

MINUTES of a meeting of the POLICY DEVELOPMENT GROUP held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 23 AUGUST 2017

Present: Councillor M Specht (Chairman)

Councillors T Eynon, D Harrison, G Hault, P Purver, V Richichi, S Sheahan (Substitute for Councillor J Geary) and N Smith

In Attendance: Councillors R Adams, J G Coxon, D Everitt, R Johnson, J Legrys and A V Smith MBE

Portfolio Holders: Councillor A V Smith MBE

Officers: Mr T Galloway, Mr D Gill, Mr A Hunkin, Mrs B Smith and Mrs R Wallace

#### **10. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor J Geary.

#### **11. MINUTES**

Consideration was given to the minutes of the meeting held on 28 June 2017.

Councillor N Clarke asked for his comments made during the Section 106 Contributions to Health Update Report be entered into the minutes.

It was moved by Councillor V Richichi, seconded by Councillor N Smith and

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 28 June 2017 be approved and signed by the Chairman as a correct record.

#### **12. DECLARATION OF INTERESTS**

There were no declarations of interest.

#### **13. PUBLIC QUESTION AND ANSWER SESSION**

No questions were received.

#### **14. UPDATE ON THE LEISURE PROJECT**

The Chief Executive gave a presentation to update the committee on the project and the plans moving forward.

The Chairman referred to comments once made by the previous Chief Executive relating to making difficult decisions for the District. He welcomed the Chief Executive to lean times for the District which would no doubt involve many difficult decisions.

Councillor N Smith referred to a comment made by the Chief Executive regarding the development of the Hermitage Leisure Centre site once it was closed, he asked for clarity on which parts of the site could be developed. The Chief Executive clarified that she was referring to the building and the carpark only, not the pitches or surrounding fields. She added that there would need to be consultation with the Parish Council and that options regarding the development of the site would be considered by Members at a later stage.

Chairman's initials

Councillor N Smith commented that he was familiar with the current problems with traffic and air pollution surrounding the Hermitage Leisure Centre and the proposed new centre would resolve this. It would also provide a state of the art facility which would encourage people to stay in the District rather than travelling to access these facilities. He also asked that parking spaces be considered for local residents on Thornborough Road as they currently struggled to park. He believed that this would be the most important decision the Council has made for many years and urged Members to visit other similar facilities such as at Hinckley to see the benefits.

The Chairman agreed with Councillor N Smith's suggestion to visit Hinckley's new leisure centre and also felt that it would benefit Whitwick Parish Council and the Whitwick Action Group to visit too. The Chief Executive commented that she would be happy to arrange a visit.

The Chairman referred to comments made by the Chief Executive regarding a County Council covenant on the proposed site. He asked for confirmation as to who actually owned the land. The Chief Executive confirmed that the land was owned by the District Council and that Legal Services were currently looking into the covenant further.

The Chairman suggested that an indoor bowls facility be included in the proposals.

At this point, Councillor S Sheahan raised a number of questions and the following answers were received from the Chief Executive:

- Referring to paragraph 1.9 of the Cabinet report attached at appendix 1, Councillor S Sheahan asked for the number of people that would rather see the Hermitage leisure centre upgraded in its current location and asked what work had been undertaken to investigate that option. The Chief Executive explained that she would provide the figures outside of the meeting as she did not have the information to hand. She explained that the consultant who was brought in to assess the Hermitage Leisure Centre had advised against that option for a number of reasons. At the request of Councillor S Sheahan, the Chief Executive agreed to circulate the advice given by the consultant to Members.
- Councillor S Sheahan raised concerns that residents of Whitwick may not be able to access the new leisure centre and asked if transport links such as buses had been looked into. The Chief Executive reminded Members that the Leisure Centre was for the whole of the District and it needed to be accessible to all. She confirmed that transport links had been investigated which included cycle routes and walk ways but added that having the centre on a main road would make it more accessible. Councillor S Sheahan commented that a shuttle service had been suggested in the past and maybe this was something that could be looked into further.
- Councillor S Sheahan asked if any further work had been undertaken on the financial modelling since the Cabinet meeting in July. The Chief Executive explained that there had been lots done regarding the specification of additional financial support and work had been undertaken to test the assumptions. It had given her confidence that the project was moving in the right direction.
- Councillor S Sheahan referred to the £200,000 savings mentioned in paragraph 2.2 of the cabinet report attached at appendix 1, and asked if there were any tax savings for the potential operators. The Chief Executive explained that the cost savings were a result of not having to manage that service element. After further questioning on the issue from Councillor S Sheahan, the Chief Executive commented that there would be some taxation benefits but this would not form any part of the financial planning. She

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added that there would be a Board of Trustees who would look at this issue as well as what would happen with the profits.

- Councillor S Sheahan asked how the core operational staff would be affected with the loss of the leisure centre staff. The Chief Executive explained that all staff members would be assessed to decide whether they would be part of the transfer and it was stressed that existing terms and conditions would be protected. It was inevitable that some senior staff members would be lost in the transfer.
- Councillor S Sheahan asked what the plan was for the use of the Cropston Drive site. The Chief Executive reported that nothing had been confirmed yet for the use of the site.
- Referring to paragraph 2.3 of the cabinet report attached at appendix 1, Councillor S Sheahan asked how the £4million funding assumptions had been calculated. The Chief Executive reported that as she was not part of the initial agreements it was difficult for her to give an answer, she was aware that it was a guestimate at the time. She confirmed that the finance team were providing models for all the possible options financially to gain a clearer picture of the financial position.
- Councillor S Sheahan asked what the timeframe was for being informed about the financial implications regarding pensions. The Chief Executive reported that £150,000 had originally been put aside to deal with this issue but the pension providers had now confirmed that it would not be necessary.
- Referring to paragraph 4.2 of the Cabinet report attached at appendix 1, Councillor S Sheahan raised concerns that the chosen model to be used for procuring a new operator was being used only on the advice of Sporting England and no other advice had been sought. The Chief Executive gave examples of other authorities that had used the model and had been very successful.
- Councillor S Sheahan asked what role Martin Vickery had as he was referred to in appendix 2. The Chief Executive explained that he undertook the market research on behalf of the Council. At the request of Members, the Chief Executive agreed to provide the market research.
- In response to a question from Councillor S Sheahan, the Chief Executive explained that the consultation would be conducted in accordance with the Sporting England Toolkit.
- Councillor S Sheahan asked for more details on how the lease agreement would work with the chosen operator. The Chief Executive explained that the details had not yet been finalised but would form part of the specification during the procurement process. She added that the lease period was usually 15 to 25 years and would include break clauses.
- Councillor S Sheahan raised concerns that building on the proposed site was moving £18million away from Coalville town centre as the original plan was to build in the town. The Chief Executive commented that the proposed site was still in the wider Coalville area and therefore she did not agree that money was being moved away from the town.
- Councillor S Sheahan commented that the plans within the report were very small and not clear. The Chief Executive responded that the plans were indicative purposes only.

- Councillor S Sheahan questioned what was meant by 'wider participation' regarding the use of the centre. The Chief Executive explained that the aim was to encourage people who would not usually use a council facility and those that travel outside the area to use other facilities to stay in the District and use the centre.
- Councillor S Sheahan was not happy with section 8 of the cabinet report at appendix 1 as it was obviously written by the industry and he felt it was full of propaganda. The Chief Executive agreed.
- Councillor S Sheahan asked how competitive dialogue brought more benefits than the usual negotiation methods in relation to the procurement process. The Chief Executive believed that it was more flexible to come to an agreement regarding the best way of working and to get what was needed. She added that it also provided the opportunity to develop the best working relationships.

Councillor N Clarke felt that it was very glamorous to have a brand new leisure centre but it was important to consider the possible outsourcing of staff, planning permissions involved and how the project would be financed.

He commented that the Cropston Drive site was originally bought for council housing and believed this should be taken into account when selling it. The Chief Executive accepted this point as she was not aware of the original plans for the site. She did however stress that if the site was sold for housing, the Council would have an input on the number of dwellings and affordable housing on the site. The Chairman reminded Members that a number of new council houses were now being built on other sites.

Councillor N Clarke also raised concerns regarding how the casual workers would be affected especially as some were currently employed on zero hour contracts. He asked how staff would be chosen to be transferred or not. The Chief Executive explained that full assessments would be undertaken of all staff affected and calculations made to decide which staff would be transferred, officers did not make the decision. A senior Officer would still be required to be the link between the service provider and the Council to ensure the contract was being delivered. All was subject to Human Resources policy.

Councillor N Clarke believed that the re-evaluations regarding the suitable sites as detailed at appendix 3 had been tailored to get the desired outcome. He explained that questions one and two were basically asking the same things and if one of these were removed the calculations would make the Snibston site equal to the A511 site. He believed that the Snibston site would be more suitable as it would be more cost effective and easier to develop. The Chief Executive commented that she was not involved in the original discussions regarding the sites, however Cabinet had now made the decision to proceed with investigating further into the proposed A511 site.

Councillor N Clarke commented on the following wording: 'anticipates wider participation'. He felt it should be 'guaranteed' rather than 'anticipated'. The Chairman felt that the wording could not be changed as people could not be forced to use the facility and therefore it could not be guaranteed. Councillor N Clarke therefore felt that it was not worth undertaking the project and the leisure centre should be left as it was.

Councillor T Eynon commented that the trust model did bring concerns as everyone wanted a new leisure centre but there had been many promises in the past that had not transpired. She raised concerns regarding the tax loophole and she hoped it was something that it would be closed in the near future by national government. She also believed that the model used for locating a suitable site was biased and thought it was still worthwhile looking further into the Snibston site, there was no record of any conversation with Leicestershire County Council and the site was now derelict.

Councillor T Eynon had not seen any evidence that a new centre would reach out to people that did not usually exercise and hoped work would be undertaken to address that. The Chief Executive explained that the leisure centre only formed part of the leisure offer for the district and work would definitely be done with other agencies to address the issues.

Councillor D Harrison congratulated the Portfolio Holder on the work undertaken to date and he understood it was still a work in progress. He believed a new leisure centre would be a good catalyst for the community and it would be something for local people to be proud of. He urged Members to not be judgemental before the full details were available.

Councillor N Smith commented that it was an interesting debate and he was sure that when Hinckley were deciding on their new leisure centre, they would have had similar concerns, however they now had a wonderful facility. He believed it was a good opportunity for the district which Members should grasp.

Councillor P Purver felt that a new leisure centre should be welcomed. She shared her experiences of children's swimming lessons at a weekend and how much of a struggle it was due to the facilities not being adequate. She believed the proposed site was a good one and that it was a good opportunity in general.

RESOLVED THAT:

The report be received and comments by the Policy Development Group be noted.

## **15. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor D Harrison, seconded by Councillor N Smith and

RESOLVED THAT:

In pursuance of Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

## **16. CALL-IN OF CABINET DECISION OF 25 JULY 2017 ENTITLED: ASSET MANAGEMENT - LONDON ROAD CAR PARK**

The Interim Director of Resources presented the report to Members, highlighting the decision taken by Cabinet on 25 July 2017 and addressing each of the reasons put forward for the call-in as attached. He reminded Members that a call-in was not about the merits of the decisions themselves, but whether the decisions had been made properly in accordance with the Council's Constitution.

Members discussed the report before them and expressed concerns over the decisions that had been made.

The Deputy Monitoring Officer advised Members that if they were to agree on option B then something in writing would be required detailing the concerns regarding the decision making process. He suggested that the Committee agree on a Member to supply this by delegation and recommended the Chairman.

Chairman's initials

The Chairman moved option B with the addition that written comments from the Policy Development Group be delegated to the Chairman. It was seconded by Councillor D Harrison.

RESOLVED THAT:

- a) Cabinet be asked to reconsider its decision in the light of comments from the Policy Development Group.
- b) Delegation be given to the Chairman to provide the written comments for consideration by Cabinet on behalf of the Policy Development Group.

## **17. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME**

Councillor T Eynon commented that the Medium Term Financial Strategy would not be seen by the Committee prior to Cabinet due to the scheduling of the meetings. She also asked who would be attending the next meeting regarding the gas supply in rural areas item. The Interim Director of Resources confirmed that the Committee would see the Medium Term Financial Strategy as part of the budget report as the two items had been realigned. He also confirmed that the gas supplier attending the meeting would be a representative from British Gas and they were due to come to the next meeting. Unfortunately, they had let him down before as they were due to come to previous meetings.

The Chief Executive stated that the performance reports would be brought to future meetings.

The Deputy Monitoring Officer stated that the item regarding the planning committee scheme of delegation would not be brought to the next meeting as work was still ongoing but there would be a constitutional update regarding scrutiny arrangements and contract procedure rules.

RESOVLED THAT:

- a) The quarterly performance reports be added to the work plan.
- b) A constitutional update report be added to the work plan.
- c) The 'Review of Planning Committee Scheme of Delegation' item be deferred to the meeting on 10 January 2018.

Councillor V Richichi left the meeting at 5.55pm.

The meeting commenced at 5.30 pm

The Chairman closed the meeting at 7.56 pm