

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 OCTOBER 2009

AGENDA ITEM: 6

Start: 7.30pm

Finish:9.50pm

PRESENT:

Councillor Bailey (Chairman)
Hammond (Vice Chairman)

Councillors	Baldock	Grice
	Mrs. Blake	Griffiths
	Carson	McKay
	Cropper	O'Toole
	Duffy	R.A. Pendleton
	Mrs. Evans	Pope
	Gartside	J. Roberts
		W.G. Roberts

In Attendance Councillor: Grant Leader

Officers Executive Director Housing and Property Maintenance Services (Mr B Livermore)
Head of Leisure & Cultural Services (Mr J Nelson)
Group Accountant (Mr M Kostrzewski)
Environmental Protection Manager (Mr A Hill)
Principal Solicitor (Mr T Broderick)
Senior Member Services Officer (Mrs S Griffiths)

Also Present Representatives from the Leisure Trust:

John Bullock – Chairman of the Trust
Mark Snaylam- Contracts Manager (SERCO)

18. APOLOGIES

Apologies for absence were submitted on behalf of Councillor Vickers.

19. MEMBERSHIP OF THE COMMITTEE

There were no changes to membership of the Committee.

20. URGENT BUSINESS

There were no items of urgent business.

21. DECLARATIONS OF INTEREST

It is noted that the Code of Conduct in relation to personal and prejudicial interests of Cabinet Members when they have taken a decision is overridden by Section 21(13) of the Local Government Act 2000.

1. Councillor Grimes declared a personal and prejudicial interest in item no. 7 (Leisure Trust Update) in view of him being appointed by Council to serve on the Leisure Trust Board and left the Chamber during the discussion period following the presentation from the Board.
2. Councillor Bailey declared a personal interest in item no. 12 (Reform of Council Housing Finance) in view of his employer providing secretariat support to the Association of Retained Council Housing.
3. Councillors Bailey, Mrs. Blake, Cotterill, Cropper, Mrs. Evans, Gartside, Grant and Pope declared personal interests in relation to relevant lines in the budget in respect of items 16 & 17 (Capital Programme Outturn 2008/2009 and Capital Programme Monitoring 2009/2010) in view of their (or their spouse's) membership of Parish Councils.
4. Councillor Cotterill declared a personal interest in item no. 7 (Leisure Trust Update) in relation to references to Homestart West Lancs. as he is a member of their management committee.
5. Councillor Baldock declared a personal interest in item no. 7 (Leisure Trust Update) in relation to references to the North Meols Leisure Centre as a member of a Parish Council using the facilities.

22. DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip.

23. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 2 July 2009 be approved as a correct record and signed by the Chairman.

*At this point in the meeting the Chairman adjourned the meeting to facilitate questions from all present in the Chamber following the presentation by representatives of the Leisure Trust.

24. LEISURE TRUST UPDATE

The Chairman introduced representatives from the Leisure Trust who gave a presentation on the following

- An introduction from the Chairman of the Trust
- The trustees and a profile of their responsibilities
- An overview of the contract which runs to March 2010
- Facilities at Nye Bevan, Park Pool, Skelmersdale, Burscough and North Meols Leisure Centre and membership/user numbers
- Income and patronage – a 3% increase in income and a 9% increase in patronage for 2008. 16% increase in patronage from 2004-2008
- Operational highlights including – price reduction in key areas from January 2009; 60+ free swimming; increased leisure card membership; working with community groups; utility consumption savings; Quest accreditation; funded programmes; continued investment in staff development; closer links with PCT; community based special events
- Challenges including – energy costs; increasing patronage with down turn in market; moving operation from good to great; “skills pledge”; positive difference to communities; engagement with partners; “slow down” of Skelmersdale Town Centre development; ageing facilities
- Opportunities including – investment into facilities; web centric marketing; 2012 legacy and improved links with sports development; 5 hour offer for sport funding through Sport England and Lottery

In concluding his presentation the Operations Manager indicated that the way forward for the Trust would be to increase patronage, to continually improve the facilities with a capital investment of £¾ m for 2009-2010 and to continue developing staff and closer links with community groups.

Comments and questions were raised in respect of the following:

- The reduction in patronage to the two centres in Skelmersdale and the reasons for it
- A breakdown of the 11% increase in under 16's swimming
- Heating problems at Skelmersdale Sports Centre and North Meols Leisure Centre
- Management information systems – refine data on patronage
- Council's policy on the use of sunbeds
- Press release on Council website
- Concern over the energy costs and whether it was bought via a consortium
- The GP referral scheme extended to Southport GP's
- Sunbed usage – a personal choice to use them
- Swimming for obese children
- Unhealthy contents of vending machines

The Contracts Manager went on to provide a response to the above comments/questions.

The ensuing debate highlighted the following further comments/questions in relation to:

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 OCTOBER 2009

- Sports development and what will happen following the Council's Organisational Downsizing and the cessation of the SSCF funding
- Relationship between West Lancashire Community Trust and SERCO
- Implications of application for charitable status by West Lancashire Community Leisure Trust

The Contracts Manager and the Head of Leisure & Cultural Services provided a response to the above comments/questions.

The Chairman indicated that he felt the cleanliness of Park Pool had improved, but reported concern in relation to a number of items in particular the checking of lockers; locker keys/clips; audio system in health suite; Jacuzzi; wristbands and exterior of Burscough Sports Centre.

*At this point in the meeting the Chairman re-convened the meeting and Councillor Grice left the Chamber.

- RESOLVED:
- A. That the representatives from the Leisure Trust be thanked for their presentation and for their attendance.
 - B. That the comments raised be noted
 - C. That the Executive Manager Community Services be requested to report to the Executive Overview and Scrutiny Committee on the proposed application for charitable status by the West Lancashire Community Trust.
 - D. That the Executive Manager Community Services be requested to report to the Executive Overview and Scrutiny Committee on the implications to leisure services arrangements with the Trust following the cessation of the SSCF funding.

25. CALLED IN ITEMS

There were no called in items.

26. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the meeting of Cabinet held on 15 September 2009.

- RESOLVED: That the minutes of the meeting of the Cabinet held on 15 September 2009 be noted.

27. KEY DECISION FORWARD PLANS 1 AUGUST - 30 NOVEMBER, 1 SEPTEMBER - 31 DECEMBER 2009 & 1 OCTOBER 2009 - 31 JANUARY 2010

Members noted that no items had been placed on the agenda from the Key Decision Forward Plan for the above-mentioned periods.

28. CORPORATE AND COMMUNITY SERVICES DIVISIONAL ENFORCEMENT POLICIES

Consideration was given to the report of the Executive Manager Community Services as circulated and contained on pages 319-356 of the Book of Reports in which he sought the Committee's comments on the new Corporate Enforcement Policy and the revised Community Services Enforcement Policy. The recommendations from Cabinet who had considered this item on 15 September 2009 were included within the report.

During consideration of this item Members raised comments/questions on the following:

- Enforcement of empty properties
- Role of PCSOs and number of notices issued by them
- ASBOs
- Out of hours monitoring of noise pollution
- Food safety inspections

RESOLVED: (A) That the report be noted and Council be requested to consider an additional sentence to recommendation 3.3 as follows:-

“Any wholesale changes in guidance or legislation resulting in major changes to the policy to be brought back for approval”.

(B) That the Executive Manager Community Services be requested to submit a report on the Council's Noise Management Policy to a future meeting of the Executive Overview and Scrutiny Committee.

29. REFORM OF COUNCIL HOUSING FINANCE

Consideration was given to the report of the Executive Manager Housing and Property Maintenance Services as circulated and contained on pages 357 – 380 of the Book of Reports seeking the Committee's views on the Government's consultation on reform of Council Housing Finance.

RESOLVED: That the report be noted.

30. REPORTS OF THE COUNCIL SECRETARY AND SOLICITOR

Consideration was given to the report of the Council Secretary and Solicitor as circulated and contained on pages 381 – 425 of the Book of Reports.

31. RISK MANAGEMENT

The Committee considered the updated Risk Management Policy and Strategy together with the position on key risks facing the Council.

During the ensuing discussion Members raised comments/questions in relation to the following items on the Key Risks Register:-

- HR Division – OD Initiative- threat to services
- HR Division – Post JE Consequences – identify industrial relations as a risk
- OD effect on undertaking future risk management

RESOLVED: That the updated risk Management Policy and Strategy together with the Key Risks Register be noted.

32. FINANCIAL OUTTURN

The Committee considered the financial outturn position for the last financial year.

During the ensuing discussion Members raised comments/questions on the following:

- Insurance reserve
- Price of purchasing “Right to Buy” properties
- Impact of “Right to Buy” on General Revenue Account

RESOLVED: That the outturn position be noted.

33. REVENUE MONITORING 2009-10

An early assessment of the financial position on the Revenue Accounts in the new financial year was presented to the Committee.

RESOLVED: That the financial position of the Revenue Accounts be noted.

34. CAPITAL PROGRAMME OUTTURN 2008/2009

The Committee considered a summary of the capital outturn position for the 2008/2009 financial year.

During the ensuing debate Members raised comments/questions in relation to

- Uptake of Parish Council Capital Schemes
- Concern over underspend of Capital programme

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 OCTOBER 2009

RESOLVED: That the final position on the Capital Programme for the 2008/2009 financial year be noted.

35. CAPITAL PROGRAMME MONITORING 2009/2010

The Committee considered an overview of the current progress on the Capital Programme.

RESOLVED: That the current progress of the Capital Programme be noted.

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CHAIRMAN