

THE OVERVIEW AND SCRUTINY COMMITTEE

20 November 2017

Attendance:

Councillors:

Learney (Chairman) (P)

Evans (P)
Gemmell (P)
Pearson (P)
Stallard (P)

Thacker
Thompson(P)
Tod (P)
Weston (P)

Deputy Members:

Councillor Jeffs (Standing Deputy for Councillor Thacker)

Others in attendance who addressed the meeting:

Councillors Ashton (Portfolio Holder for Finance), Godfrey (Portfolio Holder for Professional Services), Griffiths (Portfolio Holder for Health and Wellbeing) and Horrill (Leader with Portfolio for Housing Services)

Councillors Gottlieb and Laming.

Others in attendance who did not address the meeting:

Councillor Hiscock and Humby (Portfolio Holder for Business Partnerships).

Others in attendance:

Mr Robin Thompson – Robin Thompson Consulting (RTC)
Mr John Hunt – MACE
Mr Sean Clark - MACE
Mr Justin Ridgment – Winchester University

1. **MINUTES**

RESOLVED:

That the minutes of meeting held 9 October 2017, less exempt minute, be approved and adopted.

2. **SCRUTINY WORK PROGRAMME AND DECEMBER 2017 FORWARD PLAN**

One Member expressed concern about the proposed early start time of the next meeting of The Overview and Scrutiny Committee scheduled for 27 November which prevented her and other working Councillors from attending from the beginning of the meeting.

The Chairman noted concerns but emphasised that timetabling of meetings was at the discretion of the Chairman. She also reminded Members that deputies had been appointed to attend in circumstances where the standing Member was unable. In addition, that particular special meeting had been scheduled to tie in with Cabinet meetings.

The Committee noted that the Asset Management Plan item scheduled for 27 November would be deferred to January 2018.

RESOLVED:

1. That the December 2017 Forward Plan be noted; and
2. That subject to the above change, the Scrutiny Work Programme for 2017/18 be noted.

3. **PUBLIC PARTICIPATION**

At the invitation of the Chairman, Patrick Davies addressed the Committee with regard to agenda item 8 below (Report OS186 refers) as summarised under the relevant agenda item below.

4. **OUTLINE BUSINESS CASE AND ASSOCIATED GOVERNANCE SPORT AND LEISURE CENTRE (LESS EXEMPT APPENDICES)** (Report OS186 refers)

The Committee noted that the Report had not been made available within the statutory deadline as its publication was delayed to take account of the related decision at Cabinet on 13 November 2017. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration in order to prevent delay to the project.

As a point of clarification, Councillor Stallard stated that although she was a Hampshire County Council Cabinet Member she had not taken part in any discussions regarding the various County Council land interests referred to in the report. As a County Councillor, Councillor Todd also confirmed that he had not taken part in any discussions regarding this matter.

The Committee received a presentation from Robin Thompson (RTC) who had lead development of the outline business case (OBC). The OBC had adopted the

HM Treasury “Five Case Model”. As a result of the options analysis, two options had been shortlisted:

- Option 1 – Base Case: “do minimum” topic includes capital investment to maintain existing River Park Leisure Centre (RPLC) facility but no investment in refurbishment;
- Option 2 – New Facility at Bar End: based on the facility mix approved (including a 50m pool and 8 court sports hall).

Mr Thompson provided a summary of the financial case for both options:

- if continued expenditure on RPLC, estimated cost of £19.4m over 40 years. If investment was made in RPLC, costs would increase to £20.8m over same period;
- If Option 2 (new build) estimated savings of up to £17.6m over 40 years, with a minimum total cost to the Council (over and above what would have been required under Option 1) of £1.8m.

Consequently, Option 2 was recommended in terms of providing an improved financial position for the Council and also delivery of the Council’s long term objectives.

Patrick Davies spoke during public participation and, in summary, requested clarification on progress with an Urban Design Framework (UDF) and the reasoning for exclusion of the Bar End depot site. He also requested clarification of the implications of the various County Council land interests in the area (as referred to at paragraph 10.28 of the Report). Finally, he queried why the traffic implications for Chesil Street and Bar End Road were not included at this stage.

Councillor Ashton stated that preparation of the UDF was running in parallel to proposals for the new centre itself and the next stage of presentations on the UDF would take place on 8 December 2017. He confirmed that the depot site was included within the UDF consultation and local residents’ etc comments were taken on board. Councillor Griffiths confirmed that the County Council land interest would also included within the UDF consultation.

At the invitation of the Chairman, Councillors Gottlieb and Laming addressed the Committee regarding this Report and their comments are summarised below.

Councillor Gottlieb believed that the Cabinet decision to reduce the size of the sports hall from 12 to 8 courts was misguided as it would not adequately accommodate existing clubs demand or provide for future growth. He considered that the decision to focus on provision of a 50m pool to the detriment of other facilities effectively changed the decision made in 2016. He emphasised that his views were shared by the other non-Cabinet invitees to the Cabinet (Leisure Centre) Committee. In summary, Councillor Gottlieb requested that the Committee’s comments to Cabinet include a note about dissatisfaction with the decision making process to date; the facility mix should

include 12 court sports hall provision; and a thorough review of strategy should be carried out.

Councillor Laming agreed that the decision to change to provision of an 8 court sports hall was flawed and disputed that adequate data or a working model had been provided. He believed providing 12 courts (compared to 8 courts) would cost an extra £2m over a 40 year period which could be accommodated within the scheme costs. He also considered both pools should be located closer together to improve efficiency and that a different 'boom' setup was pursued.

Councillor Griffiths highlighted that since the concerns raised at the previous Committee meeting on 9 October 2017, Sport England had undertaken a full review of the analysis of existing alternative facilities and a Report on this matter had been considered at Cabinet on 13 November 2017 where the decision on the facility mix had been approved.

During discussion of the Report, whilst there was agreement that a new leisure centre should be provided, some Members raised concerns about the risk of a growing dissatisfaction amongst some Councillors regarding the decision to provide an 8 court sports hall.

In response, Councillor Ashton reiterated that data had been provided to the Cabinet meeting on 13 November 2017 (where the decision on facility mix had been taken) which supported the decision taken. He also emphasised the amount of time and work that had gone into progressing the project to this stage.

During questions on the Report, number of points were raised and responded to accordingly, as summarised below:

- (i) Mr Thompson advised that the decision to include 200 gym stations was based on an analysis of future and current demand (including use by the University);
- (ii) Councillor Griffiths confirmed that regard would be had to existing agreements with the University of Winchester in formulating new partnership agreements. Parking and transport issues would be considered as part of the Movement Strategy and she would provide further details about the likely timescale.
- (iii) Councillor Griffiths stated that the existing RPLC would not be able to continue to operate for much longer without investment.
- (iv) The Strategic Director: Resources advised that the proposed 1% life cycle cost was important in ensuring a new centre remained profitable over a 40 year period.
- (v) Councillors Ashton and Griffiths stated that the intention was that the new facility would pay for itself so there was no negative impact on the General Fund overall. Councillor Ashton confirmed that the impact of potential increases in interest rates had been factored in.

- (vi) Councillor Ashton stated that the likely cost per swim had not yet been determined. Mr Thompson advised that the OBC had been prepared using existing prices and also scenarios based on an 15% uplift. However, actual price level would be determined as part of the full business case. Similarly, the length of the operating contract had not yet been determined, but contracts were typically let for between 10 and 30 years.

During debate, some Members expressed dissatisfaction about the decision to include an 8 court sport hall rather than 12 court and suggested that Cabinet refer this matter to full Council. It was suggestions that the decision to include a 50m pool that had led to this change in court provision. However, other Members emphasised that specialist advice had been received advising that the proposed court provision was sufficient.

The Committee agreed to decide on what comments it wished to make to Cabinet following consideration of the exempt appendices of the Report (detail in minute below).

5. **Q2 2017/18 FINANCIAL AND PERFORMANCE MONITORING**
(Report OS183 refers)

Councillor Ashton introduced the report and emphasised that the presentation had been updated to take account of comments made at a previous Committee meeting which had considered the Quarter 1 figures (Report OS171 refers). He also highlighted that the report gave details of expenditure to undertake urgent repairs to The Weirs and Casson Black (as set out in paragraphs 12 and 13 respectively) which would require Cabinet approval.

The Committee asked a number of questions on the following which were responded to by the relevant Officers and/or Portfolio Holders present:

- Future flooding protection works;
- The impact of the Casson Block works on rent levels achieved;
- The timetable for bringing forward a new Constitution;
- Any proposal for new office accommodation for the council;
- The parameters for custom build sites;
- Reducing multiple and/or repeat website transactions with the Council;
- Progress on the new St Clements surgery lease.

Following debate, the Committee agreed to pass on comments summarised below to Cabinet (as set out in Recommendation 2 below):

- The potential for Article 4 directions in further areas of Winchester to deal with Houses in Multiple Occupation (HMOs);
- The use of national guidelines and standards as set out by the National Institute for Health and Care Excellence (NICE) with the Council's policies and strategies;
- Recycling rates;

- Additional measures to tackle fly tipping;
- Availability of broadband across the whole District, in particular Whiteley.
- Greater clarity on the presentation of the Housing Revenue Account (HRA) financial data.

RESOLVED:

1. That the Committee welcomes the improvements in the presentation of the information contained in the report.

2. That the Committee has no major issues or areas of concern to raise with Cabinet but provides the following minor areas to be noted:

- a) That the interest and depreciation heading in the HRA financial monitoring table be separated into two headings;
- b) That Members be requested to forward any information regarding perceived requirement for further Article 4 Directions in their local areas;
- c) That the possibility be investigated of integrating national policy and NICE standards with the Council's policies and strategies;
- d) That consideration be given to the Council being more ambitious on achieving higher recycling figures;
- e) That concerns be noted around the availability of Broadband throughout the district generally, and particularly in Whiteley;
- f) That the possibility of further action to prevent fly tipping be investigated, including working with local residents' groups;
- g) That references to Winchester in the Strategy be considered to clarify whether reference was to Winchester Town or the whole district.

6. **OUTCOME BASED BUDGETING**
(Report OS184 refers)

Councillor Ashton introduced the report.

The Committee asked a number of questions on the following which were responded to by the relevant Officers and/or Portfolio Holders present:

- The relationship between the budget outcomes and Council Strategy;
- Zero based budgeting (and why the Council had not chosen this approach);
- The possible transfer of Council garages from the Housing Revenue Account to General Fund;

- Review of the Council's fees and charges;
- The Council's aim to "go paperless" by May 2018;
- How the Council could take account of potential financial changes that were outside of its control.

RESOLVED:

That the Committee note the progress made to date Outcome Based Budgeting and provides the following comments to Cabinet:

- (i) That the Committee is concerned about the potential impact of costs and pressures that might arise which are outside the control of the Council.

7. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Exempt Minute of the previous meeting) Information relating to the financial or business affairs
##	Outline Business Case & Associated Governance: Sport & Leisure Centre (exempt appendices)) of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)

8. **EXEMPT MINUTES**

RESOLVED:

That the exempt minute of meeting held 9 October 2017 be approved and adopted.

9. **OUTLINE BUSINESS CASE AND ASSOCIATED GOVERNANCE: SPORT AND LEISURE CENTRE (EXEMPT APPENDICES)**

(Report OS186 refers)

With the agreement of the Committee, the Chairman invited Mr Robin Thompson (RTC), Mr John Hunt and Mr Sean Clark (MACE) and Mr Justin Ridgmet (Winchester University) to remain during the exempt discussion as they had been involved in preparation of the information contained in the exempt appendices.

At the invitation of the Chairman, Councillors Laming and Gottlieb addressed the Committee and their comments are summarised below.

Councillor Laming disputed the financial model used and believed it did not take account of local requirements and aspirations. He also queried whether Sport England had the necessary resources to provide the information requested. He highlighted facilities at Norwich and had contacted Councillors requesting that Norwich and Portsmouth facilities be investigated further before a decision was taken.

Councillor Gottlieb reiterated comments made earlier about lack of strategy and also believed that not all Leisure Committee Members had seen the Report. He considered that the estimated difference in cost between 12 court facility and 8 court should be regarded in the context of provision of a 50m pool.

Councillor Ashton explained that he had provided the estimated £2m figure referred to above by Councillors Gottlieb and Laming based on information provided by RTP and MACE. However, as previously discussed at this Committee on 9 October and Cabinet on 13 November, in addition to financial considerations, there were a number of other reasons why the decision had been taken to provide 8 courts, rather than 12. These included the fact that all sports could still be accommodated with 8 courts, the Sport England estimation that there was currently excess capacity equivalent to over 14 courts, and the consideration of peak hour use. He stated the additional capital cost of providing an additional 4 courts was estimated at £2.5m. Whilst it might be possible in the future to increase court provision if evidence warranted this, it would be very difficult to increase the size of a swimming pool at a later date.

The Chairman emphasised that the Sport England assessment was that there would be a surplus of water space provision if a 50m pool was provided. In addition, the decision taken by Council on 20 July 2016 referred to provision of 12 courts.

Some Members emphasised the number of new housing developments which would be built across the district and queried whether additional court provision could be provided at locations other than Bar End. Councillor Griffiths stated that the Sport England research considered access to facilities across the district and

a new Sports Strategy would be based on this which would be available at some point during 2018.

One Members expressed concern about whether the current system of invited representatives to Cabinet Committees was working effectively and queried whether a different approach, such as a Leisure Centre Informal Scrutiny Group be more appropriate.

During discussion of the Report, the Committee asked a number of detailed questions which were responded to accordingly, as summarised below:

- (i) Councillors Ashton and Griffiths confirmed that, as stated above, further investigations into existing sports hall provision had been undertaken following concerns raised at the previous Committee meeting. This had concluded there remained a surplus provision of 14.6 courts and had taken account of future population growth.
- (ii) The Strategic Director: Resources confirmed that various sensitivity analysis had been undertaken, as outlined on Pages 42 and 43 of Appendix A to the report.

At the conclusion of debate, the Committee resolved to make the recommendations to Cabinet as outlined in the open minute above. Although some Members also expressed concern about the decision to change the facility mix (to include 8 courts as opposed to 12) this was not supported by the majority of Members present.

In reaching the resolution below, the Committee had regard to the discussions held on the open section of the Report and during exempt session.

RESOLVED:

That the Committee provides the following comments to Cabinet (Leisure Centre) Committee:

- (i) That the Committee all agree that provision of a new leisure centre is to be welcomed;
- (ii) That the Committee would welcome further investment in sports provision throughout the wider district.

The meeting commenced at 6.30pm and concluded at 10.20pm.

Chairman