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**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE
Town Hall, Main Road, Romford
14 November 2011 (7.30 - 11.00 pm)**

Present:

Councillors Fred Osborne, (Chairman), + Robby Misir, Garry Pain, Keith Wells, + Frederick Thompson, Linda Hawthorn, + Barbara Matthews and Paul McGeary

+ Frederick Thompson (for Wendy Brice-Thompson), Robby Misir (for Osman Dervish) and Barbara Matthews (for Ray Morgon)

Apologies for absence were received from Councillors Brice-Thompson, Dervish and Ray Morgon.

Also present were Councillors Lesley Kelly, Andrew Curtin, Keith Darvill, Denis O' Flynn, Denis Breading and Pat Murray.

There were no declarations of interest.

The Chairman announced the arrangements to be followed in the event of the building needing to be vacated as the result of an emergency.

11 COMMUNITY HALLS MANAGED BY CULTURE AND LEISURE SERVICES - REQUISITION OF CABINET DECISION

CABINET DECISION

Cabinet agreed on the 26 October 2011

1. To the closure of Dukes Hall, as from April 1st 2012 and to delegate to the Lead Members for Value and the Lead Member for Culture, Towns and Communities authority to agree terms for its disposal.
2. To agree to demolish Old Windmill Hall now, to be initially funded from Capital Contingency, which will be reimbursed from the Dukes Hall receipt
3. In principle, to a proportion of the capital receipt arising from the disposal of Dukes Hall being utilised to deal with urgent repair and maintenance issues at the New Windmill Hall and Tweed Way Hall, assuming that these two halls transfer to a community organisation under a Lease Agreement. To delegate the decision on the level of capital spend from the

Dukes Hall receipt on alternative community halls managed by Culture and Leisure Services, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.

4. In principle, to the transfer of the management of the New Windmill Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
5. In principle, to the transfer of the management of the Tweed Way Hall to a community group or, in the event of this not proving possible, bring a further report back to Cabinet for consideration of subsequent options.
6. To delegate decisions on all property matters associated with the transfer of New Windmill Hall and / or Tweed Way Hall, including the criteria for selecting the preferred voluntary group if more than one group expresses an interest in managing one of the halls, the selection of the preferred community group (s) and finalising lease terms, to the Lead Member for Value and the Lead Member for Culture, Towns and Communities.
7. In principle, to protecting existing bookings at those community halls that transfer to a community group, to be set out in relevant agreements;
8. To the demolition of the Old Windmill Hall building given the danger it poses to people who might try to enter the site, subject to the Dukes Hall site being disposed of and to be funded from the associated capital receipt
9. To receive a further report on the option of disposing of the Old Windmill Hall site and adjoining land, to secure further investment in the New Windmill Hall facility for the purposes of leasing the building to a community group and surrounding facilities, in the context of improving the local environment and taking account of the setting of nearby listed buildings.
10. In principle to Cottons Hall being reopened when a Lease can be agreed with a suitable community organisation or, if this does not prove possible, to receive a further report on the future of the site.

The decision had been requisitioned by Councillors Clarence Barrett and Keith Darvill.

The reasons for the requisition were as follows:

- A) That the Cabinet Report dated 26 October 2011 did not provide adequate and detailed information to facilitate an informed opinion on the proposals for the future of Community Halls referred to in the report. The report should have set out in detail inter alia the following:
- 1) the capital cost of refurbishing each hall (paragraph 1.5 of the report alluded to this but failed to explain);
 - 2) the current income and expenditure budgets for running each of the halls;
 - 3) the breakdown as to how the proposed revenue budget savings (£60k in 2012/13 and £107k in 2013/14) would be achieved;
 - 4) the approximate market value of capital receipt should Dukes Hall be sold and information as to whether the proposed sale included the adjoining car park;
 - 5) the future plans for the Old Windmill site and the approximate resale value of the land upon which it was sited;
 - 6) the future of Cottons Hall should a lessee not be found;
- B) There was an absence of information about the consideration given (if any) to an alternative strategy of refurbishing the Halls without having to sell Dukes Hall.
- C) There was an absence of information about the past and possible improved/alternative marketing strategy that could be adopted to promote the use of Community Halls.
- D) There appeared to be little or no consultation with the existing users regarding the proposals and a lack of information about the timescales involved.
- E) There remained uncertainty about the future of New Windmill and Tweed Way if lessees were not identified and contractual arrangements entered into. Recommendations 4 and 5 of the Report stated that a further report will come back to Cabinet if lessees were not found, but paragraph 4.1 stated that the halls would close if no lessees were found.
- F) There appeared to be inadequate support and planning and an absence of assurances provided to the existing user groups at Dukes Hall who may have to relocate.

- G) Recommendation 7 in the Report indicated that existing bookings would be protected –however it did not state whether this protection extended to regular bookings as well as one-off bookings.

Councillor Barbara Matthews presented the requisition.

The following replies were given to the questions submitted

1) The capital cost of refurbishing each hall (paragraph 1.5 of the Report alludes to this but fails to explain);

The cost to refurbish each hall were known and were based on the most recent condition survey available, less the items that have previously been addressed, plus new known items.

The reason why the figures were not included in the Cabinet report was because the Council did not wish to put off or mislead potential partners and the figures were, in any case, subject to a new condition survey in due course.

The Council wished to keep the figures confidential for this reason, but a private and confidential letter could be written to Councillors Barrett and Darvill, setting out the relevant figures.

2) The current income and expenditure budgets for running each of the halls;

The current budgets are shown below

	Income Target	Expenditure (Net)
Dukes Hall	£56,860	£92,510
New Windmill Hall	£59,810	£81,200
Tweed Way Hall	£32,120	£47,950

3) The breakdown as to how the proposed revenue budget savings (£60k in 2012/13 and £107k in 2013/14) would be achieved;

The annual budget for the three halls was as follows:

Dukes Hall	£35,650
New Windmill Hall	£21,390

Tweed Way Hall	£15,830
Sub-Total	£72,870
Social Halls General	£35,640
Total	£108,510

The above demonstrated how the full saving in 2013/14 would be met. A Social Halls General budget allowed for the overall management of the social halls, for example a Senior Halls Steward. With the halls moving out of the direct control of Culture and Leisure, the Social Halls General budget was no longer required. The individual halls budgets also would not be required, with Dukes Hall closing and New Windmill and Tweed Way Halls being transferred to a community organisation.

The saving in 2012/13 of £60k allowed for the retention of a proportion of the above budgets for completing transfer to community organisations and decommissioning of Dukes Hall, for example boarding up, security etc.

4) The approximate market value of capital receipt should Dukes Hall be sold and information as to whether the proposed sale includes the adjoining car park;

The approximate market value of capital receipt should Dukes Hall be sold was commercially sensitive information and could not be revealed as this might compromise the Council's desire to maximise the commercial value of the site. The exact demise had not yet been established.

5) The future plans for the Old Windmill site and the approximate resale value of the land upon which it is sited;

Plans were being formulated and a report would be submitted to Cabinet in due course. As no decision had been made as to whether any land would be sold and, if so, what the demise of the land might be, it was not possible to provide an approximate "resale" value at the time.

The need to demolish the Old Windmill Hall was on grounds of Health and Safety.

6) The future of Cottons Hall should a lessee not be found;

Should a lessee not be found for Cottons Hall, it was expected that a report would be submitted to Cabinet at a future date for consideration of the options available.

B) There was an absence of information about the consideration given (if any) to an alternative strategy of refurbishing the Halls without having to sell Dukes Hall.

In light of the reduction in the Council's Capital Programme and other financial pressures, the most realistic way to secure the Capital required to refurbish the other halls was to utilise a capital receipt from the sale of Dukes Hall. Consideration had been given within the Halls Review to closing other halls rather than Dukes, but Dukes was considered to be the best option following a spatial review of community hall provision across the borough.

The strategic approach for community halls going forward took into account the opportunities Community Associations have of obtaining external funding, through avenues not open to the Council. In order to reach a position whereby a community association would be interested in taking over the management of the two halls referred to in the report, it was considered necessary to address known issues at each hall as identified through condition surveys ahead of handing these halls over.

C) There is an absence of information about the past and possible improved/alternative marketing strategy that could be adopted to promote the use of Community Halls.

Improved marketing of the Community Halls was an area that had been reviewed. A number of actions have been taken to improve the marketing of the three halls referred to within the report including; regular adverts in YELL and on YELL.com, adverts and articles in Living, presence on the Council's website, adverts in wedding brochures, local papers and printing of publicity brochures. Banners had also been positioned in prominent positions outside each of the halls to let passers by know what the facility was and that it was available for hire.

A list of all the activities provided by regular hirers had been produced and promoted with the aim of increasing attendance at these sessions. This not only increased the sustainability of groups using the halls, but also introduced potential new hirers to the halls.

Despite the increased marketing activity the use of the halls was still relatively low over all (compared to the time available for such use) and was not sufficient to generate the level of income required to make the necessary investments.

D) There appeared to be little or no consultation with the existing users regarding the proposals and a lack of information about the timescales involved.

The Council did not undertake consultation prior to the Cabinet decision as it did not want to cause unnecessary distress or uncertainty to the groups and individuals who had bookings at the Council's directly managed halls.

However, an assessment of the impact on the user groups was completed, including an Equality Analysis that considered the impact on groups with protected characteristics.

All regular hirers of each of the three halls had been contacted by letter, outlining the Cabinet decision, the fact that the report had been requisitioned, and an outline of the dates either that Dukes will close or that New Windmill and Tweed Way Halls would transfer to Community Associations. Each regular hirer had been invited to a one to one consultation meeting with officers at the end of November or beginning of December. Officers present would be from Culture and Leisure and Community Engagement. Research was currently ongoing looking into alternative provision, suitability and availability.

E) There remained uncertainty about the future of New Windmill and Tweed Way if lessees were not identified and contractual arrangements entered into. Recommendations 4 and 5 of the Report stated that a further report would come back to Cabinet if lessees were not found, but paragraph 4.1 stated that the halls would close if no lessees were found.

It was confirmed that if New Windmill Hall and Tweed Way Hall were not to be managed by community associations then a further report would be submitted to Cabinet to include future options. The reference in 4.1 related to the agreed MTFS savings, but it was the Council's intention to seek to transfer the management of the two halls, so it was hoped that a closure could be avoided. Recommendation takes precedent over the reference in 4.1.

F) There appeared to be inadequate support and planning and an absence of assurances provided to the existing user groups at Dukes Hall who may have to relocate.

The answer to this question was previously given in answer to question D.

G) Recommendation 7 in the Report indicated that existing bookings would be protected –however it did not state whether this protection extended to regular bookings as well as one-off bookings.

Cabinet agreed in principle to protect existing bookings at those halls that transfer to a community group. It was expected that this would extend to all bookings, whether regular or one off. This in part would be dependent on the 'new' community association being willing to take on the existing bookings and how these fitted into their business plan for the hall. The Council would do what it could to ensure that existing and future bookings were honoured. This could not be guaranteed but the Council would use its "best endeavours" to achieve this.

Following discussion members debated the merits of the proposals.

Members expressed concerns over the disposal of Dukes Hall as it was one of the largest halls in the borough, was well used and provided an excellent nursery facility.

Members agreed that the transfer of Tweed Way and New Windmill Halls was appropriate but there was still some uncertainty over the proposal to sell Dukes Hall which had proved its worth in the past.

Mention was made that that perhaps pre-scrutiny should have taken place before the report had been agreed by Cabinet.

Several members felt that the requisition had exposed contradictions and errors in the report and still felt that the report did not provide enough information on alternative funding options.

The Cabinet member for Culture, Towns and Communities replied that it was the correct decision to transfer Tweed Way and New Windmill Halls to the community to raise funds.

Dukes Hall had been an opportunistic purchase and the figures shown were the furthest out of line of budget.

The Cabinet member advised that the decision taken was the correct one in providing the best funding options for the Council and recommended that the Committee not uphold the requisition.

The proposal that the requisition be upheld (and therefore that the matter be referred to the Cabinet for further consideration) was LOST (by 5 votes to 3) and it was therefore **RESOLVED**:

That the requisition of the executive decision by Cabinet dated 26 October 2011 not be upheld.

The voting was as follows

Councillors Osborne, Misir, Pain, Thompson and Wells voted against the resolution.

Councillors Matthews, McGeary and Hawthorn voted for the resolution.

12 **APPROVAL OF PREFERRED DEVELOPMENT PARTNER FOR THE BRIAR ROAD ESTATE - REQUISITION OF CABINET DECISION**

CABINET DECISION

At its meeting on 26 October 2011, Cabinet considered a report concerning the approval of a preferred development partner for the Briar Road Estate.

Cabinet RESOLVED

1. To approve Notting Hill Housing Group, as the Preferred Development Partner for the Briar Estate, subject to the final agreement of terms and the satisfactory conclusion of legal agreements;
2. To approve Notting Hill Housing Group's Variant offer as set out in the Exempt Appendix to the report.
3. To request the Preferred Development Partner to proceed with the development of their design proposals, including consultation with residents, in order to submit a planning application(s);
4. To authorise the Property Strategy Manager, the Head of Housing & Public Protection and the Assistant Chief Executive Legal and Democratic Services to provisionally agree Heads of Terms, deal with all matters arising and prepare the appropriate legal agreements with the Preferred Development Partner for the disposal and development of land in accordance with the principles of the Briar Development Brief and Improvement Proposals and subject to final approval of the terms by the Lead Members of Housing and Public Protection and Value;
5. To authorise the Head of Housing and Public Protection under section 167 (2E) of the Housing Act 1996 to consult on the development of a local lettings scheme for the Briar developments;
6. To authorise the Head of Housing and Public Protection to consult stakeholders on amendments to the Lettings Policy to enable specific local lettings policies to be developed for specific developments.
7. To subject to all the above, approve £2.0 million be used to fund the schedule of Briar environmental improvements set out in para 3.13 of the report.
8. To note that the £2m Capital Budget, as referred to in 2.6., will be an addition to the Council' Capital Programme, and therefore to Resolve that this addition be referred to Council, at the next appropriate opportunity – as reported in para 5.3.

REASONS FOR REQUISITION

- 1) The decision to proceed with the preferred partner should not be made without a general understanding of the design and location

proposals relating to the development of 164 new homes within Briar Road Estate;

- 2) To give greater consideration to the impact on the public services infrastructure of increasing the population of the Briar Road Estate by an estimated 500 people (12.5%) including the implications for education and health services.
- 3) The Cabinet Report and initial consultation had not identified the location within the estate of:-
 - a) the development proposals;
 - b) the number of garage/parking spaces to be lost and the consequent implications of the displacement of vehicles on the estate roads; and
 - c) the amount of green space to be lost as a result of the development proposals

Councillor Keith Darvill presented the requisition.

Councillor Darvill commented that there had been some residential consultation over the past year. Residents and Ward Councillors were in favour of a scheme that improved the estate with better lighting, closure of alleyways and other general improvements. However it was felt that the report that went to Cabinet was not specific enough in giving details of exact locations of additional housing and other improvements to the area.

Councillor Darvill asked that careful consideration be given to the scheme so that resident's queries could be answered in full.

In reply officers advised that the report that went before Cabinet was very clearly defined and the purpose was not to withhold information.

Two million pounds of investment was planned for the area with the local community benefitting from new homes that were more suitable accommodation than what they presently had and would help with any overcrowding issues.

Officers confirmed that the proposal was an overall balance in response to residents' needs. A parking survey had been carried out in conjunction with architects to minimise the loss of parking and better utilise remaining parking. Members noted that there was a high level of un-let garages in the area as residents preferred open parking spaces.

It was also confirmed that discussions had taken place between officers and representatives of the local childcare representatives at the Hildene Children's Centre and the parent and toddler group based at the Betty Strathern Centre regarding future availability of spaces. The three primary schools located in the area had confirmed that they were not reaching

critical points regarding admission numbers. Regarding secondary schooling provision the Drapers Academy had confirmed that they had the ability to offer extra places for the next five to ten years.

In relation to healthcare provision it was noted that the nearest GP surgery was located in Straight Road and was still registering new patients however it had been identified that the practice needed to re-locate to new premises to handle larger patient numbers. Members noted that initial discussions had taken place with local GPs who were interested in the idea of moving to a new larger surgery.

Members commented that several of the local primary schools would already be affected by the proposed development of properties on the former Harold Wood Hospital site.

Councillor Kelly commented that the estate had lots of green areas that were not used for the right reasons and that the area could be quite intimidating to residents and visitors.

Councillor Kelly also confirmed that there would be genuine full consultation with the residents and that so far there had not been a lot of opposition to the proposals from residents.

Members agreed that although mini consultations were good residents needed to see the bigger picture and should be consulted on the scheme as a whole.

The proposal that the requisition be upheld (and therefore that the matter be referred to the Cabinet for further consideration) was LOST (by 5 votes to 3) and it was therefore **RESOLVED**:

That the requisition of the executive decision by Cabinet dated 26 October 2011 not be upheld.

The voting was as follows

Councillors Osborne, Misir, Pain, Thompson and Wells voted against the resolution.

Councillors Matthews, McGeary and Hawthorn voted for the resolution.

13 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman