

SPSO decision report

Case: 201301164, The City of Edinburgh Council
Sector: local government
Subject: hall letting, indoor facilities, libraries, museums etc
Outcome: not upheld, recommendations

Summary

Mrs C is the secretary of a group that used a local community facility. The council decided to use some of the space there for their staff and sought a principal tenant for the remaining space. It was planned that the tenant would manage the use of the community space to ensure that other local groups could continue to use it. Mrs C told us that the council had not consulted appropriately and so had failed to involve the local community and tell them about decisions on the future management of the facility. She also complained that the council had not made the local community aware of the process to become the principal tenant.

During our investigation, we found that the council had considered carrying out a consultation and had decided it was unnecessary. We found that there were no policies or procedures that they were expected to follow for this, and that they were entitled to use their judgment to make the decision. We noted that they had developed a new framework for staff to help them with consultations, including deciding when to consult. Although we did not uphold the complaints, we were critical that the council did not erect a To Let sign at the facility. We also considered that the property marketing material could have been sent to respondents of a previous community engagement exercise but, overall, we were satisfied that the council acted reasonably.

Recommendations

We recommended that the council:

- provide us with a time-frame for the implementation of the new consultation framework; and
- consider developing a procedure for the future marketing of the community space.