

Education, Children and Families Committee

10am, Tuesday, 31 January 2023

Gorgie Farm

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 The Education, Children and Families Committee is asked to:
- 1.1.1 Note the update as requested in the Emergency Motion by the Administration at the Policy and Sustainability Committee asking for an update to the next Education, Children and Families Committee on 31st January 2023 on the current situation and any ongoing discussion/opportunities to support a new sustainable model for Gorgie Farm which is fit for the future.
 - 1.1.2 Note that the SNP addendum requested Committee to commit to an ongoing Farm and its social and community benefit on the existing site. Committee delegates power to the chief executive to TUPE 2 full time equivalent staff *subject to consideration of the costs of running the facility*, who will take responsibility for the essential upkeep of the Farm, the care of the animals, maintaining the links with volunteers and public until a new operator is in place. The remaining discretionary grant fund should be utilised to cover any additional costs until the staff can be TUPE'd to a new operator, subject to confirmation that the costs can be covered by the funding within the discretionary grant fund and that legal checks are in place.

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Report

Gorgie Farm

2. Executive Summary

- 2.1 This report sets out the current situation and the ongoing discussion/opportunities to support a new sustainable model for Gorgie Farm which is fit for the future.

3. Background

- 3.1 Early in December 2022 Love Learning representatives advised the Council of their intention to serve notice on Gorgie Farm citing their financial situation.

- 3.2 Love Learning provided their accounts along with a feasibility report, asking to discuss this with the Council as soon as possible.

- 3.3 A meeting was arranged but at this point Love advised they wished to cease running the farm at an earlier date. A project group was then convened to consider options for moving forward and an all-party elected member and MSP briefing took place. The project group has continued to meet regularly and provide updates to elected members.

The farm ceased trading to the public on Monday 16 January and the animals were moved off the site on Wednesday 18 January all staff were made redundant on the 19 January.

4. Main report

- 4.1 Meetings have taken place since the 9 January 2023 with the Executive Director of Education and Children's Service with the following:

- Love Learning Representatives.
- Ward Members.
- Cross Party Meeting – including the Council Leader, MSP's, and Elected Members.
- Council's Legal Team.

- Representatives from parties who have expressed an interest in taking over the farm.

4.2 Although Policy and Sustainability Committee on the 17 January 2023 agreed to delegate power to the chief executive to TUPE 2 full time equivalent staff *subject to consideration of the costs of running the facility*, who will take responsibility for the essential upkeep of the Farm, the care of the animals, maintaining the links with volunteers and public until a new operator is in place.

This was not possible as the animals do not belong to the Council and Love had already found new homes for them. Therefore it was not necessary to TUPE the 2 staff to look after the animals as there were no longer any on site.

Options which are being considered

- 4.3 The proposal for a Third Party community led organisation to take on the site and any staff for whom TUPE applies, and support to develop a strong collaborative that secures a future for Gorgie Farm. This has to be financially underwritten by us or a donor for the initial period and this would use some of the resource identified at Policy and Sustainability Committee. There is no proposal for ongoing funding. This option meets the aspirations of the cross-party group to provide a long term community led model for the farm. This continues to be the option which is being taken forward however we are not able to move further on until Love provide some core information to allow the potential successor body to undertake the required due diligence.
- 4.4 Love remain the leaseholder and responsible for all aspects of the site. The only way this can end is for an agreement between lawyers. We will not agree to the ending of the lease until the core information required above is provided – in particular staffing structure in order to assess potential TUPE implications and site plans/ condition details.
- 4.5 If this option proves to not be viable then the site could be put out for expressions of interest for a property transfer. A number of organisations have expressed an interest in taking this forward. However all would need to run the site as a commercial enterprise.

5. Next Steps

- 5.1 Continue to pursue the 3rd party option outlined above.

6. Financial impact

- 6.1 £150,000 has been identified to support the transition and development of a community led solution.

7. Stakeholder/Community Impact

- 7.1

8. Background reading/external references

8.1 N/A

9. Appendices

9.1