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# Children's Services Scrutiny Committee

Date: **Monday, 29th September, 2008**

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Time: **10.00 a.m.**

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Place: **The Council Chamber, Brockington, 35  
Hafod Road, Hereford**

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Notes: Please note the **time, date** and **venue** of the meeting.

*For any further information please contact:*

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**E-mail: [pjames@herefordshire.gov.uk](mailto:pjames@herefordshire.gov.uk)**

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**Herefordshire Council**



HEREFORDSHIRE  
COUNCIL



# AGENDA

## for the Meeting of the Children's Services Scrutiny Committee

<b>To:</b>	<b>Councillor</b>	<b>SJ Robertson (Chairman)</b>
	<b>Councillor</b>	<b>WU Attfield (Vice-Chairman)</b>
	<b>Councillors</b>	<b>ME Cooper, BA Durkin, P Jones CBE, G Lucas, JE Pemberton, RV Stockton, AM Toon, WJ Walling and JD Woodward</b>
	<b>Church Members</b>	<b>J.D. Griffin (Roman Catholic Church)</b>
	<b>Parent Governor Members</b>	<b>Mr N Parker (Secondary School Parent Governor), Mr R Stevenson (Primary School Governors) and Mr A Wood (Special School Governors)</b>
	<b>Teacher Representatives</b>	<b>Ms K Berry (Connexions)</b>
	<b>Headteacher Representatives</b>	<b>Mr S Pugh (Primary Headteacher Representative) and Mrs D Strutt (Secondary School Headteachers)</b>
	<b>Community Representatives</b>	<b>Ms D Scott (The Alliance Community Representative)</b>

### Pages

#### 1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

#### 2. NAMED SUBSTITUTES

To receive details of Members nominated to attend the meeting in place of a Member of the Committee.

#### 3. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

#### GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work

or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.

**4. MINUTES**

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To approve and sign the Minutes of the meeting held on 7 July 2008.

**5. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

To consider suggestions from members of the public on issues the Committee could scrutinise in the future.

**6. CALL-IN OF CABINET DECISION ON SWIMMING PROVISION FOR PRIMARY SCHOOLS IN HEREFORD CITY**

11 - 40

To consider the Cabinet Decision to approve the closure of St Martin's Swimming Pool with immediate effect and the subsequent capital investment in the Hereford Leisure Pool prior to the new academic year which has been called in by three Members of the Committee: Councillors WJ Walling, WU Attfield, JD Woodward.

## **PUBLIC INFORMATION**

### **HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES**

The Council has established Scrutiny Committees for Adult Social Care and Strategic Housing, Childrens' Services, Community Services, Environment, and Health. A Strategic Monitoring Committee scrutinises corporate matters and co-ordinates the work of these Committees.

The purpose of the Committees is to ensure the accountability and transparency of the Council's decision making process.

The principal roles of Scrutiny Committees are to

- Help in developing Council policy
- Probe, investigate, test the options and ask the difficult questions before and after decisions are taken
- Look in more detail at areas of concern which may have been raised by the Cabinet itself, by other Councillors or by members of the public
- "call in" decisions - this is a statutory power which gives Scrutiny Committees the right to place a decision on hold pending further scrutiny.
- Review performance of the Council
- Conduct Best Value reviews
- Undertake external scrutiny work engaging partners and the public

Formal meetings of the Committees are held in public and information on your rights to attend meetings and access to information are set out overleaf

## **PUBLIC INFORMATION**

### **Public Involvement at Scrutiny Committee Meetings**

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There are also two other ways in which you can directly contribute at Herefordshire Council's Scrutiny Committee meetings.

#### **1. Identifying Areas for Scrutiny**

At the meeting the Chairman will ask the members of the public present if they have any issues which they would like the Scrutiny Committee to investigate, however, there will be no discussion of the issue at the time when the matter is raised. Councillors will research the issue and consider whether it should form part of the Committee's work programme when compared with other competing priorities.

Please note that the Committees can only scrutinise items which fall within their specific remit (see below). If a matter is raised which falls within the remit of another Scrutiny Committee then it will be noted and passed on to the relevant Chairman for their consideration.

#### **2. Questions from Members of the Public for Consideration at Scrutiny Committee Meetings and Participation at Meetings**

You can submit a question for consideration at a Scrutiny Committee meeting so long as the question you are asking is directly related to an item listed on the agenda. If you have a question you would like to ask then please submit it **no later than two working days before the meeting** to the Committee Officer. This will help to ensure that an answer can be provided at the meeting. Contact details for the Committee Officer can be found on the front page of this agenda.

Generally, members of the public will also be able to contribute to the discussion at the meeting. This will be at the Chairman's discretion.

(Please note that the Scrutiny Committees are not able to discuss questions relating to personal or confidential issues.)

## **Remits of Herefordshire Council's Scrutiny Committees**

### **Adult Social Care and Strategic Housing**

*Statutory functions for adult social services including:  
Learning Disabilities  
Strategic Housing  
Supporting People  
Public Health*

### **Children's Services**

*Provision of services relating to the well-being of children including education, health and social care.*

### **Community Services Scrutiny Committee**

*Libraries  
Cultural Services including heritage and tourism  
Leisure Services  
Parks and Countryside  
Community Safety  
Economic Development  
Youth Services*

### **Health**

*Planning, provision and operation of health services affecting the area  
Health Improvement  
Services provided by the NHS*

### **Environment**

*Environmental Issues  
Highways and Transportation*

### **Strategic Monitoring Committee**

*Corporate Strategy and Finance  
Resources  
Corporate and Customer Services  
**Human Resources***

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**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Children's Services Scrutiny Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 7th July, 2008 at 10.00 a.m.**

<b>Present:</b>	<b>Councillor</b>	<b>SJ Robertson (Chairman)</b>
	<b>Councillor</b>	<b>WU Attfield (Vice Chairman)</b>
	<b>Councillors</b>	<b>ME Cooper, BA Durkin, G Lucas, R Mills, JE Pemberton, AM Toon, WJ Walling and JD Woodward</b>
	<b>Church Members</b>	<b>J.D. Griffin (Roman Catholic Church)</b>
	<b>Parent Governor Members</b>	<b>Mr N Parker (Secondary School Parent Governor)</b>
	<b>Teacher Representatives</b>	<b>Mr C Lewandowski (Teachers)</b>
	<b>Headteacher Representatives</b>	<b>Mrs D Strutt (Secondary School Headteachers)</b>

**In attendance: Councillors: WLS Bowen, PJ Edwards, JP French, JA Hyde (Cabinet Member - Children's Services), TM James and PD Price (Cabinet Member – ICT, Education and Achievement)**

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor P Jones CBE; Councillor RV Stockton; Ms K Berry; Mr S Pugh; Ms D Scott; Mr R Stevenson and Mr A Wood.

**2. NAMED SUBSTITUTES**

Councillor R Mills substituted for Councillor Brig. P Jones CBE. Mrs L Townsend substituted for Mr S Pugh.

**3. DECLARATIONS OF INTEREST**

Councillor A Toon declared a personal interest in Agenda item 9 – Capital Budget Monitoring – with specific reference to the Hereford Skate Park.

**4. MINUTES**

On considering the minutes of the meeting held 21 April 2008, for clarification the following points were noted:

Minute No. 53 – Swimming Provision in Hereford City and Surrounding Area – 9th paragraph 'Invited by the Chairman....' following the words 'using the Leisure Pool' add the words 'and concerns over the loss of use of the St Martins (LEA) Pool'.

Minute No. 54 – Wyebridge Academy – third point made under paragraph three, insert at the beginning 'questioned on the specification and costings for ICT provision,'.

Minute No. 58 – Revenue Budget Monitoring – Add to the end of the final sentence 'The committee noted that in relation to Assessment and Family Support there had been three overspends and one underspend and the service had not met the target.'

**RESOLVED: That subject to incorporating the above the minutes of the meeting held on 21 April 2008 be approved as a correct record and signed by the Chairman.**

**5. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

No suggestions were made by Members of the Public.

**6. PRESENTATION BY CABINET MEMBER**

The Committee received an overview of the Children and Young People's Directorate's performance, Annual Performance Assessment - self assessment (APA) and activities for 208/09.

The Cabinet Member (Children's Services) with the Cabinet Member (ICT, Education & Achievement) gave a PowerPoint presentation indicating the role of the Cabinet Members and gave an overview of the work of the Directorate.

The principal points from the presentation were:

- The Cabinet Member (Children's Services) would fulfil the lead Member role under the Every Child Matters agenda with specific responsibility for: Be Healthy, Stay Safe, Making a Positive Contribution. The Cabinet Member (ICT, Education & Achievement) would have specific responsibility for Enjoy & Achieve and Economic Well-being. Close liaison would be maintained between Cabinet Members to ensure consistency and joined-up thinking.
- Annual Assessment and Inspection (APA). Following consideration by Cabinet Members the APA self assessment document had been submitted on 26th June. The APA self assessment document together with the evaluation of grades had been included in the agenda at appendix 1 and 2. The Cabinet Member (Children's Services) commented that the self assessment grade indicated that a further inspection may be undertaken in the autumn, and that Members may be called upon by the inspection team. She felt that areas of strength could be demonstrated but further work was needed to improve the areas of Economic Well-being, Stay Safe; Positive Contribution and Capacity to Improve/Service Management.
- The Children and Young People's Directorate Plan 2008-2011 was an excellent document and provided an overarching framework for the directorate's activities and fitted in with the Children and Young People's Plan (Children's Trust). She acknowledged that there was a need to look at the quality of service, not just to meet targets.
- The Area Based Grant (£3.5m) relating to children and young people, via the Local Area Agreement would be directed by the Children's Trust to meet the needs of young people.
- Scrutiny need to continue to look at areas of performance. There was also a need to ensure that information to Committee was presented in a timely fashion.
- The improvements made to the Performance Digest, the subject of a later agenda item, now provided a clearer means of examining the data.
- The Cabinet Member (ICT, Education & Achievement) reported that discussions were being held with schools prior to the December 2008 Conference, which would involve all schools, regarding the next steps in the

Schools Review. He appreciated the situation was causing stress in schools. To speed up the discussions, between now and September he would be consulting with school principals. He also appreciated that following recent changes in the directorate management team a degree of historical knowledge had been lost. He strongly emphasised that at this stage no particular view concerning the school review had been formed.

During the course of discussion the following principal points were noted:

- Due to the national shortage of Social Workers a number of vacancies had been filled from abroad. While applicants had the required qualifications they would receive a local two week induction programme to ensure that they were fully aware of national legislation and policies.
- Questioned who could make referrals to Child and Adolescent Mental Health Services (CAMHS) the Committee were informed that, as from 2007, schools can now make referrals in addition to GPs. The directorate was working with the PCT to improve the outcomes.
- With the shared responsibility both Cabinet Members should be appraised of any issues. Responding to a suggestion that a third link be established, namely with the PCT, the Director reported that close links were already in place.
- It was pointed out that the APA (agenda page 15 5th bullet point) referred to improving dental health for children whereas no mention was made in the Directorate Plan under a similar outcome area (section 4.3.1 Be Healthy). It was also noted that recent information to Members still contained 2006 dental health statistics. The Director reported that the number of children on dental waiting lists could be circulated to Members. The PCT were making progress in reducing the length of those lists. The best way to improve dental health was the highly sensitive issue of fluoridisation of the water which she acknowledged had cost implications and impacted on all the public.
- Referring to the 'solid foundation of performance across children's services '42% showed a positive improving trend' (Directorate Plan - page 5, section 2.2) it was pointed out that 53% (39% no discernable trend and 14% show a declining trend) indicated that performance was not improving. Questions were also raised regarding the statements under the Employees Opinion Survey (section 2.3 page 6).
- Questioned on any proposed changes to the school pyramid system under the Schools Review, the Cabinet Member (ICT, Education & Achievement) stated that this formed part of the current discussions with schools. Following the December conference with schools a report would be presented to Committee.
- Concern was raised that the Local Admissions Forum had not been consulted over the 14-19 strategy and that the strategy would not be in place for a further 2 years. The Director responded that lengthy discussions had been held over the strategy and 6th Form Plans and while schools were competitive over the areas of provision, between were being built across all types of providers. The Committee noted the rurality issues of the County and that through the partnerships the strategy was moving forward. It was commented that Wyebridge Academy would provide an added diversity to provision.
- Questioned on the review of the Education Welfare Service the Director reported that this work was ongoing. While secondary schools may have differing requirements from primary schools, a local model which met the statutory requirements would be tested before implementation.

The Chairman thanked the Cabinet Members for the presentation.

**RESOLVED:** that the presentation and comments be noted and a report on the School Review be added to the Committee work programme.

## **7. REVIEW OF DIRECTORATE AND SERVICE PLAN / PERFORMANCE MANAGEMENT**

The Committee considered the Performance Digest covering the financial year 2007/08 and the Children's and Young People's Directorate Plan 2008-2011 both documents had been issued to Members as separate documents.

### Directorate Plan 2008-2011

The Directorate Plan 2008-2011 covered the Children and Young People's Directorate's contribution to support and deliver Herefordshire's Corporate Plan. It also contained the work of the Directorate to support the Children and Young People's Plan.

### Performance Digest – Year End

The Performance Digest was set out under the five outcomes of Every Child Matters. Data was set out in graphical form for the Performance Assessment Framework indicators and Best Value Performance Indicators. Key areas in each of the outcome areas were drawn to the attention of the Committee in the agenda report.

During the course of scrutinising the reports the following principal points were noted:

- The Director of Children's Services reported that the Service already worked in partnership, in particular with Health, to embrace the necessary changes through the Local Area Agreement, the Children's Trust and generally work better and more efficiently.
- The Performance Digest still contained a number of provisional figures awaiting validation.
- While the Directorate Plan covered a three year period it was an evolving document. A number of new performance indicators would be incorporated later in the year.
- While the documents contained percentage figures it was requested that actual figures be included to enable comparison.
- Reference was made to the statements in the Directorate Plan (page 6 section 2.3 Employee Opinion Survey) concerning staff moral and excessive hours. The Cabinet Member (Children's Services) commented that staff were dedicated and for example when necessary went the extra mile to ensure the safety of a child. The Cabinet Member (Corporate and Customer Services and Human Resources) recognised the dedication of the staff but in recognising the duty of care towards staff commented that if necessary excessive hours would need to be reviewed.
- Responding to questions concerning the lack of consistency in the Education Psychology Service the Director of Children's Services acknowledged there had been recruitment and retention issues within the management of the Service. Changes were needed to address these problems and while staff and schools were nervous of change the issues would be addressed.
- Questioned on the performance indicator relating to 'Referrals and Assessment' (Performance Digest page 19) in relation to the inclusion of Travellers, and on BVPI40 (Digest page 36), why had the target been set at 82.0% in 2007-08 when only 77.0% had been reached, the Committee were informed that these were national targets. More information would be

- provided to Members on these issues.
- Under the pay and work force strategy (Directorate Plan page 7) training was given to managers to help collect data and identify, support and advise on staff attendance issues. The Cabinet Member (Corporate and Customer Services and Human Resources) reported that resulting from better analysis and management there had been an improved use of Occupational Health, particularly in the identification and support of long term illness.
  - On the identification of stakeholders for consultation the Director reported that a core list had been compiled and other stakeholders were included depending on the subject for consultation.
  - Concern was expressed that domestic violence was not specifically addressed in the Directorate Plan at 4.3.2 outcome area: Stay Safe. It was also noted that statistical information to Members appeared to originate from 2006 data. The Committee noted that protection from domestic abuse was a core element of the Directorate's work. A lot of work had been done through schools and partners and while progress had been made last year this was a priority area for the current year. It was also noted that domestic abuse had been flagged up as an issue in the APA inspection, however, no detail had been given as to why it had been identified. The Committee requested that further information on the subject of domestic abuse be submitted to a future meeting.

**RESOLVED: That**

- a) **the Children and Young People's Directorate Plan 2008-2011 and the position set out in the Year End Performance Digest be noted; and**
- b) **a report on the impact of domestic abuse on the lives of children be added to the Committee work programme.**

**8. YOUTH SERVICE UPDATE: TARGETED YOUTH SUPPORT AND POSITIVE ACTIVITIES**

The Committee were updated on progress of the Youth Service in adapting to the changes in youth work particularly the increased emphasis on Targeted Youth Support (TYS) for vulnerable young people and new legislation on the provision of Positive Activities.

The Community Youth Service Manager presented a report setting out: the service objectives in terms of the Every Child Matters (ECM) Outcome Framework; the government policy initiatives 'Targeted Youth Support' (TYS) and 'Positive Activities – Aiming High'; implications for the service and how the service had responded to date. The Community Youth Service Plan 2008-9 was appended to the agenda report.

The Community Youth Service Manager highlighted: that there was no new money to support these government initiatives; increasingly work was being devoted to target areas, particularly preventative work in collaboration with Community Services; investigations were underway (resource need and likely hood of winning) concerning a possible bid under the DCSF 'My Place' scheme for finance to build a youth facility. In relation to the Positive Activities for Young People (PAYP) government initiative that teenagers have 'things to do and places to go' he reported that currently the focus was on improving the 'youth zone' on the web site to inform young people of what's going on in their area. He anticipated that next year there would be a budget to support the further development of this work.

During the course of debate the following principal points were noted:

- In the interests of engaging with young people, full time youth workers go out on the streets to talk directly to youths, however, due to limited resources this can take resources from providing courses at youth centres.
- In response to a request for details about the numbers of young people accessing each youth centre and the location of these centres the Committee were informed that approximately 2,660 individuals used the facilities but further detailed information would be provided to Members. Concern was expressed that this represented a low proportion of young people in the County.
- Responding to questions on the equality of accessibility of facilities throughout the County e.g. were all youths offered courses in sailing, Members would be provided with further information on this issue.
- Out of necessity in a number of cases some youths looked after younger siblings. As part of trying to attract the older youth to attend and socialise, the Committee questioned whether any provision was made for the younger sibling in such instances. The Committee were informed that suitable support for younger siblings was not always available but this was being looked at as part of the 'Team around the Child' service provision. Further information would be provided to Members on this issue.
- While noting that the report specifically contained information about the Council's youth provision, the Committee requested further information on the voluntary sector provision and in particular the links and services provided and their location.
- Under a new 'contract' a clear picture of individual needs would be established using the Common Assessment Framework.
- Recruitment and retention in the Youth Service was a national problem. Following job evaluation salaries were on the local pay structure. Many part time staff entered the service to gain experience before moving on to other authorities.
- Concern was expressed regarding a rumoured reduction in financial support to Close House, Hereford. The Director of Children's Services and the Community Youth Service Manager reported that Close House received no direct funding from the Service, however, a number of facilities were rented from them.
- It was suggested that by failing to engage with youths at an early stage through an adequately resourced Youth Service, the Council and its partners may experience greater youth related problems in the future.
- Referring to action planning emerging from parish plans (previous agenda item Children and Young People's Directorate Plan 2008-2011 section 2.6 on page 10) and a question how parish councils could or should be involved in youth provision the Committee noted that through the precept the City Council had earmarked funding to youth projects. Noting that youth facilities were frequently mentioned in Parish Plans, Members requested further information on the links that could be made with parish planning work.
- The Committee noted that a lot of good work was undertaken by extended schools, which was outside the scope of this report.

The Director of Children's Services reported that this was a large and complex area of work which was limited by budgetary constraints. The Service was working with partners to maximise its use of resources. New initiatives driven by the Government agenda were proving to be challenging particularly in view of the change of emphasis towards becoming a commissioning service and the wider 'Team around the Child' service provision. While a scrutiny review of the service could be undertaken she strongly suggested that the new Head of Community Operations be given time to ensure that links were established into the strategic thinking for the 'Team around the Child'.



**RESOLVED: That**

- a) the report be noted and Committee Members be provided with the various information requested; and
- b) it is recommended that the Cabinet Members for Children's Services give further consideration to how the Youth Service engages with the youth in the County.

At this point the Committee adjourned for 5 minutes and reconvened at 12.25pm

**9. CAPITAL BUDGET OUTTURN REPORT 2007/8**

The Committee were updated on the capital budget for 2007/08 for the Children and Young People's Directorate.

The Finance Manager presented the agenda report. Details of expenditure on capital projects were set out in the appendix. He highlighted that for 2007/8 revised cash flows had been implemented at Sutton Primary school (£1,712,358) and The Riverside (£3,374,640), however, both were 100% funded by DCSF and there were no financial implications from this change. The Hereford City North Children's Centre had been delayed. The scheme was 100% grant funded and any funding will be carried into the financial year 2008/9. Other budget revisions totalling £977,896 were set out in the report.

During the course of debate the Committee noted that £3.8m for the Academy-Wyebridge Replacement was grant funded and had been shown in the appendix for accountancy purposes. There had been no underspend on the Sutton St Nicholas Primary School replacement.

Concern was expressed regarding the overspend (£147,000) on temporary classrooms and it was suggested that a scrutiny review be undertaken into the acquisition and disposal policy for temporary school classrooms.

**RESOLVED: That the Capital budget outturn report for 2007/08 be noted and the suggestion of a scrutiny review into the acquisition and disposal of temporary school classrooms be considered under agenda item 13 – Committee work programme.**

**10. REVENUE FINAL OUTTURN REPORT 2007/8**

The Committee considered a report on the final outturn of the Children and Young People's Directorate revenue budget 2007/8.

The Finance Manager reported that at the year end a balanced budget had been achieved by using the spend to mitigate budget and the centrally held social care contingency. An overview of the cost pressures and underspends were contained in the agenda report and appendix. The Dedicated Schools Grant (DSG) had been underspent in total by £1,199,000 and this was also set out in the report. He reported that the DSG underspend had been considered by the Herefordshire Schools Forum and would now be allocated out to schools.

During the course of debate the Committee noted the following principal points:

- that the school year contained 11 more travel days and therefore the 2008/9 school transport budget was unlikely to show an underspend as in previous years.
- Section 106 funding (from planning gain) had been shown for 2007/8 as

capital income. It was acknowledged that changes had occurred in Section 106 funding and this would be reflected in future reports.

- the Special Needs Banded Funding budget included funding for Statemented children. Work was ongoing with the Resources Directorate to improve budget reporting.
- In view of the earlier debate concerning resourcing issues in the Youth Service (Minute No 8) concern was expressed about the £82,000 underspend shown against the Youth Service budget. The Finance Manager reported that this had occurred due to unplanned staff vacancies.

**RESOLVED: That the revenue final outturn report 2007/08 be noted.**

**11. RACIST BULLYING "MEWE" VIDEO**

The Committee were informed of the MeWe video tackling the challenges of racist bullying.

The Race Equality Development Officer reported that the MeWe video highlighted the effect that racism had on people in Herefordshire. The video had been made in Herefordshire and everyone who appeared in the video lived and worked in the county. The video had been shown at Borderline Film Festival in April. Full and short versions of the video were available and both versions would be issued to schools. Schools who had already seen the video reported it had generated a great deal of thought and debate particularly about bullying.

**RESOLVED: That the report be noted.**

**12. REVIEW OF BEHAVIOUR AND DISCIPLINE MANAGEMENT IN HEREFORDSHIRE SCHOOLS**

The Committee received an update with regard to progress made against the action plan following the Scrutiny Review of Behaviour and Discipline Management in Herefordshire Schools.

Arising from the scrutiny review of Behaviour and Discipline Management in Herefordshire Schools, considered by Committee on 19th March 2007, and resultant action plan, considered by Committee 5th October 2007, the Committee considered the further actions taken or proposed against the plan. The latest position was set out in the agenda report and appended action plan.

During the course of debate the Committee noted that:

- a further staff questionnaire (Rec 7.1) would be issued in the autumn term with the results being known in early spring 2009.
- parenting courses are being offered to parents, (Rec 7.2), however, a degree of difficulty was being experienced in informing parents of courses. Further information e.g. take up numbers, would be supplied to Members.
- leaflet information was being reviewed, however, greater use of the Web was being encouraged to ensure up to date information was available. Web based information was in the course of being updated and added to.
- of the 14 secondary schools 9 have Learning Support Units with the Bishop of Hereford's Bluecoat School due to bring an LSU on line soon (Rec 7.5).
- the early identification of moderate learning difficulties (Rec 7.6) was also being addressed through discussions with Connexions under the 14-19 strategy.
- referring to the recommendation added by the Committee concerning the Council's duty of care to its employees and paragraph 10 in the agenda

report, caution was expressed in the interpretation of the returns from schools. An example given was an alleged significant under reporting by schools of pupil exclusions. The Committee noted that schools had been written to and informed of reporting procedures. It was thought any discrepancy may have occurred due to a delay in processing the returns. Arising from this discussion it was suggested that in the interests of best practice school governors should receive regular reports on incidents at school.

**RESOLVED: That**

- a) **the report and progress detailed in the appended action plan and also reported above be noted;**
- b) **Committee Members be provided with the requested information on the take up numbers for parenting courses;**
- c) **A report on the outcome of the staff questionnaire to schools be added to the Committee work programme for early spring 2009; and**
- d) **On the basis that the action plan arising from the review was substantially completed no further reports be submitted.**

**13. COMMITTEE WORK PROGRAMME**

The Committee considered its work programme.

In the interests of furthering the Committee Members knowledge and appreciation of the varied issues within the Directorate, the Chairman proposed that the Committee consider appointing each of the Councillors on the Committee as either a Champion or Vice-Champion for one of each of the five outcome areas of the Every Child Matters agenda (Be Healthy; Stay Safe; Enjoy and Achieve; Make a Positive Contribution and Achieve Economic Well-being). Champions and Vice-Champions would be encouraged to take a more proactive role by shadowing and observing appropriate meetings to enable them to hear first hand some of the issues that had to be addressed. She also proposed that the involvement of the Champions would be governed by terms of reference. The Committee were informed that Strategic Monitoring Committee would be considering a report on the future structure of scrutiny arrangements and that this proposal, if accepted, should be included in that consideration.

During the meeting the Committee identified the following as being issues for programming into the Committee work programme:

- Review of provision of school places – the way forward. A report following the Cabinet Member discussion/consideration in December 2008. (see Minute No. 6)
- Stay Safe – reduce the impact of domestic abuse on the lives of children – Update. (see Minute No 7)
- Acquisition and disposal policy for temporary school classrooms. (see Minute No 9)

The following items were also suggested for inclusion in the programme at an appropriate time:

- The 14 – 19 Strategy
- Foundation and Academy schools
- Governance arrangements for the Children's Trust and partnership arrangements.

**RESOLVED: That subject to the consideration of the above issues by the**

**Chairman and Vice-Chairman the work programme be approved and reported to Strategic Monitoring Committee.**

**14. MR C LEWANDOWSKI - TEACHER REPRESENTATIVE**

The Committee noted that Mr C Lewandowski would be taking early retirement from teaching and that this had been his last Scrutiny Committee meeting. The Committee thanked Mr Lewandowski for representing teachers on this Committee and the former Education Committee since the inception of this Council and wished him a long and happy retirement.

**15. REVEREND DR I. TERRY**

The Committee noted that Reverend Dr I Terry, Director of Education, Hereford Diocese, would be leaving to take up an appointment as school Chaplain at St Edmunds School, Canterbury. The Committee thanked Reverend Terry for his contribution to education in the County and wished him well in his new appointment.

The meeting ended at 1.05 p.m.

**CHAIRMAN**

## **CALL-IN OF CABINET DECISION ON SWIMMING PROVISION FOR PRIMARY SCHOOLS IN HEREFORD CITY**

**Report By: ASSISTANT CHIEF EXECUTIVE - LEGAL AND DEMOCRATIC**

### **Wards Affected**

County-wide.

### **Purpose**

1. To consider the Cabinet Decision to approve the closure of St Martin's Swimming Pool with immediate effect and the subsequent capital investment in the Hereford Leisure Pool prior to the new academic year which has been called in by three Members of the Committee: Councillors WJ Walling, WU Attfield, JD Woodward.

### **Financial Implications**

2. As set out in the report to Cabinet attached.

### **Reason for Call-in**

3. In accordance with Standing Order 7.3.1 and the Scrutiny Committee Rules set out at Appendix 2 of the Constitution, the Cabinet's decision on 31 July, 2008, on the issue has been called in for consideration by this Committee.
4. The stated reasons for the call-in are:
  - FINANCE
    - a. Clarity required on financial figures, particularly a breakdown of amounts on inspections and maintenance over the last five years.
    - b. Why was the pool allowed to leak for so long and what has been the eventual cost?
    - c. Knowing the running of the pool was costing money, what efforts were made to balance income and expenditure.
  - REPORT
    - d. Why is there no in depth risk assessment on the advantages and disadvantages of closing the LEA Pool and its effect on the Leisure Pool. Why was there apparently no risk assessment on the consequences and impact on clubs,

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Further information on the subject of this report is available from Sharon Menghini, Director of Children's Services (01432 ) 260039

Schools and general public, especially in view of the likelihood of free swimming for the over 60's.

- SAFETY

- e. What procedures are to be put in place to ensure children are separated from the general public in the pools and changing rooms? Is supervision going to be as certain and safe as in the LEA pool?
- f. Has the introduction of a designated entrance at the rear been properly assessed and costed?
- g. Is the Café area Wi-Fi enabled and accessible to everyone and what is going to be done to safeguard the children if this is the case?

- GENERAL

- h. Why has this invaluable and successful asset been allowed to deteriorate and did we not learn any lessons from the Sydonia Pool in Leominster?
  - i. Who took the decision to close the pool WITHOUT consulting local members?
5. The draft decision notice (Ref No. 2008.CAB060 KEY) (Annex 1), together with the tabled report to Cabinet on 31 July 2008 (Annex 2) are appended to this report.
  6. An extract from the draft minutes of Cabinet held 31 July, 2008, is attached for further information (Annex 3).
  7. It is for the Committee to decide whether it wishes to accept the decision of Cabinet or to refer the decision back to Cabinet for further consideration and if so what recommendations to Cabinet it wishes to make.
  8. A response to the questions raised by the Call-in (the stated reasons) is attached at Annex 4.

#### BACKGROUND PAPERS

- None identified.

## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>SWIMMING PROVISION FOR PRIMARY SCHOOLS IN HEREFORD CITY</b>
Members Present:	Councillors: RJ Phillips (Leader), LO Barnett, AJM Blackshaw, H Bramer, JP French (Deputy Leader), JA Hyde, JG Jarvis, PD Price, DB Wilcox.
Date of Decision:	31 July 2008
Exempt:	No
Confidential	No
This is a key decision because It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards	
The item was included in the Forward Plan.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To establish provision for swimming lessons as part of the curriculum for Herefordshire primary schools. To establish the future of the LEA swimming pool.
<b>Decision:</b>	<b>THAT</b> (i) <b>the LEA swimming pool not be reopened;</b>  (ii) <b>alternative provision from September 2008 be offered at Hereford Leisure Pool and that this provision by HALO be monitored to ensure that the needs of schools and other users continue to be met;</b>  (iii) <b>close collaboration and partnership working be undertaken between the Council and HALO with schools, clubs and other users of the LEA pool to ensure that a viable and efficient service is provided; and</b>  (iv) <b>a report be brought back to Cabinet by Easter 2009 at the latest outlining the outcome of the process.</b>
Reasons for the Decision:	The capital requirements of the LEA swimming pool are significant in order to open in September 2008, and to improve its viability for the medium term. The Council has not identified capital to cover the medium term investment requirements. In addition there is not sufficient time to complete the works in time for September 2008. There are concerns over the long term

	viability of the LEA swimming pool in both capital and revenue terms. These should be considered alongside the use of the Hereford Leisure Pool. Further work is required to assess the possibility of income generation if the LEA swimming pool was reopened.
Options Considered:	N/A
Declaration of Interest:	
Date the key decision is due to take effect:	7 August 2008

<b>COUNCILLOR RJ PHILLIPS</b> .....Date: 31 July 2008 <b>LEADER OF THE COUNCIL</b>
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# SWIMMING PROVISION FOR PRIMARY SCHOOLS IN HEREFORD CITY

## PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

31 JULY 2008

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### Wards Affected

County-wide

### Purpose

To establish provision for swimming lessons as part of the curriculum for Herefordshire primary schools. To establish the future of the LEA swimming pool.

### Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included on the Forward Plan.

1. The issue was deferred from the Cabinet meeting of 10 July, 2008. It was requested that the report was deferred and be rescheduled for consideration at Cabinet on 31 July, 2008 in order to allow appropriate time to digest the outcomes of the consultation, and in order to carry out further work on the business case and clarification provided in the financial tables.

### Recommendations

- THAT (i) the LEA swimming pool not be reopened;**
- (ii) alternative provision from September 2008 be offered at Hereford Leisure Pool and that this provision by HALO be monitored to ensure that the needs of schools and other users continue to be met;**
- (iii) close collaboration and partnership working be undertaken between the Council and HALO with schools, clubs and other users of the LEA pool to ensure that a viable and efficient service is provided; and**
- (iv) a report be brought back to Cabinet by Easter 2009 at the latest outlining the outcome of the process.**

### Reasons

2. The capital requirements of the LEA swimming pool are significant in order to open in September 2008, and to improve its viability for the medium term. The Council has not identified capital to cover the medium term investment requirements. In addition there is not sufficient time to complete the works in time for September 2008. There

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Further information on the subject of this report is available from  
Sharon Menghini, Director of Children's Services  
(01432) 260039

are concerns over the long term viability of the LEA swimming pool in both capital and revenue terms. These should be considered alongside the use of the Hereford Leisure Pool. Further work is required to assess the possibility of income generation if the LEA swimming pool was reopened.

## **Considerations**

3. It is a requirement of the national curriculum that all children are able to swim 25 metres by the time they leave Primary School. In the past, 38 primary schools have used the LEA swimming pool next to St Martin's School, Hereford. The LEA swimming pool's maintenance programme has not kept pace with the condition of the pool and the pool was closed from the end of December 2007. Since that time 38 primary schools have used alternative provision, primarily the Hereford Leisure Pool, run by Halo. Schools have for the most part used the leisure (beach) pool.
4. Capital investment is required if the LEA swimming pool were to reopen and further costs have been identified to keep the pool open in the medium term and to make it more energy efficient. These are set out below, alongside possible revenue costs. Capital and revenue considerations are also set out if the Herefordshire Leisure Pool were to be chosen as the long term solution.

## **The Views of Schools and Pupils**

5. The 38 Primary Schools who have used the LEA swimming pool in the past favour its continued use. It was purposely designed to teach swimming and has dedicated school use. A consultation letter was sent out on 2 June 2008. The views of those that responded and the views of some pupils are contained in Appendix 1, supplemented by the views received prior to and at Cabinet on 10 July 2008. 20 schools have submitted views. 19 head teachers who responded are in favour of reopening the LEA swimming pool. One response was against reopening. There was one submission from Chair of Primary Schools Forum to clarify the Forum's position. One Petition was received to re-open the LEA swimming pool. One portfolio of letters from pupils at St Mary's C of E Primary School, Credenhill, expressing concerns with Leisure Centre provision and asking for LEA Pool to re-open was also received.
6. Over the past month 12 schools have contacted Halo. Five have stated they will not return to the Herefordshire Leisure Pool, four are waiting to hear of the Council's decision, two are making alternative arrangements at other Halo pools and one school is waiting until January 2009, when Halo propose that the main swimming pool and teaching pools are given over to school use. Some of these schools also made submissions detailed in Appendix 1.
7. The majority of the other 43 Primary Schools in Herefordshire use their local swimming pool managed by Halo. The Council already invests in a partnership with Halo to provide leisure services. Halo is moving to a fixed price for swimming across all schools that use their swimming pools from September 2008.

## **Capital Considerations**

8. The LEA swimming pool requires capital investment to return it to use and to continue to maintain it in the longer term. Estimated capital costs are set out below and have been provided by Property Services, based on their experience of undertaking works on pools. Property Services also recommend that the energy efficiency of the building and other maintenance works be considered. This is because the present engineering installation is basic, with no recycling of heat. As energy costs rise the current arrangements will lead to significant increases in energy

bills, which will affect revenue costs.

<b>Estimated Capital Investment Required for the LEA swimming pool</b>		
To enable the pool to reopen	Repairs to sand filters	£20,000
	Repairs to scum channel	£20,000
	Concrete and steel frame repairs	£13,000
	Emergency lighting	£6,000
	Replacement chlorine dosing plant	£6,000
	Reinstate tiles to pool	£2,500
	Replacement heat exchange	£5,000
	<b>Total costs estimated</b>	<b>£72,500</b>
To provide a more sustainable, energy efficient pool	Replacement of heating system	£120,000
	Relining and insulating water gutters	£15,000
	Provision of double glazing to changing room areas	£12,000
	Replacement double glazing to pool area and insulation of doors	£48,000
	DDA improvements	£15,000
	<b>Total costs estimated</b>	<b>£210,000</b>
	<b>Total</b>	<b>£282,500</b>

9. It is important to note that these are estimates and are not guarantees that further capital works will not be required if maintenance issues occur. In addition the Council would have to plan for significant capital costs in eight to ten years, due to the nature of the LEA swimming pool building and the corrosive environment that comes with a swimming pool.
10. Appendix 1 contains the concerns of some schools that have used the Hereford Leisure Pool since the LEA swimming pool closed in December 2007. Halo has worked with Herefordshire Council Property Services to look at what measures can be put in place to address these concerns and those expressed elsewhere by schools. These measures include a revised timetable and change from using the leisure tank, with beach, to using the main pool and teaching pools. The timetable for this use is set out in Appendix 2 which indicates arrangements to December 2008 and then from January 2009. Halo would like to move to the January 2009 timetable as soon as practicable. The capital proposals set out below should therefore be considered alongside the change in practice proposed at the Hereford Leisure Pool.

<b>Estimated Capital Investment Required for the Hereford leisure pool</b>		
To address some of the concerns raised by schools	Relighting of corridor Non-slip flooring to link corridor Decoration and planting of link corridor Lowering of coat pegs and decoration of 2 changing areas Minor works to showers to provide privacy cubicles Minor improvement works to coach parking area to the front of the pool and repairs to steps including handrail provision	
	Total costs estimated	<b>£35,250</b>

11. There has been discussion about the need for further works to take place, including a new footpath at the rear and a new link corridor between the changing area and the main pool. Such works are estimated at approximately £125,000. However, Members should note that other Halo pools do not provide the level of exclusive use to schools that such works would provide. There is concern by some schools about the proximity of the public to school children. Halo suggests that this should be considered in terms of reasonable management arrangements to ensure the transfer of children from buses or the entrance way to the pool.

#### **Sources of Capital Funding**

12. At present there is no guaranteed capital funding secured specifically for the above works at either pool. There may be the possibility of using funding identified to support educational provision under a Section 106 agreement between the Council and Wimpey UK Ltd as part of the development of the Bradbury Lines site. This has been discussed at a variety of meetings, but no formal agreement has been made to use this funding for capital works at either the LEA swimming pool or the Hereford Leisure Pool. £182,000 has been received by the Council to spend on educational provision. The term educational provision is generic and therefore could be used to cover swimming pool costs. Phase two of the development at the Bradbury Lines site could release a further £100,000 for educational provision. However, this money is not secured.
13. There is at present insufficient time and capital identified to make the reopening of the LEA swimming pool a realistic option for September 2008. The total estimated capital bill at present is £282,500 for the LEA swimming pool, compared with £35,250 for the Herefordshire Leisure Pool. Funding improvements of the Herefordshire Leisure Pool would enable Section 106 money to be spent elsewhere, to benefit pupils in different ways. Some of the potential schemes that this money could contribute to are:
- the remodelling of Blackmarston Special School (possible total cost £1m)
  - the extension of Aconbury Centre for an additional teaching area (estimated cost of £30,000)
  - Toilet improvements to St Martin's Primary School (estimated costs of £40,000)

## Revenue Considerations

14. Under the School Finance Regulations it is possible to retain a central budget not exceeding 0.1% of the Total Net Schools Budget. This is the total budget comprised of the Dedicated Schools Grant, Learning and Skills Council income and Local Authority contributions. For 2008/09 the amount that can be retained under these regulations is c. £88,000 (£87,666 to be exact. In 2007/08 it was £78,456). School funding regulations permit funding up to this limit to be used on any purpose additional to those education purposes set out in the regulations. Whilst this amount may be used on projects in support of our schools, in recent years this amount has been used solely to support the LEA swimming pool.

## The LEA swimming pool

15. In addition to this central budget schools have been charged £66 per hour to use the LEA swimming pool. The LEA swimming pool has also been used by the Hereford Swimming Club who has been charged £32.80 per hour. This is calculated to be significantly less than the true cost of their hourly use.
16. Over many years the revenue costs of the LEA swimming pool have been in excess of the budget. The total cost for 2007/08 was £163,641. £50,673 was generated as income through charges to schools and clubs. £78,456 was covered by the central budget, leaving an overspend of £34,511. The overspend in each of the past four years has been covered by the Directorate budget and from 2006 by the Dedicated Schools Grant.
17. Members should note that energy prices have increased substantially over the past five years and that these price rises are accelerating. £20,000 was spent on gas and electricity in 2003/04, £46,000 in 2007/08 and this was during a financial year when the LEA swimming pool was not open from January 2008. Income has also fallen over a number of years. This may be as a result of the Leominster pool opening and investment in other Halo pools, including the Herefordshire Leisure Pool, thereby creating alternative provision.
18. Children's Services Scrutiny Committee considered the matter of the LEA swimming pool on 21 April 2008, and requested that an independent swimming pool specialist give a view on the potential revenue costs of reopening the pool. The consultant employed for this work was Mr Paul Cluett, Director of Quality Leisure Management Ltd. The consultant's report was prepared on the basis of information provided by Halo and the Council. Staff costs were modelled on Halo's terms and conditions.
19. Full year revenue costs for a reopened LEA swimming pool are estimated by the consultant at approximately £171,000 per annum (excluding capital costs of £122,815 identified in the consultants report). Even allowing for income estimated by the consultant at £58,180 this is considerably in excess of the maximum possible central budget set out in paragraph 17. Actual income in 2007/08 was £50,673 which includes clubs and schools. The consultant report included the full costs of operating the pool to commercial industry standards. These costs are dependent upon capital works being carried out. Income assumes that all 38 primary schools would continue to use this pool.

LEA swimming pool	Consultant's Report Covering Commercial Industrial Standards Costs
	£'000
Operating Costs	171
Less Income	-58
Net Cost	113
Maximum centrally retained budget (2008/09)	88
Loss of	25

Previous information to Members and the consultation letter contained in Appendix 1 assumed a centrally retained budget of £78,456 (for 2007/08). The above assumes the maximum centrally retained budget available for 2008/09, detailed in paragraph 17. £68 per hour is the sum that Halo would charge from September if the arrangements from January 2008 were to continue.

20. The table illustrates that without an increase in income the LEA swimming pool would operate at a loss. This is unsustainable and if the LEA swimming pool were to reopen a clear business case, including guaranteed income from schools and clubs, would need to be in place. If fewer schools were to use the LEA swimming pool, and/or clubs did not generate the necessary income, the burden of risk would fall on the Council. As paragraph 17 indicates the centrally retained budget within Children and Young People's Directorate is limited through School Finance Regulations. Moreover, this sum will reduce as the fall in pupil numbers reduces the overall Total Net Schools Budget.

#### **Halo Hereford Leisure Pool**

21. In 2007/08 Halo charged primary schools £66 per hour for the use of the Hereford Leisure Pool. This compared with £66 per hour charged at all the other leisure pools run by Halo, apart from Ledbury Pool at £63 per hour. Halo will implement a standard charge of £68 for every pool from September 2008, including the Hereford Leisure Pool. Halo are prepared to become the permanent alternative to the LEA swimming pool.

#### **Additional Considerations**

22. Cabinet should note that in addition to requesting a wider review of the financing of the LEA swimming pool, on 21 April 2008 Children's Services Scrutiny Committee resolved that the Cabinet Member (Children's Services) be recommended to consider:

That works within the budget of £72,500 to reopen the St Martin's Pool be undertaken, once sufficient schools had committed themselves for a 3 year period at a level of charge which would cover the net costs;

It should be noted that there is no budget of £72, 500. These were the costs as identified in paragraph 11.

23. The South Wye Partnership has considered the possibility of a 'Quirk Transfer' but does not want to pursue this option. Hereford Swimming Club has also felt that they could not take any responsibility for the Pool even though they would like to see it continue to operate.
24. Schools Forum budget working group have been consulted on their willingness to support the retention of the c.£88,000 centrally retained element of funding from the Dedicated Schools Grant. They recommended that the budget and subsidy be delegated to schools and on financial grounds that the LEA (St Martin's) swimming pool be closed.
25. Falling pupil numbers require on-going budget reductions in the central services provided to schools, in addition to the automatic budget reductions in schools resulting from fewer pupils. If budget reductions are not achieved in the central budgets, including the LEA swimming pool, equivalent reductions will need to be found in school budgets

## **Overall Financial Implications**

26. The report had indicated the possible financial implications of reopening the LEA swimming pool and the interim arrangements for using the Hereford Leisure Pool.
27. The estimated capital requirements for the LEA pool is £282,500 over two years compared with £32,500 for Hereford Leisure Pool. There is no identified capital finance for either specific requirement. There is £182,000 of capital funding available from Section 106 monies for education provision. Given the national curriculum requirement around swimming its use seems reasonable to support capital expenditure at either site (both of which are owned by the Council). However, this would not prove sufficient to cover the costs identified for the LEA swimming pool. Using all of it for the LEA swimming pool would not enable other possible projects for educational purposes to benefit from the Section 106 monies.
28. The revenue position indicates that the LEA swimming pool has not met its costs over a number of years. The recommended review period will enable Members to evaluate the effectiveness of interim arrangements. Detailed information on potential costs and income will also be explored. It will enable potential capital funding to be clarified.

## **Risk Management**

29. From a service viewpoint, it is important to ensure children can access water facilities which allow them to learn to swim and meet National Curriculum requirements.
30. Halo is willing to consider rescheduling the use of the various swimming tanks as detailed in Appendix 2 in time for schools to feel the full benefit, but is considering this alongside potential disruption to existing customers. Halo are concerned that if they are unable to reschedule to the extent set out in Appendix 2 prior to January 2009, some schools may express dissatisfaction which may affect the reputation of the pool.

31. Options of either investing in the Hereford Leisure Pool or the LEA swimming pool are set out in the report. A further variation which has been raised is the transfer of the LEA swimming pool to another body by Quirk agreement but this would be unlikely to be successful until after the Council has made significant capital investment to return it to a suitable state for use. Capital has not been identified to meet such costs. This option would also not overcome the inherent high cost in operating that pool and the consequent costs to schools.

## **Consultees**

Schools

## **Appendices**

Appendix 1 - Letter and Consultation responses.

Appendix 2 – School Use of Hereford Leisure Pool Complex (Term time only)

## **Background Papers**

Children and Young People Scrutiny Committee paper April 2008



## Appendix 1

### Responses from Headteachers, collated by Mr Moynihan, Headteacher of St Mary's C of E Primary School, Credenhill

School	Comments
Broadlands Primary School	As always I support what you are doing John and if I can help in any way do contact me
Brockhampton Primary School	I don't use the LEA pool as we swim at Tenbury. However, I felt I ought to just reply to your email and support what you are doing. It would be interesting to see how many schools are considering canceling swimming altogether as this could be a powerful part of the persuasion process.
Dilwyn CE Primary School	<p>This doesn't affect me or our school directly as we go to Leominster for our swimming. and will continue to because it's relatively local.</p> <p>In case it's of any use, I'll give you my general views.</p> <p>If we were closer to Hereford I would certainly choose the LEA pool rather than Leominster, as it is more suitable for school purposes in terms of design of both the changing facilities and the pool itself.</p>
Holmer CE Primary School	<p>The Leisure Pool is not suitable or satisfactory.</p> <p>Do the Directorate understand that?</p> <p>We need a solution but it has to be affordable.</p> <p>We cannot afford to pay an excessive hire charge because the cost of travel and tuition go on top of that.</p> <p>There should be a universal provision for the County and the charge should be the same for all schools.</p> <p>We need to find out what the DCSF expects of councils in the way of their duties to provide suitable pools.</p> <p>What happens elsewhere?</p> <p>I also think my idea of capital expenditure to take over the pool's repairs is a possibility.</p>
Kings Cople Primary School	<p>I am very concerned that the situation re; swimming in Herefordshire is becoming extremely difficult. If we have to pay additional costs it will be a problem for some of our parents and we cannot subsidise swimming more than we already do out of the school budget.</p> <p>The Leisure pool has been a reasonable interim measure but cannot be used on a long term basis as the splash pool is unsuitable for swimming lessons. We recently had a very worrying incident where one of our younger children nearly drowned after getting out of her depth and the shape and size of the pool make it difficult to teach any skills to the children. The teaching pool is too shallow and the main pool is too deep for the younger children. We have always prided ourselves on being able to offer swimming for the whole school, all year round. This is now in jeopardy.</p> <p>We moved to the LEA pool after an incident at the Ross Pool when a member of the public took his clothes off in the shower in full view of the boys changing in the changing rooms. The staff did not seem to feel that this was a serious incident! And considered that the changing rooms should be available to the public while the children were using them...</p> <p>I sincerely hope that we can use the LEA pool in the future and that the costs will not be prohibitive. I believe there is a Government</p>

	agenda that all children should be able to swim for free!
Kingstone and Thruxton Primary School	Thank you for your recent reminder email regarding the swimming pool. I would just like to add our name to the list of concerned schools. We have been involved in discussions with John Moynihan before and I am sure there is nothing I can say as regards reasons / concerns about continued use of the HALO pool that has not already been said. But I would like to endorse those concerns. We feel very strongly that the quality of swimming teaching and progress has slowed significantly since we have been using HALO and that a return to the LA pool at St. Martins is the only reasonable solution.
Ledbury Primary School	Regarding the swimming we are still having ongoing problems at Ledbury with Halo. Members of the public still undress in front of our children and Halo are a nightmare to work with. We have no choice but to use these facilities in Ledbury but I would highly recommend having the LA pool back in action in Hereford.
Little Dewchurch CE Primary School	As I understand it, we presently pay £32.80 for half an hour's tuition each week. Under the first option, this would rise to £53 per week. If this is the only way to retain the LA pool, then I would vote for that option. I really am not happy with the situation at the Leisure pool, despite their attempts at reassuring us that the service would improve. Would we be guaranteed in writing that the main pool and diving pool would be available every week? At present we have only the splash pool, which is really unsuitable for swimming lessons. There is no point in spending money on sub-standard provision. Is there any date for when the LA pool might be open? I presume the present unsatisfactory situation will continue in September. If I am only offered the splash pool, I am considering discontinuing swimming lessons until we have proper provision again.
Longtown Primary School	Longtown would dearly love to see the LEA pool remain open – even if the cost went up to £106 per hour. We would find some way initially of funding the increased cost of £21 per week. I spent many hours years ago trying to optimise our swimming provision – I wouldn't like to lose it now. However, we would not cancel our swimming lessons at the Leisure pool, albeit a second class option, but may reduce our take up.
Marden Primary School	I apologise for not communicating my thoughts with regards to the LEA pool sooner. As you are aware we made a decision here at Marden Primary School to not swim at the Leisure Pool after Easter due to Health and Safety reasons and the poor provision that the children were receiving. We still stand by that decision. We wish for the LEA pool to be re-opened and swimming lessons to recommence there.
Michaelchurch Escley Primary School	We would happily pay the higher rate to go back to the LEA pool, otherwise we shall be looking to cross the border into WALES and take our swimmers to Hay or Abergavenny and the council will lose our custom altogether.
Much Birch Primary School	Like my colleagues am wholly dissatisfied with the current provision provided at the city pool following the closure of the LEA Pool. I have contacted the cabinet and other councillors who have failed to even reply to any of my e-mails perhaps unlike me they do not find it sufficiently of importance for

	<p>Headteachers to be entered into dialogue with regarding this matter. I have had good support from my own councillor Richard Smith who has tried to support a dialogue in order to keep the pool open. How many other councillors will be even aware of what is about to happen!!</p> <p>We have had little hard factual costings on which to base any decision.</p> <p>The City Pool has very limited provision for our children at present. They are only be taught in the totally unsatisfactory wave pool and diving pool. This does not give pupils an opportunity to build up stroke stamina, are hard to teach due to the height of the wall in the wave pool and are too tightly packed for proper instruction to take place. My parents are furious that the LEA pool is likely to be closed and they too find the current arrangements unsatisfactory.</p> <p>I feel this closure could be yet another sign of the deterioration in provision for pupils in Herefordshire when they are talking constantly about raising standards. Once gone like school kitchens this pool will be mourned and it will never come back but only in a form where money proves the deciding factors.</p> <p>I hope councillors will support Heads in our desire to keep the pool open why not ask the electorate what they think!</p>
Peterchurch Primary School	<p>I fully support the campaign to re-open the LEA pool and will be willing to pay £106 per hour to retain it. We have our own learner pool here but value the deep water experience our children receive at the LEA pool. We would probably not use Halo next year with the arrangements as they are due too the completely unsuitable facilities for those children who have to go in the Leisure pool which is too shallow in many cases and with that big wall most unsuitable for teaching. I also remain concerned about health and safety issues and therefore have to send a very high number of staff to supervise during the sessions.</p>
St Francis Xavier's RC Primary School	<p>I will be writing to the parents in Key Stage Two to tell them that we will not be going swimming next year as the Leisure Pool is unsuitable. I will also canvass the parents regarding the extra cost of having to pay for the L.E.A. Pool if it is reopened. (approx. £1 a week). The suggestion has also made that we could consider going to Leominster Pool as – time wise – it is a similar journey. I will investigate this.</p> <p>I hope that the heads in the other 36 schools do the same. If everyone refuses to use the Leisure Pool then action might be taken.</p>
St Paul's Primary School	<p>I hope that the Cabinet can find a way to support school swimming. St Paul's CE Primary organises swimming lessons for all eight, nine and ten year old pupils and over the years there have been almost no non swimmers leaving our school. Without a suitable pool this situation will not continue, children unable to swim will be leaving our school. The teachers who are currently accompanying the pupils to the Leisure Pool have told me that the water depth is not suitable for the range of swimmers we have, it is too shallow or too limited for the novice swimmers to build their stamina and the shared public arrangements are not conducive to a lesson environment. I believe that I will have to end our swimming traditions. What a</p>

	<p>testimony to the vision of our community leaders closing the school pool will be. With a heavy heart I implore them to keep searching. This is a really important matter.</p>
<p>St Mary's CE Primary School (Fownhope)</p>	<p>I can confirm St. Mary's total support for the reopening of the LA pool even if this means at a higher rate. You know my strength of feeling on the matter and like you and others, if the option is Leisure pool or nothing, we'll choose not to swim.</p>
<p>St Thomas Cantilupe Primary School</p>	<p>The children of Herefordshire would be best served by the capital investment being put into essentially rebuilding the St. Martin's Pool. Were this to be properly staffed and run as a business, letting out to swimming / training clubs in the evenings and weekends (possible public opening on Saturday and Sunday) I believe it would be a profitable concern as has been the case in the past. The figures presented showing a huge loss year on year were incomplete, as discussed at the meeting, and give a somewhat biased viewpoint and do not take all factors into account.</p> <p>Despite the increasing restraints on my school budget, I would far rather face an increased hourly charge than lose St. Martin's pool. Currently the facilities that we are paying for at the leisure pool are appalling and certainly not value for money.</p> <p>The case for investment at the public swimming pool is a cause for concern. Even if the investment provides a private entrance, changing facilities, showers and dedicated access to the pools (with non-slip flooring) that works well, Herefordshire adults will still face the loss of swimming facilities from 9-12.00 and 1-3.00 pm every day. What about patrons who have purchased an annual or monthly subscription to be able to use these facilities daily? It seems to me that schools will bear the negative publicity around such a move rather than the decision makers who would close their purpose built facility.</p> <p>Herefordshire is a county which has a paucity of public leisure facilities when compared to many other towns and cities in England and Wales. Surely we need more sport / leisure facilities and not less?</p> <p>Herefordshire people are slow to demonstrate their disapproval, but feelings were made perfectly clear when the proposed school closures became public. This could also be the case were Cabinet decide to close St. Martin's pool and allow Halo the autonomy to determine our children's swimming provision for the foreseeable future.</p> <p>Whilst the offer of the use of the main pool and the training pool by Halo to Herefordshire schools promises to be a vast improvement on the inadequate and dirty leisure pool, I just wonder what the knock on effect will be on the general public.</p>
<p>Wellington Primary School</p>	<p>Would wish to see the LEA pool reopened. We agree in principle with your comments, but wish to point out that with the ever increasing cost of transporting our children to the pool, along with the tuition/pool hire fees, we are asking our parents/carers to pay for a school lesson which is approaching the cost of a good 'small group' lesson.</p>
<p>Withington Primary School</p>	<p>As I said yesterday, fully supportive of LA pool and yes a small price (comparatively!) to pay if fees increase. Withington would much prefer LA pool and option of Leisure pool has at best been a 'stop gap'.</p>

The four Headteachers representing the other Schools would like to make it known they are in favour of the St Martin's Pool being reopened

- Mr J Moynihan (St Mary's CE Primary School – Credenhill)
- Mr E McGilp (St Martin's Primary School)
- Mr A Thomas (Holme Lacy Primary School)
- Mrs A Taylor (St Mary's CE Primary School – Fownhope)

**Responses received directly by the local authority**

Mr Pugh, Chair of Primary Heads Forum	As a member of the Education Scrutiny Committee, I received a copy of John Moynihan's letter, dated 27th June, exhorting the cabinet to re-open St Martin's Pool. The letter implies that Mr Moynihan's group has the backing of the Primary Heads' Forum, and is written on behalf of the Forum. This is not the case. Mr Moynihan has addressed the Forum on several occasions, and no doubt has some support amongst colleague heads, but the Forum has not voted on the issue, and has no identified 'corporate' view. Mr Moynihan makes some valid points in his letter, and there are health and safety and child protection issues that need to be considered very carefully before a final decision is taken. Nevertheless, the St Martin's pool issue is essentially one for city schools. Even though my own school uses the pool, as Chair of the Forum I have to take the wider view that other county schools should not subsidise city schools' swimming.
Marlbrook	Whilst the HALO pool isn't perfect, I think the St Martins pool will be a 'white elephant' – George however said the charges would be £60-80, not £106 ..... Could this be clarified, but still think HALO better long term option.

**In addition to the above responses, Cabinet has also received the following submissions:**

**Petition**

A 261 signature petition, organised by Otto Putland, supporting the reopening of the LEA Pool. A covering note from Otto, addressed to Members of the Council Cabinet, reads:

“This is just part of a petition I have started to gain support for the re-opening of the LEA Swimming Pool. The remainder will follow. Please reconsider the options available. Please do not make decisions based on financial factors. There should be another pool provided before you agree to the permanent closure.”

**Portfolio of letters from pupils school pupils**

A portfolio entitled “Save the LEA Pool” and consisting of 20 letters from pupils in Year 5 at St Mary's C of E Primary School, Credenhill. All the letters are addressed to Cllr Matthews. The letters express the pupils' wish to see the LEA Pool reopen and their concerns with the alternative provision at the Hereford Leisure Centre. Specifically, the concerns expressed are:

- The safety of children using the Hereford Leisure Centre at the same time as the public. The LEA Pool provides for the exclusive use for schools.
- Leisure Centre pool floors being slippery.
- A child trapped his fingers in a door at the Leisure Centre.
- Economic consideration versus the cost of a child's life through being unable to swim adequately.
- Spend money on opening the pool, not on Council offices.
- Leisure pool is too deep and cramped.

- LEA pool will help address child obesity.
- Leisure centre teaching pool is too shallow.
- Safer for children to use the toilets at the LEA Pool.
- Do not get enough time in Leisure pool because distance to walk to changing rooms eats into swimming time available. Should get 30 minutes tuition time in the pool, but only getting 15 minutes.

Appendix 2

School Use of Hereford Leisure Pool Complex (Term time only)				
	Current times to Dec 08 (at the latest)	Proposed times from Jan 2009		
<b>Main Swimming Pool</b>	-			
Mon	-	10.00 - 12.00	1.00 - 3.00	
Tues	-	10.00 - 12.00	1.00 - 3.00	
Wed	-	10.00 - 12.00	1.00 - 3.00	
Thu	-	10.00 - 12.00	1.00 - 3.00	
Fri	-	10.00 - 12.00	1.00 - 3.00	
<b>Teaching Pool</b>				
Mon	1.00 - 3.30	9.00 - 9.30	11.00 - 12.00	1.00 - 3.30
Tue	1.00 - 2.00	9.00 - 10.00	11.00 - 12.00	1.00 - 2.00
Wed	1.00 - 3.30	9.00 - 9.30	11.00 - 12.00	1.00 - 3.30
Thu	-	9.00 - 10.00	11.00 - 12.00	1.00 - 3.00
Fri	2.00 - 3.30	9.00 - 9.30	11.00 - 12.00	1.00 - 3.30
<b>Leisure Pool</b>				
Mon	-			
Tue	-			
Wed	2.00 - 3.00			
Thu	9.30 - 10.00			
Fri			9.30 - 10.00	







## Children & Young People's Directorate

Director: Dr. S. Menghini

All Primary Schools

Your Ref:

Our Ref: GS/AH

Please ask for: George Salmon

Direct Line / Extension: 01432 260802

Fax: 01432 260808

E-mail: [gsalmon@herefordshire.gov.uk](mailto:gsalmon@herefordshire.gov.uk)

2 June 2008

Dear Headteacher

Many of you will be aware of the debate over the future of the St. Martin's Swimming Pool. A report on this pool will be submitted to the Cabinet on 12 June 2008. There is no doubt about the value that this facility has given in the past. The current debate centres on the capital investment needed now and in the future and the continuing revenue cost of running the pool.

In terms of revenue cost, an independent consultant has now reported that it is reasonable to expect that the net running costs will be approximately £137,000 per annum. This assumes that the current level of school usage would be maintained, and income would reflect charges of £66.00 per hour. This net cost is to be expected, whoever manages the pool.

There is a further complication in that it is against L.M.S regulations to retain a central budget over 0.1% of the total net Schools Budget. This equates to £87,000. The options would appear to be:

- a) Retain St Martin's Pool with a £87,000 central budget. The shortfall would be met by increasing hourly charges to schools who use it to £106.00 per hour.
- b) Retain St Martin's Pool, delegate the £87,000 to all Primary Schools, and increase hourly rates to £208.00 per hour to schools who use it.
- c) Close St Martin's Pool and delegate the £87,000 to all Primary Schools and establish an hourly charge for all HALO managed pools at a level between £66.00 and £80.00 per hour depending on services offered.

The latter appears to be the only viable way forward, but if any schools believe either option a) or b) or a variation of this is possible please let me know, as the views of schools will be reported to Cabinet on 12 June 2008 as long as they are received by 11 June 2008

Yours sincerely

**GEORGE SALMON**  
**HEAD OF COMMISSIONING AND IMPROVEMENT – SCHOOLS AND SERVICES**





**Extract from the Minutes of Cabinet held 31st July 2008 and approved at Cabinet on 11th September 2008.**

**31. SWIMMING PROVISION FOR PRIMARY SCHOOLS IN HEREFORD CITY**

The Cabinet Member ICT, Education and Achievement advised that since the publication of the LEA Swimming Pool report in the cabinet agenda there had been amendments made to the original recommendations to more fully explain the proposals. It was stated that a more evidence based report was required to look holistically at the issues, as they did not just relate to the LEA pool, but to the LAA agenda, the Olympics, encouraging swimming and providing services in a competitive way. It was also stated that HALO were experts in the provision of leisure facilities and there was a need to ensure there was a quality provision, as currently there was concern over this. Additionally an examination was needed of what is required and how to address the rising costs to schools.

A Member in attendance stated it was felt the report did not provide the overall cost to be incurred to bring the HALO leisure pool up to standard. The change over period in getting the children in and out of the pool would mean the children only had 20 minutes of actual swimming time. The cost of transporting the children would also be extensive. It was felt that additional capacity would be required even though an independent report stated it would not. At a site visit it was stated that the public use would out of necessity be limited in the main leisure pool to accommodate the schools. It was felt that the public needed to be consulted if any of the public swimming time was to be taken away.

The Leader of the Council stated that the recommendation clearly stated that any alternative provision needed to be monitored. A Member in attendance suggested that the minimum amount of maintenance should be carried out at the pool in order to prevent further deterioration. Cabinet was advised that petitions and emails had been received in support of the pool, however, a further report was proposed for Easter 2009, when a business case could be set out and the monitoring analysed. Cabinet was reminded that 38 schools were affected and a number of schools had stated they would not use the leisure pool. Cabinet was urged to reconsider its proposal and not to close the LEA pool but to find the money to bring it up to modern standards.

The Leader acknowledged that this was an emotive issue and reminded cabinet that there were four pools in the county fit for purpose and that in the current climate energy costs must be considered. He added that the school transportation bill was rising and that Herefordshire Council was the third lowest funded for children's services in the country. He added that without government support authorities were being forced into difficult positions, but it was essential to ensure that there was access to swimming provision for every child.

Cabinet was reminded that the amended recommendations called upon the community and HALO to work together to provide a suitable provision to an acceptable standard and to work with all clubs and other organisations, however, time was needed for officers to put a clear business case forward. It was stated that 27 schools had already agreed to the HALO offer. Cabinet was reminded that HALO provided good value for money and discussion would be held with them over service provision. The Chairman of Children's Services Scrutiny Committee stated that

HALO provided a fantastic service, but there was concern over the loss of public swimming time and that an hour per day for children to swim was not sufficient. Therefore, the LEA pool needed to be reopened and that money should be found from the reserves to fund it. Cabinet was reminded of the costs of running a swimming pool and that no pool was financially viable. However, it was important to take on the views of the public, as outlined in the report and to ensure that as an efficient and viable service as possible was provided.

**RESOLVED**

**THAT:**

- (i) the LEA swimming pool not be reopened;**
- (ii) alternative provision from September 2008 be offered at Hereford Leisure Pool and that the provision by HALO be monitored to ensure the needs of schools and other users continue to be met;**
- (iii) close collaboration and partnership working be undertaken between the Council and HALO with schools, clubs and other users of the LEA pool to ensure a viable and efficient service is provided; and**
- (iv) a report be brought back to Cabinet by Easter 2009 at the latest outlining the outcome of the process.**

## Response to questions raised by the LEA Pool Call-in.

	FINANCE																		
Question A	Clarity required on financial figures, particularly a breakdown of amounts on inspections and maintenance over the last five years.																		
Response	<p>Council properties have detailed surveys once every five years. The survey covers building, mechanical and electrical installations. Because of its condition the LEA pool was inspected more regularly. Inspections took place in November 2007 and April 2008. All inspections are carried out by independent surveyors and engineers.</p> <p>Repair works were identified for the pool. However, these had to be considered alongside maintenance works for other properties. Some repair works were undertaken when it was essential in order to keep the premises open. There are annual service contracts on the mechanical and electrical installations.</p> <p>The repair and maintenance costs ( including service contracts) for the last five years are listed below</p> <table border="0"> <thead> <tr> <th></th> <th>Revenue</th> <th>Capital</th> </tr> </thead> <tbody> <tr> <td>07/08</td> <td>£15,835</td> <td>£5,561</td> </tr> <tr> <td>06/07</td> <td>£12,983</td> <td>£0</td> </tr> <tr> <td>05/06</td> <td>£2,411</td> <td>£0</td> </tr> <tr> <td>04/05</td> <td>£5,138</td> <td>£2,908</td> </tr> <tr> <td>03/04</td> <td>£3,191</td> <td>£0</td> </tr> </tbody> </table>		Revenue	Capital	07/08	£15,835	£5,561	06/07	£12,983	£0	05/06	£2,411	£0	04/05	£5,138	£2,908	03/04	£3,191	£0
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Question B	Why was the pool allowed to leak for so long and what has been the eventual cost?																		
Response	All pools lose some water because of evaporation and old pools tend to lose water because of leaks in the tank or plumbing. There have been on-going problem of leaks over the years. In 2001 works were undertaken to replace some corroded pipework. In 2004 repairs were undertaken to a movement joint and tiles. HALO reported water leaks, and in October 2006 and October 2007 further reports and repairs were undertaken.																		
Question C	Knowing the running of the pool was costing money, what efforts were made to balance income and expenditure.																		
Response	In the summer term 2005 it was clear that the income received by the LEA pool was falling significantly and costs were rising. CYPD senior management at that time entered into discussions with HALO to establish how best to use HALO's expertise to manage the LEA pool more effectively.																		

	<p>It was agreed that LEA pool would purchase lifeguards from HALO rather than directly employing their own as it had become increasingly difficult for the LEA pool to employ sufficient lifeguard cover. This enabled a much better use of lifeguards between the two swimming pools. It also saved money by ensuring that the LEA pool only paid for lifeguards when the pool was occupied.</p> <p>During 2005 detailed negotiations between the Council and HALO were progressed with a view to a formal transfer of the management of the LEA pool to HALO. This was not possible due to the unwillingness of HALO to take over the liabilities of the pool without the Council injecting capital to ensure that there was reduced risk of further capital works being required.</p> <p>The Council therefore entered into a management agreement with HALO so that HALO managed the LEA pool on behalf of the Council. The objectives of this agreement were:-</p> <ul style="list-style-type: none"> <li>• to manage swimming facilities to allow the delivery of the National P.E. Curriculum particularly in Key Stage 1 and 2.</li> <li>• to increase the use of the pool by all sections of the community.</li> <li>• to encourage the use of the pool by those who would not otherwise use them and facilitate their use by people of all ages and abilities particularly those disadvantaged in terms of opportunity or with special needs.</li> </ul> <p>Pool management costs of £21,000 in 2005/06 were replaced by a management fee at an agreed £12,500. In addition it was recognised that the purchasing economies of swimming pool chemicals and other supplies and equipment achieved by HALO taking over these functions would save further costs.</p> <p>Employee costs and management and lifeguard cost reduced by £23,000 in 2006/07 through efficiencies created by Halo managing the facility.</p> <p>However costs have continued to rise with the on-going water losses, rising energy costs and increasing property maintenance costs rising thereby exceeding these savings.</p> <table border="1" data-bbox="483 1476 1334 1612"> <thead> <tr> <th></th> <th>2003/04</th> <th>2004/05</th> </tr> </thead> <tbody> <tr> <td>Expenditure</td> <td>£145,727</td> <td>£173,674</td> </tr> <tr> <td>Income</td> <td>£124,623</td> <td>£91,749</td> </tr> <tr> <td>Operating Loss</td> <td>£21,104</td> <td>£81,811</td> </tr> </tbody> </table> <p>The Cabinet report of 31 July 2008 details revenue considerations in paragraph 14 onwards</p>		2003/04	2004/05	Expenditure	£145,727	£173,674	Income	£124,623	£91,749	Operating Loss	£21,104	£81,811
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	REPORT												
Question D	Why is there no in depth risk assessment on the advantages and disadvantages of closing the LEA Pool and its effect on the Leisure												

	<p>Pool. Why was there apparently no risk assessment on the consequences and impact on clubs, Schools and general public, especially in view of the likelihood of free swimming for the over 60's.</p>
Response	<p>The Cabinet report of 31 July 2008 contains the capital and revenue issues. There was also extensive discussion with HALO on possible arrangements including timetabling so that both public and school needs could be met. HALO were confident that this could be achieved and a timetable as considered as part of the Cabinet papers.</p> <p>Since the Cabinet of 31 July 2008 work has taken place to assess the opportunities provided by the government's scheme to increase free swimming. The Council is applying for the £67,000 grant for free swimming for over 60 year olds. The revenue implications of this are expected to be that the Council will need to supplement the scheme by approximately £13,000 per annum, based on the swimming pools that are currently open to the public. In addition an expression of interest has been submitted for grant for under 16 year olds. As yet the level of under 16s grant to Herefordshire has not been determined but is also likely to have a financial impact on the Council.</p> <p>Having applied for the over 60s grant and expressed an interest in grant for under 16s the Council can bid for Capital Grant for the modernisation of Pools. The guidance makes special mention of school swimming pools and states that to receive capital grant a school pool would have to be provide free swimming to under 16s and over 60s. Assuming the LEA pool is eligible for grant (and this is not yet clear) the grant pot for the first year is only £10 million pounds available nationally. Opening the LEA pool for free swimming for under16s and over 60s will increase the costs of delivering free swimming across the County as a whole and there is a risk that the whole free swimming scheme will be too expensive to implement. To date the rules for the allocation of Capital Grant have not yet been published. The lack of clarity does mean that at this stage there can be no certainty that repair works would be eligible for grant, as the circular refers to the grant being used for "modernisation". These considerations will form part of the report to Cabinet in Easter 2009.</p>
	<p>SAFETY</p>
Question E	<p>What procedures are to be put in place to ensure children are separated from the general public in the pools and changing rooms? Is supervision going to be as certain and safe as in the LEA pool?</p>
Response	<p>The current and proposed operations at Hereford Leisure Pool (should the LEA pool not reopen in the long term) provide exclusive changing accommodation for each school by gender. This is an improvement on the LEA pool arrangements where different schools shared the same changing areas. The proposed programme of the pools provides for exclusive use of pool space too.</p> <p>Supervision is, and always has been, a management responsibility shared by school teachers/support staff and HALO staff. It has less to</p>

	<p>do with the physical nature of buildings. This is the case in all pools managed by HALO.</p> <p>Herefordshire Safeguarding Children Board (HSCB) continues to work in partnership with HALO to update all relevant policies and procedures to ensure that they are robust from a safeguarding perspective. This not only includes the procedures relating directly to the use of the pools, but also covers such issues as recruitment, vetting and training of staff.</p>
Question F	Has the introduction of a designated entrance at the rear been properly assessed and costed?
Response	The Cabinet report of 31 July 2008 refers to this in paragraph 11. HALO believe that this is unnecessary and could set a precedent for every leisure centre used by children. Property Services believed that a link between a new entrance lobby and the main pool was not practical because of how it would affect the Leisure Pool windows and a proposal by HALO Leisure to relocate the boiler room.
Question G	Is the Café area Wi-Fi enabled and accessible to everyone and what is going to be done to safeguard the children if this is the case?
Response	The café is not wi-fi enabled. However, Members should note that most mobile phones are internet enabled and some children do have access to them. This is the case in many public buildings of course. It is a matter for parents/carers, and also for schools and other groups working with children to promote safe practice. HALO staff are trained and in sufficient number that supervision and movement of staff is frequent and good giving ample opportunity to monitor suspicious behaviour in spectator areas.
	GENERAL
Question H	Why has this invaluable and successful asset been allowed to deteriorate and did we not learn any lessons from the Sydonia Pool in Leominster?
Response	<p>Swimming pools are high maintenance buildings as they have a very corrosive atmosphere. The LEA pool has always been a very basic installation and its energy performance poor. This fact is even more significant as energy costs increase and Councils are under greater pressure to reduce their carbon footprint.</p> <p>The Sydonia Pool in Leominster was in a similar situation to the current LEA swimming pool. The pool had reached a stage of being beyond economical repair and in this instance was a health hazard.</p> <p>The pool was replaced, through public consultation and a realistic assessment of the overall swimming requirements in the area.</p>
Question I	Who took the decision to close the pool WITHOUT consulting local



	members?
Response	<p>The pool was unable to open because the boiler had failed. There were concerns about leaks and a recent power failure had indicated the inadequate emergency lights within the pool. For these reasons the pool was not opened.</p> <p>At the same time Officers, with HALO and affected schools, acted quickly to establish alternative arrangements so that children could continue to have swimming lessons. The decision was taken to place the matter before Cabinet, given the significant cost implications and the history of use, with a view to providing a longer term and viable arrangement. As part of this process a consultation exercise was carried out, setting out possible options and costs to schools. This formed part of the evidence for the Cabinet report and decision of 31 July 2008.</p>

