

Appendix 2 - VCS Property Policy as approved by Council Executive
18.12.2013

1. Grant full repairing and insuring leases. Where the occupying group is operating on a not-for-profit basis and provides a wider benefit to the community the occupation shall be on the basis of the payment of a peppercorn rent only subject to a valuation signed by the Head of Development which confirms this is a market value on a restricted basis. However, in the interests of transparency and equity, those organisations providing commissioned activities for the Council or partner bodies should continue to pay rental, albeit on a restricted valuation basis reflecting ongoing community use. It should be noted that full repairing and insuring terms would mean that a group would be responsible for all repair, maintenance, running and insurance costs for the building/space they occupy.
2. In addition to granting full repairing and insuring leases as detailed in paragraph 1 above, the Head of Development may also approve leases on a restricted valuation basis (i.e. a valuation reflecting use restricted to community activities) to Registered Providers operating in true partnership with the local community on a not-for-profit basis and where community activities will be generated throughout the lease period as a result of the proposed letting. In such circumstances the Registered Provider will be required to establish a project-specific Board of Management to oversee the operation of the asset and the activities within it which shall incorporate at least 51% community representation to ensure local interests are represented.
3. The community benefit will be measured by considering how the proposed use of the asset, to be specified in a business case approved by the Head of Development, will contribute towards priorities identified by council services.
4. That the City Council's role as a VCS funder and its function as a landlord, are wholly separate and must not be merged.
5. That any future support by services to particular VCS activity in Council premises must be through formal prioritised and approved project funding as required for VCS activities in non-council premises.
6. That all VCS occupancies of council premises must be on a formal lease/licence on full repairing and insuring terms and that any group unwilling or unable to enter into or regularise such an arrangement may lose its tenure.
7. That any lease or occupation granted under the VCS Lettings policy is subject to regular review to confirm that the tenant is complying with the terms of the lease and that the asset continues to be used for community benefit on a not-for-profit basis. The reviews will also

ensure that, where appropriate and in accordance with the terms of the Lease, the tenant is undertaking regular disclosure and barring service (DBS) checks and continues to implement safeguarding policies to ensure the safety of children and vulnerable adults.

8. That all existing VCS occupations which do not conform to this policy to be converted at the first opportunity legally available under their current tenure.
9. That where any occupations do not allow immediate updating any present irregularities in conditions of occupancy or management practise with an impact on VAT issues must be resolved as a matter of urgency in consultation the VAT Section of Corporate Services and local members as appropriate.
10. That charges for sessional use of council space be formalised on a premise by premise basis by services in consultation with the VAT Section of Corporate Services.