

# **CULTURE, LEISURE AND TOURISM PORTFOLIO**

## **DECISION RECORD**

21 FEBRUARY 2012

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

**Present:**

Councillor Cath Hill (Culture, Leisure and Tourism Portfolio Holder)

Officers: Denise Ogden, Assistant Director, Neighbourhood Services  
Pat Usher, Head of Sport and Recreation  
Robin Daniels, Archaeology Officer  
Helen Beaman, Environment Coordinator  
David Cosgrove, Democratic Services Team

### **15. Block Booking Arrangements of Leisure Centre Sports Halls** *(Director of Child and Adult Services)*

**Type of decision**

Non-key.

**Purpose of report**

The purpose of the report is to seek Portfolio Holder approval for the introduction of sports hall block bookings for individuals within the Leisure Centre facilities, effective 1st April 2012.

**Issue(s) for consideration by Portfolio Holder**

The Head of Sport and Recreation reported that current policies and procedures for the booking of council leisure centre facilities had been in place since first adopted in 1987 with the opening of Mill House Leisure Centre as the town's first leisure centre facility.

Whilst these have been previously reviewed in the 1990's owing to compulsory competitive tendering, in 2002 when the Active Card was introduced and in 2006 with the addition of the Headland Sports Hall, they have not altered from the original set. A recent review of these has, however, identified a need to reconsider those relating to the block booking of the sports halls and perhaps bringing these more in line with others operated by different providers in Hartlepool as well as those across the region.

As there was an increasing demand for the sports hall facilities, it was proposed to introduce block booking arrangements for individuals for the

sports halls only under the following terms and conditions:-

- To be made available to Active Card members only. (Membership is renewed annually on 1st April).
- Individual Block Bookings will be available for a 6 month period; either 1st April to 30th September or 1st October to 31st March.
- Space to a maximum of a 4 Court Hall to be available for block bookings (5aside, Basketball, Badminton x 4 courts etc.). Courts 5 and 6 at Mill House Leisure Centre would not be made available for block bookings to retain flexibility of hall space for other users.
- No single court "Individual Block Bookings" will be taken.
- All block bookings will be available during all opening hours.
- A premium rate charge of £1.00 per 4 court booking will be levied against each individual block booking – e.g. 26 weeks @ 6.00pm to 7.00pm on a Wednesday will incur a £26.00 premium on top of the normal hire charge.
- The block booking in its entirety can be cancelled at any time in writing with no penalty charges incurred provided that at least 14 days notice is given.
- Cancellations of individual bookings must be made in writing eight days in advance, otherwise will be charged the full hire rate even if the courts are re-let.

The proposed model followed examples in place elsewhere and should provide equal accessibility as well as giving the opportunity to generate additional income.

There were existing Active Card customers who regularly use the hall facilities on a weekly basis via the seven day advance booking system; therefore, it was further proposed to offer these customers the first opportunity of securing facilities via a block booking arrangement.

The arrangements currently in place for clubs and affiliated groups will remain unchanged.

### **Decision**

That the revision to the leisure centre block booking arrangements for introduction from 1st April 2012 be approved.

## **16. Local Government (Access to Information) (Variation) Order 2006**

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 the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

17. Brierton Sports Centre Operating Arrangements - This item contained exempt information under Schedule 12A Local Government Act 1972, namely, paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **17. Brierton Sports Centre Operating Arrangements**

*(Director of Child and Adult Services)*

### **Type of decision**

Non-key.

### **Purpose of report**

The management and operation of Brierton Sports Centre returned to Council control on December 23rd 2011. This occurred as a consequence of Dyke House School returning to their own school site following the early completion of their refurbishment works.

The report therefore served to update the Portfolio Holder on the temporary operating arrangements currently in place and to seek approval for proposals relating to the future operation of the sports facilities as from April 1st 2012.

### **Issue(s) for consideration by Portfolio Holder**

The Head of Sport and Recreation reported that the Brierton Sports Centre site's management arrangements had formally transferred over to the Council on December 23rd 2011 and at the same time, any remaining sports staff not required at the Dyke House school site, were subject to a TUPE transfer and became Council employees.

Whilst it was evident that a review of the operation of the site would be required, Officers within the Sport and Recreation service needed to first familiarise themselves with the site, its facilities and usage before any decisions could be made. In addition to this, a major change had already occurred with the facility no longer being required for school use and had, to all intents and purposes, become a major public facility virtually overnight. Consequentially, whilst parity with the other two Council leisure centre sites would be required, it was however agreed that the introduction of any changes potentially affecting any existing users of the Brierton facilities remaining in operation, would be delayed until April 1st 2012.

The report set out the current arrangements at the Brierton site in relation to the building operation and opening hours, staffing arrangements and activity charges.

In reviewing the management of the site one of the initial changes proposed was to the opening hours which were set out in appendix 1 to the report which would see the site open from Monday to Friday 8.00 a.m. to 10.00 p.m. and Saturday and Sundays 9.00 a.m. to 5.00 p.m.. It was discussed at the meeting that seasonal arrangements for Badminton Club

would continue to allow them to continue their club activities after weekend closing times.

The revisions also extended to new activity charges which were set out in appendix 2 to the report. There were some arrangements with certain clubs/groups that utilised the Brierton site that required specific approvals by the Portfolio Holder. These were included in the exempt appendix 3 to the report and are referred to in the exempt section of the minutes.

In relation to the overall financial situation of the Brierton site, the Head of Sport and Recreation indicated that it was early days for the operation of the site and much was still unknown as to the running costs of the site as well as the potential to income generation. At present, a £100,000 budgetary pressure has been identified for 2012/13 but the true subsidy required; that is the gap between operating costs and income would not be known until after a full year of operation.

The Portfolio Holder asked if all the fixtures and fittings at the facility were all as they should be, as concern seemed to be raised through the report. The Head of Sport and Recreation indicated that there was still some remedial action being taken as the team became familiar with the facility. In relation to some of the price increases, the Portfolio Holder commented that while they were regrettable, they were necessary of the authority was to maintain the facilities and make them viable. The Chair asked that officers meet with all the current clubs/groups to explain the issues to them directly. The Head of Sport and Recreation stated that it was her intention to do so before 1 April.

### **Decision**

1. That the revised opening hours for Brierton Sports Centre, detailed in Appendix 1 to the report, be approved for implementation from 1st April 2012.
2. That the Sunday evening arrangements for the Badminton Club, as detailed in the report, be approved and that these arrangements be reviewed in December 2012.
3. That the revised fees and charges, as detailed in Appendix 2 to the report, be approved for introduction from 1st April 2012.
4. That the impact of the revised charges on current hirers of facilities, as detailed in exempt Appendix 3 to the report, be noted and that the new arrangements as set out in the exempt section of the minutes be implemented from 1st April 2012.

**The meeting returned to open session.**

## **18. Tees Archaeology: The Archaeology Service for Teesside** *(Director of Child and Adult Services)*

### **Type of decision**

Non-key.

### **Purpose of report**

To provide an update on the situation of Tees Archaeology from April 2012 onwards.

### **Issue(s) for consideration by Portfolio Holder**

The Archaeology Officer reported that in 1974 an Archaeological Service was created by Cleveland County Council. In 1996 this was re-named 'Tees Archaeology: The Archaeology Service for Teesside' and it was agreed that this should be a shared service of the four unitary authorities of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees unitary authorities. Hartlepool became the lead authority and the service re-located to Sir William Gray House in Hartlepool where it is currently based.

Middlesbrough Borough Council and Redcar and Cleveland Borough Council have formally notified Hartlepool Borough Council of their intention to withdraw from Tees Archaeology from 1st April 2012. The withdrawal of Middlesbrough and Redcar and Cleveland will reduce the budget contributions by half and will leave a significant shortfall.

It is proposed to address this by seeking additional funded work and by looking to reduce salary costs through negotiations with the staff. The latter are ongoing and the Trade Union was involved in these.

A Protocol, submitted as appendix 1 to the report, had been drawn up in conjunction with the Council's Legal Services Division in order to establish the approaches and actions leading up to and following the withdrawal of Middlesbrough and Redcar and Cleveland Borough Councils from Tees Archaeology.

The Archaeology Officer responded to the Portfolio Holder's questions by indicating that at this time there was a reasonable chance that the necessary funded work could be achieved and combined with other potential cost savings the budget could be achieved for the next financial year. The Portfolio Holder was concerned at how the two councils withdrawing from the service would meet their statutory duties in this regard.

The Portfolio Holder expressed her strong support for retaining the service and recorded her thanks to Stockton-on-Tees BC for maintaining their funding.

### **Decision**

1. That the Council reaffirms its support of Tees Archaeology provided that a sustainable financial future could be established.
2. That the Council convey their thanks to Stockton Borough Council for their continued support of Tees Archaeology.
3. That the Council regrets the actions of Middlesbrough and Redcar and Cleveland councils in withdrawing from the successful, long established shared service of Tees Archaeology and hope that they may re-consider this in the future.

## **19. Tees Valley Times: Art and Archaeology Explored Heritage Lottery Bid** *(Director of Child and Adult Services)*

### **Type of decision**

Non-key.

### **Purpose of report**

To seek approval for the continued development and submission of a bid to the Heritage Lottery Fund for a project entitled 'Tees Valley Times: Art and Archaeology Explored'.

### **Issue(s) for consideration by Portfolio Holder**

The Archaeology Officer reported that Tees Archaeology and Tees Valley Arts were developing a joint project to combine heritage and creative activities to raise awareness of heritage sites of the Tees Valley area.

Tees Archaeology would identify heritage locations that schools could visit and would provide information about them. Artist residencies in ten schools would be organised by Tees Valley Arts and these would use site visits and creative approaches to help the schools use these locations as part of the curriculum. Discussions with the Heritage Lottery had indicated that they would welcome a bid based on the project outlined and a 'Pre-Application' submission had been made on the basis of this.

Tees Archaeology and Tees Valley Arts were now working on the Stage 1 application for the project and it was hoped to submit this in time for either the March or June 2012 round of HLF meetings. The project would have a total value of around £153,000 and a grant of approximately £145,350 would be sought from the heritage lottery. The remaining amount comprised the match funding and this would be split between the schools who take the artists residencies, Tees Archaeology and Tees Valley Arts.

The Portfolio Holder asked which schools would be involved with the project if successful. The Archaeology Officer indicated that it was mainly primary schools that would be approached, as it was easier to accommodate this kind of project into their curriculum, and this would include schools from Hartlepool and Stockton. The Portfolio Holder fully supported the bid and looked forward to a favourable outcome.

### **Decision**

That the continued development of the bid and its submission to the Heritage Lottery Fund be approved.

## **20. Allotments – Devolved Management** *(Assistant Director, Neighbourhood Services)*

### **Type of decision**

Non-key.

### **Purpose of report**

To present a realistic framework which enables an Allotment Association to progress towards, and ultimately achieve, self-management of its respective allotment site. The report also specifies how the Council will secure its own interests as landowners and statutory providers of the allotment service.

To seek approval to implement the proposals contained in the report.

### **Issue(s) for consideration by Portfolio Holder**

The Assistant Director, Neighbourhood Services reported on the background to the current devolved management arrangements for allotment sites in Hartlepool. The report outlined the current strategy on developing and supporting the formation of allotment associations, the current situation at the various sites around the town and both the advantages and concerns with the current devolved management arrangements.

In moving forward the concept of devolved management established in the Allotment Development Strategy 2010-2015 the Assistant Director indicated that the Council proposed to adopt a framework developed by the Allotment Regeneration Initiative (ARI), which set out the stages that an Association needed to progress through in order to increase their level of autonomy from the Council. The ARI recommends that Associations work closely with the Council to gradually progress through these stages over a period of say two to three years. It was important that Associations were able to identify their appropriate level on the framework and not attempt to jump straight to the final stages.

In considering an application for devolved management, the Council will only recognise one constituted Association from any one allotment site, which should itself be representative of the majority of allotment holders at that site.

Associations wishing to progress towards devolved management will be assisted through this framework by the Allotment Team. A checklist and guidance notes have been developed to help with the completion of each stage of the process; these are attached at Appendix B.

In addition to the devolved management framework, it was also proposed that the level of rental income handed to the Association is reflective of the level of input required by the Council to run the site. Given that the Council would always retain a degree of involvement and responsibility in providing the allotment service, it was proposed the maximum amount handed over to an Allotment Association would not exceed 75% of the total income generated at its respective site. The following scale was indicative of the amount of income that will be handed to the Allotment Association, depending on its position on the framework i.e. Level 1, 2, 3 or 4:

Level 1	0%
Level 2	0%
Level 3	50%
Level 4	75%

There would be five steps to the self management framework – Dependence, Participation, Delegation, Semi-Autonomy and Autonomy – and the implications of each step for an allotment association was set out in the report. The detailed risks of devolved management without an appropriate framework were also set out.

The Assistant Director also highlighted the legal benefits of establishing the proposed framework, particularly in clearing up some of the 'grey areas' regarding liabilities and securing the council's position.

The Portfolio Holder welcomed the proposals and considered that the town's allotment provision was one of the under appreciated services. The Portfolio Holder considered that the scale of transfer of rental income proposed was a much more appropriate scheme than before and reflected that the council would still have an ongoing responsibility.

The Portfolio Holder indicated that she had received a number of calls in relation of the recently approved rental increases but considered that the twenty year programme of prudential borrowing to improve facilities at the sites, together with this devolved management scheme reflected the council's commitment to the long term future of the town's allotment sites.

### **Decision**

1. That the report be noted and the devolved management framework and proposals be approved.
2. That approval be given to the proposed portion of rental income handed over to an Association being relative to its position on the framework and reflective of the level of input required by the Council to run the site.



**21. Diversion of Public Footpath – Kipling Road** *(Assistant Director, Neighbourhood Services)*

**Type of decision**

Non-key.

**Purpose of report**

To inform the Portfolio of the Planning Committees decision regarding the diversion of Public Footpath No 9, Kipling Road, Hartlepool as shown on the plan attached to the report.

**Issue(s) for consideration by Portfolio Holder**

The Assistant Director, Neighbourhood Services reported on a proposal to divert Public Footpath No 9, Kipling Road, Hartlepool which had been considered and approved by the Planning Committee at its meeting on 6 January 2012 (minute 107 refers).

**Decision**

That the report be noted.

**22. Diversion of Public Footpath - Amerston Hill** *(Assistant Director, Neighbourhood Services)*

**Type of decision**

Non-key.

**Purpose of report**

To inform the Portfolio Holder of the Planning Committees decision regarding the diversion of Public Footpath No 20, Elwick Parish, at Amerston Hill as shown on the plan attached to the report.

**Issue(s) for consideration by Portfolio Holder**

The Assistant Director, Neighbourhood Services reported on a proposal to divert Public Footpath No 20, Elwick Parish, at Amerston Hill which had been considered and approved by the Planning Committee at its meeting on 6 January 2012 (minute 108 refers).

**Decision**

That the report be noted.

The meeting concluded at 11.00 a.m.

**P J DEVLIN**

**CHIEF SOLICITOR**

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