

Dundonald Gymnastics Club (DGC) Response to Representations made in relation to Request for Review of the Leadership Panel Decision to Reject Community Asset Transfer Application for Muirhead Activity Centre

1 Introduction

Dundonald Gymnastics Club seek to ensure our proposal to develop Muirhead Activity Centre is properly assessed against the status quo.

Dundonald Gymnastics Club have submitted a sustainable business plan committed to ensuring the long-term security of the centre with the opportunity to develop diverse community use. A large gymnastics membership provides a strong financial structure for investment in the centre and the ability to provide access to community activities at affordable rates for participants.

The status quo demands permanent local authority subsidy of an unsustainable business model. Current usage indicates that the centre is losing money every hour it is open. The centre is subject to budget review having been previously recommended for closure and has no long-term plan to sustain existing losses or invest in necessary remedial works.

Whether the future is Dundonald Gymnastics Club or the status quo, the community deserves the assurance that Muirhead Activity Centre has a future.

2 Response to Responses

We are pleased with the reduced number of individual representations which we hope represents a better understanding of our Community Asset Transfer application. Unfortunately there remains some misinformation influencing some views and we feel it necessary to re-state that:

- Dundonald Gymnastics Club is a Scottish Charitable Incorporated Organisation – registration no: SC048271
- Dundonald Gymnastics Club is a community club not an elite sports club though some of our gymnasts may aspire to elite status
- Dundonald Gymnastics Club provide sporting activities for children from the age of 3 to 18
- Dundonald Gymnastics Club currently have approximately 415 members of which 124 members live in the Troon area.
- Prices for participants in any activity operated within the centre will be at standard market rates.
- Dundonald Gymnastics Club will provide activities for a minimum of 200 additional children if the Community Asset Transfer is approved.

3 Appendix 13 Questions and Responses

Unfortunately, this information was not available to us prior to the deadline for Request for Review but we wish to comment on this.

Item 1

There is no data to support more than 13 user groups at Muirhead Activity Centre.

Item 2

Whilst South Ayrshire Council have no written records of proposals to close Muirhead Activity Centre in 2014, the proposal was reported in the Troon Times (17/2/14) and discussed at the Troon Community Council meeting on 4 March 2014. A second potential closure of Muirhead Activity Centre was also reported in the Ayrshire Daily News on December 5 2017.

The response to **Item 4** (below) notes that there is an ongoing review of usage across its properties which may lead to rationalisation of usage and availability of activity centres. There is also an associated review of charges.

Item 3

There are no programmed plans to reduce losses or carry out the backlog of maintenance.

Item 4

There are no medium/long term guarantees to lets of same time, same place, same price.

Item 5

There is no apparent increase or decrease in income and expenditure in the first 3 months of the financial year.

Item 6

It is difficult to reconcile the attendance figures with the income reported.

Item 7

There is no information regarding usage of Muirhead Activity Centre by Muirhead residents.

Item 8

Thank you for this information.

Item 9

The minutes of the Leadership Panel meeting 11/6/19 are now published. We are concerned that despite the fact that the Community Asset Transfer Request was part of the public part of the meeting, the Leadership Panel chose to discuss the matter in private and for which there are no minutes available. Based on published Leadership Panel meeting minutes this is highly unusual.

Item 10

We note the assessment of the application as Very Strong/Strong and the unanimous recommendation of officers. Unfortunately, as the Leadership Panel discussion took place partly in private without minutes, we are unable to assess the quality and scope of that discussion. This leads us to believe that the statement that ‘...the consideration of the benefits of an alternative proposal i.e. continue as existing use, were assessed at that Panel meeting by members in attendance.’ is a post hoc justification of the decision.

4 Detailed Comments on Representations

With regards to all the representations submitted, apart from No 5, it is disappointing to note that the misinformation about the application continues. We do not feel that any new points have been raised that we have not already addressed in our previous submissions, comments or in the Introduction above.

With regard to submission No 5, received from the Muirhead Tenants & Residents Association, it is a well written document though a little confused at times and fundamentally flawed in the following ways:

- The timetable was not a late attempt to cover up flaws and weaknesses of the business case as suggested but, along with financial projections, was an integral part of the original submission considered by Community Asset Transfer Advisory Group and available to the Leadership Panel.
- We were willing to engage with current users at an early stage but were asked by South Ayrshire Council not to do so until the formal consultation process started
- Muirhead Tenants & Residents Association can rightly question our Request for Review and the process but cannot second guess the Leadership Panel decision or reasoning as this was determined in private.
- The document does not refute any of the benefits outlined in our application or scoring of our application by Community Asset Transfer Advisory Group
- Does not quantify any benefits of maintaining the status quo.

Whilst the Assessment Framework agreed by the Leadership Panel does not include any requirement for an assessment of community comments, all the comments were available on the South Ayrshire Council website. We accept that the Leadership Panel should take note of these and other relevant matters, but we believe that a decision should be based primarily on the agreed Assessment Framework.

We reserve the right to make a detailed response should the matter ultimately be determined elsewhere but will make some general comments regarding the Part 1 and Part 2 Conclusions and final Considerations section.

Part 1 Conclusions

We have followed the Community Asset Transfer process and framework agreed by the Leadership Panel at its meeting on 27 November 2018, including the Assessment Framework and provided all information requested. We do not recognise any of the 'key weaknesses' identified. It is reasonable to recognise the range of community stakeholders but not to the exclusion of the benefits of the applicant. Dundonald Gymnastics Club have 124 members resident in the Troon area. In rejecting the application, South Ayrshire Council set in action a time limited process otherwise the application would lapse. South Ayrshire Council could have deferred a decision to seek further information, but chose not to do so.

The Leadership Panel were not requested to ask officers to look at alternative locations (addressed in our Application for Review) but to determine the application within the framework it had previously agreed, the suggestion of an alternative location is unrelated and does not make the decision to reject 'rational, unbiased and objective'.

Part 2 Conclusions

Many negative comments are made about the additional information provided as part of the Request for Review, where they are referred to as examples of 'weaknesses and gaps in information', whereas they demonstrate the strengths of the application. To reiterate, we provided all information requested by South Ayrshire Council including timetable and financial projections as part of the original application.

We agree that a more participative process would have been preferable, however, the misinformation spread through the Change.com petition and other local petitions initiated by the Muirhead Tenants & Residents Association repeated regularly in the local press by residents and councillors and given oxygen by a hostile public meeting, made such an approach unworkable, despite our attempts to demonstrate the benefits of the application.

The development of 'non-gymnastic activities' is not a gesture, it is an important aspect of the business plan and essential to the long term financial security of the premises. We see it as important to develop these services in partnership with the community, providing activities for which there is local demand and using the diversification of the services we provide to build a busy thriving hub in our community.

We have always been willing to engage with representatives of stakeholder groups and are happy to meet even at this late stage to discuss our vision for Muirhead Activity Centre and explore opportunities for working together.

Considerations

We can agree with the opening paragraphs however we disagree from the introduction of the discussion on legitimate expectation. Our legitimate expectation was not that our application would be successful but that it would be fairly assessed within South Ayrshire Councils agreed Assessment Framework. The report to the Leadership Panel comprehensively demonstrates the benefits of the application detailed in section 4.3 and the strength of the application in the Community Asset Transfer Advisory Group Summary Assessment Form (Appendix 4). Despite this comprehensive evidence, the Leadership Panel gave no detail of how it came to the conclusion that this was outweighed by the benefits of current usage.

The document repeatedly references section 5.13 of the guidance as support for some of its reasoning, yet fails to acknowledge the very first sentence of that paragraph:

'An asset transfer request will be judged on the benefits it will deliver, not on the community it represents.'

The Leadership Panel approved Assessment Framework is the mechanism for carrying out this assessment of benefits and which we feel has been ignored in arriving at its decision to reject the application.

5 Summary

We understand that change in ownership and utilisation accompanying the asset transfer would detrimentally affect a number of groups and individuals, including the Muirhead Tenants & Residents Association who would no longer automatically have free, open access as keyholders to the Muirhead Activity Centre, however, it will:

- Provide exercise facilities for an **additional** minimum of 200 children from South Ayrshire
- Increase day time availability for community access from 26.5 to 45.5 hours per week and increasing overall opening hours from 61 hours per week to 91 hours per week.
- Release local authority resources for priority services
- Provide opportunity to expand access for dance
- Provide opportunity for all ages to access to a range of health and fitness activities with a program built on responding to local demand
- Provide opportunity to work more effectively with local school and active school programs in delivery of curriculum sport.
- Provide meeting room / studio facilities, for a range of activities including non-sporting activities targeting community engagement and maintaining the community aspects that the centre provides.

We maintain that our request for review is soundly based and the data supporting our Community Asset Transfer compelling when considered within South Ayrshire Council's Community Asset Transfer Assessment Framework. We also believe that if the application is ultimately approved this will lead to an improved Muirhead Activity Centre both in terms of building quality and overall availability and have a sound financial future within the community.