

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

ENVIRONMENT AND COMMUNITY PANEL

Minutes from the Meeting of the Environment and Community Panel held on Wednesday, 6th December, 2017 at 6.00 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillors C Sampson (Chairman), Miss L Bambridge (Vice Chairman), A Bubb, J Collop (substitute for Mrs M Wilkinson), Mrs S Collop, Mrs S Fraser, G Hipperson, T Smith and D Whitby

Portfolio Holders

Councillor I Devereux, Portfolio Holder for Environment
Councillor B Long, Leader of the Council
Councillor Mrs E Nockolds, Deputy Leader and Portfolio Holder for Culture, Heritage and Health

Officers:

Chris Bamfield, Executive Director, Commercial Services
Lorraine Gore, Executive Director, Finance Services
Ray Harding, Chief Executive
Honor Howell, Assistant Director

By Invitation:

Michael Andrews, Alive Leisure Board
Deborah Chapman, Finance Officer, Alive Leisure
Tommy Goode, Director of Business and Development, Alive Leisure
Peter Lemon, Chairman, Alive Leisure Board
Simon McKenna, Chief Executive, Alive Leisure
Nina McKenna, Director of Communications and Marketing, Alive Leisure

EC51: **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Taylor, Mrs Westrop and Mrs Wilkinson.

EC52: **MINUTES**

RESOLVED: The Minutes from the previous meeting were agreed as a correct record and signed by the Chairman.

EC53: **DECLARATIONS OF INTEREST**

There were no declarations of interest.

EC54: **URGENT BUSINESS**

There was none.

EC55: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There was none.

EC56: **CHAIRMAN'S CORRESPONDENCE**

There was none.

EC57: **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

EC58: **EXEMPT ALIVE LEISURE UPDATE AND FEES AND CHARGES**

Representatives from Alive Leisure presented the Panel with information on their fees and charges review. The presentation provided information on the budget deficit that Alive Leisure may face in the future and detail of proposals that Alive Leisure would be presenting to their Board to address the potential deficit

Three Options on how Alive Leisure could implement changes to their fees and charges were presented and the Panel, along with Alive Leisure's preferred option of implementation. The Panel was requested to provide their feedback on the options presented and was informed that Alive Leisure would come back to the Panel at a future meeting once detailed proposals had been drawn up and the relevant consultation had taken place.

The Chairman thanked the representatives from Alive Leisure for attending the meeting, and invited questions and comments from the Panel as summarised below.

Councillor Fraser commented that she felt that the increase proposed for family swimming was high as she felt that swimming was an activity that appealed to all. Tommy Goode commented that it was hoped that the proposed changes to fees and charges were to make it a 'level playing field' in that all the pay to play sporting activities would be similar prices.

Councillor Smith felt that most of the prices proposed were reasonably affordable and by making all the pay to play activities a similar price it may encourage people to try different sports. Tommy Goode explained that a lot of research had been conducted whilst looking at the different

options available to Alive Leisure. He reminded those present that Alive Leisure Card holders would still get a discount on activities.

The Vice Chairman, Councillor Bambridge asked what effect the changes to concession charges would have. Tommy Goode explained that Alive Leisure would lose some income on this, but felt that it was the right thing to do. It was explained that the proposal was for existing members to be protected and the changes in fees would apply to new members.

The Portfolio Holder for Culture, Heritage and Health, Councillor Mrs Nockolds commented that she felt that the Trust had worked well and provided a high quality service. She did not, however, feel that the Trust should focus on increasing fees, and instead should be working to encourage new members to join and addressing health issues. She felt that work should be carried out to ascertain why some people did not use the facilities and what could be done to encourage them to take up sport.

Councillor Mrs Nockolds referred to the importance of the health and wellbeing of residents of the Borough and how sport should remain affordable and accessible to all; it should not be considered a luxury. She also felt that low prices would be restricted to members and if you did not have an Alive Leisure card you would have to pay higher prices. Councillor Mrs Nockolds acknowledged the struggles that Alive Leisure faced, but felt that their top priority should be to improve the health and wellbeing of residents and to make sports accessible to all.

Tommy Goode explained that work would be carried out to look at why people did not engage in sports. He explained that Alive Leisure had applied for grant funding to support outreach programmes and by increasing income they could then look at additional activities and engaging with the community.

Councillor Mrs Nockolds referred to the other activities run by Alive Leisure, such as the Corn Exchange and asked if any proposals to increase income in those areas would be forthcoming. The Chief Executive of Alive Leisure, Simon McKenna explained that the cost of shows at the Corn Exchange were often predetermined by the promoters. He explained that Alive Leisure and Alive Management had established a Joint Board which would draw up proposals for reviews and efficiencies in other areas which would then be presented to the Alive Leisure and Alive Management Boards.

The Leader of the Council, Councillor Long commented on the proposals for the increases in pay to play activities, such as swimming. He explained that the increase could put families off coming swimming as it could work out cheaper to do an alternative activity, such as going to the cinema. Councillor Long explained that he appreciated what Alive Leisure were trying to achieve but he felt that they should not try and compete with the other gyms in King's Lynn and instead should

prioritise encouraging better health and involvement in the community. Tommy Goode provided an explanation on the proposed swimming prices including family tickets and concessions.

The Portfolio Holder for Environment, Councillor Devereux commented that it was difficult to comment on the proposals without being provided with information on the demand for the service, the capacity and the impact that an increase in fees was likely to have on usage of the facilities. Tommy Goode agreed to provide these statistics at the next meeting.

The Vice Chairman, Councillor Bambridge referred to outreach work in the community and Tommy Goode explained that holiday activities had been offered at South Lynn, but no one had turned up. Activities in North Lynn and funded programmes had also been provided, however local take up had not been high. Tommy Goode referred to the outreach work which Alive Leisure hoped to provide in the future and hoped that this would encourage better attendance.

Councillor Bambridge informed the Panel that she was on the Surestart Board and she promoted the activities available to the Board as they were often unaware. In response to a question from Councillor Bambridge, Tommy Goode explained that consideration would be given to the type of activities offered out in the community to try and encourage engagement.

The Chairman, Councillor Sampson expressed concern at the level of increase of fees and charges and reiterated the comments relating to the importance of health and wellbeing in the Borough. His concern was generally supported by the Panel. The Chairman asked what Alive Leisure would do if the Panel did not support the proposals as set out in the report. The Executive Director for Commercial Services, Chris Bamfield explained that it would be important for the Panel to have sight of the breakdown of charges, attendance details and the projected impact on income and usage if the increase was introduced. He felt that swimming was the most readily available activity in the Borough, but was subject to the highest increase in fees in these proposals, which could have a significant impact on usage.

The Executive Director explained that the Trust was an independent organisation, but were in contract with the Council on the level of service to be provided. He felt that if the increases proposed were in line with inflation then there was unlikely to be any concerns. However, some of the proposed increases were well over the levels of inflation and it was explained that the Borough Council's Management Team would respond to the proposals in writing.

The Chairman of the Trust, Peter Lemon explained to the Panel that Alive Leisure were a Registered Charity and therefore had to be independent. If they were seen to be controlled by the Council then there was a risk that they could lose their charitable status which would

result in the tax efficiencies being lost. He explained that even though the Borough Council was Alive Leisure's biggest funder they could not dictate how the service was run. Peter Lemon also commented that Alive Leisure did not have control of many of their costs, for example wages, which had gone up nationally, and had resulted in an increase in their cost base. He explained that if Alive Leisure did not react and look at ways to generate additional income they would eventually be in a negative budget position.

The Chairman of the Trust acknowledged the concerns raised regarding the proposed increase in swimming fees, but he felt that fees were currently very cheap. He explained that at the moment there was a complex web of costs within Alive Leisure and the intention was to simplify the price structures. It would be important to do this before moving to an online booking system.

Michael Andrews from Alive Leisure explained that Charities could not run at a deficit. Alive Leisure was a 'not for profit' organisation and any surplus achieved would be used to increase the offer, improve facilities and look at outreach programmes.

The Chairman, Councillor Sampson explained that he understood the challenge that Alive Leisure faced, but he did not support the proposed increase in swimming fees. He felt that Alive Leisure needed to rethink some of their proposals and where their priorities should lay and he looked forward to seeing what they would come back with at the next meeting.

RESOLVED:

- (i) Generally the Panel did not support the proposed increase in fees and charges above the rate of inflation.
- (ii) The Panel's comments would be considered by Alive Leisure and a further report on fees and charges would be presented to the next meeting of the Environment and Community Panel on 4th January 2018.
- (iii) Any other comments or questions on the report could be directed to Alive Leisure in advance of the next meeting.
- (iv) That the statistics as requested by the Panel on breakdown of charges, attendance details and the impact on income and usage should the fees be increased to be presented to the next meeting.

RETURN TO OPEN SESSION

EC59: **SCRUTINY ARRANGEMENTS REVIEW CABINET REPORT**

The Chief Executive presented the Cabinet report which detailed the conclusions from the Scrutiny Structures Task Group over a year on from the Scrutiny restructure which had taken place in 2016. The report considered the responses from a questionnaire on Scrutiny

structures which had been issued to all Councillors. 50% of Members had responded to the questionnaire.

The Chief Executive provided detail of the recommendations which the Task Group would be presenting to Cabinet and the Panel were invited to consider the proposals and make any appropriate recommendations to Cabinet. It was noted that the Report would also be considered by the Regeneration and Development Panel and Corporate Performance Panel both of which would have the opportunity to make recommendations to Cabinet.

The Chairman thanked the Chief Executive for his report and invited questions and comments from the Panel, as summarised below.

The Leader, Councillor Long thanked the Scrutiny Structures Task Group for the report and all the work which had been carried out. He also thanked the Members who had responded to the questionnaire. The Leader welcomed input from the Panel, which would be considered by Cabinet and he stressed the importance of the Council having a strong Scrutiny system. He reminded those present that the arrangements would be reviewed again in twelve months.

The Panel discussed the role of 'back-benchers' and the importance of all Councillors being able to put suggestions forward for consideration on the Panel's Work Programme. The Leader encouraged all Members to put forward Scrutiny items for consideration on the Work Programme. He referred to recommendation six which encouraged Panels to work with the relevant Portfolio Holder who could provide detail of what was happening within their Portfolio so that the Panel could incorporate potential items into the Work Programme. He stated that the Work Programme should be led by Councillors and not just officers and the Chairman.

The Panel discussed recommendation seven, which was that the Leader would nominate the Panel Chairs for agreement at Council and the Vice Chairman be appointed by the Panel. The Portfolio Holder for Environment, Councillor Devereux explained that he was a Member of the Scrutiny Review Task Group and a lot of in depth discussions had taken place, especially regarding on how Chairman and Vice Chairman should be appointed. Generally the Panel supported the current arrangements, which were that the Chairman and Vice Chairman were appointed by their respective Panel.

The Panel also discussed recommendation nine, which was that the appraisal of Chairman be investigated. In general Members felt that if the Panel elected their own Chairman and Vice Chairman, this would, in effect, be the appraisal process, as if the Chairman was not performing, they were unlikely to be re-elected the following year.

The Chief Executive highlighted the appendix to the report, which was a role profile for Chairman and he referred to the Key Points in the

profile explaining that regardless of how the Chairman was appointed, they would need to be effective and adhere to the role profile.

Councillor John Collop explained that he had encouraged all Labour Members to complete the questionnaire, and he was disappointed with the 50% response rate. He referred to recommendation two, and explained that the Audit Committee considered some very complex documents and it was imperative that Members were sufficiently trained in this area. Councillor John Collop also referred to the appointment of Panel Chairman and Vice Chairman and he explained that at one point, where the Panel were voting on the Chairman, he had had the casting vote and he warned that it was important not to leave the vote too open as other Councillors could take advantage and not necessarily appoint the most appropriate person. He explained that it was important for the best person for the role to be appointed and it had to be done properly by following a set procedure.

The Panel, in discussing recommendation nine, felt that it was important to have a procedure in place, if Panels were appointing their own Chairman and Vice Chairman, so that all Panels held the election in the same way. Reference was also made to secret ballots, and if the prospective candidates should be asked to make a speech.

The Panel discussed recommendation two and it was suggested that all Audit Training should be mandatory, not just the initial training. Councillor Fraser commented that when she had acted as a substitute on the Audit Committee she had found the training invaluable.

RESOLVED: That the Environment and Community Panel make the following recommendations to Cabinet:

- a) The Environment and Community Panel supported recommendations 1), 3), 4), 5), 6), 8) and 10) as set out in the Report and replicated below.
- b) The Panel recommended to Cabinet that recommendations 2) and 7), be amended as set out below.
- c) The Panel recommended to Cabinet that recommendation 9), as set out below, be deleted
 - 1) That all the current arrangements continue with the exception of these items listed below.
 - 2) **AMENDED RECOMMENDATION** That the attendance of Audit Members for Audit training should be obligatory.
 - 3) That Panels be encouraged to use the powers available to them and therefore make clear recommendations on items coming before them so they can be incorporated into reports in the process of being prepared, or taken into account at the Cabinet meeting.

- 4) That Panels should consider their own performance indicators and they be encouraged to monitor the progress in line with the Corporate Objectives through that route.
- 5) That the number of post implementation reviews undertaken be monitored by the Joint Chairs Meetings.
- 6) That in working on policy development and reviews and project programme work, Panels be encouraged to have discussions with portfolio holders:
 - For example – Cabinet Members could attend a Panel meeting at the beginning of the year to discuss their plans for the year in order to incorporate potential items into work plans in accordance with the Business Plan.
- 7) **AMENDED RECOMMENDATION:** That the current arrangements for election of Chairman and Vice Chairman continue in that the Panels elect their own and an election procedure be created to ensure consistency across the Panels.
- 8) That terms of reference be approved for Chairs of Scrutiny bodies (set out as an appendix). (NB they include the points raised in question 15 set out in the report).
- 9) **DELETE RECOMMENDATION:** That the appraisal of Chairs be investigated
- 10) That the amended arrangements be reviewed after a further 12 months of operation.

EC60: **BUDGET**

The Executive Director for Finance Services presented the Panel with information on the Council's Budget. She explained that the presentation (as attached) would also be presented to the Regeneration and Development Panel and the Corporate Performance Panel and any comments made by the Panels would be included in the report to Cabinet in February 2018.

The Executive Director explained that the Council should know their Government settlement just before Christmas and then a report would be presented to Cabinet and Council in February 2018.

The Chairman thanked the Executive Director for her presentation and invited questions and comments from the Panel, as summarised below.

Councillor Hipperson referred to Parish Council Audits and guidance on how much they should keep in Reserves. He explained that he had been advised that one year's expenditure should be kept, which could be the reason why some Parish Councils increased their precept. The Executive Director explained that guidance should be available on the National Association of Local Councils website.

In response to a question from the Vice Chairman, Councillor Lesley Bambridge, the Executive Director explained that the increase in car parking charges had not yet been decided. She explained that the core three hour charge would be looked at and then other charges would be determined from that.

Councillor John Collop asked if projections for the rate of inflation were included and if Brexit would have an impact on the Council's budget. The Executive Director explained that she did not yet know what affect Brexit may have on the economy so this had not yet been factored into the Council's Budget. She explained that the rate of inflation was included in the projections and interest rates were also considered. The Executive Director commented that some assumptions had to be made and this would be detailed in the Cabinet report.

Councillor Fraser referred to the proposals to increase the Council tax charges on empty properties and she asked if it was easy to find out where empty properties were and who they belonged to. The Executive Director explained that the Housing and Council Tax Departments would be able to provide the information. The Leader, Councillor Long explained that the Council would need to make a decision, in the future, on how much, and if an additional levy would be placed on empty homes. He commented that he would support the maximum increase as empty properties could sometimes be subject to antisocial behaviour or become derelict and the additional charge may encourage some owners to bring the houses back into use.

RESOLVED: The Environment and Community Panel noted the presentation.

EC61: **WORK PROGRAMME**

Members of the Panel were reminded that an eform was available on the Intranet which could be completed and submitted if Members had items which they would like to be considered for addition to the Work Programme.

The following items were suggested for inclusion on the Work Programme:

- Update on the Docks
- Surface Water Management and Dykes
- Update on the Tree Strategy

RESOLVED: The Panel's Work Programme was noted.

EC62: **DATE OF THE NEXT MEETING**

The next meeting of the Environment and Community Panel would be held on **Thursday 4th January 2018** at 6.00pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn.

The meeting closed at 8.35 pm