

Scrutiny Standing Panel Agenda



Leisure Task and Finish Scrutiny Panel Tuesday, 21st November, 2006

Place: Theatre Resources, Ongar Arts and Education Centre, Great Stoney, High Street, Chipping Ongar

Time: 7.00 pm

Democratic Services Officer: Adrian Hendry, Research and Democratic Services
Tel. 01992 564246, email: ahendry@eppingforestdc.gov.uk

Members:

Councillors Mrs H Harding (Chairman), Mrs P Brooks (Vice-Chairman), M Colling, Mrs A Grigg, Mrs J Lea, J Markham, S Murray, Mrs P K Rush, Mrs P Smith, P Turpin and J M Whitehouse

Please note that this meeting is open to all members to attend. As the meeting is being hosted by Theatre Resources, could non-panel members please advise the Lead Officer (Derek Macnab) or Democratic Services if they wish to attend, to assist with the practical arrangements.

1. MAP TO GREAT STONEY, ONGAR ARTS AND EDUCATION CENTRE (Pages 5 - 6)

Map attached.

2. APOLOGIES FOR ABSENCE

3. SUBSITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Head of Research and Democratic Services) To report the appointment of any substitute members for the meeting.

4. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

5. MINUTES FROM THE LAST MEETING - 28 SEPTEMBER 2006 (Pages 7 - 12)

Attached.

6. TERMS OF REFERENCE / WORK PROGRAMME (Pages 13 - 16)

(Chairman/Lead Officer) To note the attached updated Terms of Reference and associated Work Programme. The Panel are asked at each meeting to review both documents.

7. FEEDBACK FROM MEETING WITH GRANGE FARM TRUST

On the 12th September the Task and Finish Panel undertook a consultation meeting with respect to the Future Management of Roding Valley Meadows Local Nature Reserve.

The consensus of the Panel was that the Preferred Option would be to recommend that the Essex Wildlife Trust be offered a new Management Agreement for a length of twenty years (in order to attract external funding) but that the new Agreement should provide for greater monitoring and evaluation of management practices, with more frequent and direct reporting to the Council. In addition the Panel also recommended that partnership working with Countrycare should be formalised to promote joint working, within any new arrangements.

The Panel recognised that the Grange Farm Trust have an interest as landowners on the Nature Reserve. Unfortunately the Trust could not send a representative to the consultation meeting. As such, they would need to be consulted prior to any final decision.

The Head of Leisure Services met with the Grange Farm Trust for an initial discussion on the 16th November 2006 and will report orally on the outcome.

8. WALTHAM ABBEY SPORTS CENTRE - FUTURE MANAGEMENT OPTIONS

On the 28th September 2006 the Panel considered a report outlining options and considerations with respect to the future management of Waltham Abbey Sports Centre, post the expiry of the current Dual Use Agreement in September 2007. The Panel had invited the Headteacher, Chairman of Governors and Bursar to attend to share their views. Although all parties wished to secure future Community Use, there were a number of key points at this stage.

❖ The school does not wish to manage the Centre unilaterally, as they

currently do not have the capacity.

- ❖ The school does not want to have a third party as a Partner.
- ❖ The District Council would not like to rule out the third party option as they would like to achieve a position, which reduced costs to the Council and transferred risk.

It was agreed that Officers would meet with the school, to start to negotiate potential new terms etc which would attempt to address each party' concerns.

The Head of Leisure Services will report on progress to date on these discussions.

9. TOUR OF GREAT STONEY, ONGAR ARTS AND EDUCATION CENTRE AND INSIGHT INTO THE WORK OF THEATRE RESOURCE

As part of the review of Arts development in the District, the Panel are being given an opportunity to view the facilities at Great Stony and hear about the current work and future aspirations of Theatre Resource.

Theatre Resource is a professional arts organisation and registered charity based at Great Stony. Since 1990 Theatre Resource has grown from a partnership of two artists to an organisation with a national reputation. In 1998 the company moved to Great Stony and commenced the refurbishment of the Victorian Building into a fully accessible Arts Centre.

Theatre Resource has a Service Level Agreement with Epping Forest District Council, through the Community Grants Scheme, which has assisted the organisation to develop. Theatre Resource are keen to communicate to the Task and Finish Panel the importance of the Company's relationship with the District Council and to discuss ways in which the Partnership could be strengthened, for the benefit of arts opportunities in the District.

Jeff Banks, the Director of Theatre Resource will host the visit.

10. ANY OTHER BUSINESS

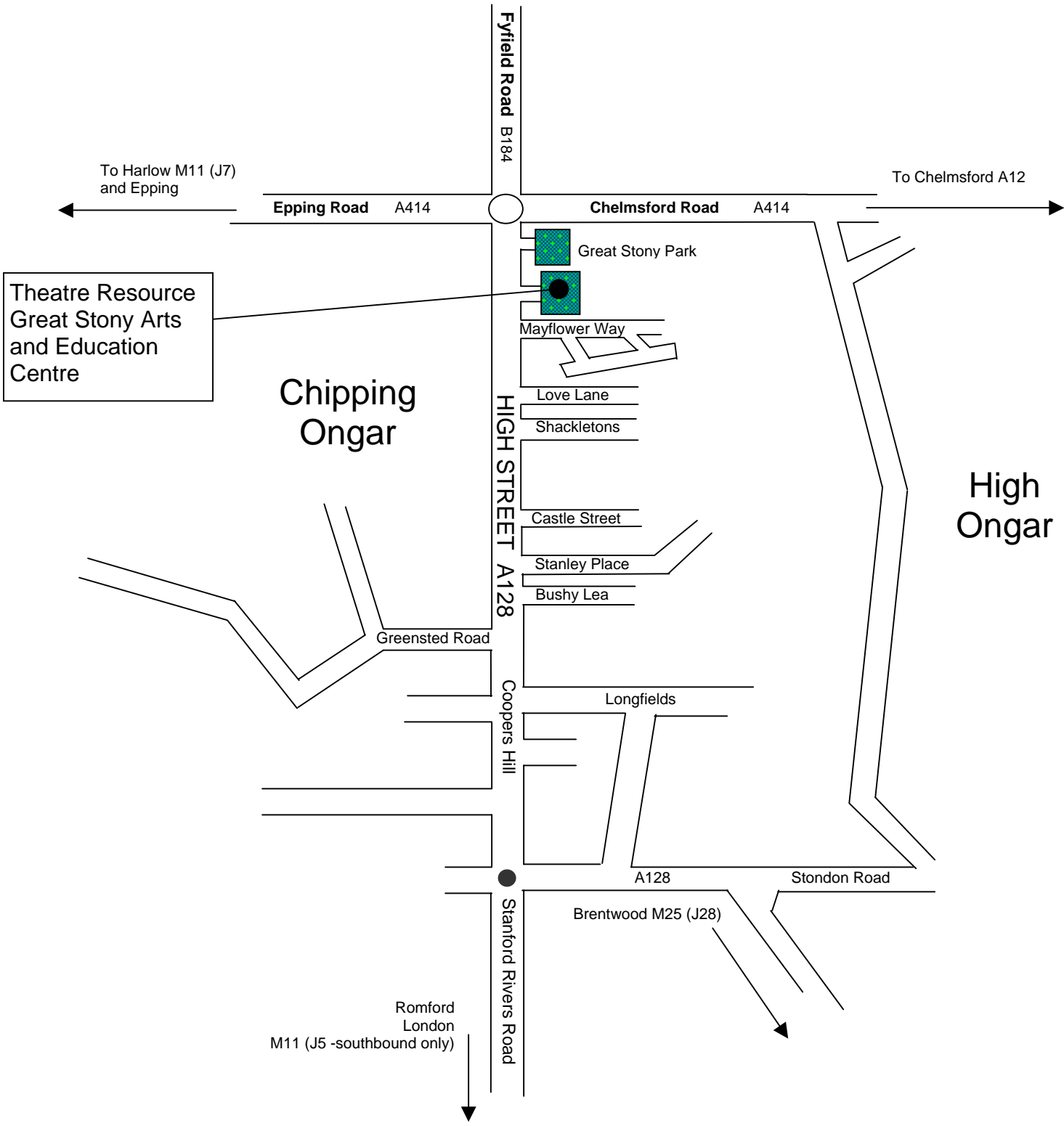
To consider any other items of business.

11. DATE OF NEXT MEETING

To identify a suitable date for future meetings.

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Agenda Item 1



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**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF LEISURE TASK AND FINISH SCRUTINY PANEL
HELD ON THURSDAY, 28 SEPTEMBER 2006
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.08 - 8.35 PM**

Members Present:	Mrs H Harding (Chairman), Mrs P Brooks (Vice-Chairman), M Colling, Mrs A Grigg (Planning and Economic Development Portfolio Holder), Mrs J Lea, J Markham, Mrs P K Rush, P Turpin and J M Whitehouse
Other members present:	Mrs D Collins and C Whitbread
Apologies for Absence:	S Murray and Mrs P Smith
Officers Present	D Macnab (Head of Leisure Services), Mrs L MacNeill (Assistant Head of Leisure Services), A Clear (Leisure Services), B Ovens (General Manager Waltham Abbey Sports Centre) and A Hendry (Democratic Services Officer)

Also in attendance:

23. SUBSITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

Noted that there were no substitute members for this meeting.

24. DECLARATIONS OF INTEREST

None declared.

25. TERMS OF REFERENCE/ WORK PROGRAMME

The Panel noted the Terms of Reference and Work Programme, which they considered still to be relevant and would not require any amendment.

26. CONSULTATION MEETING WITH HEAD TEACHER, KING HAROLD SCHOOL ON THE FUTURE MANAGEMENT OF WALTHAM ABBEY SPORTS CENTRE

The meeting welcomed Mr Mike Feehan, the Head Teacher of King Harold School, Ms Julie Johnson, the School Bursar and Ms Elaine Fletcher the Chairman of Governors for the School. The School representatives had been invited to discuss future management options for the Waltham Abbey Sports Centre with the Panel.

The Head of Leisure Services introduced the report giving a short history and background of the centre. The meeting noted that the Waltham Abbey Sports Centre is a Dual Use Sports Centre, located adjacent to King Harold Secondary School, in Broomstick Hall Road, Waltham Abbey. The Council enjoys the right to use the premise for the benefit of the wider community by virtue of a Joint Agreement entered into with the Education Authority i.e. Essex County Council. This Dual Use Agreement came into effect on the 1st October 1977, for a period of 30 years and is therefore due to expire on the 30th September 2007.

This Leisure Task and Finish Panel has been mandated to review future management options for the Sports Centre.

With the exception of the dance studio and the bar (which is closed during the day) the school has exclusive use of the Centre, Monday to Friday (8.30a.m. to 5.00p.m.) and priority use of the Centre, excluding the Squash Courts on Saturdays. In reality, very little call is made by the school for facilities on Saturdays. This exclusive use arrangement covers the 40 weeks of the school terms. All the facilities are available to the District Council to organise holiday activities during the school holidays.

Historically, it has been difficult to achieve high levels of use and participation by the local community. This can largely be attributed to the relatively utilitarian nature of the changing/toilet facilities, whilst well maintained and cleaned to a good standard, have been designed with school pupils in mind. This situation is also compounded by the irregular hours and the physical limitations of the facilities.

Staff are employed by Leisure Services to manage the building during all opening hours, to include the time allocated to the school. They take bookings, organise activities, promote the Centre, erect and dismantle equipment, oversee maintenance and ensure that the Centre is clean, safe and fit for purpose. Staffing levels are currently at the minimum level to cover the opening hours.

Under the requirements of the Joint Use Agreement, there is a share of responsibilities and cost liabilities. In general terms the District Council is responsible for largely meeting all costs with the exception of 20% of the General Manager's Salary and 50% of building maintenance costs and an apportionment of utilities costs in certain areas.

In July 2005 the Cabinet received a report concerning the County Council's wish to receive a 50% contribution, (£75,000) towards the cost of a new roof for the Sports Centre and a 50% contribution (£15,000) towards the cost of new sports hall heating. In the event the Council declined to contribute to the roof replacement arguing that it was not maintenance but "betterment" through replacement. The Council had not made any provision, as the item had not appeared on the agreed planned maintenance schedule. The Council accepted the heating costs and duly paid the £15,000 contribution.

At the last Cabinet meeting in September 2006, it was agreed to fund, at a cost of £10,000, the conversion of a largely redundant PE Staff Room in the Sports Centre, to provide accessible changing and toilet facilities. Importantly, this would allow the Centre to accommodate the "Sportability Club", a specialist club offering sports opportunities for young people with disabilities.

The Council is now realistically faced with the following options, which would require the agreement of the School:

a) Extend the current management agreement on largely the same terms

It would be possible if the school were willing to extend the current Agreement on largely the same Terms.

b) Extend the current management agreement but the District Council employ an external management contractor to undertake their obligations

In this scenario the Council would seek on a competitive basis, after some soft-market testing, a Contractor to deliver the service. This would be as per the Contract Arrangements with SLM, who manage the Council's other four Leisure Facilities. Leisure Services have obtained a legal view that as the Centre was outside the scope of the original Leisure Management Contract, it would be anti-competitive and open to challenge, to simply negotiate a contract variation with SLM.

c) Decline to enter into a further dual use arrangement with the school/cease the district council's future involvement.

There is no obligation within the current Dual Use Agreement for either party to extend or enter into any future arrangements. Indeed, there is no formal Exit Strategy in the Document.

Conversely, the school have the option that they may wish to manage the Sports Hall either directly, or utilising a Management Agent/Contractor that they appoint independently. The school would therefore have the ability to determine their own Programme of Use, the level of Community Use and their financial commitment.

d) Negotiate a new dual use agreement, which varies the respective terms and responsibilities, to reflect each party's future objectives.

It would be possible by mutual consent to negotiate New Dual Use Arrangements, which could alter the balance of responsibilities, and Financial Contribution, whilst still seeing to deliver the school's requirements for curricular use and guarantee a level of ongoing community access.

Mr Feehan told the Panel that he was concerned about the Waltham Abbey community and their access to sporting facilities. The Leisure provision in Waltham Abbey is split between the two sports centres. He noted that the school is pleased to work in collaboration with the District Council and to provide this essential community provision. He indicated that there was mileage in discussing the layout of the building and issues of management of the centre during school hours. In their view they would like to see the provision maintained and would prefer to opt for option 'd', as they would not like to see the centre close but would also not like to take on the management of the centre alone. Although the board of Governors now directly control the school, as a school they would not be allowed to use their money to subsidise other services and must concentrate on their core business of education. The school would wish to work with the District Council but not through the District Council to another party.

Councillor Whitbread said that the Council was also concerned about the community and their access to leisure facilities but had to look at it with a financial eye as well, and presently they do not have the money to invest in sports centres.

Councillor Mrs Rush asked if Mr Feehan had taken sounding from his older students about why they did not use the facilities after school. He replied that they had done various things to encourage the youths to use the facilities, but it came down to investment to attract community use. The Head of Leisure Services added that they had done a survey a couple of years ago with young people in Waltham Abbey, the results of which indicated a desire for facilities such as a Bowling Alley, McDonalds and/or a Cinema. Clearly the Council could not afford to provide things like that, which were the domain of the commercial leisure sector.

Mr Feehan was asked by Councillor Colling that, given the District Council had a tight budget, why was he against the possibility of alternative management. Mr Feehan replied that it was his and his governor's view that a school should not work with a private company; they are not comfortable with this idea as there was a fear that a private company would prefer to try and reduce costs and generate income at the expense of general community use.

Mr Feehan also queried the need to keep staff there during the school day. The Assistant Head of Leisure said that they were there to take bookings, keep it clean and on Health and Safety Grounds, but mainly because it was stipulated in the original agreement. It was also noted that if the cost were kept below the current £135k per annum, then a profit could be made.

In answering a question from Councillor Mrs Grigg, Mr Feehan said it was highly unlikely that the County Council would contribute to the running of the sports centre as their budget is devolved to the school. If the facility was left to the school, they would have to staff it and they could not afford to do that.

Councillor Mrs Lea asked if the centre was advertised sufficiently, Bill Ovens, the General Manager of the Sports Centre replied that that was not necessarily the problem, as the centre enjoyed good levels of use in the evenings.

Councillor Mrs Collins contended that the Council's costs were high and they needed to find another way of supporting the sports centre, through possibly a third party. If the school were concerned about commercialism an option such as a Charitable Trust or a "not for profit" partner could be explored. Mrs Collins asked that the Governors and the Head Teacher leave that option on the table.

Councillor Markham asked Mr Feehan how he saw the new agreement under option 'D' operating. Mr Feehan said he envisaged a similar sort of arrangement as now but a closer look will need to be taken at reducing the District Council's costs and increasing the use of the facilities. Whilst the current agreement is good for the school there was an acceptance that there needed to be a more effective and efficient partnership agreement to be put in place for the future.

Councillor Whitbread commented that an alternative partner could bring investment capital, which the Council could not. At this time he could not see the District Council continue to subsidise the centre, to the current level of £10 per visit.

In Conclusion

The Head of Leisure Services summarised the discussion as:

- The school does not want to manage the centre unilaterally, as they currently do not have the capacity;
- The school does not want to have a third party as a partner;
- The District Council would not like to rule out the third party option and would like to transfer risk and reduce costs.

It was agreed that Officers would meet with the school to start to negotiate potential terms of a new Agreement which would attempt to address each party's concerns and fulfil their objectives. Officers will provide a draft version of a new agreement and as the Council is presently budgeting for next year this will need to be done as a

matter of urgency. Mr Feehan agreed that the school will engage in the process and recognised the time pressures.

The Chairman brought the discussion to a close and thanked Mr Feehan, Ms Johnson and Ms Fletcher for their views and asked that officers got together with them in order to move this forward.

27. ANY OTHER BUSINESS

The Head of Leisure Services told the Panel that they still needed a dialog with the Grange Farm Trust about the Roding Valley Nature Reserve. He would like to invite them to a small meeting with just the Chair and Vice-Chair and Essex Wildlife Trust and Countrycare, to bring the trust up to date on what was proposed. It would also be an opportunity to ask the Trust if they would be willing to subsidise a half warden post as identified at the last meeting.

28. DATE OF NEXT MEETING

A suitable date was to be identified at the end of October/ beginning of November.

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Term of Reference:

1. To consider the four topics for Review as identified by Overview and Scrutiny Committee i.e.
 - i) Future Management of Waltham Abbey Sports Centre
 - ii) Review of the future Management of the Roding Valley Meadows local Nature Reserve
 - iii) Review of Arts Development in the District and
 - iv) The District Council's Role and involvement in Outdoor and Community Events.
2. To gather evidence and information in relation to the four topics through the receipt of data, presentations and by participation in fact finding visits.
3. To consult with Partners, Agencies, Stakeholders and Users of the services under review, to establish key issues and future need.
4. To evaluate all relevant facts in relation to the topics under review in an objective way and to produce recommendations for future action accordingly.
5. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process 2007/08
6. To report back to Overview and Scrutiny Committee at appropriate intervals and to submit any final reports in the proposed Corporate Format for consideration by O & S, the Cabinet and Council.

Aims and Objectives of Review:

LEISURE TASK AND FINISH PANEL: TERMS OF REFERENCE

Key Issues:		
TIMESCALE	ESTIMATED	ACTUAL
Commencement		13 July 2006
<u>Finish</u> 1. Interim report to include any budgetary items for the next budget round. 2. Review of the Future management of the Roding Valley Meadows local Nature Reserve. 3. Future Management of Waltham Abbey Sports Centre. 4. Review of the Arts Development in the District. 5. District Council's role and involvement in Outdoor and Community Events.	By 5 October 2006 January 2007 January 2007 Feb-March 2007 Feb-March 2007	
Reports.	As above	

LEISURE TASK AND FINISH PANEL: WORK PROGRAMME

Proposed Date	Item	Current Position
Thursday 13 July 2006	Initial Meeting of the Panel. Scope and Terms of Reference	Scope and Terms of Reference agreed. To be put up to the Overview and Scrutiny Committee.
Tuesday 18 July 2006	Visit to Waltham Abbey Sports Centre and Waltham Abbey Swimming Pool	Fact finding visit carried out by four members of the panel.
Monday 31 July 2006	Presentation on the Arts. Follow up discussion from visits to WASC & WASP	Presentation received by Panel and other councillors.
Tuesday 8 August 2006	Visit to Roding Valley Meadows LNR	Visit took place.
Sunday 13 August 2006	Visit to Donney South Event, North weald Airfield.	Visit took place.
Tuesday 12 September 2006	Meeting of the Panel and Essex Wildlife Trust, EFDC's Countryside Service, Management and Liaison Committee, the Grange Farm Trust and Local People	Presentations and consultation received by Panel.
Sunday 17 September 2006	Visit to Copped Hall Charity Fun Run	Visit took place.
Thursday 28 September 2006	Meeting of the Panel and the Headteacher of King Harold School and the school Bursar and Leisure Management Contractors SLM	Future Management Options considered. HOL to meet further with the school and discuss draft Heads of Future Agreement to protect Community use.
Thursday 7 th December 2006 Overview and Scrutiny Committee	Interim Report to O & S on initial recommendations with respect to Management Options at Roding Valley LNR and WASC	To be drafted depending on outcome of negotiations with Grange Farm Trust and King Harold School, and T & F views on the 21 st November 2006.
January 2007 Date TBA	Presentation on Community and Major Outdoor Events.	To identify Council's future role based on visits and options outlined in Presentation

LEISURE TASK AND FINISH PANEL: WORK PROGRAMME

<p>Thursday 1st February 2007 Overview and Scrutiny Committee</p>	<p>Final Report to O & S on WASC and RVLNR</p>	<p>To determine Preferred Management Options to be recommended to the Cabinet on the 12th March 2007</p>
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