



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 26TH MARCH 2019 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair

Councillors:

C. Elsbury, R.W. Gough, A. Hussey, S. Kent, Ms P. Leonard, J. Ridgewell, G. Simmonds,
A. Whitcombe, T.J. Williams, W. Williams

Cabinet Members:

N. George (Neighbourhood Services), S. Morgan (Economy, Infrastructure, Sustainability
and Wellbeing of Future Generations Champion)

Together with:

M.S. Williams (Interim Corporate Director of Communities), R. Hartshorn (Head of Public
Protection, Community & Leisure Services), R. Tranter (Head of Legal Services and
Monitoring Officer), J. Lougher (Sport & Leisure Development Manager), J. Reynolds
(Sports & Leisure Facilities Manager), C. Forbes-Thompson (Interim Head of Democratic
Services), M. Jacques (Scrutiny Officer) and R. Barrett (Committee Services Officer)

Also present:

Councillor K. Etheridge (Blackwood Local Ward Member), Ms J. Taylor (Local Resident)

1. CHAIR'S ANNOUNCEMENT

The Chair opened the meeting and welcomed those in attendance. He outlined the procedure for the meeting and gave a reminder that no video or audio recordings were to be made without the written permission of the Chair.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan, Mrs C. Forehead (Vice-Chair), A.G. Higgs, J. Scriven, B. Zaplatynski and Mrs E. Stenner (Cabinet Member for Environment and Public Protection).

3. DECLARATIONS OF INTEREST

Declarations of interest were received from Councillors W. Williams and T.J. Williams in respect of Agenda Item 9 (Pontllanfraith Leisure Centre). Details are minuted with the respective item.

4. MINUTES - 18TH DECEMBER 2018

RESOLVED that the minutes of the Special Regeneration and Environment Scrutiny Committee meeting held on 18th December 2018 (minute nos. 1 - 3) be approved as a correct record and signed by the Chair.

5. MINUTES - 12TH FEBRUARY 2019

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 12th February 2019 (minute nos. 1 - 10) be approved as a correct record and signed by the Chair.

6. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

7. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee noted the contents of the reports from Councillors S. Morgan and N. George, which provided an update on their respective portfolios, and had been circulated to Members in advance of the meeting.

There were no questions for Councillor S. Morgan (Deputy Leader and Cabinet Member for Economy, Infrastructure and Sustainability) following presentation of his report.

Councillor N. George (Cabinet Member for Neighbourhood Services) responded to a Member's query regarding information issued to the public about the changes to arrangements at the Council's Household Waste Recycling Centres.

As Councillor Mrs E. Stenner (Cabinet Member for Environment and Public Protection) had given apologies for the meeting, the Scrutiny Committee noted the contents of her report without discussion.

The Cabinet Members were thanked for their reports.

8. REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Interim Head of Democratic Services) presented the report, which outlined details of the Regeneration and Environment Scrutiny Committee Forward Work Programme (FWP) for the period March 2019 to June 2019, and included all reports that were identified at the Scrutiny Committee meeting on 12th February 2019. It was noted that a workshop to consider and agree the Committee's forward work programme for the year ahead had taken place immediately prior to the main meeting, and that Members had provisionally agreed items for inclusion.

It was unanimously agreed that the draft version of the Forward Work Programme for the coming year be circulated to the Scrutiny Committee for comment, with an updated version being brought to the next meeting for approval prior to publication on the Council's website.

9. CABINET REPORTS

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following report.

10. PONTLLANFRAITH LEISURE CENTRE

Councillor W. Williams declared a personal interest in this item, being on the management committee of Markham Community Leisure Centre referenced in the report, and remained in the meeting during consideration of the item.

Councillor T.J. Williams sought clarification on whether or not if he was required to declare an interest in the report, being a member of the governing body for Blackwood Comprehensive School. In response, the advice of the Monitoring Officer was that Councillor Williams may decide to declare a personal interest on the basis that this is a Local Education Authority appointment. As this interest would be regarded as personal but non-prejudicial, Councillor Williams would be able to participate in the debate and vote on the item. On this basis, Councillor Williams declared a personal interest as a local authority governor for Blackwood Comprehensive School.

Rob Hartshorn (Head of Public Protection, Community and Leisure Services) presented the report, which sought the views of the Scrutiny Committee on the proposal to close Pontllanfraith Leisure Centre, prior to its presentation to Cabinet for a decision.

Members were reminded that on 28th March 2018 Cabinet agreed to defer the decision to close Pontllanfraith Leisure Centre taken on 13th December 2017 and consider the future of Pontllanfraith Leisure Centre later in 2018 once the 10 year Sport and Active Recreation Strategy for the Authority had been adopted. On 14th November 2018 Cabinet approved the Authority's Sport and Active Recreation Strategy 2019 to 2029 after the adoption of the Strategy had been recommended by the Regeneration and Environment Scrutiny Committee.

Officers highlighted the principle aims and rationale of the Strategy, which establishes the key principles and vision which will inform future decisions and actions over the next 10 years. It was emphasised that the Strategy cannot be achieved without rationalisation and modernisation and that Pontllanfraith Leisure Centre is not one of the identified 4 strategic sites within the Strategy, having a recorded usage of 70,841 visits during the period 1st April 2018 to 1st March 2019 and a subsidy per visit of £2.11. Public consultation in relation to the closure took place during October and November 2017 prior to the decision of Cabinet on 13th December 2017, and another between 16th July 2018 and 21st September 2018 undertaken in connection with the Sport and Active Recreation Strategy 2019-29, with the two clear concerns in the event of closure being lack of alternative provision and increased travel time and/or cost of travel to any alternative provision.

The significant availability and provision of alternative venues in the vicinity of Pontllanfraith Leisure Centre were highlighted, including multi-purpose facilities at Islwyn High School, a new dual-use 3G pitch at Blackwood Comprehensive School, other leisure centres and private sector facilities in the area, and community halls/spaces available for hire. Members were referred to the significant financial benefits resulting from the closure of the leisure centre as set out in the report, with it noted that in addition to the annual running costs, there are substantial repair and replacement liabilities to be addressed, and the opportunity for a capital receipt. An Equalities Impact Assessment has also been completed to determine the impact on users. Members were advised that to keep the leisure centre open would undermine the vision for provision of sport and active recreation set out in the Strategy.

Ms Joanne Taylor (a local resident) and Councillor Kevin Etheridge (Blackwood Local Ward Member) were then invited to the table to address the Scrutiny Committee, and spoke in opposition to the proposed closure.

Ms Taylor highlighted a number of sections across the report and urged the Scrutiny Committee to take these into consideration, including the popularity of the petition opposing any closure, and the suitability of Pontllanfraith Leisure Centre as a sporting venue given its opening times, the users it serves, and its ability to host large-scale competitions. Particular reference was also made to the impact of any closure on the health, wellbeing and identity of the local community, and for the need to have regard towards the needs of future generations.

During his representations, Councillor Etheridge sought written evidence of the validity of the agreement by Blackwood Comprehensive School guaranteeing community use of the 3G pitch. He urged the Scrutiny Committee to consider recommending to Cabinet that the decision be deferred until Autumn 2019 to allow for detailed negotiations to be undertaken on other options such as community asset transfer. He also sought clarification as to whether the legal robustness of the Strategy consultation would also apply to proposed closures of individual centres and whether this advice should have been appended to the report.

In response to the queries posed, the Monitoring Officer explained that legal advice had confirmed the existing consultation to be more than sufficient for individual closures and that no additional consultation exercise was required, particularly given the relative recentness of the extensive consultation carried out during the original proposals to close Pontllanfraith Leisure Centre and in relation to the Sport and Active Recreation Strategy. It was explained that it is not normal practice to append legal advice to committee reports, due to this being legally privileged information. It was also confirmed that Blackwood Comprehensive School had signed an agreement with the Council on the community use of the facility.

The Scrutiny Committee considered and deliberated the report in detail. Clarification was sought on the rationale for Pontllanfraith Leisure Centre not meeting the criteria for a strategic site. It was explained that although the site has a sports hall and 3G pitch, it is not a multi-functional sports centre, and falls significantly short of the 250,000 visitors per annum and facility mix criteria as set out in the Strategy. A Member queried the financial implications on the overall Council budget if Pontllanfraith Leisure Centre were to be kept open. Officers emphasised the ongoing costs associated with the facility as detailed in the report, and in referring to the Council's Medium Term Financial Plan, explained that the delivery of sport and leisure services is largely a discretionary function. The Council cannot continue to deliver sports and leisure services in the existing manner and has therefore developed the Strategy in order to continue the provision of the service in an alternative way.

During the course of the debate, discussions took place surrounding third-party interest, if the site had been offered out to community/trust management, and the market value of the site. Officers explained that details of the market value were set out in the report, and they confirmed that they had received an expression of interest for Cefn Fforest Leisure Centre during consultation on the draft Strategy. However, nothing has been received for Pontllanfraith Leisure Centre, and the site has not been marketed for external interest. It was reiterated to Members that the financial implications set out in the report would apply to anyone taking on ownership of the site, including all operational and maintenance liabilities, as well as additional costs such as the transferral of utilities. A Member suggested that consideration of the report be deferred until expressions of interest have been sought regarding community asset transfer. Officers explained that the Council has not committed to seeking alternative uses and spoke of the challenges associated in transferring an asset of this size and of the significant commitment that would be required by interested parties.

It was suggested that fees for use of the leisure centre could be increased in order to reduce the subsidy and meet ongoing annual costs of running and maintaining the leisure centre. Members also suggested areas where alternative savings could be made in order to retain the leisure centre. Concerns were expressed regarding the affordability of alternative facilities in the area. Officers gave examples of membership fees across several fitness locations in order to demonstrate the balance of affordability. Concerns were raised that there would be insufficient parking at Newbridge Leisure Centre to accommodate block bookings. Officers explained that they are engaging with the adjacent school to improve parking provision.

Reference was made to the consultation undertaken for local ward members in adjacent wards to Pontllanfraith, and Members queried why Cefn Fforest ward members had not been consulted whilst ward members for Abercarn had been included. Officers explained that Cefn Fforest does not border Pontllanfraith and referred members to a map of the electoral ward boundaries for the county borough.

Concerns were expressed over the speed of the proposal to close the leisure centre given that the Strategy is intended to cover a ten-year period. Members were reminded that Cabinet had agreed to defer the decision to close in March 2018 pending the adoption of the Strategy.

There was debate over the use of the 3G pitch at Blackwood Comprehensive School and one of the scrutiny committee members stated that he was a governor at Blackwood Comprehensive School and that Blackwood Comprehensive School Governing Body had resolved not to accept any bookings for the new 3G pitch from the 3G facility at Pontllanfraith and that he had that confirmation in writing. The Director referred to the legally binding agreement between the school and the local authority which bound the school to community use of the 3G pitch in accordance with the Council policies operating at the time and which had been signed within the last 12 months by the Chair of Governors of Blackwood Comprehensive. The Director also stated that the Council (as Local Education Authority) would have to consider its options in the event that the Blackwood Governing Body decided to renege on this signed legal agreement. Concerns were voiced regarding the suitability of the facilities at Islwyn High and whether it has sufficient capacity to accommodate users of Pontllanfraith Leisure Centre. Officers reiterated that Islwyn High is one of many alternative sports and leisure venues that are available in the local area.

A Member queried the rationale for Heolddu Leisure to become one of the 4 strategic sites, in view of relatively low visitor numbers and the level of refurbishment needed to bring it up to the standard of a strategic facility. Officers reiterated the need to deliver the service in a different way and invest in facilities best suited to deliver the Strategy. Members were also reminded of the extensive building liabilities associated with Pontllanfraith Leisure Centre.

Discussion took place regarding the variance between housing land values for the site and estimated capital receipt amounts. Officers explained that the Council will strive to achieve the best figure for its land wherever possible and will market accordingly, but that it is possible to sell below the market value in certain circumstances. A Member expressed concerns regarding the impact to the Blackwood area if Pontllanfraith Leisure Centre were to close, given the growing number of housing developments in the area and the pressure this will place on sport and leisure capacity at alternative facilities. Clarification was also sought on the implications for housing development on the site if the leisure centre were to remain open. Officers explained that this would have a sizeable negative effect due to retaining the car park and the floodlighting associated with the 3G pitch, which would effectively sterilise the top plateau of the site. Officers also reaffirmed the need for additional housing in this area.

Following consideration of the report, it was moved and seconded that the report recommendation to Cabinet be supported. A Member moved an amendment that Pontllanfraith Leisure Centre be kept open, however the Chair declined the amendment on the basis that it would negate the motion, and was therefore not a valid amendment.

Voting then took place on the motion, and by a show of hands and the majority present (and in noting that there were 7 against) the motion was declared lost.

It was therefore

RESOLVED that the Scrutiny Committee were unable to support the report recommendation to Cabinet for the closure of Pontllanfraith Leisure Centre by 30th June 2019 and the authorisation of officers to transfer bookings to alternative facilities in advance of that date.

The meeting closed at 7.10 p.m.