 4.4 Should the number of nominations be less than the number of vacancies, further oral nominations may with the approval of the Annual General Meeting be invited from members present and voting at the said Annual General Meeting.
- 4.5 The Committee elected at an Annual General Meeting shall have the power to co-opt further members, who shall be individual Members or representatives of Affiliated Members and who shall serve until the conclusion of the next following Annual General Meeting PROVIDED THAT the number of co-opted members shall not exceed one third of the total membership of the Committee. Co-opted members shall have the right to vote.

- 4.6 The Chairman, Vice-Chairman, Secretary and Treasurer, who shall be the Honorary Officers of the Association, shall be full Individual Members, of the Association and shall be elected annually by and from the members of the Committee at their first meeting following the Annual General meeting. The office of Chairman shall not be held by any one person for more than 3 consecutive years.
- 4.7 Any member of the Committee who fails to attend two consecutive Committee meetings without reasonable excuse shall lose her/his place on the Committee, which may be filled by co-option in accordance with Clause 4.5 above.

5.0 **FUNCTIONS OF THE COMMITTEE**

- 5.1 The Committee may make such regulations as its members consider appropriate for the efficient conduct of the business of the Committee and the Genesis Centre.
- 5.2 The Committee may appoint external agencies or services as considered necessary, or on such terms and conditions as they may determine.
- 5.3 The Committee may appoint sub-committees, advisory groups or working parties of its own members and other persons as it may from time to time decide necessary for the carrying out of its work and may determine their terms of reference, duration and composition. All such sub-committees shall make regular reports on their work to the Committee.
- 5.4 The proceedings of the Committee shall not be invalidated by any failure to elect or any defect in the election, appointment, co-options or qualifications of any member.

6.0 **CHAIRING MEETINGS**

- 6.1 All meetings of the Association or of any of its sub-committees shall be guided by its Chairman, or in his/her absence, its Vice- Chairman. If neither are present, those present may elect one of their fellow representatives to take the Chair. [The Chairman of any meeting shall have a second or casting vote]

7.0 **FINANCE**

- 7.1 All monies raised by or on behalf of the Committee shall be applied to further the objects of the Committee and for no other purpose PROVIDED THAT nothing herein contained shall prevent the payment of legitimate out-of-pocket expenses to members of the committee engaged upon the approved business of the partnership.
- 7.2 Any income, grants or monies raised by the Genesis Advisory Committee shall be held by Y Services, on the Committee's behalf. This will be held separately from the funding of the main Y charity.
- 7.3 A current financial statement will be available for the committee to consider at each meeting. The Genesis Advisory Committee may also decide to hold a separate bank account.
- 7.4 A statement of accounts for the last financial year shall be submitted by Y Services, for the Committee to receive at the Annual General Meeting. Y Services will ensure that these have been independently assessed.

- 7.5 The financial year of the Committee shall run from 1 April to 31 March
- 7.6 The Committee shall authorise any financial transactions or procurements, providing agreement is reached and properly recorded.
- 7.7 Should they decide to hold a separate bank account, the committee shall designate 3 members of the Committee to sign cheques on behalf of the Committee. All cheques must be signed by not less than 2 of the 3 authorised signatories.

8.0 TRUSTEE RESPONSIBILITY

- 8.1 The Committee may appoint and may terminate the appointment of not less than 3 people to act as Trustees for holding property belonging to the Committee. The title to all or any such real and/or personal property which may be required by or for the purposes of the Committee shall be vested in the Trustees who shall hold such property in trust for the partnership. An inventory has been prepared to assist with this matter.

9.0 ANNUAL GENERAL MEETING

- 9.1 [The first Annual General Meeting of the Committee shall be held not later than the 15 of December 2014 and in each year thereafter]. An Annual General Meeting of the Committee shall be held at such place and time (not being more than 15 months after the holding of the preceding Annual General Meeting) as the Committee shall determine.
- 9.2 At such an Annual General Meeting the business shall include the following:
- The election of members to serve on the Committee
 - The appointment of an auditor or auditors (if necessary)
 - The consideration of the audited accounts
 - The transaction of such other matters as may from time to time be considered necessary.

10.0 SPECIAL GENERAL MEETING

- 10.1 The Committee may at any time at its discretion and shall upon a requisition signed by not less than _____ members, having the power to vote and giving reasons for the request, call a Special General Meeting of the Association for the purpose of altering the Constitution in accordance with Clause 12 hereof or of considering any matter which may be referred to them by the Committee or for any other purpose.

11.0 GUIDANCE OF PROCEDURES AT ALL MEETINGS

Voting

- 11.1 Subject to the provisions of Clause 12, all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote. [In case of an equality of votes the Chairman shall have a casting vote].

Minutes

11.2 Minutes shall be recorded and kept by the Committee as a record of all proceedings and resolutions.

Quorum

11.3 The quorum at General Meetings of the Committee shall be at least One Third of its total members and representatives.

12.0 ALTERATIONS TO THE CONSTITUTION

12.1 Any alterations to this Constitution shall receive the assent of not less than two thirds of the members of the Association present and voting at the Annual General Meeting or a meeting specially called for the purpose PROVIDED THAT notice of any such alteration shall have been received by the Honorary Secretary in writing not less than 21 clear days before the meeting at which the alteration is to be brought forward.

13.0 DISSOLUTION

13.1 If the Committee by a simple majority decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the Genesis Management Committee, they shall call a meeting of full members of the partnership.

13.2 If such decision shall be confirmed by a simple majority of those present and voting at such meeting the Committee shall have power to dispose of any assets held by or in the name of the Committee, providing that these assets are made available to other like-minded youth charities or community organisations, operating on a 'not for profit' basis.

13.3 Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Association as the Committee may decide.

14.0 INDEMNITY OF USERS & HIRERS

14.1 To limit the advisory committee from liabilities, each user group or hiring body (in fact anyone who hires the Centre, whether considered to have a regular or frequent booking or whom may hire the facility on an ad-hoc basis) is expected to have in place, their own arrangements regarding insurance cover (for the indemnity of their users or the activities associated with their group, purpose or occupation). There will be no exception to this requirement and evidence will be required upon booking as part of the formal hiring agreement.

On behalf of the Genesis Advisory Committee, this constitution has been agreed and is

Hereby adopted on the date of2014

Signed by.....

Chairman of Genesis Advisory Committee

Supported by.....

A copy of this constitution should be held by each of the following partners;

- Members of the Genesis Advisory Committee
- Fareham Borough Council
- Y Services for Young People
- Each hirer or user group of Genesis.

Appendix B

A summary of the role and responsibilities of each of the main organisations involved in Genesis Advisory Committee (GAC).

RESPONSIBILITIES OF THE TENANT	Y Services for Young People
	To develop and provide a range of services and opportunities for young people at the centre.
	To act as Responsible Person for the Health and Safety of the building
	Fire safety including fire evacuation exercises, and operational procedures.
	Weekly testing of fire alarms and sounders.
	Legionella management, i.e. Weekly flushing and recording of all water outlets and ensuring all outlets are cleaned and de scaled as required.
	PAT testing of all appliances used in the centre and preparation of the PAT testing policy.
	Testing and maintenance of all media equipment in the recording studio.
	Provision and cleaning of all sanitary fittings
	Ensuring that all contractors work in a safe manner and view and sign the asbestos register before carrying out any works.
	To attend, present reports and support the Genesis Advisory Committee
	To hold funds on behalf of Genesis Advisory Committee, providing regular budget updates and present an annual summary of financial activity on behalf of the GAC

RESPONSIBILITIES OF THE LANDLORD	Fareham Borough Council
	The landlord will act as Responsible Person, for the maintenance aspects of the building, specifically:
	Annual fire risk assessment
	Risk assessment of the water systems.
	Annual checks of the fire extinguishers.
	Testing of all fixed wired electrical appliances, e.g. cookers
	Servicing of the air conditioning system.
	Implementing a higher level Legionella Management Programme, i.e. all activities excluding the weekly flushing of outlets.
	The fixed wired electrical installation.

	The servicing of the heating system
	Monthly testing of the emergency lighting and fire alarms.
	Servicing of the lightning protection system.
	Support to the Genesis Advisory Committee, our elected members or representatives in relation to community activities, governance or operational issues of the Centre.

RESPONSIBILITIES OF THE COMMITTEE	Genesis Advisory Committee
	Setting the annual fees and charges for the use of the building, recording studio and meeting rooms, ensuring that there is a good balance between the needs of young people, opportunities for enhancing income streams and maintaining existing services and the needs of the building.
	Enhancing the range of services and opportunities available from Genesis for local young people and those that are available in the Western Wards.
	Work with partners to identify opportunities to attract and secure additional funding for new opportunities, in response to local needs or in order to enhance existing services and facilities.
	Oversee the running of the building and ensuring that there are appropriate policies and procedures in place, for the safe use and operation of the building.
	Managing the needs and issues raised by hirers, including resolving any complaints or queries from user groups and negotiating positive outcomes.
	Liaison with young people on a regular basis, to seek their views regarding the operation and running of the Centre.
	Managing the cleanliness and decorative condition of the building
	Regularly reviewing and updating the Inventory of equipment and apparatus available at Genesis to ensure it is up to date, PAT tested and insured appropriately.