



Rutland County Council

Catmose Oakham Rutland LE15 6HP
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Record of a meeting of the **Special PLACES SCRUTINY PANEL** held in the Council Chamber, Catmose, Oakham at 7.00 pm on **Thursday 5 September 2013**

PRESENT: Mr J T Dale (Chairman, in the Chair)
Mr J Lammie
Mr J R Munton
Mr M A Oxley
Mr C A Parsons
Mr D L Richardson

OFFICERS Mrs V Brambini Operational Director for Places
PRESENT: Mr D Brown Operational Director for Places
Mr J Frieland Business Manager, Oakham Enterprise Park
Miss M Gamston Democratic Services Officer

IN ATTENDANCE: Mr T C King Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism

ALSO PRESENT: Mr R J Gale

APOLOGIES: Mr M E Baines, Mrs C J Cartwright, Mr W J Cross, Mr D C Hollis, Mr M D A Pocock and Mrs C L Vernon

333 DECLARATIONS OF INTEREST

Mr Richardson declared a personal but non pecuniary interest as his daughter is friends with an employee of Stevenage Leisure.

334 PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions had been received.

335 QUESTIONS WITH NOTICE FROM MEMBERS

No Questions with Notice had been received from members.

SCRUTINY

336 CATMOSE SPORTS CENTRE SWIMMING POOL

Report No. 204/2013 from the Operational Director for Places was received.

The Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism, Mr King, introduced the report the purpose of which was to provide a brief overview of the current position relating to the swimming pool facilities at the Catmose Sports Centre and the issues that have arisen forcing its closure with effect from Wednesday 21st August 2013.

For the sake of common understanding Members were informed that a swimming pool had been in existence on the site of the Catmose College (formerly Vale of Catmose College) since 1981. Prior to the replacement in 2006/07 the pool enclosure was fabricated from a pre-formed fibreglass metal framed panelling. A decision was taken in September 2005 by full Council (Report No. 231/2005) to refurbish the pool with a short to medium term solution to replace the roof, superstructure, key equipment and the changing facilities. A medium to long term option to develop a new build facility at a cost of circa £3m was rejected. It was expected the new pool roof would have a 10 year life. A new build would have resulted in £100k per annum interest plus the capital repayment.

At the time of the approval the Council did not have a staffed facility for Capital Projects therefore E C Harris, a project management consultant firm, were engaged to scope the project the Council's brief and procure and manage the works.

The solution proved not to be as good as it should have been; the facility was improved but ongoing complaints over leaks through the roof were reported, particularly over the last year, led to a broad options review being instigated. The report of the framework contractor was received on 24th July 2013 highlighted concerns regarding the structure.

A site survey on 16th August 2013 resulted in a report being received from the structural engineer on 20th August 2013. The report detailed problems and symptoms of structural movement including fatigue. The structure continues to be subject to flexing under wind, snow and live loading. This flexing could cause fatigue in the joints of the aluminium framing system given the repeated changes in stress within the material. The fatigue status of the structure was impossible to predict and could lead to sudden system failure.

As a consequence of the findings and concern of the engineer actions to close the pool were instigated that day and the swimming pool was closed until further notice from 7pm. It should be noted that whilst the report indicated risk of further movement particularly in high wind that could cause failure in the structure the circumstances that day (no snow and no high wind) did not warrant immediate closure. A planned shut down in agreement with Stevenage Leisure Ltd (SLL), the service management contractor, was instigated.

Discussion had been held with Oakham School, Oakham C of E School and Uppingham School regarding use of their facilities on a temporary basis; details were being finalised and would be notified by SLL direct to their users and members as well as via the Council's website.

Contractors had been requested to look at the options. The Council would need to consider the costs and benefits of each of options alongside the financial aspects of operating the wet side facilities with the service management contractor. The options would be presented to a Project Board and recommendations and funding proposals

would be presented to Cabinet in September. It was estimated that to replace the roof would cost approximately £500,000; a new build swimming pool was available for £3.5m; or to fix the problem by putting in supports, with the two beams across the centre requiring support at a cost in the region of £130,000.

It was expected that a report would be taken to Council in October for a political decision and it would be approx three months before the building could be re-occupied, depending on the outcome of the decision.

It was stated that there had been a number of problems logged over a period of time. Some when Catmose College managed the swimming pool and the Council paid a subsidy to the College to ensure that the pool was kept open to the public. Following tender and negotiations, SLL operate the swimming pool on a zero cost contract with the Council having liability for existing assets.

In conclusion, Members were informed that whether the original investment had been right or wrong further investment needed to be looked at; that this would be a large piece of work; and that the original contractor had been declared bankrupt and in 2008 so could not be pursued for recovery action. The Portfolio Holder stated that he would welcome a steer from the Panel.

During discussion the following points were noted:

- i) That in 2005 there were funds available for investment following the closure of a primary school. Some of these funds were used to re-roof the swimming pool. At that time a new school had not been on the horizon;
- ii) That part of the discussions that had taken place within the Authority centred on how to deal with keeping public swimming in Rutland and if Community Infrastructure Levy funds could be used for this purpose;
- iii) That the swimming pool was operated entirely by SSL;
- iv) That SSL managed all facilities as one site therefore would have to separate costs to enable a better understanding of costs and usage and profit and loss against swimming;
- v) That it was generally acknowledged that nationally swimming usually operated at a loss;
- vi) In response to a question regarding due diligence having been undertaken at the time of the original build and subsequent remedial works the Portfolio Holder replied that he could not comment on whether due diligence had been applied in 2005. Recourse for action against the contractor to remedy defects was considered in 2008, the final payment having been withheld. A settlement was reached and no legal action was taken as the Council was advised that it would not have been successful due to the bankruptcy of the contractors;
- vii) That the failing mechanical and electrical plant would also be considered as part of the cost benefit analysis;
- viii) The Portfolio Holder, Mr King, was unable to go give exact information on the expected lifespan of remedial work to the supports; the information having only been received an hour before this meeting. Further work would be required prior to the decision making process but it was likely that the contractor would only guarantee their work on the roof. The Council would be comparing other roofs by the same manufacturer to establish if there had

- ix) That there were 4 options to be considered:
 - 1. No swimming in the county
 - 2. Repair the existing facility
 - 3. Re-roof (£0.5m)
 - 4. New build (£3.5m; £140k per annum interest plus capital repayments)
- x) That this would be a Member decision. A project board had been established and a report, would be brought back to a Special Meeting of this Panel within the next few weeks as part of the decision making process by Council;
- xi) That a site visit for Members would be beneficial. With the agreement of the Director, and no adverse weather conditions forecasted, this would be arranged, Photographs of the problem areas were to be emailed to Members;
- xii) That work on repair option had commenced prior to the pool being closed. It had been made clear to the Press that it not shut just because of the leaks. It could be Spring 2014 before it reopened;
- xiii) That raw data of facilities and usage; information regarding other facilities available needed to be examined for an informed decision to be taken;
- xiv) That if the initial view was that a new pool was needed the first decision the Council would have to take would be whether to invest £3.5m A new pool would take between 12-18 months to build;
- xv) Agreement that alternative arrangements should be put in place;
- xvi) That the £500,000 bid to Sport England in relation to sustainability of facilities at Oakham Enterprise Park and could not be diverted. Sport England to be contacted regarding options;
- xvii) Under the ethos of health and wellbeing it was important to promote swimming in the county;
- xviii) The Portfolio Holder, Mr King, informed the meeting that he would be happy to have discussions with members of the public present at the meeting and the wider public. That this meeting was a decision making process but to bring Members up to speed.

AGREED:

- i) That Panel noted the current position and supported the urgent assessment of options with recommendations being presented to Cabinet in September 2013.
- ii) That a site visit of the swimming pool was to be arranged for Members if requested.
- iii) That a further Special meeting of this Panel was to be arranged.

337 QUARTER 1 PERFORMANCE MANAGEMENT REPORT

Report No. 169/2013 from the Chief Executive was received.

The purpose of the report was to report to Cabinet on the Council's Performance for the first quarter of 2013/14 and the year to date.

During discussion the following points were noted:

- i) Page 3, Paragraph 4.3 – Democratic Services Review. The Chairman, Mr Dale, was advised that further information would be available from the Resources Directorate;
- ii) Mr Oxley expressed his concern about the proposed restructure of Democratic Services and the importance of retaining continuity of taking minutes at meetings as this helped with understanding subject matter;
- iii) Page 6, Paragraph 4.8 – Household waste was below target due to adverse Spring weather resulting in a number of collections being cancelled to get back on track.

AGREED:

- i) That Panel noted the contents of Report No. 169/2013
- ii) That the Democratic Services Officer forward the requests made under items i) and ii) above.

338 QUARTER 1 FINANCIAL MANAGEMENT REPORT

Report No. 141/2013 from the Strategic Director of Resources was received.

The Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism, Mr King, introduced the report the purpose of which was to inform Cabinet on how the Council is performing against its revenue and capital budgets and report a forecast year end outturn position as at the 30 June 2013.

During the discussion the following points were noted:

- i) That the quarterly monitoring report was now in an alternative format;
- ii) That paragraph 1.2 of the monitoring report detailed the Directorate spend (Appendix 1 to Report No. 177/2013);
- iii) That significant issues affecting the Places Directorate were listed on page 5 of the monitoring report;
- iv) That paragraph 1.4 of the monitoring report detailed the income drives and effects;
- v) That paragraph 1.7 of the monitoring report detailed Earmarked Reserves;
- vi) Medium Term Financial Plan (MTFP) (Appendix 2 to Report No 177/2013) – showed a massive reduction in the Revenue Support Grant by 2018/19; New Homes Bonus reduced; revised Q1 2013/14 forecast deficit of £232,100;
- vii) That Appendix 3B to Report No. 177/2013 detailed the breakdown of spend for the Directorate;
- viii) That the Capital monitoring for the Directorate was detailed in Appendix 4B to Report No. 177/2013;
- ix) Street Cleaning – concern was raised at the reported under spend of £31k, a part contribution to planned savings of £39k, as this service was an obvious face of the Council and council tax spend. Members were advised that with a budget in excess of £500k the Authority was not looking to cut the service but to deliver it in a more effective way. Work was ongoing with contractors;
- x) In response to a suggestion that it might be possible to delegate some street cleaning duties to town councils the Portfolio Holder, Mr King, commented that the issue of Localism and should those who benefit from a service pay locally. This was to be looked at as a subject to try and get more local

- xi) That the MTFP showed an income of £880k from the New Homes Bonus in 2018/19. Members were informed that Rutland was sustaining growth and if the Bonus was continued would continue to earn, against dampened figures. Last year 95 homes had been built against the target of 71;
- xii) That the New Homes Bonus was core funding accounting for one third of funding Rutland received from central government;
- xiii) That the intention of the New Homes Bonus was to deal with costs of development, the pressures from new developments and residents; to encourage development;
- xiv) That central government funding was shown as the Revenue Support Grant within the MTFP;
- xv) That the reported under spend of £69k for Tourism was a planned carry forward of S106 funding from Anglian Water that would be spent. This was not a budget saving;
- xvi) It was put to the Chairman that a Task and Finish Group on budgeting be considered as councillors needed to understand local government budgets.

AGREED:

- i) That Panel noted the contents of Report No. 177/2013.

339 STRATEGIC RISK REGISTER

Report No. 194/2013 from the Strategic Director of Resources was received.

The Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism, Mr King, introduced the report the purpose of which was to update the Places Scrutiny Panel on the current status of the Risk Register.

During the discussion the following points were noted:

- i) Risk Ref. 12: Catmose Campus – queried why impact marginal and likelihood low. Concern expressed at the retention of funds. The question of the Council having a retention fund with the contractor was raised. Members were advised that there is a retention agreed, in the form of a Bond not based on a percentage of the account, a Bond is provided by the contractor backed by a parent company or bank. Regular budget updates and project variances were issued in Quarterly Financial Reports. Once the project was complete and snagging done a full report would be produced.

AGREED:

- i) That Panel noted the contents of Report No. 196/2013

340 OAKHAM ENTERPRISE PARK PROGRESS UPDATE

Report No. 205/2013 from the Operational Director for Places was received.

The Portfolio Holder for Finance, Property, Development Control, Planning Policy, Economic Development and Tourism, Mr King, introduced the report the purpose of which was to Panel on progress of the regeneration of the former HMP Ashwell site to develop Oakham Enterprise Park following on from the previous update paper in June 2013 (Report No. 154/2013).

During the discussion the following points were noted:

- i) Members were advised that the redevelopment of this site was to timescales;
- ii) That the spend pattern was different than originally envisaged;
- iii) That of the 19 reusable industrial/office buildings, there were 5 let subject to contract and a further 3 units were at pre-contact negotiations stage, some 30-40% occupancy was expected by the end of 2013;
- iv) That tenants still remained at the Ashwell Business Units site;
- v) That a full time Business Manager had been appointed;
- vi) That sports club continued to show interest in using the gymnasium facilities available at the site;
- vii) That the revenue model given in Report No. 205/2013 would be remodelled as the project progressed;
- viii) That units would be modelled to tenant's requirements;
- ix) Under discussion was the demolishing of the 1950's blocks;
- x) That interest had been shown in using the old prison blocks for film use;
- xi) That if the Council was able to sell the Ashwell Business Units site the funds could potentially repay some of the debt on the former prison site. This had been in the original business plan. The Council was considering the possibility of a housing development at the former depot Business Unit site;
- xii) The relocating the Salt Barn was an opportunity to improve the development of the Ashwell site. Any changes are intended to be cost neutral as the sale of the land should cover the costs of the move. A report is due to go to Cabinet in November 2013;
- xiii) That the Judo Club, with over 200 members operating on an industrial estate in Pillings Road, Oakham, was expected to take the small hall and rent the other large hall for tournaments;
- xiv) That the gym would be serviced by direct access from the car park
- xv) 5-A-Side football – that there were already excellent facilities available in the county; that this was one of the areas where Stevenage Leisure were struggling to get people to use their facility;
- xvi) That the main purpose for the Business Park was to provide small business units; to give employment in the future; Interest had been shown by start-up businesses;
- xvii) That the Sports England Bid was detailed in a report to Cabinet in July (Report No. 152/2013, Cabinet 2 July 2013);
- xviii) Budget – officers had produced from the detailed work contained in the exempt papers (Addendum to Report No. 205/2013);
- xix) That this Panel had received a progress report on 20 June 2013 and would receive a further update at the November meeting;
- xx) That the financial position continues to be reported to the Project Board and within the quarterly monitoring report. It was agreed that this would be reported to all councillors.

AGREED:

- i) That Panel noted the contents of Report No. 205/2013
- ii) That the financial position as reported to the Project Board, and within the quarterly monitoring report, would be provided to all councillors.

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8.50 pm Mr Parsons left the meeting.
8.52 pm Mr Parson rejoined the meeting.

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341 TASK AND FINISH GROUP STREET LIGHTING

A verbal update was received from Mr Lammie

Members were advised that information had been collated and options rather than agreed proposals for costing would be put to Officers. The proposals would be emailed to councillors for comment, taken to Scrutiny and through the decision making process. That is was important that proposals did not stall following the recommendation stage.

The Chairman thanked Mr Della Rocca for the financial report which was a lot easier to read and more explicit.

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The Chairman closed the meeting at 9.10 pm.

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