

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

PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

20 NOVEMBER 2008

Wards Affected

County-wide

Purpose

To consider the recommendations made by the Children's Services Scrutiny Committee in relation to the call in of the Key Decision on swimming provision for primary schools in and around Hereford City and the future of the LEA swimming pool.

Key Decision

This is not a key decision.

Recommendation

THAT the recommendations of the Children's Services Scrutiny Committee on swimming provision for primary schools in Hereford City and the future of the LEA pool be considered.

Reasons

Following the call-in of the decision made by Cabinet at its meeting on 31 July 2008 the Children's Services Scrutiny Committee made the following recommendations that:

- a) the Council invests £72,500 to enable the pool to reopen as soon as possible;
- b) there should be no additional costs to schools;
- c) the existing charge to schools be maintained; and
- d) a thorough feasibility/business case for the next 2 years (to include LEA pool, HALO and users/voluntary sector) be formulated on the future of the pool in the context of the whole of Herefordshire swimming provision

Considerations

1. Cabinet's decision on 31 July 2008 was THAT:
 - (i) the LEA swimming pool not be reopened;

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

- (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.
2. In accordance with Standing Order 7.3.1 and the Scrutiny Committee Rules set out at Appendix 2 of the Constitution, Cabinet's decision on 31 July 2008 was called in by three Councillors (Councillors: JW Walling, WU Attfield, JD Woodward) for consideration by the Children's Services Scrutiny Committee.
3. The Children's Services Scrutiny Committee met on 29 September 2008 to consider the call-in.
4. The grounds for the call-in were as follows:
- 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, 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. In addition to the papers to Cabinet on 31 July and resultant minutes, the Children's Services Scrutiny Committee had received in the agenda, a report setting out the response to the questions raised by the call-in and this is attached in Appendix 1. Copies of further papers prepared by Councillor A T Oliver were presented at the Scrutiny Committee meeting, alongside petitions against closure.
6. Scrutiny Committee has requested that the LEA pool not be considered in isolation, but as part of a wider view of pool provision across Herefordshire. This would place the considerations of the LEA pool in an appropriate context, and would reinforce Cabinet's view that the use of pools should also consider community use as well. For this reason it is appropriate that the considerations of the LEA pool and wider pool use is led by the Environment and Culture Directorate, with support from the Children and Young People's Directorate and the Resources Directorate
7. In relation to recommendations (a) to (c) there are financial implications which are detailed in paragraph 10. These will need to be resolved if Cabinet adopts the Scrutiny Committee recommendations
8. It should be noted that spending an estimated £72,500 will result in pool repairs being undertaken to enable the LEA pool to be reopened in the short term. As set out in the Cabinet report of 31 July 2008 substantial sums will need to be spent to extend the life of the LEA pool. The pool is of basic construction and currently has a poor carbon footprint.
9. Cabinet is recommended to consider Scrutiny Committee's recommendations in the light of comments made by the Director set out at paragraphs 6, 7 and 8, and with regard to the financial implications set out in 10.

Financial Implications

There are financial implications to the recommendations from Scrutiny Committee. As Cabinet was aware when making its decision on 31 July 2008 no capital budget had been identified to carry out the immediate works required on the LEA pool (estimated at £72,500) and the funding shortfall in revenue terms was also not addressed by Scrutiny Committee. The debate at Scrutiny Committee and resolution (b) and (c) set an expectation that there should be no additional cost to schools. If Cabinet were to agree to recommendations (a) to (c) then the following sums would have to be found:

- i) approximately £72,500 for capital works (outside of the capital allocations for school works). This would need to be considered as part of the scheme selection process. The Medium Term Financial Management Strategy (MTFMS) includes an allocation for minor new capital bids and currently this totals £600,000. However any use of this sum would be at the expense of other projects currently being considered by directorates.
- ii) approximately £113,000 for on-going revenue to ensure that the budget was not overspent and that schools budgets were not affected. This incorporates the current £87,666 from the schools budget, which Schools Forum recommended should be used to benefit all schools and did not support its use to subsidise swimming for only those schools using the LEA pool. There is currently no alternative funding source identified to cover the revenue costs of the pool. The schools budget funding is being used at present to fund the use of the Halo pool and cover costs of mothballing the LEA pool. If the recommendation of Scrutiny Committee were to be

agreed by Cabinet taking account of the advice from the Schools Forum, then alternative funding would have to be found from at the expense of other expenditure within Council resources.

- iii) Scrutiny Committee recommended that the existing charge to schools be maintained (recommendation c). This has financial implications because this would break the link between charging and inflation. Additional resource would have to be found from the Council's resources year on year to cover inflation increases.

Risk Management

The risk management aspects are set out in the Cabinet report of 31 July 2008. Accordingly there is no separate consideration of risk management in this report.

Alternative Options

Cabinet could choose to adopt some of the Scrutiny Committee's recommendations, or not to adopt any of them.

Consultees

Environment Scrutiny Committee - 31 July 2008.

Appendices

Appendix 1 - Initial responses to the call in queries

Background Papers

Cabinet report of 31 July 2008 and appendices.

Children's Services Scrutiny Committee report of 29 September 2008 and appendices.