

Overview and Scrutiny Committee



Forest Heath
District Council

Title:	Agenda										
Date:	Thursday 12 January 2017										
Time:	6.00 pm										
Venue:	Council Chamber District Offices College Heath Road Mildenhall										
Full Members:	<p style="text-align: center;">Chairman Simon Cole</p> <p style="text-align: center;">Vice Chairman Ruth Bowman</p> <p><u>Conservative Members (7)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Chris Barker</td> <td style="width: 33%;">Brian Harvey</td> </tr> <tr> <td>John Bloodworth</td> <td>Christine Mason</td> </tr> <tr> <td>Ruth Bowman</td> <td>Nigel Roman</td> </tr> <tr> <td>Rona Burt</td> <td></td> </tr> </table> <p><u>West Suffolk Independent Members (2)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Simon Cole</td> <td style="width: 33%;">David Palmer</td> </tr> </table> <p><u>UKIP Member (1)</u> Reg Silvester</p>	Chris Barker	Brian Harvey	John Bloodworth	Christine Mason	Ruth Bowman	Nigel Roman	Rona Burt		Simon Cole	David Palmer
Chris Barker	Brian Harvey										
John Bloodworth	Christine Mason										
Ruth Bowman	Nigel Roman										
Rona Burt											
Simon Cole	David Palmer										
Substitutes:	Named substitutes are not appointed										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Quorum:	Three Members										
Committee administrator:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: christine.brain@westsuffolk.gov.uk										

Public Information



Forest Heath
District Council

Venue:	District Offices College Heath Road Mildenhall Suffolk, IP28 7EY	Tel: 01638 719000 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public speaking:	<p>Members of the public who live or work in the District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.</p> <p>There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.</p>	
Disabled access:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.	
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Recording of meetings:	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>	

Agenda

Procedural Matters

Part 1 - Public

- 1. Substitutes**
- 2. Apologies for Absence**
- 3. Minutes** **1 - 6**

To confirm the minutes of the meeting held on 10 November 2016 (copy attached).
- 4. Public Participation**

Members of the public who live or work in the District are invited to put question / statements of not more than 3 minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within 3 minutes the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall limit of 15 minutes of public speaking, which may be extended at the Chairman's discretion.
- 5. Mildenhall Hub - Funding** **7 - 34**

Report No: **OAS/FH/17/001**
- 6. Review of Abbeycroft Leisure Ltd Performance 2005-2016** **35 - 58**

Report No: **OAS/FH/17/002**
- 7. Public Space Protection Orders (PSPOs) - Changes to Anti-Social Behaviour Legislation** **59 - 86**

Report No: **OAS/FH/17/003**
- 8. Annual Presentation by the Cabinet Member for Leisure and Culture** **87 - 90**

Report No: **OAS/FH/17/004**

The Cabinet Member for Leisure and Culture has been invited to the meeting to provide an annual account on his portfolio and to answer questions from the Committee.

9. Review and Revision of the Constitution (Quarterly Report) 91 - 96

Report No: **OAS/FH/17/005**

10. Directed Surveillance Authorised Applications (Quarter 3)

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 requires that Members should scrutinise the authority's use of its surveillance powers on a quarterly basis.

The Monitoring Officer advised that in Quarter 3, no such surveillance has been authorised.

11. Work Programme Update 97 - 100

Report No: **OAS/FH/17/006**

12. Exclusion of Press and Public

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part 2 - Exempt

13. Exempt Appendix 3 - Review of Abbeycroft Leisure Ltd Performance 2005 - 2016 101 - 116

Exempt Appendix 3 to Report No: **OAS/FH/17/002**

(This exempt Appendix 3 is to be considered in private under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as it contains information relating to financial or business affairs of any particular person (including the authority holding that information).

Overview and Scrutiny Committee



Forest Heath
District Council

Minutes of a meeting of the **Overview and Scrutiny Committee** held on **Thursday 10 November 2016** at **6.00 pm** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Simon Cole

Chris Barker
Rona Burt
Christine Mason

Brian Harvey
Nigel Roman
David Palmer

Also in attendance:

David Bowman, Cabinet Member for Operations
Sara Mildmay-White, Lead Cabinet Member for Housing

116. **Substitutes**

There were no substitutes declared.

117. **Apologies for Absence**

Apologies for absence were received from Councillors John Bloodworth and Ruth Bowman.

Councillor Reg Silvester was also unable to attend.

118. **Minutes**

The minutes of the meetings held on 15 September 2016, 4 October 2016 and 20 October 2016 were confirmed as accurate records and signed by the Chairman.

119. **Public Participation**

There were no questions/statements from members of the public.

120. **Annual Presentation by the Cabinet Member for Operations**

As set out in the Council's Constitution, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member would be invited to attend to give an account of his or her portfolio and answer questions from the Committee. Therefore, to carry out this constitutional requirement, members

were asked to consider the responsibilities of the Cabinet Member for Operations, who had been invited to the meeting.

The Committee was reminded that on 12 November 2015, the Committee received a presentation from the Cabinet Member for Operations, setting out responsibilities covered under the operations portfolio.

At this meeting, the Portfolio Holder for Operations had been invited to the meeting to provide a follow-up presentation on his portfolio. Report No: OAS/FH/16/029 set out the focus of the follow-up presentation, which was to:

- Outline the main challenges faced during the first year;
- Outline some key successes and any failures during the first year and any lessons learned; and
- Set out the vision for the Operations Portfolio through to 2019, and whether on target to meet that vision.

Councillor David Bowman opened his presentation by thanking the Committee for the invitation. The presentation included information on areas of responsibility; finances; car parking; garden waste collection service; West Suffolk Operational Hub; commercial services; Suffolk Waste Partnership and property).

A number of examples were also provided, outlining challenges; successes and vision through to 2019, such as:

- Maintaining frontline services whilst developing new opportunities / efficiencies (challenge);
- Developing commercialism (challenge)
- Implementation of garden waste collection service (success);
- New CCTV control room (success);
- More commercial ways of working (vision);
- Extending self-serve and online services for residents (vision)

Members discussed the presentation in detail and asked questions of the Cabinet Member for Operations and officers, to which comprehensive responses were provided.

In particular discussions were held on costs relating to the West Suffolk Operational Hub and future expansion; and the perceived lack of provision of a household waste recycling facility for Newmarket. The Chairman of the Committee felt that a town of 19,000 residents deserved better, regardless of the fact that it was surrounded by Cambridgeshire. In response to the Chairman's comments, the Head of Operations agreed to take his comments back to the Suffolk Waste Partnership.

The Chairman thanked the Cabinet Member for the follow-up presentation on his portfolio.

There being no decision required, the Committee **noted** the presentation.

121. **Barley Homes - Five Year Business Plan**

[Councillor Brian Harvey declared a non-pecuniary interest as Forest Heath District Council's representative on the Shareholder Advisory Group (Barley Homes) and remained in the meeting during the consideration and voting of this item]

The Chairman suggested that the Committee might wish to consider this report in its entirety with the Exempt Appendix A in private session.

It was proposed by Councillor Nigel Roman and seconded by Councillor Rona Burt, and

RESOLVED

That the Committee considers Report No: OAS/FH/16/030 and Exempt Appendix A in private session (see Minute Number 127 below)

122. **Car Parking Update**

The Committee received Report No: OAS/FH/16/031, which updated Members on the implementation of the Car Parking Review.

The report included information on usage; occupancy; impact of the home of horse racing; pocket car parks; enforcement; road directional signage; new information boards; improvements to Rous Road car park; electric charging points; Park Mark; residential parking zones; Civic Parking Enforcement and financial income.

The Committee considered the report in detail and asked a number of questions to which comprehensive responses were provided. In particular discussions were held on progress towards potential Civil Parking Enforcement in Suffolk, and the impact of parking in the near future in relation to the Home of Horseracing and where coaches would park.

Detailed discussions were also held on on-street parking enforcement, which was the responsibility of the police authority. Councillor Brian Harvey, the Council's representative on the Suffolk Police and Crime Panel informed the Committee that Suffolk's Police and Crime Commissioner, Tim Passmore was holding a series of public meetings across the county throughout the autumn and was encouraging Suffolk residents to attend. The next meeting was scheduled for 6 December 2016 at Severals Sports Pavilion and Councillor Brian Harvey wanted to encourage members to attend the meeting to raise their concerns directly with the Chief Constable regarding on-street parking.

The Committee noted the contents of the report, and Councillor Rona Burt moved the recommendation, this was duly seconded by Councillor Brian Harvey and with the vote being unanimous, it was:

RECOMMENDED

That the Head of Operations, under his delegated authority, and in consultation with the Portfolio Holder for Operations,

incorporates the Snooker Hall Pocket Car Park spaces into All Saints Car Park for use by pay and display customers.

123. Review and Revision of the Constitution (Quarterly Report)

As set out in the Council's Constitution, the Overview and Scrutiny Committee on a quarterly basis would receive a report from the Monitoring Officer setting out minor amendments made arising from changes to legislation; changes to staffing structures/job descriptions or changes in terminology.

Report No: OAS/FH/16/032 set out minor amendments which had been undertaken by the Monitoring Officer under delegated authority from July to September 2016.

The Committee was advised that all Members of the Council had also been informed of the minor amendments made as part of the ongoing review and revision of the Constitution.

The Committee considered the report presented by the Monitoring Officer, and there being no decision required, the Committee **noted** the minor amendments undertaken by the Monitoring Officer under delegated authority.

124. Directed Surveillance Authorised Applications (Quarter 2)

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 required that Members should scrutinise the authority's use of its surveillance powers on a quarterly basis. The Monitoring Officer advised that in Quarter 2, no such surveillance had been authorised.

The Committee asked questions of the Monitoring Officer, who duly responded.

Therefore, there being no decision required, the Committee **noted** the Regulation of Investigatory Powers Act, Quarter 2 update.

125. Work Programme Update

The Committee received Report No: OAS/FH/16/033, which updated Members on the current status of its rolling work programme of items for scrutiny during 2017 (Appendix 1).

The Director, Alex Wilson provided a verbal update on the Mildenhall Hub. The Committee was informed that the pre-application consultation on concept designs had been put back a couple of weeks, and was now likely to start mid / end of December 2016. The Committee would be asked to consider a draft financial business case at its 12 January 2017 meeting.

There being no decision required, the Committee **noted** the contents of the Work Programme for 2017 and the verbal update on the Mildenhall Hub.

126. **Exclusion of Press and Public**

It was proposed by Councillor Nigel Roman, seconded by Councillor Rona Burt and

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

127. **Exempt Appendix A - Barley Homes Group Business Plan (Para 3)**

[Councillor Brian Harvey declared a non-pecuniary interest as Forest Heath District Council's representative on the Shareholder Advisory Group (Barley Homes) and remained in the meeting during the consideration and voting of this item]

Councillor Sara Mildmay-White, the Lead Cabinet Member for Housing introduced Report No: OAS/FH/16/030, which asked Members to scrutinise the content of the Barley Homes initial five year Business Plan, prior to being considered by Cabinet and Full Council in December 2016 to approve the funding mechanism required to deliver the plan.

Attached as Exempt Appendix A, was the Barley Homes Group Business Plan.

The Committee was reminded that the primary function of Barley Homes was to generate profits through the development of new housing for sale and rent, on land owned by one of the councils initially in west Suffolk. The establishment of the housing company was one of the many ways that the council was looking to become self-sufficient through new income generation activities, as central government grants were reduced and eventually removed.

The Report set out key issues, which included initial sites; investment opportunity and financial returns; monitoring of progress and future development decisions; delivery of the business plan; legal implications and the next steps.

The Committee considered in detail the Exempt Appendix A to Report No: OAS/FH/16/030, where reference was made to specific detail contained within the Appendix, and asked a number of questions to which comprehensive responses were provided.

Councillor Rona Burt moved the recommendation, this was duly seconded by Councillor Nigel Roman and with the vote being unanimous, it was:

RECOMMENDED:

Subject to approval by full Council, the Committee recommends that:

- 1) The five year Business Plan, attached at Exempt Appendix A to Report No: OAS/FH/16/030, be approved;**
- 2) A £3m revolving investment facility, to be added to the Council's capital programme, financed from the reallocation of the "Housing Company" pending capital budget of £3m, be approved;**
- 3) Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance and Housing to issue equity and loan funding from the revolving investment facility (set out in 2 above) subject to state aid requirements;**
- 4) The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holder for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements;**
- 5) Approval of the Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.**

The Meeting concluded at 7.35pm

Signed by:

Chairman

Overview and Scrutiny Committee



Forest Heath
District Council

Title of Report:	Mildenhall Hub – Funding	
Report No:	OAS/FH/17/001	
Report to and dates:	Overview and Scrutiny Committee	12 January 2017
	Cabinet	14 February 2017
	Council	22 February 2017
Portfolio holder:	Cllr James Waters Leader Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
Lead officer:	Alex Wilson Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	
Purpose of report:	To allow the Committee the opportunity to scrutinise outline funding plans for the Mildenhall Hub project before a funding agreement and final budget is considered by Council in February 2017.	
Recommendation:	It is <u>RECOMMENDED</u> that the Committee scrutinises this report and refers it with its own recommendation and any comments to Cabinet and Council.	

Consultation:		<p>The prior development of the Hub project has been based on public, partner and stakeholder consultation. Public consultation will also take place before and after submission of a planning application in 2017.</p> <p>Councillors have been extensively involved in the decision-making process for the Hub (see background papers below). This Committee last received an update on the project in January 2016.</p>	
Alternative option(s):		The 2014 Hub business case examined over 10 different options	
Implications of this report:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> As outlined in report	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Covered in wider project planning.	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Covered in wider project planning.	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> As outlined in report	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Covered in wider project planning.	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<i>Please note: this is <u>not</u> a risk assessment for the Hub project as a whole, but for the subject matter of this scrutiny report only i.e. funding.</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
The Hub is unaffordable to FHDC and its taxpayers	Medium	Properly evaluate likely costs (including borrowing costs), with contingencies, and sources of funding through this and subsequent reports prior to adoption of a funding agreement and a final decision to proceed.	Low
There is not a strong business case for FHDC to invest in the Hub	Low	Examine the strategic and financial case through this and subsequent reports.	Low
There is not a transparent and fair means of dividing costs for the project	Low	Develop a funding agreement along the principles outlined in this report.	Low
There are not safeguards to protect the interests of FHDC and the taxpayer	Low	Ditto	Low

Ward(s) affected:	All Wards
<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>	<p><u>Hub papers</u></p> <ul style="list-style-type: none"> • Cabinet/Council report February 2016 - Mildenhall Hub Updated Business Case • Cabinet report 14 July 2015 - Mildenhall Hub Project Update • Cabinet report December 2014 - Mildenhall Hub Project Update (business case and next steps) • Cabinet report July 2014 - Mildenhall Hub Project and ACL Management Fee • Cabinet report January 2014 - Mildenhall Dome Leisure Centre • Cabinet Update report June 2013 (excluding Appendix 1) • Mildenhall Hub leaflet March 2013 • Cabinet background report February 2013 <p><u>Other matters</u></p> <ul style="list-style-type: none"> • Office Accommodation Plan, Cabinet, 25 November 2015
Documents attached:	None

Important Note: *In some Local Plan consultation documents part of the proposed site for the Hub is included within a larger potential growth site (as they are in a single ownership). However, it should be noted that the working title "Mildenhall Hub" relates only to the relocation of existing public services as part of an extension of the Sheldrick Way school site. It does not refer to the proposal for a housing growth site to the West of Mildenhall, which is a separate matter.*

Executive Summary

The Mildenhall Hub is a bold and innovative project to renew and upgrade the public estate in Mildenhall. The Council's own elements of the scheme include a leisure centre and the replacement of its offices at College Heath Road. While the Council has already committed to progress the scheme to a planning application, it needs to finalise its funding arrangements in February 2017. To enable the Committee to scrutinise the funding of the project ahead of that decision, this report provides some initial financial information.

Although some information is still awaited, the current indications are that the Forest Heath elements of the scheme are likely to be financially deliverable in accordance with the Council's Medium-Term Financial Strategy. Furthermore, an investment by Forest Heath in the project will deliver considerable benefits on behalf of the local community and also address significant existing asset management issues.

The central element of the Hub, which would contain the Council's new shared offices, is likely to be deliverable within available resources and generate a saving for taxpayers. The new leisure centre offers a considerable increase in the quality and scale of facilities for the area, to meet current identified need. After applying available sources of capital, delivery of this leisure facility will require some borrowing, but this will be supported in full or part by savings made on running costs, including those from moving to new offices and the installation of advanced renewable energy technologies.

1. Update on Project Status and Purpose of Report

- 1.1 In July 2015, Forest Heath District Council (FHDC) approved an initial business case to develop a single-site public services hub at Sheldrick Way, Mildenhall aimed at achieving the following objectives:
- improving the quality of facilities to meet the needs of the local community
 - improving integration of public services
 - reducing running costs (and future capital liabilities) and
 - releasing vacated sites for regeneration in terms of homes and employment.
- 1.2 In February 2016, an updated business case was approved which indicated the likely capital cost of the FHDC elements of the project (excluding renewable energy) would be up to £20m, and that funding for this sum would be derived from several internal and external sources.

- 1.3 As part of these two decisions, a match-funding feasibility budget was provided to develop technical designs to test through the development control process (a planning policy 'Development Brief' for the site having been adopted by the Local Planning Authority in spring 2016 following public consultation). This design work is well under way with partners, and takes into account comments put forward by the public during the development of the development brief. A further public consultation will also be carried out in January and February 2017 – called a 'pre-application consultation'. Depending on the results of this consultation, and approval for funding, further design amendments could be made and it would then be possible to submit a planning application for the Hub in spring 2017. This would include the formal period of statutory consultation, giving those with an interest in the site a further opportunity to put forward their views. Subject to funding and planning consents, the aim is for the first phases of the Hub to be open in 2019/2020.
- 1.4 However, to fit within this project timetable, FHDC and all other partners will need to sign up to a funding agreement by early spring 2017 which will commit them to not only submitting the planning application but also, if that is approved, to meeting their share of the delivery and running costs of the project. This scrutiny report therefore focuses on the likely ability of FHDC to sign up to that agreement based on what is known financially about the project at December 2016 and explains what information is still to be received before Council considers the project in February 2017 (or after).
- 1.5 This report is not councillors' opportunity to input to the Hub's design, which will be arranged separately as part of the pre-application consultation. Similarly, any decision to proceed with the project should not be confused with decisions to be taken separately by the Council in its role as Local Planning Authority, which will be the subject of public consultation (pre and post-application) and a later decision by the Development Control Committee. Taking a view on the business case for the Hub does not fetter any councillor's discretion in relation to the planning application, which must be considered separately on its own merits at the appropriate time. **It is also fully acknowledged that, in taking forward the Hub, planning and highways issues will need to be addressed through the formal planning process, in accordance with the adopted Development Brief and involving public consultation.**
- 1.6 Furthermore, this report does not seek to re-examine, or gain approval for, the principle of establishing a Hub, which has already been the subject of consultation and consideration by FHDC's O&S Committee, Cabinet and full Council. The requirement for change to the public estate in Mildenhall was established and approved through the 2014 Outline Business Case (updated in January 2016). This earlier piece of work identified a single hub at Sheldrick Way as the Council and other partners' preferred option to address the identified issues. The business case established partners' requirements and contained a full appraisal, taking into account the relative benefits, constraints and risks of each option (including status quo). The business case can be found at: www.mildenhallhub.info.

2. Project Description and Summary of Envisaged Benefits

2.1 Although this report is not focused on the operational details of the Hub, it is helpful to recap briefly on the project so that councillors can put the organisational and financial business case in context.

2.2 The Hub project is currently a partnership involving (in alphabetical order):

1. Abbeycroft Leisure
2. Academy Transformation Trust (Mildenhall College Academy)
3. Citizens' Advice Bureau
4. Department of Work & Pensions (Job Centre)
5. FHDC (on behalf of both West Suffolk councils where applicable)
6. National Health Service
7. Suffolk Constabulary/Police & Crime Commissioner
8. Suffolk County Council (including Suffolk Fire Service)
9. Suffolk Libraries.

2.3 As discussed in the 2016 update to the Business Case, there is no funding from central government to replace the existing Sixth Form Centre at Sheldrick Way so this will be retained, along with some of its playing fields, and linked to the new buildings at the Hub. Subject to confirmation by the other partners, the additional new facilities currently being explored by the partners for phase 1 of the Hub include:

- New secondary school
- Swimming pool (six lane 25m pool plus learner/family pool)
- Sports Hall, gym and fitness suites
- Outdoor sports facilities (including artificial pitch)
- Public meeting/teaching spaces
- Offices shared by councils, NHS, Police, DWP and CAB
- Fire Station (*subject to traffic evaluation*)
- Police Station
- Health Centre
- Library
- Pre-school facilities
- Soft-play facility
- Small public café for Hub users
- Shared infrastructure (plant, kitchens, parking, service yard, etc).

More detail on the FHDC elements of the Hub is provided later in the report. The final list of facilities will be confirmed by the partners before the planning application and the above list may change. In addition to what might be included in phase 1, the Hub is being designed to be extremely flexible so that it can evolve as needed, subject to subsequent planning applications if applicable. This would include the ability to add a primary school to the site if ever needed.

2.4 Subject to confirmation of the final list of facilities, the Mildenhall sites potentially vacated by the Hub project are:

- College Heath Road/Kingsway (police, health centre, library and FHDC)
- Bury Road school site
- Swimming Pool
- Fire Station (subject to traffic evaluation).

- 2.5 In brief, the potential benefits of the Hub identified in the 2014 business case included:
- radically improve the quality of facilities for post-11 education;
 - reduce the equivalent built elements of the existing public estate by around 5000m² or 20%, even allowing for an increase in the current range of leisure facilities;
 - include over 3000m² of shared internal space and shared meeting spaces;
 - potential to reduce the running costs of the public estate by over 50% (or £20 million) over 25 years;
 - relocate services from several sites down to one accessible location, close to the town centre (the only town centre facility being relocated is the swimming pool);
 - provide scope for some of the public services to expand in the future, if demand for them grows;
 - release several existing public sector sites for housing, retail, employment or other community uses;
 - provide a flexible environment for virtually any model of service delivery in the future, with strong community ownership;
 - house a shared 'Hub Host' team in a single shared reception area who can deal with first contacts with visitors; and
 - integrate ICT systems.

3. Scrutiny of Business Case

- 3.1 The following sections of this report are intended to assist councillors in scrutinising the financial information available for the Hub project as at December 2016. The views of this Committee and any remaining information will then be presented to Cabinet and Council in February 2017 so all councillors can decide whether or not to support the adoption of a funding agreement for the Hub to enable it to enter its delivery stage. The other partners in the project will need to make their own independent decisions to participate in delivery of the Hub and, for this reason, this report focuses primarily on the funding elements on which Forest Heath will take a direct lead.

4. Organisational Overview

- 4.1 It is important to re-confirm that the project is aligned to and/or complements the Council and West Suffolk's policy framework and other relevant corporate considerations. From the FHDC point of view, the Hub project is consistent with the following:

- a) **Strategic Plan:** consistent with key themes of partnership working, embedding commercial behaviours, offering the highest possible levels of customer service and supporting people to help themselves. The Hub also directly or indirectly supports all three priorities for West Suffolk and the envisaged new ways of working to achieve them, specifically:

Priority 1: Increased opportunities for economic growth

- beneficial growth that enhances prosperity and quality of life; and
- people with the educational attainment and skills needed in our local economy

Priority 2: Resilient families and communities that are healthy and active

- a thriving voluntary sector and active communities who take the initiative to help the most vulnerable;
- improved wellbeing, physical and mental health; and
- accessible green spaces.

Priority 3: Homes and communities

- new developments that are fit for the future, properly supported by infrastructure, and that build communities, not just housing.
- b) **Medium-Term Financial Strategy:** Responds to the challenges facing local government finance by investing in more efficient and/or income generating (leisure) facilities.
- c) **Asset Management Plan:** Addresses condition of swimming pool and district offices.
- d) **Office Accommodation Plan:** The 2015 plan which established the FHDC requirement for office space in the Mildenhall Hub (500m² and a target of 8m² per desk and a ratio of desks to staff of 70%) and agreed future office accommodation should: be cost effective for taxpayers; facilitate new methods of working; provide locality based services wherever practical; be flexible – now and for the future; enable multi-disciplinary and multi-agency working; maximise co-location opportunities with partners; enable the delivery of the Target Operating Model for customer access (digital by design); release maximum land for redevelopment and income generation (One Public Estate).
- e) **Customer Access Strategy:** Whilst there will be public services delivered through the Hub, customers will also be encouraged and supported to interact digitally with the council and partners. The Hub will provide support in building customer confidence and the ability to self-serve and enable them to achieve a better and faster service in the future where this is both possible and appropriate.
- f) **Families & Communities Strategy:** Creates spaces for the community to interact and work together; supports the move to preventative approaches by facilitating the way the Council and its partners work, specifically: different ways of working across organisations; and working in the places where people are.
- g) **Joint Health & Wellbeing Strategy for Suffolk:** Helps people in Suffolk to have the opportunity to improve their mental health and wellbeing e.g. increasing the levels of physical activity, ensuring that health and social care services are integrated at the point of delivery and a focus on prevention including the promotion of healthy lifestyles and self-care.
- h) **Suffolk Transformation Challenge Award (TCA) Programme:** promotes the objectives of TCA in terms of integration and demand management in public sector practices. The Hub project received TCA funding in its early stages.

- i) **Suffolk Growth Strategy and the West Suffolk Six Point Plan for Jobs and Growth:** For instance, supports our market towns, ensuring the right conditions for growth and developing skills. The Hub is being provided on the closest available site to the town centre, and users will be encouraged to combine visits (see (j) below).
- j) **Forest Heath District Retail and Leisure Study 2016:** Study highlights the positive opportunity created by any relocation of the swimming pool in terms of supporting new retail development and strengthening the town centre. Survey work for the study also highlighted a desire among some visitors to the town centre for better quality leisure facilities as part of any future plan for its improvement.
- k) **Adopted and emerging planning policy:** Specifically, the Development Brief for the Mildenhall Hub adopted in 2016. The Hub is also a key part of any infrastructure provision for the town, now and in the future.
- l) **West Suffolk Sports Facilities Assessment:** The facilities mix for the leisure elements have been established with reference to this recent study, prepared with Sport England.
- m) **RAF Mildenhall Vision and Prospectus:** See next section.

5. Drivers for Change and Success Criteria

(The following section is a short summary of information already addressed in the original business case – see background papers above – and approved by Forest Heath councillors in earlier stages of the project. It is re-provided here for ease of reference in terms of scrutinising the financial estimates for the Hub in their corporate and strategic context.)

- 5.1 The first phase of the Mildenhall Hub Project is primarily an investment primarily aimed at improving and securing the future of the **existing** public estate in the town; to meet the current demand for services from residents in Mildenhall and the surrounding area. This investment is needed now because many of the public sector buildings in Mildenhall are either reaching the end of their design-lives, are either too large or too small for likely future needs and/or are in need of complete refurbishment or replacement. This makes the estate extremely inefficient and increasingly unaffordable, diverting money from frontline services (and/or putting them at risk). FHDC has already made a commitment in its capital programme to replace the swimming pool and will also need to invest in the district offices. The Government has recognised the poor condition of the Bury Road campus of Mildenhall College Academy through its eligibility for refurbishment/replacement under the Priority Schools Building Programme (PSBP).
- 5.2 These diverse public facilities are currently spread around the town, occupying around 18 hectares. This wide distribution of assets is a common story across the country. Like the Government, the partners recognise that it is increasingly inconsistent with the changing landscape of public service

delivery and puts pressure on reducing public sector budgets. Therefore they are looking now for a model of public estate management in Mildenhall which fosters collaboration and community identity, and capitalises on new technologies, both in building design and information technology. In particular, the partners feel that any opportunity to reconfigure the public estate to deliver improved outcomes in skills, educational attainment and health should be taken.

- 5.3 Although the scheme is proposed to meet current needs, it is also being designed with sufficient room to grow as the town and surrounding villages evolve in years to come. Such future expansion, if required, would be funded by developer contributions or through separate business cases and is likely to require separate planning consent.
- 5.4 The future of RAF Mildenhall is not yet known and, in any event, it would not be possible to wait until the mid-2020s to address the current condition of the public estate on behalf of existing residents and taxpayers. Nonetheless, the Hub will complement any plans that emerge for the airbase, and would have flexibility to accommodate some of the expansion in the more centralised infrastructure that might be required (alongside any that may be needed within any new development itself) e.g. secondary education, library, health centre and leisure.
- 5.5 There were a number of required benefits and outcomes from the Mildenhall Hub Project which were defined as success criteria for the project in the original 2014 Business Case, alongside an assessment of the current sites and an evaluation of 12 different options for change. These aligned with the objectives of the Government's One Public Estate (OPE) Programme, listed below:
- Create economic growth – to enable released land and property to be used to stimulate economic growth, regeneration and new housing.
 - Generate capital receipts – to release land and property to generate capital receipts.
 - Reduce running costs – to reduce the running costs of central and local government assets.
 - Deliver more integrated and customer focused services – to encourage publically funded services to co-locate, to demonstrate service efficiencies, and to work towards a more customer focused service.
- 5.6 One of the main local success criteria for the project, and one that links directly to asset management, is that it delivers reduced running and maintenance costs for all partners, namely by reducing the footprint of the public estate buildings in Mildenhall by around 20% to ensure there is less inefficient/under use of space. This will also be achieved by occupying a modern building, as opposed to a building at the end of its shelf life, as well as sharing some services, such as reception, plant, parking, etc. Achieving this objective is essential if the cost of providing local facilities in Mildenhall, particularly leisure services, is to remain affordable for the taxpayer.

- 5.7 It is also important that the revenue costs are sustainable over the full life cycle for the project, which in turn will have a positive impact for the tax payer. In order to deliver this, there will be the potential to gain capital receipts from the sale of land no longer required by the partners. This released land will help to stimulate economic growth, regeneration, new housing and jobs in Mildenhall.
- 5.8 The Hub must also improve and widen existing local public services for the community by offering efficient and effective service delivery through co-location and joined up public service delivery. This is about more than just ensuring the project is successful as an asset management exercise. This criterion involves ensuring there are benefits and genuine improvements for local residents through the services that they receive and the facilities they can use at the Hub. Services need to be integrated and customer focused and it is important that the Hub increases user satisfaction and service performance, as well as community resilience and engagement.
- 5.9 *Put simply, there is no 'do nothing' option and the Hub partners believe that, if a large amount of money is to be invested in the public estate in Mildenhall, it should be done so in a manner which seeks to minimise that cost to the taxpayer but, at the same time, maximises the benefits for local people, and results in new and innovative facilities which will among the best in the country.*

6. Financial Assessment

N.B. It is important to read this section in the context that financial information is still being refined as the design process continues and a more accurate estimate of costs will be provided for councillors in February 2017. This report is to allow scrutiny of the basic funding model ahead of those final decisions.

6.1 Methodology and assumptions

- 6.1.1 The 2014 business case looked at 13 different options for the public estate in Mildenhall, including the status quo, and compared their relative merits. The feasibility and advantages of a single Hub emerged from that work. The preferred option now being taken forward, identified in the 2016 update to the business case, is a hybrid of two of those options (a new build at Sheldrick Way with the retention of the existing sixth form). The size of the Hub has also been reduced from the facility proposed in the original 2014 document following value engineering and better data on future requirements.
- 6.1.2 In February 2016, the capital cost of the FHDC elements of the project was estimated to be up to £20m (excluding renewable energy). There is reason to believe at the time of writing this report that this figure is still achievable, but this is dependent on the refinement of the designs that will occur before the planning application, including any changes which emerge from the pre-application consultation in the new year. So, for the purposes of this scrutiny report on sources of funding, this original figure of £20m continues to be used, on the basis it will be refined in February 2017 when a final decision is made. In addition, to allow FHDC to assess the value offered by this scheme, a baseline position is also required i.e. what will FHDC spend if we maintain the status quo? This comparison will need to be made over a 40 year life cycle for either scenario, which obviously requires some basic assumptions in both cases.
- 6.1.3 Furthermore, in making the comparison, it is important also to confirm some of the assumptions and partnership principles previously agreed by FHDC between 2014 and 2016, as they have an effect on the estimated cost to FHDC. For the reasons explained, some of these adopted principles and assumptions mean that the projected cost of the Hub to FHDC presented in this report could still fall as the project progresses.
- 6.1.4 In no ranked order of importance, the principles/assumptions are as follows:
- a) The estimates of capital costs are based on a Royal Institute of British Architects (RIBA) Stage 2¹ Concept Design as at December 2016. This is subject to pre-application consultation which would shape the RIBA Stage 3 Technical Design which would then form the basis of a planning application in 2017. The costs are also prior to any further value-engineering by the partners if this is needed.

¹ *The RIBA Plan of Work 2013 organises the process of briefing, designing, constructing, maintaining, operating and using building projects into a number of key stages, and is the national standard. Stage 3 is a developed design, and Stage 4 a technical design. The planning process normally overlaps with Stages 2-4, depending on the scheme. Stage 5 is construction and Stage 6 handover.*

- b) As it is already in public ownership, it is assumed there will be no new land acquisition costs for FHDC or other partners in relation to the additional land adjacent to Sheldrick Way. However, as previously authorised by Cabinet in 2013, FHDC will swap land at Outfall Cottages, Newmarket with SCC as part of the land acquisition for the Hub project (subject to covenants on both sites).
- c) All occupying partners will need to sign a Funding Agreement before any planning application is submitted, which commits them to their defined share of the costs. The Funding Agreement will define the tenure arrangements for each partner and the working assumption is that FHDC and ATT will act as the landlord for the facilities on the site, with all other partners as tenants. However, other partners are able to request the landlord role in the Funding Agreement. The landlord may also choose to subsidise the rent of a tenant if it wishes (if State Aid compliant and where this fits with the landlord's own strategic or operational requirements). This does not preclude a different community ownership model emerging in the future when the Hub is safely established.
- d) Notwithstanding (c) above, the 'user pays' concept will apply to the capital cost of providing exclusive operational spaces (and their associated overheads) e.g. the controlled school area will be funded by the Academy (ATT), the library will be funded by Suffolk County Council, etc. FHDC's own exclusive operational spaces are explained in the later sections of this report.
- e) To ensure deliverability, the local authorities will need to assess these initial estimates on the worst-case financial scenario of also underwriting most of the capital cost of the central and shared infrastructure in the new Hub building. However, it is expected that some of this cost will be shared with some of the other partners, or be eligible for external grants, when the final budget for the Hub is determined in 2017/18. Some assumptions about the target level of external funding are made in this initial model to assist scrutiny.
- f) Under Education Funding Agency (EFA) rules, ATT will not be funded to provide the costs of any off-site infrastructure e.g. highways improvements.
- g) FHDC will also cover, as landlord, the capital cost of operational elements required by Abbeycroft, the CAB and DWP. As with all other council leisure facilities, Abbeycroft will operate the leisure centre as FHDC's agents. The CAB and DWP office requirements are so small (fewer than 10 desks/reception points in total) that it will be easier for FHDC to recover this capital cost through their rent.
- h) Tenant partners will be able to invest capital in return for a long-term rent-free period (although they will still pay their share of occupation and maintenance costs – see (j) below). Partners will not be able to recover their capital investment if they surrender their lease early. This arrangement can be pro-rata i.e. a full investment will result in a peppercorn rent; a 50% investment will result in a 50% rent subsidy. The rent-free period will be linked to an assessment of the design-life and/or planned maintenance cycle of the new building and will enable the partners (and the taxpayers funding them) to achieve the same outcome

as building their own standalone new building. It also gives them the certainty of tenure required for their initial investment. This important principle, agreed in the earlier business case, is essential to allow (and incentivise) partners to join the Hub project on a fair and cost-effective basis; FHDC's role in the Hub project is not commercial, but as an enabler of the community benefits. *Most of the relevant partners are currently indicating a preference for this option.*

- i) Alternatively, if they do not have capital to invest, and to assist with the coordination of the project, FHDC will be prepared to borrow on behalf of other partners to cover their share of the capital costs, provided that the partners enter into a contract (and long-term lease) to enable FHDC to recover the cost and risks of this borrowing in accordance with its Medium-Term Financial Strategy. This will mean that the FHDC taxpayer will not subsidise the other partner and vice-versa.

On the basis of (h) and (i) above, this report focuses on FHDC's own elements of the Hub only because the funding of other elements of the Hub will be cost-neutral to the Council. When the funding agreement is approved in February 2017, however, councillors will be advised of FHDC's total borrowing requirement, including the cost of any facilities provided for other partners.

- j) Irrespective of the Hub's ownership, all of the Hub occupiers will share its running costs, including maintenance, on a fair 'user-pays' basis.
- k) The project, like all others, will be considered on the basis of the West Suffolk investment framework principles to cover any borrowing requirements. However it should be noted that (as explained in this report) the project is more complex than a normal 'commercial' investment decision, as it is about delivering core services, meeting strategic objectives and addressing asset management issues.
- l) Although mentioned later in this report, there will also need to be a separate business case (not possible until 2017 when design is more progressed) to determine FHDC's investment in renewable energy for the site (fully or partly with other partners). This business case will need to demonstrate as a minimum that the additional capital cost can be recovered in accordance with the Council's MTFS. However, early indications are that there is potential for renewable energy to provide an additional return towards the overall cost of providing the Hub. As such, the estimated capital and revenue costs shown for FHDC's operational elements are in relation to a predominantly conventional energy supply.

6.1.5 Having established these general principles, it is now possible to look at the various elements of *phase 1* of the Hub applicable to FHDC and the economic case for each individually. At this scrutiny stage, however, it is only possible to establish a *target position* in relation to each specific element because some information is still awaited for reasons outside of the control of FHDC. There should be more clarity over the ability to hit this target position by the time the Cabinet and Council (i.e. all councillors) make a final decision in February 2017.

6.1.6 The information still to be confirmed includes funding decisions by third parties and, as a result, the budgetary position for FHDC shown below is

provisional in some instances. More third-party funding than is targeted may be obtained, and these figures may improve further.

- 6.1.7 It is also important to note that the funding model focuses on direct costs and benefits of the Hub. While hard to quantify at this stage, experience shows that the Hub (and the vacated sites it creates) will create a platform to deliver further direct and indirect savings over its lifetime e.g. the ability to work differently with partners in shared facilities.

6.2 Renewable Energy

- 6.2.1 As explained above, a separate business case will be prepared for the installation of renewable energy at the Hub and the *cost* estimates in the following sections of this report do not include provision for this additional cost. This will be dependent on information in the submitted technical design and also advice from central government in relation to eligibility to join national programmes for district heating systems.

- 6.2.2 Nonetheless, the work to date suggests that the Hub has significant potential to incorporate extensive established and new renewable technologies (over and above a focus on passive measures such as insulation in the main construction). Areas being considered are as follows:

- (a) Ground source heat pump
- (b) Gas-fired combined heat and power
- (c) Solar PV
- (d) Battery energy store
- (e) District heating.

The potential for anaerobic digestion will also be considered in the detailed design stage.

- 6.2.3 The additional cost of these items is significant; likely to be between £2m and £4m depending on the choice of technologies and the ability to attract external funding. However, the return from this investment is likely to be significant for the Hub site as a whole, given its high energy demand (principally the swimming pool). Initial estimates of gross savings compared to conventional technologies are over £300,000 p.a. (to be shared between all of the Hub uses, not just FHDC). Under the Council's MTFS, this rate of return (likely to be over 10% gross) would justify an additional and self-contained investment in this element of the project. Furthermore, any net surplus generated after the cost of borrowing and running costs by FHDC could contribute towards the overall cost of delivering the Hub project. So that the draft financial model in this report reflects this potential, a provisional contribution is shown in section 6.4 for indicative purposes. However, this is subject to change when the business case for renewables is prepared.
- 6.2.4 To take this forward, the report to councillors in February will propose that delegated power be approved to allow the Cabinet and officers to sign off an additional investment in renewable technology at the Hub, subject to that investment complying with the terms of the Council's MTFS.

6.3 Offices and Central Infrastructure

What is being provided by FHDC in the Hub (and why)?

- 6.3.1 This is the element of the Hub which joins all services together, and enables the full concept of a single and integrated building to be delivered. It is also where a range of new and/or improved facilities will be provided, which is why, like the leisure centre, it is a strategic investment by FHDC, partners and external funders in the local community and in improved outcomes and new opportunities. This is what is often called 'place-shaping' and is a key leadership role of the local authorities in this project, looking at the 'bigger picture' of what the area needs as well as their own operational requirements. It also continues the work undertaken by public bodies in West Suffolk over many years to share buildings and integrate services (including by FHDC in Mildenhall e.g. the Dome and College Heath Road).
- 6.3.2 However, as can be seen below, this element of the Hub also replaces a range of current buildings in Mildenhall, including the Council's own College Heath Road offices which are under-utilised by the standards of the Council's office accommodation plan. In this context, there is also a strong argument in asset management terms for investing in this element of the Hub.
- 6.3.3 In terms of the newly built space which will be the responsibility of FHDC to provide, this element of the Hub could be up to 2500m² in the final designs (although this may reduce as areas are reapportioned between partners and further design refinement takes place), and will include:

	Facility	Shared with
1	Shared office space – for FHDC, this is room for around 70 desks of its own and a share of the associated small meeting rooms, staff areas, etc. (including councillor facilities)	<ul style="list-style-type: none"> • Suffolk CC • DWP • CAB • NHS • Emergency Services
2	Shared public meeting space – large community/assembly hall, council chamber and a range of small to medium meeting rooms	<ul style="list-style-type: none"> • MCA • Community • All Hub occupiers
3	A portion of the shared public atrium space - FHDC elements: reception area, café, public toilets	<ul style="list-style-type: none"> • Community • All Hub occupiers
4	Central plant and infrastructure - site kitchen, ICT and central plant room*	<ul style="list-style-type: none"> • All Hub occupiers

****NB:*** although the plant room is physically located in this element, most of its cost will need to be nominally attributed to the leisure centre in the funding model given the demands of the swimming pool.

- 6.3.4 In addition to the built area, any FHDC costs for this element of the Hub will also include a pro-rata share of the public areas of the site (access roads, footpaths, parking and plaza areas) and also a small service yard for grounds maintenance and street sweepers. The costs of any Section 106

requirements (e.g. off-site highways and footpath works) are hard to predict ahead of the formal planning process, but some allowance for these items will also be included in the final financial model in February 2017.

How does it compare to what is being replaced?

- 6.3.5 In terms of floorspace, it is hard to make a direct comparison between this element of the Hub and the current College Heath Road offices, for two reasons:
- FHDC shares its current offices with other partners (Suffolk County Council, NHS, CAB, DWP, ACAS and Abbeycroft) whereas the share of the office space shown in the table above (i.e. item 1) is largely for FHDC only; and
 - some of the space in the Hub is for 'new' facilities (e.g. café, kitchens, etc) and/or will be shared with a new range of partners (e.g. the main hall and plant room) so there isn't really a current equivalent.
- 6.3.6 Nonetheless, it is worth recording that the current College Heath Road offices are 3280m² and that FHDC directly occupies around 70% of this space itself as offices (around 2300m²). Therefore, even with its additional facilities, FHDC's share of this central element of the Hub is still similar in scale to the current FHDC office accommodation in Mildenhall. Furthermore, if the new and additional elements are excluded for comparative purposes, FHDC's office provision in the Hub would be around half the size of what is being replaced.

What will happen if this element of the Hub is not built?

- 6.3.7 If this element of the Hub is not built the chance to have an innovative and integrated building with additional facilities and services for the community will be lost – the central atrium area is what links together the Hub and makes the concept work. The ability to share facilities and costs with other services would also be lost, meaning duplication and wasted expenditure for the taxpayer in general. However, these are largely opportunities lost and, for the purposes of purely financial scrutiny, it is more tangible to focus on the current buildings when attempting to envisage alternative asset management scenarios.
- 6.3.8 In that context, there is no 'do nothing' option to compare the Hub against. The College Heath Road offices will not be fit for purpose as public buildings for much longer; they are reaching the end of their design life and in need of a large refurbishment and upgrade to meet modern ICT, energy and accessibility standards (there is, for instance, no lift) and provide the flexible and efficient working envisaged in the Council's office accommodation plan.
- 6.3.9 In reality, were the Council now to want to abandon the full Hub concept and commit to stay at College Heath Road for the long-term future, a major refurbishment would be likely to be proposed. Not least to convert some of the surplus space to make it lettable to more third parties. Refurbishing buildings is not a cheap option. In their 2014 business case, Concertus estimated that a full refurbishment of the existing building to modern

standards could cost approximately £3.65m. However, this would be for an optimal solution. A more basic refurbishment, retaining the current constraints of the building, could be undertaken instead. As a guide, the current estimate of the basic refurbishment and maintenance required in the next five years in the building is £1m (which, while it is included in the Asset Management Plan, is currently unfunded and awaiting a decision on the Hub). This lower comparator figure will therefore be used in the financial model below so that there is not the risk of an over-inflated baseline to inform decision-making. However, it should be noted that this would be a very basic refurbishment.

- 6.3.10 Although not suggested as an alternative, even if a completely new standalone office building were to be built for FHDC's needs (i.e. no sharing), then this might still cost up to £3m, assuming that there was no land acquisition cost. It could be much smaller (perhaps a third of the current size) and therefore cheaper to run, but it would still duplicate facilities in public buildings elsewhere in Mildenhall, and be unable to benefit from features of the Hub such as district heating.
- 6.3.11 Another factor to consider in retaining the current offices is that the chance to redevelop the site would be lost. Although there are a variety of models for achieving this, to provide a fair comparison between the status quo and the Hub, the financial model in this paper only takes into account the capital receipt that might be achieved by selling the vacated site in the conventional manner.

What is the baseline cost against which to compare the Hub?

- 6.3.12 Accepting that is not necessarily a like-for-like comparison between facilities (**see 6.3.5 above**), the only baseline we can use for this element of the Hub is the Council's current offices at College Heath Road. We have good data on these running costs, adjusted for the occupation of third parties. Similarly, we can estimate the costs of staying in the building in terms of future maintenance expenditure, based on what we know from West Suffolk's portfolio of buildings.
- 6.3.13 The comparative 'whole-life' costs of both the 'status quo' option and the Hub can be modelled over 40 years, to reflect a reasonable assumption about the period to the first complete refurbishment of the new building. It is also worth highlighting that neither scenario includes the effects of inflation, since the purpose of the model is to compare two different investment options on a level playing field.
- 6.3.14 Similarly, certain other assumptions and exclusions are applied to the model for comparative purposes. The cost of central recharges (finance, property services, health and safety) is excluded from current and future estimates (since these are determined by other factors and apply to both scenarios), as is the provision the Council must make in its accounts for depreciation. The cost of ICT is also excluded (since this is recharged separately in the Council's budget and will be incurred in any scenario). This leaves the genuine property cost of the two buildings to allow a proper asset management comparison.

- 6.3.15 As with normal council budgeting, we also need to make some assumptions about maintenance costs. In addition to the immediate maintenance backlog of £1m (held in abeyance pending a decision on the Hub), the model also needs to take into account planned maintenance over the 40 year period. Since there is no way of estimating accurately over that period, the baseline model therefore allows a standard:
- capital programme provision of 0.3% of insured value (£7.2m) p.a. for periodic maintenance of an ageing building; and
 - a revenue budget allowance for routine maintenance of 1% of insured value.

What will the central element of the Hub cost to build?

- 6.3.16 At this stage of the design process, and within the overall budget estimate of £20m, the capital cost of this element of the Hub is provisionally estimated as *up to* £6.5m (based on an assumption that around two-thirds of the cost of central plant would be allocated to the leisure centre).
- 6.3.17 This is based on estimates prepared by the design team from the initial designs that are subject to pre-application consultation in the coming weeks. They have used standard building industry benchmarks, certain assumptions (explained below) and what is already known about the overheads associated with available procurement frameworks. As with any construction project, until planning and procurement is completed it is not possible to guarantee an initial capital budget, and changes to the design may arise from internal and external consultation in any event. These estimates may, therefore, change before councillors consider the funding model in February 2017 and afterwards, as the project evolves. Nonetheless, they provide enough information to develop an initial funding framework for the project.
- 6.3.18 In addition to the design team's final estimates, the Council will make the following adjustments to the financial model to reflect local considerations:
- Some elements of the landscaping for the council facilities may be delivered in-house by West Suffolk councils meaning that overheads (e.g. preliminaries and profit) can be reduced accordingly.
 - The cost estimates make standard assumptions about fit-out, whereas in reality all of the Council's existing ICT equipment, its server and some of its furniture will be moved between buildings, and surplus furniture will be sold. Desk-top ICT equipment, for instance, costs £500 per desk. A conservative estimate of savings would be £55,000.
 - Similarly, the Council will assume that a third party catering operator will fit-out the kitchen and café.

What will the Hub cost to run?

- 6.3.19 Although there are national benchmarks for the property running costs of new buildings, these are not prepared in a manner which allows an easy comparison with the current running costs of the Council's offices.

Specifically, there are not benchmarks for integrated 'hub' buildings which have uses ranging from double-height atrium spaces to conventional offices. Furthermore, ahead of decisions on matters such as renewable energy and facilities management, it is not possible to make really detailed estimates in any event. For those reasons, it is proposed that the Council uses a local benchmark for calculating the likely comparative cost of the office and central elements of the Hub at this stage of the project.

- 6.3.20 This local benchmark is West Suffolk House (WSH) in Bury St Edmunds, a modern shared council building opened in 2009. West Suffolk House is considerably larger than what is proposed for this element of the Hub but it will be managed in a similar fashion. Pro-rata, its facilities are also directly comparable and, as shown below, it could act as a reasonable proxy for the central element of the Hub (i.e. excluding the school and leisure centre):

West Suffolk House	Mildenhall Hub
Office space with break out areas and small meeting rooms and staff facilities	Office space with break out areas and small meeting rooms, and staff facilities
Operational elements (CCTV control room, youth facility)	Operational elements (health centre, emergency services, soft-play, etc)
Conference Room	Multi-purpose hall
Meeting/training rooms	Meeting/training rooms
Large shared reception	Large shared reception
Café and kitchen	Café and Kitchen
Small Library point	Public library
Public toilets	Public toilets
Councillor facilities	Councillor facilities
FM & ICT facilities	FM & ICT facilities
Visitor and staff parking	Visitor and staff parking

- 6.3.21 As elsewhere in Suffolk, the running costs of the whole building are divided between users, as they will be at the Hub. This is done at WSH by way of a standard 'desk occupation charge' which covers the cost of the space each user exclusively occupies and its share of the running costs of the shared facilities (reception area, meeting rooms, visitor car park, etc). As the joint landlord of the building, St Edmundsbury also incurs some central costs which are partly recovered through rent from tenants.
- 6.3.22 The net cost to SEBC as landlord for each desk at WSH is £2310 p.a. This covers all internal and external running costs except ICT, and includes insurance, facilities management and maintenance contributions, rates and utilities. For the purposes of this exercise, it is therefore proposed to use this benchmark to estimate FHDC's share of costs at the Hub, applied as a cost per desk. This is not necessarily what other Hub occupiers will pay – as at WSH, they may also pay a rent to cover the landlord's risks and liabilities. As the Hub will operate on a cost-recovery model, these desk charges and rents from third parties (with two exceptions – **see 6.3.23 below**) are not included in this model as they should be cost-neutral to the FHDC taxpayer.

- 6.3.23 Notwithstanding the above, the capital and revenue cost of providing the very small amount of shared space for the DWP and CAB is included in the FHDC estimates. This will be recouped through a rent/desk charge. Although this will require separate negotiation, an indicative (and conservative) estimate of rent is therefore included.
- 6.3.24 It is also assumed for the purposes of the model that the operators of the café, kitchen and soft-play will meet the direct running costs of these facilities.

Sources of funding available for this element of the Hub

- 6.3.25 As previously reported, the Hub will be funded through a mixture of capital receipts, external grants and borrowing. It is also important to take into account what will be spent in any event if nothing changes.
- 6.3.26 In the case of the central and office elements of the Hub, all or some of the following capital funding is likely to be available (some of which have been explained in more detail in the preceding paragraphs):
- (a) a capital receipt from College Heath Road – an estimate of the value at this stage is that identified by Concertus in 2014 (around £1.25m for the FHDC portion of the site);
 - (b) the unavoidable initial and long-term maintenance liability which otherwise would be required at College Heath Road over the next 40 years;
 - (c) the investment of third party operators in the fit-out of specific areas;
 - (d) the Hub project is being supported by FHDC and SCC not only in their respective operational capacities, but also strategically as local authorities. The Hub will help both authorities to achieve their strategic priorities for the local community in West Suffolk and also the One Public Estate outcomes referred to in **paragraph 5.5** of this report. In this context, in addition to funding its own operational elements, SCC has accepted the principle of jointly underwriting with FHDC the cost of future-proofing the central and off-site infrastructure for the Hub. For the purposes of this initial model, a maximum capital contribution by SCC to the central elements of the Hub is included within a provisional estimate of combined third party contributions (although it may be treated differently in the final funding agreement, with the same net effect);
 - (e) similarly, given the benefits in terms of supporting the skills agenda, providing infrastructure needed to support the long-term prosperity of the area and releasing sites for regeneration, it may be possible to seek additional regional or national funding for the Hub (e.g. LEPs); and
 - (f) if the Academy receives sufficient funding from government for its own elements, it may wish to share the cost of investing in some of the central infrastructure at the Hub and jointly own and manage it with FHDC.

6.3.27 As can be seen there is still a degree of uncertainty over some of the above items, particularly third party contributions. At this stage, ahead of the final funding agreement with partners, and with some outstanding funding applications, a target figure of £3.5m is included for combined third party contributions.

**Financial summary for this element of the Hub
(December 2016 provisional estimates)**

6.3.28 Estimate of Capital Requirement

Description	£
Construction Cost (Est)	6,500,000
Capital receipt from College Heath Road (CHR)	-1,250,000
CHR Initial Maintenance Liability	-1,000,000
40 Year CHR Maintenance Liability	-900,000
Investment by Caterer in kitchen and café fit-out (TBC)	-350,000
Combined third party contributions (Est)	-3,500,000
Carry Forward to Other Elements (see 6.4.25)	-500,000

6.3.29 Estimate of Annual Revenue Requirement

Description	£ p.a.
Borrowing costs	N/A
Estimated Hub running costs	161,700
Current budgeted office accommodation costs (saving)	-227,250
Rents (income)	-15,000
Carry Forward to Other Elements (see 6.4.26)	-80,550

6.3.30 As can be seen above, this element of the Hub is likely to be self-funding in asset management terms and, in fact, capable of providing a contribution to the Council's major community investment in the project, the leisure centre. In that context, it can be seen as an 'invest to save' proposal for the taxpayer, and a strong investment on behalf of the community in terms of the uplift in the facilities and improved services and outcomes.

6.3.31 This situation applies in relation to:

- *capital*, where the Council can cover the cost of providing its new office accommodation from capital receipts, avoided liabilities at College Heath Road and through sharing the cost of the new additional elements in the Hub with third parties;
- *revenue*, where a small saving on net running costs should be possible, given that the new facilities are smaller and will be more efficient, and some of the new elements will be run by third parties.

6.4 Leisure Centre

What is being provided by FHDC in the Hub (and why)?

- 6.4.1 This is the element of the Hub which combines and upgrades three existing facilities into one new leisure centre; a centre which can be shared with the school, integrated with other services, specifically the health centre, and has room to grow in the future if needed. As with the office accommodation, there is not just a solid asset management argument for replacing some of the facilities but also a strong 'place-shaping' case for a strategic investment in the local community and in improved outcomes (not least unlocking improved school facilities by allowing the Academy to focus limited government funding on teaching facilities). Specifically, in the case of the expanded swimming provision, it would also be a forward investment in the long-term needs of the area (because there is not an easy or cost-effective way to increase this capacity later on, unlike with 'dry-side' facilities).
- 6.4.2 In terms of FHDC owned facilities, this element of phase 1 of the Hub is likely to be approximately 3700m² and include:

	Facility
1	Swimming <ul style="list-style-type: none">• Main pool: 6 x 25m lanes• learner pool• Viewing area for 90-100 people
2	Sports Hall
3	Gym
4	2 x Fitness Studios
5	3G Artificial Pitch and space for additional grass pitch if needed
6	Soft-play facility

Phase 1 is very much intended to meet the current needs of the community. However, it will be designed to allow future expansion of the 'dry' leisure facilities, with ability to increase the size of the sports hall from 4 to 6 badminton courts and add other studio, gym or racquet sports space if needed, funded by developer contributions. The external areas of the Hub (within the boundary defined in the Development Brief) will also include space to add additional pitches if the capacity available on the new 3G pitch and school playing fields is not sufficient.

- 6.4.3 In addition to the built area, any FHDC costs for this element of the Hub also include a pro-rata share of the public areas of the site (access roads, footpaths, parking and plaza areas), any informal parkland areas in the Hub and a contingency for any off-site works such as highways improvements.

How does it compare to what is being replaced?

- 6.4.4 The proposed scale and facility mix of the leisure facilities at the Hub are determined with reference to the recent assessment of current identified need. Given the smaller scale and the condition of the current facilities, the Hub therefore offers a considerable improvement for the local community. Not only will the new facilities be in a single, modern building, integrated with other facilities, but their extent and/or quality will be greater:

- the main pool will be 50% larger, with a better viewing area;
- there will be a learner pool for the first time (with a moveable floor to assist accessibility if funding allows);
- the main sports hall, gym and studio facilities will be improved;
- the artificial pitch will be upgraded to '3G' allowing the potential for competition level football and/or rugby to be played on it;
- a larger and better soft-play facility will be included, accessible from the central atrium;
- there will be a small ancillary café for centre users (close to the viewing area for the pool) as well as the chance to use other facilities in the Hub as well; and
- there will be scope to increase 'dry-side' facilities in the future.

6.4.5 Subject to the final design, the floorspace of the leisure facilities is likely to be over 1000m² (and close to 50%) larger than at present, with space to grow, if needed, by a further 500m² in the future.

What will happen if this element of the Hub is not built?

6.4.6 If this element of the Hub is not built the chance to have an innovative shared building, with additional leisure facilities and services for the community, will be lost. The Hub also offers the chance for leisure facilities in Mildenhall to cover their own direct running costs and even generate a small surplus over time. This is particularly critical at a time of increasing pressure on local authority finances and a need to reduce the management fee paid to Abbeycroft further; putting aside their operational limitations and capacity, the cost to FHDC of funding leisure facilities in Mildenhall on split sites (duplicating staff costs) and in old and inefficient buildings is not likely to be sustainable in the long-term.

6.4.7 As before, however, the baseline model ignores these opportunity costs and looks only at the direct asset management implications. In that context, there is again no 'do nothing' option against which to compare the Hub. The sports hall and gym are both in buildings approaching the end of their design lives which require investment. In the case of the sports hall, the Dome is not owned by FHDC and, were the Hub project not to proceed, future taxpayer investment in it (or a replacement) would be the responsibility of the Academy to secure, with no guarantee of what could be afforded and when. To maintain community access, however, it is certain that FHDC would need to continue to pay a grant to the Academy.

6.4.8 The gym is located at the Council's offices. Therefore, this is covered by the baseline refurbishment cost outlined in the previous section of this report. Nonetheless, the facility would also continue to require a subsidy from FHDC.

6.4.9 The main asset management impact to consider in terms of the status quo is the swimming pool. The condition of this building is such that FHDC has already made provision of over £3m in its capital and maintenance programmes for a major refurbishment, and this cost will not be avoidable if the Hub does not proceed and the Council wants to commit to maintain access to swimming in Mildenhall (which it does). To achieve such a

refurbishment, the pool would be closed for many months and, when finished, it would still be too small to meet the currently assessed needs of the local community (since the site cannot be increased in size). It would also be difficult to achieve the required savings in energy costs which make up such a large part of the subsidy of any swimming pool (and achieve the environmental benefits).

- 6.4.10 Another factor to consider in retaining the current pool is that the chance to redevelop the site would be lost. In capital terms, as the site is small it was only valued at around £100,000 in the 2014 business case. However, given the site's proximity to other shops and the availability of existing parking, it could potentially be attractive to retailers and form a key and complementary part of any wider town centre masterplan.

What is the baseline cost against which to compare the Hub?

- 6.4.11 Accepting that is not a like-for-like comparison between facilities (**see 6.4.4 above**), the only baseline we can use for this element of the Hub is the Council's current leisure costs in Mildenhall and the likely costs of trying to keep the existing swimming pool open.
- 6.4.12 As with the office facilities, comparative 'whole-life' costs of both the 'status quo' option and the Hub can be modelled over 40 years. However, reflecting its age and operational nature, a higher maintenance contribution is modelled. In addition to the immediate maintenance backlog (held in abeyance pending a decision on the Hub), the 40 year model also allows for:
- capital programme provision of 0.3% of the insured value of the swimming pool (£2.4m) p.a. for periodic maintenance of an ageing; and
 - a revenue budget allowance for routine maintenance of 1.3% of insured value (using the construction cost of the whole leisure centre at the Hub and the insured value for the current pool).
- 6.4.13 As explained in section 6.3 above, certain assumptions and exclusions have been applied to the model for comparative purposes.

What will the leisure centre cost to build?

- 6.4.14 Subject to the same qualifications explained in **section 6.3 above**, the capital cost of this element of the Hub is currently provisionally allocated as up to £13.5m of the £20m total estimate. This sum reflects the economies of building the facility as part of a shared hub, with some of the central facilities used by the leisure centre (e.g. reception, café, etc.) included in section 6.3 above.
- 6.4.15 Specific to the leisure facilities, the Council assumes it will pay for the initial fit-out of some elements of the leisure facilities, as this is more cost effective for the taxpayer (via reduced management fees) and reflects the existing arrangements at other council buildings.

What will the leisure centre cost to run?

- 6.4.16 Although the Council will retain maintenance responsibilities (as now), the leisure provider will meet the direct running costs of the leisure centre at the Hub as part of their licence to occupy (as now). The gap between these costs and the income the provider can generate is currently covered by the management fee i.e. the level of subsidy required. Abbeycroft has received independent advice of its own to calculate the likely costs and income of a new combined leisure centre in Mildenhall, reflecting national benchmarks and local demography. This modelling suggests a small surplus on Abbeycroft's direct costs can be achieved within five years. The current management fee for the pool and gym is over £170,000 a year.
- 6.4.17 This modelling for the management fee does not take into account the benefits from renewable energy, but it does factor in a saving for Abbeycroft in sharing a reception team at the Hub and income from the Academy for the use of the sports hall during the school day. This saving may need to be adjusted when the final design of reception areas and leisure centre accesses is known.

Sources of funding available

- 6.4.18 As previously reported, the Hub will be funded through a mixture of capital receipts, external grants, borrowing. It is also important to take into account what will be spent in any event if nothing changes.
- 6.4.19 In the case of the leisure elements of the Hub, the following capital funding is likely to be available (some of which have been explained in more detail in the preceding paragraphs):
- (a) a capital receipt from the existing swimming pool site – a prudent estimate of the value at this stage is that identified by Concertus in 2014 (around £100,000);
 - (b) the unavoidable initial and long-term maintenance liability which otherwise would be required at the pool over the next 40 years (assuming the existing building could survive that long);
 - (c) a *potential* grant from Sport England. The Hub is in a 'pipeline' of potential projects that Sport England is monitoring and advising upon, as it has a strong fit to national priorities and local need. As a result, it may be eligible for a capital grant, but we will not know this until early 2017 when a funding proposal for Hub is considered formally by Sport England. Other sources of sports funding may be available for specific elements of the Hub;
 - (d) given the benefits in terms of providing infrastructure needed to support the long-term prosperity of the area and releasing sites for regeneration, additional external funding will be sought for the Hub;
 - (e) if the Academy receives sufficient government funding it may wish to share the investment in some of the leisure infrastructure and jointly own it with FHDC; and

- (f) a contribution from the Council's Strategic Priorities and Medium Term Financial Strategy Reserve (financed from New Homes Bonus receipts from past housing growth) which recognises the project's strategic importance and its role in ensuring the Council is delivering cost efficient services for its taxpayers. The use of this reserve also recognises the up-front investment to ensure the leisure provision is fit for the future as well current need.
- 6.4.20 As can be seen there is still a degree of uncertainty over some of the above items, particularly third party contributions. At this stage, ahead of the final funding agreement with partners, and with some outstanding funding applications, a target figure of £1.5m is included for combined third party contributions from all potential sources.
- 6.4.21 Even after these inputs, there will still be a gap in the FHDC capital funding requirement for the Hub. This is explained by the fact that the facility is so much larger and also that an up-front investment is needed to provide the amount of swimming pool capacity the area is likely to need for the next 40 years (as there is only one chance to build it).
- 6.4.22 This funding gap will need to be closed by borrowing. Over 40 years, interest on this borrowing is assumed at 2.75% and the Minimum Revenue Provision (MRP)² at 2.5%. Giving a total cost of borrowing of 5.25%.
- 6.4.23 The cost of this borrowing can be supported by the savings that the Hub generates for the FHDC taxpayer set out in the following section. This includes an assumed contribution from renewable energy which is subject to the separate business case referred to in **section 6.2 above**. In this indicative model for scrutiny purposes, this is provisionally calculated on the prudent basis of a 3% *net* return on an investment by FHDC of £2m. In relation to the reduction in the Abbeycroft management fee, the figure used in the model is the position at year 5 (on the basis of it being an 'average' year in an indicative 40 year model, and an expectation of further growth in users).
- 6.4.24 The use of these savings in this manner (and the break-even position in the funding model for the Hub) is consistent with the Council's MTFs, in view of the unavoidable asset management requirements the Hub is addressing, and the strategic and local benefits it will provided for the community. It is also important to note that this funding model is focused only on the direct costs and benefits of the Hub, primarily in terms of running costs of the facilities themselves. Although hard to quantify at this stage, we know from other projects that further savings are likely to be achieved through co-locating with partners and making available new assets to the community, as this creates the ability to work differently with families and communities and reduce their demand on public services. There are also opportunities for partners themselves to benefit from economies of scale, and share support services, ICT, procurement, etc. Furthermore, there are likely to be additional benefits to the taxpayer from the sites that are vacated by the Hub.

² The Minimum Revenue Provision is a charge that Councils are required to make in their accounts for the repayment of debt.

**Financial summary for leisure centre element of the Hub
(Initial December 2016 estimates)**

6.4.25 Estimate of Capital Requirement for Leisure Centre

Description	£
Construction Cost (Est)	13,500,000
Leisure client advice	60,000
Capital receipt from Swimming Pool site	-100,000
Swimming Pool Initial Maintenance Liability (already in Capital Programme)	-3,250,000
40 Year Pool Maintenance Liability (not in capital programme)	-290,000
Council's Strategic Priorities and Medium Term Financial Strategy Reserve Up to	-3,000,000
Combined third party contributions (Est)	-1,500,000
Carry-forward of net capital requirement from central element of Hub	-500,000
Net Capital Requirement	4,920,000

6.4.26 Estimate of Annual Revenue Requirement for Leisure Centre

Description	£ p.a.
Borrowing costs	258,300
Budgeted building maintenance contribution at the Hub	143,000
Average net impact on Abbeycroft Management Fee (before renewables) (Est)	-223,000
Current budgeted building maintenance contribution for the Pool	-31,000
Grant for dual-use of the Dome	-35,500
Carry forward of revenue savings from Offices and Central Infrastructure at the Hub	-80,550
Contribution from renewable energy business case (estimate)	-60,000
Net Revenue Requirement	-28,750

Overview and Scrutiny Committee



Forest Heath
District Council

Title of Report:	Review of Performance of Leisure Trust 2012-2016	
Report No:	OAS/FH/17/002	
Report to and dates:	Overview and Scrutiny Committee	12 January, 2017
	Cabinet	14 February 2017
	Council	22 February 2017
Portfolio holder:	Cllr Andy Drummond Portfolio Holder for Leisure and Culture Tel: 01638 751411 Email: andy.drummond@forest-heath.gov.uk	
Lead officer:	Jill Korwin Director Tel: 01284 757252 Email: jill.korwin@westsuffolk.gov.uk	
Purpose of report:	To review the performance of Abbeycroft Leisure in Forest Heath to inform the development of a new Partnership Agreement.	

Recommendation:	<p>1) The Overview and Scrutiny Committee reviews the performance of Abbeycroft Leisure; and</p> <p>2) <u>RECOMMENDS</u> to Cabinet and Council that, note is taken of the findings of the scrutiny in developing a new partnership agreement with Abbeycroft moving forward in particular:</p> <p>(a) The need for full transparency in costs to the Council of providing leisure services; and</p> <p>(b) The need for the agreement to focus on the outcomes for the health and wellbeing of communities.</p> <p>(c) Further it is recommended that the approach to developing a Partnership agreement with Abbeycroft for at least 10 years and alignment of leases will deliver a value for money service for the Council.</p>
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>
Consultation:	<ul style="list-style-type: none"> This report has been produced with the support of Abbeycroft
Alternative option(s):	<ul style="list-style-type: none">
Implications:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The Council pays Abbeycroft a management fee and has obligations for maintenance of its assets. It is essential Abbeycroft delivers a efficient service to reduce those cost
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none">
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none">
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Existing management agreements and leases are legal documents that will need updating

<p>Are there any equality implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> Leisure services need to be developed in an inclusive accessible way. Adhering to the principles of the Council's Promoting Physical Activity Framework will deliver this. 	
<p>Risk/opportunity assessment:</p>		<p><i>(potential hazards or opportunities affecting corporate, service or project objectives)</i></p>	
<p>Risk area</p>	<p>Inherent level of risk (before controls)</p>	<p>Controls</p>	<p>Residual risk (after controls)</p>
	<p>Low/Medium/ High*</p>		<p>Low/Medium/ High*</p>
<p>Abbeycroft is not run in an efficient way resulting in increased costs to the Council</p>	<p>Low</p>	<p>Effective board of trustees; support through stakeholder group; effective monitoring of performance</p>	<p>Low</p>
<p>Increased competition in the leisure sector means that Abbeycroft loses market share and costs increase</p>	<p>Medium</p>	<p>Investment in facilities to ensure they remain attractive to users, continued development of offer to meet current needs and trends</p>	<p>Low</p>
<p>Wards affected:</p>		<p>All wards</p>	
<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>		<p>Promoting Physical Activity Framework: https://democracy.westsuffolk.gov.uk/documents/s15009/CAB.FH.16.029%20Appendix%20A%20-%20Framework%20Guidelines.pdf Abbeycroft Leisure Annual report 2015-16 http://apps.charitycommission.gov.uk/Accounts/Ends38/0001117138_AC_20160331_E_C.pdf Decision to create leisure merged trust for Forest Heath https://democracy.westsuffolk.gov.uk/documents/s6205/CAB.FH.15.002%20Anglia%20Community%20Leisure%20-%20Changes%20to%20Governance.pdf Investment in Council's leisure facilities: https://democracy.westsuffolk.gov.uk/ieListDocuments.aspx?CIId=129&MIId=3315&Ver=4</p>	

Documents attached:

Appendix 1: Governance arrangements

Appendix 2: Summary of other leisure provision arrangements

Appendix 3 – CONFIDENTIAL Business information

Appendix 4 –User stories

1. Key issues and reasons for recommendations

1.1 Background

1.1.1 In 2008, Forest Heath District Council created a Leisure Trust, Anglia Community Leisure (ACL), to manage its leisure facilities. In February 2013, as part of the shared services journey, ACL started to work in partnership with Abbeycroft Leisure, the trust providing leisure services for St Edmundsbury Borough Council and in 2015 both Trusts merged and Abbeycroft took on responsibility for Forest Heath Leisure Services.

The Council leases the buildings of Newmarket and Brandon Leisure Centres and Mildenhall Swimming Pool to Abbeycroft and management agreements support those lease arrangements.

1.1.2 The Council pays Abbeycroft Leisure a management fee to support the operation of sports and leisure services in those centres and across the district. In addition Abbeycroft runs the George Lambton pavilion and the Dome Leisure Centre on behalf of the Council.

1.1.3 Further, since the merger Abbeycroft also delivers the following services for the Council:

- Sports and Physical Activity Development Team
- Project Management of Mass Participation of Events
- Strategic Leisure Advice
- Management of Outdoor Pitches at George Lambton Playing Fields

1.1.4 The principle of the agreements is that both organisations are working in partnership to achieve the best for its local communities and provide opportunities to enjoy the broadest range of services. As shown above, Abbeycroft Leisure now provides a wide range of services that goes beyond the scope set out in the original management agreements with ACL.

1.1.5 This report aims to demonstrate what the Trust has delivered to achieve the Council's aspirations for sport and leisure since 2015 and how its role has developed not only within West Suffolk but also across the County. This report will feed into the development of a new partnership agreement that will be considered at Full Council on 22nd February 2017. (Note: When the merged Leisure Trust was created, the Council committed to developing a long term reduction in management fee and a new partnership agreement with Abbeycroft as the merged Trust).

1.2 Development of the merged Trust

1.2.1 In 2013, the shared approach commenced with the appointment of a joint Chief Executive Officer (CEO) across both Trusts and progressed to sharing a management team and other staff resources, along with some service and systems alignment. It saw the creation of a sports and physical activity development service. This helped address some financial issues that ACL were then facing and delivered some efficiencies that enabled the Council to reduce the management fee paid to ACL.

- 1.2.2 In 2015, in pursuit of further service improvements and savings, and following a due diligence exercise, The Council agreed that a single merged trust should be created, and the existing management and funding agreements between Forest Heath District Council and Anglia Community Leisure were novated to Abbeycroft Leisure. So, since April 2015, Abbeycroft Leisure has delivered sports and leisure services for Forest Heath District Council.
- 1.2.3 Abbeycroft Leisure itself was established as a Company Limited by guarantee with charitable status in 2005, operating Bury St Edmunds and Haverhill Leisure Centres along with sport development and outreach programmes on behalf of St Edmundsbury Borough Council.
- 1.2.4 The Trust acquired Social Enterprise status in 2010 and has continued to grow and now operates 12 facilities across Suffolk and Cambridgeshire attracting in excess of 1.6 million visits and employs 450 staff.
- 1.2.5 The Trust has also engaged in a large number of national and local initiatives that has contributed to the Council's objectives and encouraging local communities to be active and some of these are referenced later in this report.

2. Trustees and Governance

- 2.1 The Abbeycroft Board of Trustee has always looked to strengthen the skills base of the organisation and has concentrated on recruiting to the board. This proved to be successful this year and the organisation now has 10 trustees that oversee the strategy and policy of the organisation.
- 2.2 Board members have been recruited based on the requirements of the organisation and have skills in health, property, business development, marketing, finance, education and local government. The Board is supported by a strong leadership team with experience in leisure provision, physical activity development, event management, facilities management, finance marketing and commercial sponsorship. Full details of the Governance are included in **Appendix 1**.
- 2.3 The Board is also supported by two sub-committees: The Finance and Business Development Sub-Committee and The Human Resources sub-committee.
- 2.4 The Board has recently set up a stakeholder sub-committee that will examine the various social initiatives that Abbeycroft Leisure operates. This committee is made up of co-opted members with specialisms in Public Health, Primary Health Care, secondary Health Care, Education and Employment. This group will meet for the first time in January 2017 and will focus on how initiatives that are demonstrating strong social outcomes are sustained and embedded within existing systems or continue with a suitable financial model that reduces the need to secure external funding.

3. Core Business for West Suffolk

- 3.1 The original management agreements with Anglia Community Leisure

supported the leases for each of the leisure centres and specified that ACL would:

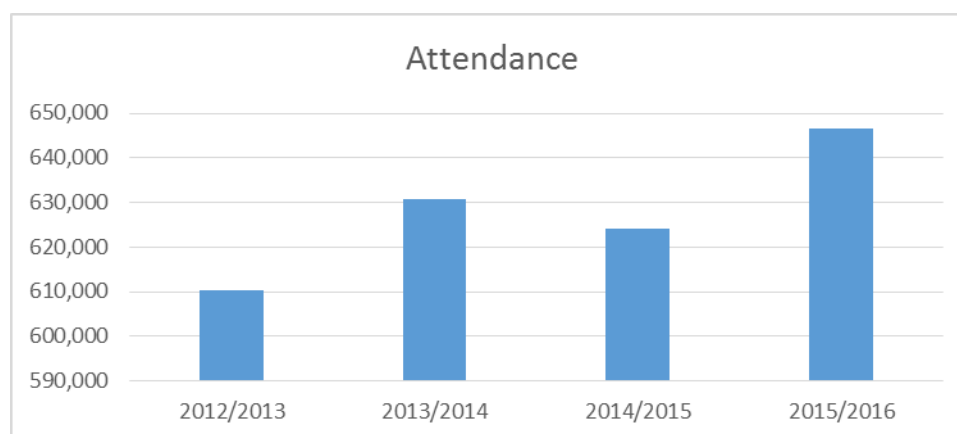
- a. Provide maximum opportunities for the community, including clubs and organisations, to participate in sport, leisure and recreational activities and to develop their interest and skills, particularly among low participant groups
- b. To establish the Leisure centre as a local centre for community sports leisure and recreation
- c. To provide an increase where practical the quality of sporting opportunities for the students of the college and local schools and encourage their curricular and extra-curricular sports, leisure and recreational activities.

3.2 Both Mildenhall and Newmarket Leisure Centres are operated as dual use facilities with the respective college or academy, and the inclusion of the schools objective reflects this. These objectives have not been reviewed since 2009 and were not updated in 2015 when the merger of the trusts took place.

3.3 This reports sets out the activities that the Abbeycroft now undertakes going wider than the original agreements with ACL and shows how the business has changed over the last 8 years.

4. Attendance

4.1 Total attendance has grown against the prior three years of operation and reflects the quality of the services that are being provided for the leisure facilities in Forest Heath. The number of visits to facilities in Forest Heath rose to 646,670 during 2015/2016.



4.2 A further set of statistics linked to the performance of Abbeycroft Leisure's operation of leisure facilities and services can be found in **Appendix 3 – Confidential Business Information.**

5. Continuous Improvement and Quality Management

5.1 The organisation has continued to develop its approach to continuous

improvement and quality management and engages in the following initiatives:

- a. **Quest (UK Quality Award for Sport and Leisure)** – All of the facilities operated by Abbeycroft Leisure hold Quest Accreditation. This process involves a constant internal review of the services provided together with an independent audit being carried out an industry expert.
- b. **Mystery Visit Programme** – Each facility receives a mystery visit 3 times a year and aims to develop the front facing customer experience.
- c. **Service Audits** – There are four service audits at each centre per year and these examine how effective the systems and processes are in delivering the services with aim of improving and developing these.
- d. **Health and Safety Audits** -Each Centre receives an independent health and safety each year ensuring that the centre not only meets statutory requirements but also how it develops its systems in line with best practice.

5.2 **Active People Survey Results:** Whilst Abbeycroft Leisure is not solely responsible for increasing physical activity in Forest Heath it does have a role to play and it is pleasing to see that the most recent set of results sees Forest Heath seeing a small increase with 33.6% of people now active at least once a week for 30 mins in the district.

6. **Initiatives and Projects**

- 6.1 Abbeycroft has undertaken outreach work to contribute to the Council's objectives. Such initiatives are very much in line with the Council's new Promoting Physical Activity Framework that was adopted in July 2016. Examples of some of the projects that Abbeycroft has run are included below with a more detailed list of all projects included in Abbeycroft Leisure's Annual Report that can be found at http://apps.charitycommission.gov.uk/Accounts/Ends38/0001117138_AC_20160331_E_C.pdf.
- 6.2 **Keep Active:** Successful applications to the Sport England Community Sport Activation Fund has seen key projects delivered in Forest Heath to engage both the older and younger populations within the district with the aim of increasing participation rates in these target groups. £148,000 was secured for a three year period and the initiative will be rolled out to the different communities within Forest Heath over that period. The progress of the scheme is summarised in the text below.
- 6.3 **Over 55 Population:** Progress to date has seen community engagement sessions taking place in 4 locations throughout the target town of Newmarket – at Exning Church Hall, Newmarket Day Centre, Newmarket Library and Newmarket Leisure Centre. Male and female participants from aged 55 - 92 are participating in the programme. Free taster sessions were used successfully to generate interest in users at the start of the year and begin to build the sessions to a sustainable level of participation. Taster sessions have included bowls, boccia, badminton, short tennis and a resounding favourite, table tennis. The programme is now transitioning from a multi-

activity session to more structured 'single sport' sessions based on feedback. A successful walking football session has been created and these have been followed by the development of Walking Netball.

6.3.2 The key successes for the programme to date are:

- a. Regular users from the age of 55 to 92 attend our sessions, which suggests that the sessions are suited to a large span of age and ability. Activators have been extremely successful in ensuring the attendees experience a variety of sport during the session.
- b. The start-up of the Newmarket walking football session has been a terrific success, even to the point that in May 2016 a team was created and entered (linking with a team from Stowmarket) into the first Ipswich Walking Football tournament organised by the Suffolk F.A. The team made it through the group stage and was knocked out in the Semi-Final by the overall winning team.
- c. Participants are now taking the initiative and taking ownership of the sessions, providing regular feedback to assist in the development of the activity and informing the process for marketing and promotion to attract new people to attend the sessions.
- d. Partnership development between Keep Active and GP Referral Scheme – A developing partnership is being created to support people 55+ remain in physical activity between the Keep Active programme and the GP Exercise on Referral Team at the Leisure Centre. Participants that cite reasons for not using the gym are encouraged to take part in the Keep Active programme and vice versa, participants whom find their confidence in physical activity through Keep Active are now progressing to other activities within the Centre.

6.3.3 The next phase of development of this programme will see the project open in Brandon, with work commencing on this in 2017.

6.4 **14-25 Population:** This element of the programme aims to engage young people in sport and dance in an informal and enjoyable environment, encouraging them to be more physically active and initiate behaviour change. The programme is on target to fulfil commitment in terms of numbers of sessions delivered in Mildenhall, Newmarket and Brandon currently standing at 23 sessions completed in each venue.

6.4.1 The success of the 14-25 activities has been formed through community partnership working between Catch 22, local schools and youth groups. The correct age range has therefore been targeted ensuring programmes are run in the key priority geographical areas working closely with schools and other local youth and sport agencies in order to promote each individual project. The Mildenhall project has already reached its annual target for individual attendees with others making progress.

6.5 **Monday Mums:** Abbeycroft Leisure's partnership programme with Community Midwives operates in West Suffolk and is an antenatal group held at both Newmarket and Bury St Edmunds Leisure Centre. Its purpose is to educate and empower pregnant women who are overweight or obese to support them to have a healthy pregnancy and birth experience. The group

sessions include discussing healthy eating, antenatal education, 1-2-1 consultation with the Midwife and a final half an hour dedicated to exercise.

- 6.5.1 The programme has audited 40 women with positive results and feedback. Average weight gain during the period of the programme was low – averaging 1.46kg. Of the women that did not attend Monday Mums only 53% had a vaginal birth, whereas 86% of women who attended Monday Mums had a vaginal delivery. In addition to this 73% of mums breastfed their children upon discharge from the midwifery service. The programme continues with scope to be replicated across a wider geographical area.
- 6.6 **Exercise on Referral:** The Exercise on Referral Scheme has seen 309 people for the first six months of the 2016/2017 financial year across West Suffolk. The programme has seen positive retention with 51% of those clients who started going on to complete the scheme and 93% of those people remaining active following completion of the programme. Outcomes have included clients reducing blood pressure, weight and even medication. Two case studies demonstrating the results from this scheme are included at **Appendix 4.**
- 6.6.1 With a range of more than 60 referral partners, each scheme has built relationships in many health settings. The coordinator team continue to promote the scheme with a range of outreach centres and activities. These included the Lymphedema Open Day, Osteoporosis Day, Burwell Surgery, Guildhall Surgery, Orchard House Surgery, Pulmonary Rehabilitation West Suffolk Hospital, Staploe Medical Centre, West Suffolk Hospital Physio, Cancer Education Day and many more.
- 6.6.2 The programme has also seen the development of a new partnership with Allied Health Professionals in Brandon whereby the current provider for West Suffolk Clinical Commissioning Group (WSCCG) is co-located at the leisure centre, uses the facilities to assist with treatment and then refers patients to the health and fitness team to continue their rehabilitation at an appropriate point.
- 6.6.3 Future developments include a large training initiative with at least 10 existing fitness staff undertaking an Abbeycroft Leisure funded “Exercise on Referral” course, supported through our training partner YMCAFit. The growth of the scheme is being supported through the establishment of 3 coordinators to oversee its operation. Key responsibilities will be to develop the services on offer such as supervised sessions, aqua gym, aqua exercise classes, falls prevention classes and linking with other programmes such as health walks.
- 6.7 **Mass Participation Events:** Abbeycroft Leisure believe that mass participation events have a role to play in further inspiring people to participate in physical activity that leads to longer term behaviour change. The principle behind this is that an individual can be motivated to participate in physical activity after seeing a high profile event or building a personal connection to an activity through its fundraising purpose. On that basis Abbeycroft Leisure have developed and supported a wide range of high profile events as well as organising local initiatives that engage a broad audience.

- 6.8 **Sport Relief:** Sport Relief is a national initiative that encourages people to take part in swimming, cycling or running to raise money for Comic Relief. This year Abbeycroft Leisure facilities were selected by event organisers after applications were submitted in 2015 for Newmarket, Brandon, Haverhill and Bury St Edmunds Leisure Centres. Events taking place were 1, 3 and 6 mile walk/runs in Brandon and Haverhill and Bury St Edmunds as well as individual and team 1, 2.5 and 5km swims at Newmarket and Haverhill. Total attendance across all sites including running and swimming stood at 330.
- 6.9 **Great East Swim:** Working in partnership with Suffolk County Council, Abbeycroft Leisure delivered a 12 week training programme for 48 inactive 14-25 and 50+ years leading up to the Great East Swim. All achieved a minimum of ½ a mile in the Great East Swim with many completing a mile and continue to remain active after the event. This Programme will extend into Mildenhall in 2017, although it will focus on a different age group.
- 6.10 It is anticipated that the programme of high profile events will expand in Forest Heath during 2017 with final negotiations taking place with regard to two major sporting opportunities. Both of these events will also have a community programme running alongside the event which aims to create exit routes into physical activity opportunities.

7. Business Development and Diversification

- 7.1 Abbeycroft Leisure has actively looked at growth opportunities in order to reduce its core overhead, create economies of scale with suppliers, create new employment opportunities in the sport and physical activity industry and offer more choice to customers.
- 7.2 As a result, Abbeycroft Leisure has grown beyond West Suffolk and has diversified into different markets in response to consumer trends and opportunities presented. The other facilities operated by Abbeycroft Leisure are as follows:
- The Gym Ipswich (Low Cost Gym)
 - The Self Centre, Bury St Edmunds (Health and Wellbeing Facility)
 - The Port of Felixstowe Fitness Centre (Corporate Fitness Facility)
 - Thurston Sports Education Centre (Community Use Sports Facility)
 - Trumpington Community College Sports Centre (Community Use Sports Facility)
- 7.3 In addition to this the organisation has also developed some of its own services that are now operated beyond Suffolk's borders. An example of this is the development of "Explore Outdoor" which is a product that provides schools and businesses the opportunity to develop leadership and team building through the delivering of outdoor pursuits.
- 7.4 The following factors are considered when examining growth opportunities:
- a. The impact on existing relationships with clients and customers and the ability to meet those obligations;
 - b. Ensuring that the opportunity can be serviced and is within reasonable distance of the support infrastructure required;

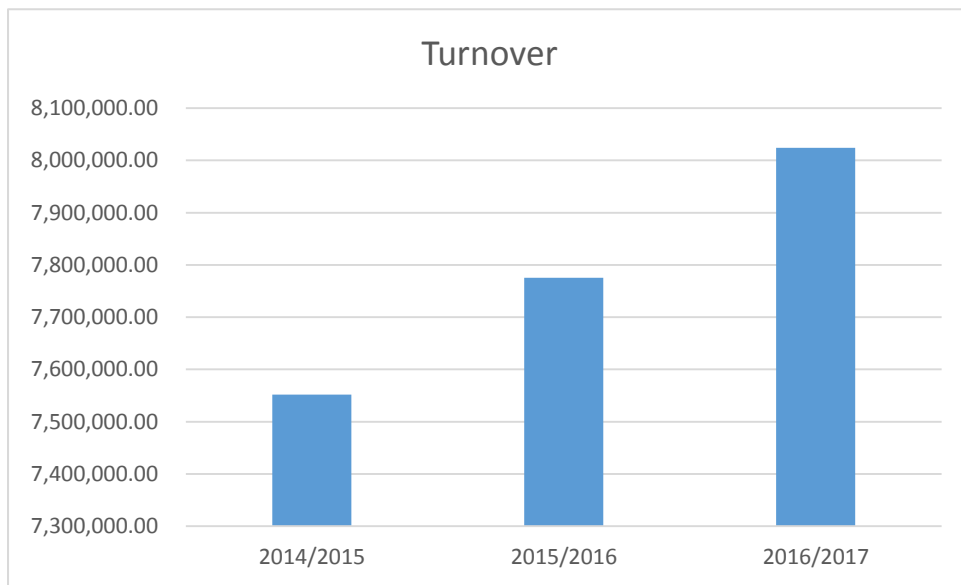
- c. How the development of these services offer more choice to customers;
- d. That the growth is underpinned by strong financially sustainable business plan that does not put other aspects of the charity at risk;
- e. The opportunity to work with a broader range of partners that adds value to everyone involved.

7.5 Abbeycroft will continue to examine growth opportunities but considers West Suffolk as the heart of its work and in fact the biggest growth opportunities to date have been realised within the West Suffolk area.

8. Financial Performance

8.1 A strong financial footing is essential for Abbeycroft Leisure to succeed. As a social enterprise it invests profits back into the services it provides whilst also ensuring that it is as efficient and as effective as possible. Its full financial performance is included in its annual report referred to above.

8.2 Generally the organisation has been successful and continues to grow its overall income base with the graph showing a strong increases in turnover over the past three years.



Please note that 2016/2017 is a forecast figure.

- 8.3 In addition to turnover growth the reliance upon the management fee the Council has paid to ACL and more recently Abbeycroft Leisure has reduced significantly over a period of years as follows:

Year	Management Fee payments by FHDC
2009/2010	£1,044,823
2010/2011	£963,940
2011/2012	£824,048
2012/2013	£753,100
2013/2014	£723,000
2014/2015	£625,500
2015/2016	£523,000
2016/2017	£474,000
2017/2018	£414,000
Total Accumulative Saving	£630,823

- 8.4 When taking account of the management fee reductions across West Suffolk the organisation has grown its turnover in excess of 100% (£4.8 million) since the charity was created which in turn demonstrates how the trust has met the challenge of reducing public sector resources by growing its income base rather than cutting services.

- 8.5 The ability to reduce the management fee has also been supported by investments that have been made in the services to date which are as follows:

Project	Amount	Investment Type
Newmarket Gym Investment	£15,000	Abbeycroft Investment
The Gym Mildenhall	£100,000	FHDC investment for management fee reduction
Legend Installation (Customer Management System)	£30,000	Abbeycroft Investment
Newmarket Leisure Centre – Gym Refurbishment	£204,000	FHDC Investment for management fee reduction.

- 8.6 These investments have enabled Abbeycroft to provide good services and facilities ensuring it remains competitive in a very commercial market place.

8.7 During the 2014/15 financial year Abbeycroft Leisure engaged an independent consultant to review the operation and efficiency of the various facilities across West Suffolk. This enabled the organisation to benchmark each facility and compare it to other operators within the sector. The results of this review are included in Appendix 3 for members to review.

8.8 It is important to note the current lease and management agreement means that the Council is responsible for the fabric of the centres and key capital expenditure such as renewal of swimming pools or heating systems. A 5 year asset management plan sets out planned maintenance and renewal and anticipated cost and the Council makes an annual contribution of £53,000 into that capital fund that is topped up as required. For each facility there is a list of maintenance and repair obligations included in the lease for the property.

9. Strategic Leisure Support and Advice

9.1 In addition to the core work, Abbeycroft provides Strategic Leisure Advice to the Council. The Council is able to benefit from the specialist knowledge of Abbeycroft's Chief Executive and his team when considering leisure related developments or projects. Examples of the support that Abbeycroft has provided in this regard include:

- i. **Built Facilities and Playing Pitch Strategy:** Abbeycroft Leisure led on the development of the review and development of the Built Facilities Strategy and assisted the Leisure Operations Manager with the Playing Pitch Strategy.
- ii. **Mildenhall Hub:** Advice on design of the proposed new facility and working with various stakeholders in the formation of the business plans to date.
- iii. **Promoting Physical Activity Framework:** Support to the Council in developing the new strategy for physical activity.
- iv. **Most Active County and County Sports Partnership:** Represents the Council on these partnerships.
- v. **Sports and Physical Activity Development:** Abbeycroft Leisure have also extended the operation of sports and physical activity development to include the Forest Heath District. This team have been key in securing Sport England funding for the Keep Active initiative.

10. Approaches and costs of other Local Authorities

10.1 A trust model such as this offers a number of benefits to the local authority in that it avoids costly and lengthy procurement exercises nor does it require the same level of contract management that a commercial contract would typically require. However it is essential to understand whether the arrangement offers value for money and delivers the best possible service. In evaluating Abbeycroft's performance and considering a future partnership agreement it is helpful to look at the arrangements other local authorities have to deliver sports and leisure. There are a range of delivery models and

these are summarised in **Appendix 1**.

- 10.2 This table shows a range of provision models from in house to commercial providers to leisure trust and a wide range of costs. The information has been taken from published annual reports and budget statements, and they must be treated with some caution as different approaches can be taken to account for back office costs such as HR, IT and Finance, particularly for in house operators where such costs may be met corporately. As shown by the Council's own figures, cost for maintenance and repair can also be held in different funds. However the information gathered provides a helpful benchmark.
- 10.3 Huntingdonshire DC who own and operate 5 leisure centres including 5 pools, had hoped to achieve an operating surplus, following significant investment into sites to provide a "gold standard" leisure offer. However budget figures show a cost of leisure centre operation of £580,782.
- 10.4 Breckland DC have developed 4 leisure centres under a PFI contract that is costing the authority £1.008m per annum.
- 10.5 Clearly all local authorities are looking at ways to reduce cost and increase income, but the figures indicate that Abbeycroft deliver a broad service offer at a competitive cost and the intention to ultimately reduce the management fee to zero is a direction of travel other Councils aspire to.

11. Challenges

- 11.1 Whilst Abbeycroft have grown their business it is a competitive market and any operator faces a number of challenges, including:
- 11.2 **Workforce – Recruitment:** In recent years the leisure industry has faced increased difficulty recruiting to the sector and this is predominantly due to further and higher education courses now reflecting traditional sport rather than the broader leisure sector. This has resulted in a skills shortage and Abbeycroft Leisure is now working with a broad range of partners to address this locally and sure that the organisation can grow its own staff. This includes:
- a. Partnership with West Suffolk College to further enhance students' qualifications and increases opportunities to gain employment in the sector.
 - b. Abbeycroft Leisure committing to be an Employer Partner for the Chartered Institute of Sport and Physical Activity Management and providing access to a comprehensive continuous professional development scheme.
 - c. The development of an apprenticeship programme providing opportunities to for 10 apprenticeships across all departments.
 - d. Development of the workforce's knowledge and skills within health and wellbeing including a national pilot for Make Every Contact Count Training (MECC) for the Leisure Sector
- 11.2.1 These approaches will ensure that staff have the skills and knowledge to assist the organisation in its next stage of development.

- 11.3 **Workforce- Terms and Conditions:** Abbeycroft Leisure's merger with Anglia Community Leisure has led to the organisation having some slightly different terms and conditions across the organisation with differing pay scales, different approaches to pensions variations in annual leave year etc. The organisation is now progressing an organisational development plan which incorporates not only the development of a new set of terms and conditions but also a better approach to employee engagement which will create a platform for the organisation to develop in the future.
- 11.4 **Funding:** Abbeycroft Leisure has had some success in securing external funding for project delivery in recent years. This has been beneficial in developing successful projects that have produced social outcomes. Whilst opportunities for securing such investment still exist the challenge is ensuring that projects that are producing strong social outcomes are sustainable beyond the pilot phase without having to continuously bid for money. This is an area of work that the trust's stakeholder committee will examine to identify opportunities to develop successful models and where possible embed these into existing services provided to individuals.
- 11.5 **Engagement of the Inactive Population:** Whilst the trust captures the imagination of a broad range of communities there are still many people who remain inactive. The cause of this inactivity is down to a number of complex factors but the trust needs to consider how it will engage hard to reach groups to become active to benefit their quality of life through the broadest range of opportunities possible.
- 11.6 **Competition:** Competition will continue to be a challenge and not purely linked to competitors in the leisure market place but also linked to pressures on people's time and what they choose to do with their leisure time. The trust will need to be able to continue to move rapidly and adapt and change based on consumer trends and the needs of local communities.

12. The Future

- 12.1 **Promoting Physical Activity Framework:** The production of the new framework provides a new set of parameters for Abbeycroft Leisure to work within, focused on outcomes for local communities rather than outputs. Whilst the trust works in partnership with many organisations the new framework will encourage this partnership approach to develop further to create the right services to encourage more people to be active. In addition, the framework will also assist the trust develop its own strategy, policies and initiatives.
- 12.2 **Leisure Facilities:** The Council has agreed to create an investment fund that Abbeycroft Leisure can apply to for capital funding to improve and develop its facilities and reduce operating costs. As such, Abbeycroft Leisure is reviewing the current portfolio of leisure facilities and examining the possibilities for future development on those sites. This work will identify a facility mix that will aid both commercial development, broaden opportunities to co-locate with other stakeholders, engage a broader audience in different forms of physical activity and improve the quality of services to customers. The feasibility work is already underway and will complete in early 2017.

- 12.3 **Consumer Trends:** Abbeycroft Leisure is conducting significant research using customer insight data and market segmentation tools to further inform programming of leisure facilities and the provision of outreach work. This will be complemented by information on local needs and priorities. The outcome expected is to create a community focused physical activity plan that truly meets the needs of local communities whilst also being commercially successful.
- 12.4 **Technology:** The use of technology is more prevalent in society today than ever before. This has brought some interesting opportunities for the leisure industry and there are a wide range of tools available to people to encourage, support and engage people in physical activity. The trust is examining how to harness the use of technology to support and motivate people to engage in physical activity whilst ensuring that face to face interventions are also included where necessary.
- 12.5 **Health and Wellbeing Agenda:** The benefits of physical activity on peoples' health and quality of life are now well documented and this presents an opportunity to engage with organisations and stakeholders within public health, primary care and secondary care settings around the prevention and rehabilitation agenda and reducing the pressures on these services.
- 12.5.1 The trust is actively working in these areas to further develop referral routes for rehabilitation but also working to create opportunities for people to engage in a variety of forms of physical activity early in their life to stop the onset of a variety of medical conditions.
- 12.5.2 Abbeycroft Leisure see this as a core element of their work and are developing their workforce accordingly.

Appendix One: Summary of Leisure Provision in other Local Authorities

Local Authority	Services Offered	Operating Model	Costs per annum (2016/17)	Notes	No of centres	No of pools (main and children's)
Forest Heath DC – Population 63,691 Cost per centre per head of population – £2.76	Newmarket, Brandon and Mildenhall Leisure Centres; Sports Development	Trust	£474,000 + annual contribution to maintenance £53,000		3	2 main pools 1 children's pools
St Edmundsbury BC – Population 112523 Cost per centre per head of population – £2.09	Bury St Edmunds and Haverhill Leisure Centres (and Skyliner Sports Centre from Jan '17) ; Sports Development	Trust	£212, 000 + annual contribution to maintenance £259,350		2	2 main and 4 children's pools
Babergh DC – Population 89,215 Cost per centre per head of population – £5.46	Hadleigh Leisure Centre and Kingfisher leisure centre	South Suffolk Leisure Trust	Operating £225,000 Capital & Improvement £750,000	Contract ends 2031	2	2 main pools 0 children's pools
Breckland DC – Population 135,480 Cost per centre per head of population – £1.86	Parkwood Leisure operates the four leisure centres. All offer a range of sports and fitness activities ranging from team games to racquet sports, fitness classes and swimming tuition (Swimming in Thetford and Dereham only).	PFI (Private Finance Initiative) leisure contract	PFI charge £1,008,660	Contract ends 2039	4	2 main pools 2 children's pools

Local Authority	Services Offered	Operating Model	Costs per annum (2016/17)	Notes	No of centres	No of pools (main and children's)
East Cambs DC – Population 87,306 Cost per centre per head of population – £1.50	A New District Sports Centre being constructed by Pellikann.	Currently all the leisure centres and sport facilities are operated by independent community leisure trusts. GLL (a large leisure trust) will be managing the new facilities.	2016/17 £525,000	Contract ends 2043. All other leisure centres and sport facilities are operated by independent community leisure trusts. <i>Eg Bottisham Sports Centre</i> is operated by Bottisham Village College <i>Burwell Community Sports Centre</i> is operated by Burwell Community Sport Centre Limited	4	2 main pools 0 children's pools
Huntingdonshire DC - Population 174,966 Cost per centre per head of population – £0.92	Five Leisure Centres are provided and managed by Huntingdonshire District Council which include: swimming pools, sports halls, health and fitness and outdoor provision.	In house	£580,782 One Leisure 2016/17 updated budget £222,879 One Leisure Active Lifestyles	In January 2010, five individual leisure centres in Huntingdon, Ramsey, Sawtry, St Ives and St Neots were rebranded as One Leisure. The principal objective of this was to reinforce the use of all One Leisure sites with a single membership.	5	5 main pools 0 children's pools

Local Authority	Services Offered	Operating Model	Costs per annum (2016/17)	Notes	No of centres	No of pools (main and children's)
Ipswich BC – Population 135,600 (Advised that they do not have 2016/17 budget figures) Cost per centre per head of population – £3.11	4 leisure centres, a gym and two pools	In house	2015/16 £1,688,520 (advised that 2016/17 budget not yet available)		4	2 main pools 2 children's pools
Mid Suffolk DC – Population 99632 Cost per centre per head of population – £3.04	Mid Suffolk Leisure Centre and Stradbroke Leisure Centre	Contract with SLM-Everyone Active	Operating £422,000 Capital & Improvement £184,000	Contract ends 2020	2	2 main pools, 2 children's pools
Waveney DC and Suffolk Coastal DC - Population 241,234 Cost per centre per head of population – £0.98	4 leisure centres, a soccer centre and golf course	Trusts – Places for People and Sentinel Leisure	£941,700	Contract ends 2029	4	5 main pools 4 children's pools

Appendix 2: Abbeycroft Governance Arrangements

Board members:

Sarah Howard MBE
David Howells
Anne Greenfield
Diane Saunders
Ian Runnacles
Cllr Terry Clements
Selina Austin
Anthony Preece
Lois Wreathall
Simon Burton

The Board produces an annual report that complies with both companies house and charities commission legislation. The most current report for the year ending March 2016 is a supporting paper to this report and historical reports can be found online on the Charity Commission website

<http://apps.charitycommission.gov.uk/Showcharity/RegisterOfCharities/FinancialHistory.aspx?RegisteredCharityNumber=1117138&SubsidiaryNumber=0>. In addition to its formal reporting the board meets on a quarterly basis to review the performance of the organisation and the effectiveness of initiatives and policies and reviews risks. The board also undertake a review of its five strategy on an annual basis.

The Finance and Business Development Sub-Committee undertake a statutory function with regard to annual reporting but this group also examines any new opportunities to grow existing and new income streams. A current piece of work includes the creation of a trading subsidiary allow it to develop some of the more commercial aspects of the operation.

The Human Resources sub-committee considers organizational development and is currently working through an organizational development plan that incorporates a review of the culture of the organisation and aligning its training programme as well reviewing the current terms and conditions to address the National Living Wage.

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Appendix 4: Exercise on Referral - Case Studies



CASE STUDY: *Brian Parsley*

Newmarket Leisure Centre

At the end of last year, following almost two years of back and hip pain, taking regular painkillers with no real results, and needing a stick to walk any distance, I consulted my GP who recommended seeing an osteopath. His diagnosis was that the muscles at the base of my spine were tight, needing to relax, and he set to alleviating the symptoms at £1 per minute! Within four visits the pain had gone, and he advised me that the next step was to lose weight.

Over Christmas, at 20 stone 4 pounds, I made the decision to join a local group of Slimming World. With their guidance and support, I succeeded in losing 8 ½ pounds in the first week followed by 5 pounds in week two and have made steady progress ever since.

As the weight loss continued steadily I consulted my GP for advice as I felt I needed to exercise – he agreed and gave me the forms for the Active Living GP referral scheme where I met Kim Parr the GP Referral Coordinator, she assessed my needs and tailored a programme around my reasons for referral, I then attended twice a week on a regular basis.

I continue to lose weight (4 stones or 56 pounds so far, in 22 weeks) and am about to set a final target of 14 stone. I am pain free, far more active, feeling healthier, and consider that the holistic approach of osteopath, Slimming World, a sympathetic wife who is an excellent cook and Gym have combined to make the ideal solution for me.
B D Parsley





CASE STUDY:

Gillian Ward

I was diagnosed as a type two diabetic approximately ten years ago and have tried to lose weight over the last ten years; I did manage to lose some weight with slimming world but also seemed to put the weight back on when I gave up smoking.

In March 2015 during a visit to the diabetic clinic I was put on a new drug called Bydureon injection, once a week, this is a slow release suspension which would help me lose weight if I watched what I ate and managed some exercise, I don't drive so walk to town every other day to do shopping, knowing this was not enough exercise I went to the doctor to ask whether I was able to go on the Active Living Project that took place at my local gym.

At the point of joining the gym I was 15 stone in weight and very unfit, I was on a great deal of medication including Metformin tablets 500mg twice a day and 38 units of insulin three times a day.

I started to attend the gym under supervision of Kim Parr on the 5th June with the same readings as above, starting with a manageable exercise, I soon began to feel that I could complete the level of the exercises. When I started I thought that due to having a knee replacement it would stop me from achieving cycling, but this exercise seemed to help the knee to relax and I was soon cycling with the best of them.

I continued through to the end of my 12 weeks supervised sessions and had lost a total of 17 pounds over the period and my insulin intake had been reduced by the end of the hospital to 20 units of insulin twice a day, this was a reduction of 36 units per day, when I attended the clinic in September they were extremely pleased with my weight loss.

I will now continue at the gym by starting a slow and easy class and using the gym as well.

I am very grateful that Kim gave me the confidence to stay the course at the gym. The way she teaches is very considerate giving you all of the knowledge of how to use the gym equipment and checking that you are using it to its full benefit by increasing the levels when you feel that you can achieve more.



Overview and Scrutiny Committee



Forest Heath
District Council

Title of Report:	Public Space Protection Orders (PSPOs) – Changes to Anti-Social Behaviour Legislation	
Report No:	OAS/FH/17/003	
Report to and date/s:	Overview and Scrutiny Committee	12 January 2017
Portfolio holder:	<p>CLlr David Bowman Portfolio Holder for Operations Tel: 07711 593737 Email: david.bowman@forest-heath.gov.uk</p> <p>CLlr Andy Drummond Portfolio Holder for Leisure & Culture Tel: 01638 751411 Email: andy.drummond@forest-heath.gov.uk</p> <p>CLlr Robin Millar Cabinet member for Families and Communities Tel: 07545 423782 Email: robin.millar@forest-heath.gov.uk</p>	
Lead officers:	<p>Damien Parker Leisure and Cultural Services Manager Tel: 01284 757090 Email: damien.parker@westsuffolk.gov.uk</p> <p>Mark Christie Service Manager (Business) Tel: 01638 719220 Email: mark.christie@westsuffolk.gov.uk</p> <p>Helen Lindfield Families and Communities officer Tel: 01284 757620 Email: helen.lindfield@westsuffolk.gov.uk</p>	

Purpose of report:	To provide an update to Councillors on legislation relating to Public Space Protection Orders (PSPOs) and to propose changes prior to public consultation.
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <p>(1) Members <u>note</u> that the Newmarket alcohol-related PSPO order remains in place, with no changes to the conditions or area covered.</p> <p>(2) Members <u>note</u> that the Brandon alcohol-related PSPO order remains in place, with no changes to the conditions or area covered.</p> <p>(3) Cabinet be recommended to approve the adoption of a PSPO relating to dog control across Forest Heath, subject to public consultation.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>(a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</p> <p>(i) be significant in terms of its effects on communities living or working in an area in the District.</p> <p>(b) A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this [the] Constitution.</p>

<p>Consultation:</p>	<ul style="list-style-type: none"> • Newmarket alcohol related PSPO – as there are no proposed changes to the location or the conditions in the current order, there is no requirement for formal public consultation. However all elected members, Police Safer Neighbourhood Team (SNT) and key contacts have been consulted at an early stage. • Brandon alcohol related PSPO – as there are no proposed changes to the location or the conditions in the current order, there is no requirement for formal public consultation. However all elected members, Police SNT and key contacts have been consulted at an early stage. • Dog control PSPO – prior to Cabinet approval, a mandatory public consultation will take place.
<p>Alternative option(s):</p>	<ul style="list-style-type: none"> • Do nothing • The current DPPOs could be discharged and not replaced with any orders; however the Police and other stakeholders believe that the orders are necessary
<p>Implications:</p> <ul style="list-style-type: none"> • The former orders in place for dog fouling (The Dogs [Fouling of Land in Forest Heath] Order 1998) will in time cease to be enforceable. It will not be possible to implement the suggested restrictions on dog access into defined areas. 	
<p>Are there any financial implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> • Purchase and erection of replacement signage. • Alcohol PSPO areas will require approximately 20 signs in Newmarket and 10 signs in Brandon. Working on an estimated cost of £30 per sign (including erection on public furniture), the total cost is estimated at £900. • Funding has been identified from historic ASB Home Office funding within the Families and Communities team budget. • Dog exclusion sites will require approximately 62 signs across 31 sites in Forest Heath. Working on a cost of £25 per sign, the total cost will be £1550. • Funding has been identified from with existing Leisure and Culture budgets.

Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> PSPOs can be enforced by Police Officers, Police staff (PCSOs) and the West Suffolk councils' enforcement officers. There are no plans to increase the number of council enforcement officers. 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Proposed orders have been drafted by the councils' legal team. 	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
Public perception-negative perception of the impact of the PSPO	High	Information provided. Consultation process.	Medium
Reputation – no enforcement activity taken	High	Work with community. Encourage information and evidence to be provided.	Medium
Ward(s) affected:		Newmarket alcohol-related PSPO – All Saints, St Marys and Severals. Brandon alcohol-related PSPO – Brandon East, Brandon South, Brandon West. Dog Control PSPO: <ul style="list-style-type: none"> dog fouling condition – all wards in Forest Heath; dog exclusion condition – those wards detailed in the proposed order. 	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		The Dogs (Fouling of Land in Forest Heath) Order 1998. The Fouling of Land by Dogs (Aspal Close Local Nature Reserve, Beck Row) Order 2013.	
Documents attached:		Appendix A - Draft Alcohol Orders Appendix B - Draft Dog fouling PSPO Orders	

Key issues and reasons for recommendation

1. Background

- 1.1 The Anti-Social Behaviour Crime and Policing Act 2014 tidied up, amalgamated and redefined a number of anti-social behaviour (ASB) powers. This included replacing Designated Public Space Orders (DPPOs) and Dog Control orders with Public Space Protection Orders (PSPOs). The PSPO is designed to deal with particular nuisance or problems in an area that are detrimental to the local community's quality of life by imposing conditions on use of that area which apply to everyone. District/Borough councils are responsible for making a PSPO.
- 1.2 PSPOs replace the following powers:
- Dog Control Order
 - Gating Order
 - Designated Public Place Order (DPPO)
- 1.3 PSPO can be used to deal with both existing problems and problems that are likely to arise in the future. The orders are intended to make public spaces more welcoming to the majority of law-abiding people and communities.
- 1.4 A PSPO can only be made if the council is satisfied, on reasonable grounds, that two conditions are met.

First condition

- Activities carried out in a public place have a detrimental effect on the quality of life of those in the locality. Or
- It is likely that the activities will be carried out in a public place within the area that will have such an effect.

Second condition

The effect or likely effect of the activities:

- is, or is likely to be, of a persistent or continuing nature;
- is, or is likely to be, such as to make the activities unreasonable; and
- justifies the conditions imposed.

2. Transition arrangements from Designated Public Place Orders to Public Space Protection Orders

- 2.1 Where a DPPO is currently in force, as in the case in Newmarket and Brandon, it will continue to be valid until October 2017, which is three years following the introduction of the new legislation. At this point the DPPO would be treated as a PSPO and remain in place for a further period of up to three years unless varied or discharged. Only if there is a variation or discharge of the order does the change from DPPO to PSPO need to be subject to a period of consultation and be considered by the council's democratic process.

- 2.2 The two current DPPOs (in Newmarket and Brandon) were put into place to combat alcohol-related anti-social behaviour. The orders state that it is a criminal offence for an adult to refuse to stop drinking alcohol, or refuse to hand over unopened or open containers of alcohol, within the area covered by the order when asked to do so by a Police officer. In order for a Police officer to use this power there has to be, or likely to be, alcohol-related anti-social behaviour which will cause, or is likely to cause, alarm, harassment or distress to persons not of the same household.
- 2.3 Given the significant role the Police have played in enforcing these orders, council officers have liaised with the local Police teams to review the effectiveness of the current schemes. In light of past experience, the Police have been asked for their views in terms of whether or not the orders should remain in place unchanged, apart from a change of name from DPPO to PSPO or:
- remain in place but have conditions and/or locations changed; or
 - be discharged, i.e. there is no evidence to suggest the tests in paragraph 1.4 can be met, therefore no requirement for an order to be in place.
- 2.4 Suffolk Police have been approached to provide data about the number of times the current DPPO powers have been used in Newmarket and Brandon; however this data is not specifically collected. This is because it is normally enforced by requesting compliance and therefore no offence is committed, so doesn't feature in recorded crime statistics.

3. Newmarket and Brandon

- 3.1 The orders were made to address alcohol-related anti-social behaviour in the town centres. Whilst the nature of the night time economy has changed recently, alcohol related ASB can still arise in the town centre areas and public green spaces especially in relation to street drinkers. Having reviewed the order, both the Police and Families and Communities officer propose that the Newmarket and Brandon orders should remain with no changes to the conditions or area covered until October 2017 and then become a PSPO with a review date set for a further two-year period.
- 3.2 With the above in mind, it is recommended that the condition in the orders remains as follows, with the areas covered as per the maps which can be found at **Appendix A**.

No person shall, within the restricted area, refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol when required to do so by an authorised officers, to prevent public nuisance, anti-social behaviour or disorder.

- 3.3 Whilst there is no requirement to carry out a full public consultation where no changes are to be made, the views of Newmarket and Brandon councillors and other key stakeholders in the towns were sought. Feedback suggests that elected members and key stakeholders leaders are supportive of the order remaining in place with the current conditions and boundaries.

4. Transition from Dogs Fouling of Land Act 1996 Orders and Clean Neighbourhoods and Environment Act 2005 Orders to PSPO – Dog Control Orders

- 4.1 The current legislation for dealing with the offence of dog fouling has been replaced and enhanced by powers contained within the Anti-Social Behaviour, Crime and Policing Act 2014 through the application of PSPOs.
- 4.2 The Dogs (Fouling of Land in Forest Heath) Order 1998 came into force in May 1998. This legislation introduced a requirement for dog walkers to clear up after their dogs.
- 4.3 The Dogs (Fouling of Land in Forest Heath) Order 1998 enforcement powers were limited in respect of dog fouling at Aspal Close Nature Reserve as the Order contained a number of excluded land types which Aspal Close fell under, therefore it was not possible to issue notices under that act at that specific location. To address this anomaly Forest Heath adopted a Dog Control Order for Aspal Close Local Nature Reserve (LNR), under the Clean Neighbourhoods and Environment Act 2005. The Fouling of land by Dogs (Aspal Close, Beck Row) came into force in October 2013.
- 4.4 The proposed new order includes rules excluding dogs from specific locations such as play areas in order to prevent dog fouling. These specific rules are currently advisory only, but by adopting the new legislation, it will be an offence and offenders will be liable to incur a fixed penalty fine.
- 4.5 As part of the development of the PSPO for controlling dog behaviour, the recommended conditions are as follows.
 - a) **All public space in Forest Heath to require those in charge of a dog to clear up after their dog. Failure to do so will incur a fixed penalty (maximum permitted fine is £100. The level agreed across Suffolk is £80).**
 - b) **To exclude dogs from the locations listed in Appendix A. This is intended to prevent dogs from entering and fouling within specific children’s play areas and, during football season, certain fenced football pitch areas. These locations have been identified as those in which children and other members of the public have the greatest risk of contracting Toxocara Canis, an infection which is a cause of blindness and may provoke rheumatic, neurologic, or asthmatic symptoms.**

Draft orders can be found in **Appendix B**.

5. Consultation requirements

- 5.1 In accordance with the legislation, where there are already orders in place and no alterations are being proposed to either the conditions or areas, consultation is not required. However, key partners have been informed and comments invited in the case of the Newmarket and Brandon alcohol-related PSPOs.

5.2 Changes to current orders or new PSPOs require public consultation before final consideration and approval by Cabinet. Following this meeting, information will be published in order to encourage public and stakeholder feedback on the proposed change to the orders in Forest Heath. Following public consultation, recommendation will be made to Cabinet at a meeting later this year.

6. Publication and signage

6.1 Following the period of consultation and democratic approval, the order should be published and displayed by appropriate signage. This will be on or adjacent to the area of the PSPO.

6.2 Where there is signage relating to a current order, this will need to be reviewed to ensure it meets the new requirements and, if not, replaced with new signage. There will be a cost implication to purchase new signage (and erection of the signs, if not on land belonging to the authority, for example street furniture).

6.3 Alcohol PSPO areas will require approximately 20 signs in Newmarket and 10 signs in Brandon. Working on an estimated cost of £30 per sign (including erection on public furniture) the total cost is estimated at £900. Funding has been identified from historic ASB funding within the families and communities area.

6.4 Dog exclusion PSPO areas will require approximately 62 signs across 31 sites in Forest Heath. Working on a cost of £25 per sign the total cost will be £1550. This will be covered from existing budgets.

7. Enforcement

7.1 A PSPO can be enforced by council enforcement officers, Police Officers or Police Community Support Officers.

7.2 It is an offence for a person without reasonable excuse to:

- do anything that the person is prohibited from doing by a PSPO; or
- fail to comply with a requirement to which a person is subject under a PSPO.

7.3 A breach of a PSPO is an offence. This will be disposed of by way of a fixed penalty notice (up to £100) or by prosecution. On conviction a level 3 summary fine can be applied by a magistrate.

8. Review of PSPOs

8.1 A review date will be set for each PSPO. This cannot exceed three years and is likely to be set at two years, so that time can be allocated to carrying out a robust review before the order expires at the end of the three year period. The review will be carried out by the lead officer in the appropriate service, in consultation with relevant elected members and key community stakeholders.

8.2 A review can be called at any time during the life of the PSPO if circumstances change.

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DRAFT - BRANDON

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by Forest Heath District Council (the 'Council') and shall be known as the Public Spaces Protection Order (Alcohol) 2016.

PRELIMINARY

1. The Council, in making this Order, is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect, of the activities:

is, or is likely to be, of a persistent or continuing nature,

is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

THE ACTIVITIES AND PROHIBITION

To prevent public nuisance, anti-social behaviour or disorder, no person shall, within the restricted area, refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol when required to do so by an authorised officer.,

A person shall not engage in the activities listed above anywhere within the restricted area as shown shaded on the attached map labelled 'The Restricted Area'.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

4. This Order will come into force at midnight on xxxxxx and will expire on xxxxxx.
5. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring, or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse:

- (a) to do anything that the person is prohibited from doing by a Public Spaces Protection Order, or
- (b) to fail to comply with a requirement to which the person is subject under a Public Spaces Protection Order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale.

FIXED PENALTY

A constable, police community support officer or council enforcement officer may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £80. If you pay the fixed penalty within the 14 days you will not be prosecuted

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

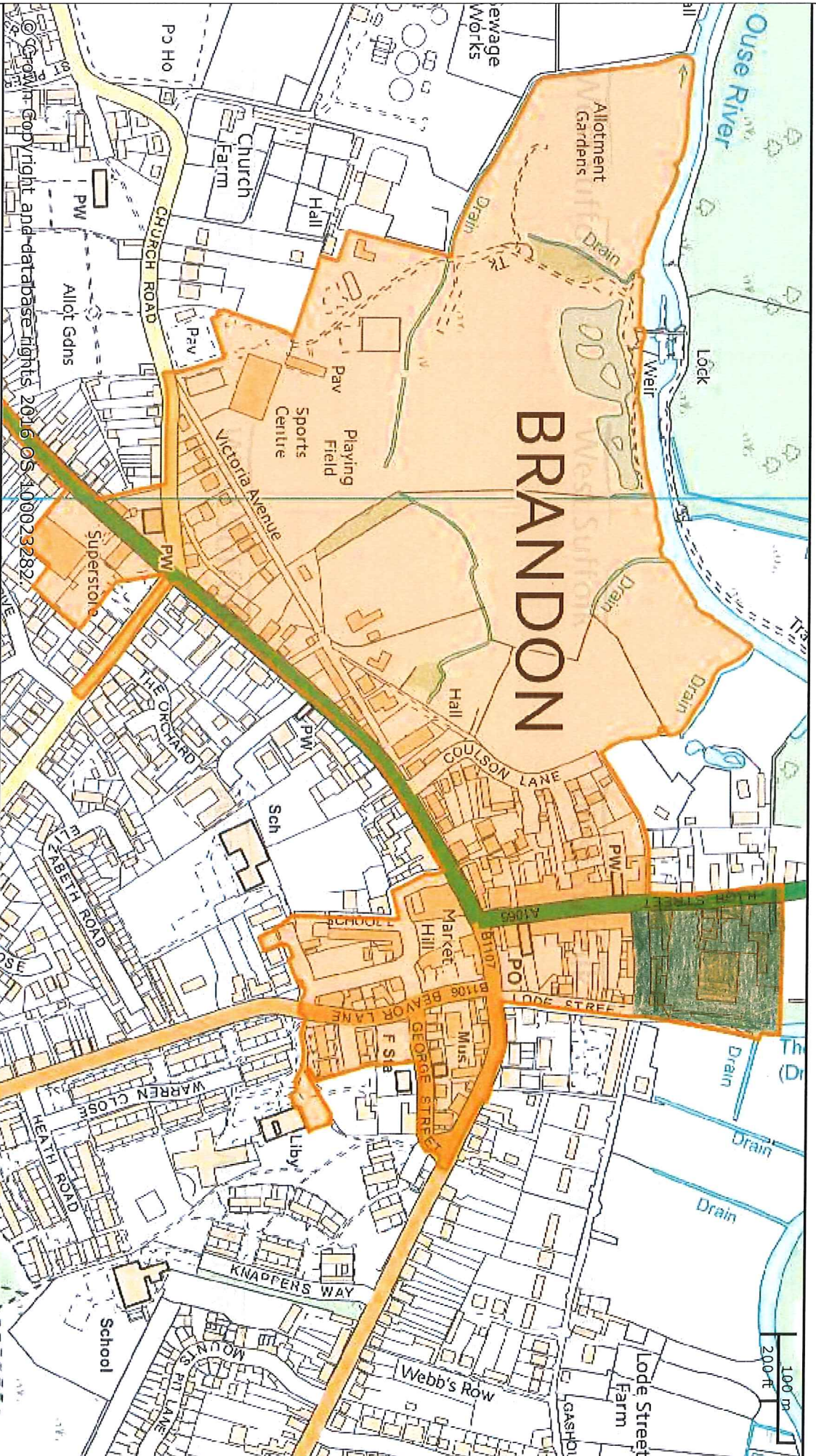
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was affixed in the presence of)

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Authorised Signatory

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BRANDON DRAFT PSPO RESTRICTED AREA



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St Edmundsbury BC
 Western Way
 Bury St Edmunds
 IP33 3YU
 01284 763233
 www.westsuffolk.gov.uk

Forest Heath & St Edmundsbury Councils
West Suffolk
 working together

Forest Heath DC
 College Heath Road
 Mildenhall
 IP28 7EY
 01638 719000

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DRAFT - NEWMARKET

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by Forest Heath District Council (the 'Council') and shall be known as the Public Spaces Protection Order (Alcohol) 2016.

PRELIMINARY

1. The Council, in making this Order, is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect of the activities:

is, or is likely to be, of a persistent or continuing nature,

is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

THE ACTIVITIES AND PROHIBITION

4. To prevent public nuisance, anti-social behaviour or disorder, no person shall within the restricted area, refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer .

A person shall not engage in the activities listed above anywhere within the restricted area as shown shaded on the attached map labelled 'The Restricted Area'

PERIOD FOR WHICH THIS ORDER HAS EFFECT

5. This Order will come into force at midnight on xxxxxx and will expire on xxxxxx.
6. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse:

- (a) to do anything that the person is prohibited from doing by a public spaces protection order, or
- (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale.

FIXED PENALTY

A constable, police community support officer or council enforcement officer may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £80. If you pay the fixed penalty within the 14 days you will not be prosecuted

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court’s decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

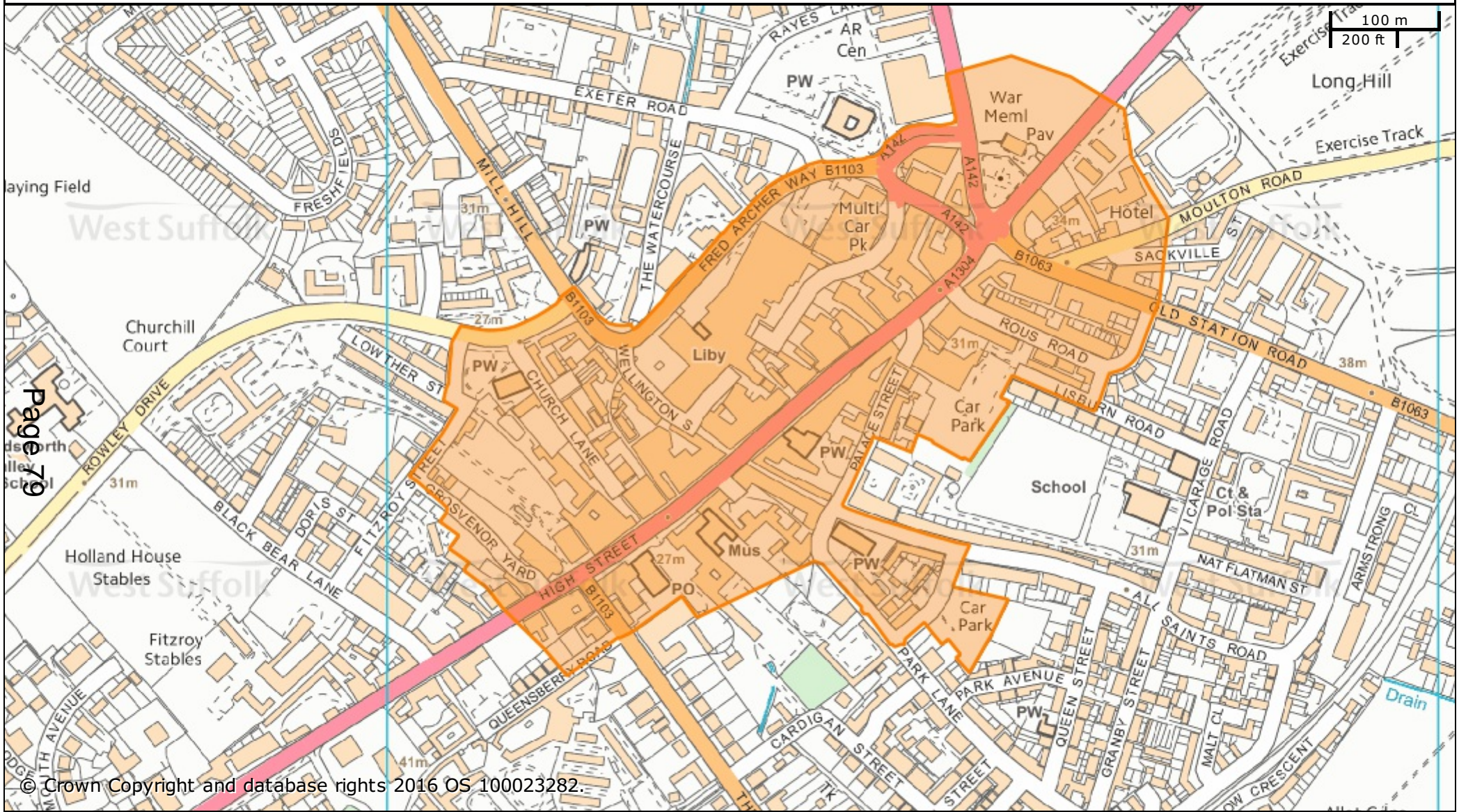
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Newmarket PSPO RESTRICTED AREA



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St Edmundsbury BC
Western Way
Bury St Edmunds
IP33 3YU
01284 763233

Forest Heath & St Edmundsbury councils
West Suffolk
working together
www.westsuffolk.gov.uk

Forest Heath DC
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Mildenhall
IP28 7EY
01638 719000

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DRAFT – FOREST HEATH DISTRICT COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This order is made by Forest Heath District Council (the 'Council') and shall be known as the Public Spaces Protection Order (Dogs) 2016

PRELIMINARY

1. The Council, in making this Order is satisfied on reasonable grounds that:

The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

and that:

the effect, or likely effect of the activities:

is, or is likely to be of a persistent or continuing nature,
is, or is likely to be, such as to make the activities unreasonable, and
justifies the restrictions imposed by the notice.

2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
3. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

4. For the purpose of this order –

- (i) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (ii) Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- (iii) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces
- (iv) "an authorised officer of the Council" means an employee, partnership agency or contractor of the Council who is authorised in writing by Forest Heath District Council for the purposes of giving directions under the Order.
- (v) Each of the following is a "prescribed charity" –

Dogs for the Disabled (registered charity number 700454)
Support Dogs Limited (registered charity number 1088281)
Canine Partners for Independence (registered charity number 803680)

THE ACTIVITIES

5. The Activities prohibited by the Order are:

- (i) failing to remove dog faeces from land to which the public or any section of the public has access (on payment or otherwise, as a right or by virtue of express or implied consent)
- (ii) taking a dog(s) onto, or permitting a dog(s) to enter or remain on any play area, multi-use games area, green gym or wheel park as detailed in Schedule 1
- (iii) taking a dog(s) onto, or permitting a dog(s) to enter or remain on any fenced sports area between 1st August and 31st May (the football season) as detailed in Schedule 1

THE PROHIBITION

6. The activities are prohibited within the areas listed in Schedule 1 and illustrated on the attached plans in Schedule 2.

THE EXCEPTION

7. The Prohibition does not apply to a person who –
 - (i) Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (ii) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which is relied on for assistance ; or
 - (iii) Has a disability which affects mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

PERIOD FOR WHICH THIS ORDER HAS EFFECT

8. This Order will come into force at midnight on xxxxxx and will expire on xxxxxx.
9. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse-

- (a) to do anything that the person is prohibited from doing by a public spaces protection order, or
- (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order

A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale

FIXED PENALTY

A constable, police community support officer or authorised officer of the Council may issue a fixed penalty notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £80. If you pay the fixed penalty within the 14 days you will not be prosecuted

APPEALS

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the order, quash it, or vary it.

Dated.....

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FOREST HEATH DISTRICT COUNCIL)
was affixed in the presence of)

.....
Authorised Signatory

Schedule One: Dog Exclusion Areas

This order applies to all enclosed areas of land as described below:

Sites listed in alphabetical order under town areas:

Map No	Brandon Area	Type of area covered	Post Code	Ward
1	Lilac Close	Play area	IP27 0LN	Brandon West
2	Seymour Ave	Play area	IP27 0XH	Brandon West
3	Teal Close	Play area	IP27 0BG	Brandon East
4	Warren Close	Play area & multi use games area	IP27 0EF	Brandon East
5	Woodcock Rise	Play area	IP27 0BN	Brandon East
6	Yew Drive	Play area	IP27 0UL	Brandon East

Map No	Lakenheath Area	Type of area covered	Post Code	Ward
7	Sandpits /Stations Road	Play area	IP27 9JB	Lakenheath

Map No	Beck Row Area	Type of area covered	Post Code	Ward
8	Aspal Close	Fenced football Pitch area	IP28 8AF	Eriswell & The Rows

Map No	Mildenhall Area	Type of area covered	Post Code	Ward
9	Charles Melrose Close	Play area	IP28 7BA	Great Heath
10	Douglas Park	Play area	IP28 7BA	Great Heath
11	Macpherson Robertson Way	Play area	IP28 7RS	Great Heath
12	Mildenhall Woods Adventure Play Area/BMX Track	Play area, wheels park	IP28 7SG	Market
13	Miles Hawk Way	Play area	IP28 7SE	Great Heath
14	Oxford Close	Play area	IP28 7RP	Great Heath
15	Peterhouse Close	Play area	IP28 7BA	Market
16	St Johns Close	Play area, wheels park & multi use games area	IP28 7NA	Great Heath

Map No	Newmarket Area	Type of area covered	Post Code	Ward
17	Barry Lynham Drive	Play area	CB8 8YT	All Saints
18	George Lambton Playing Field	Wheels park	CB8 7RL	Severals
19	Granby Street	Play area	CB8 8GQ	All Saints
20	Green Road	Play area	CB8 9BN	All Saints
21	Greville Starkey Avenue	Play area	CB8 0BN	Severals
22	Heasman Close	Play area	CB8 0AD	Severals
23	Hodgkins Yard (All Saints Road)	Play area	CB8 8ET	All Saints
24	Lady Wolverton (Adastral Close)	Play area	CB8 0PX	St Mary's
25	Manderston Road	Play area	CB8 0NL	St Mary's
26	Millbank	Play area	CB8 0EG	St Mary's
27	New Cheveley Road	Play area	CB8 8BU	All Saints
28	Hyperion Way BMX Track, Play Area and MUGA (Studlands Park Estate)	Play area, wheels park & multi use games area	CB8 7RX	Severals
29	Brickfields Avenue (Studlands Park Estate)	Play area	CB8 7RX	Severals
30	*Memorial Hall Gardens (King Edward VII Memorial Grounds)	Play area & Wet play area	CB8 8JP	St Mary's

Map No	Moulton Area	Type of area covered	Post Code	Ward
31	Anvil Way	Play area	CB8 8GY	South

*Site owned by Newmarket Town Council

Overview and Scrutiny Committee



Forest Heath
District Council

Title of Report:	Annual Presentation by the Cabinet Member for Leisure and Culture	
Report No:	OAS/FH/17/004	
Report to and date:	Overview and Scrutiny Committee	12 January 2017
Portfolio Holder:	Andy Drummond Portfolio Holder for Leisure and Culture Tel: 01638 751411 Email: andy.drummond@forest-heath.gov.uk	
Lead officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: Christine.brain@westsuffolk.gov.uk	
Purpose of report:	<p>As part of the "Challenge" role, Overview and Scrutiny are asked to consider the roles and responsibilities of Cabinet Members. It is part of the Scrutiny role to challenge in the form of questions.</p> <p>Therefore, to carry out this constitutional requirement, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member shall attend to give an account of his or her portfolio and answer questions from the Committee.</p>	
Recommendation:	Members of the Committee are asked to question the Cabinet Member for Leisure and Culture on his portfolio responsibilities.	
Key Decision:	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>(Check the appropriate box and delete all those that do not apply.)</i>		

Consultation:	• N/A		
Alternative option(s):	• N/A		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any legal and/or policy implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Are there any equality implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	•
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
None			
Wards affected:	All		
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	None		
Documents attached:	None		

1. Key issues and reasons for recommendation

1.1 Background

- 1.1.1 As part of its "Challenge" role, the Overview and Scrutiny Committee is asked to consider the roles and responsibilities of Cabinet Members.
- 1.1.2 To carry out this constitutional requirement, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member shall be invited to give an account of his or her portfolio and to answer questions from the Committee.
- 1.1.3 On 14 January 2016, the Committee received a presentation from the Cabinet Member for Leisure and Culture, Councillor Andy Drummond, summarising the following responsibilities covered under his portfolio for leisure and culture:
- Heritage and culture;
 - Parks and open spaces (including trees);
 - Sport

1.2 Progress Update

- 1.2.1 At this meeting, the Cabinet Member for Leisure and Culture has been invited back to provide a follow-up update on his portfolio.

The presentation by the Cabinet Member will be focusing on the following by:

- Outlining the main challenges which were faced during the first year within the Portfolio:
- Outlining some key successes and any failures during the first year and any lessons learned?
- Setting out the vision for the Leisure and Culture Portfolio through to 2019 and whether on target to meet that vision?

1.3 Proposals

- 1.3.1 That the Overview and Scrutiny Committee ask questions of the Cabinet Member for Leisure and Culture, following his update.

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Overview and Scrutiny Committee



Title of Report:	Review and Revision of the Constitution	
Report No:	OAS/FH/17/005	
Report to and date:	Overview and Scrutiny Committee	12 January 2017
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources and Performance Tel: 01638 660518 Email: stephen.edwards@forest-heath.gov.uk	
Lead officers:	Steven Boyle (Interim) Monitoring Officer Tel: 01284 757165 Email: steven.boyle@westsuffolk.gov.uk Karen Points Head of HR, Legal and Democratic Services Tel: 01284 757015 Email: karen.points@westsuffolk.gov.uk	
Purpose of report:	To note the minor amendments made to the Forest Heath District Council Constitution arising from changes to legislation, changes to staffing structures/ job descriptions or changes in terminology.	
Recommendation:	It is <u>RECOMMENDED</u> that the minor amendments undertaken by the Monitoring Officer under delegated authority, as set out in Appendix A to this report, be <u>noted</u>.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	<ul style="list-style-type: none"> • Not applicable. 	

Alternative option(s):	• Not applicable.		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Under the Local Government and Housing Act 1989, the Monitoring Officer is responsible for the operation of the Council's Constitution. Under S37 of the Local Government Act 2000, a local authority which is operating executive arrangements, must prepare and keep up-to-date, a document (referred to as their constitution).	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Confusion, mistakes and legal challenge if delegations in the Constitution do not reflect actual Council and Officer practice	High	Ongoing review and revision to ensure that the Constitution is up-to-date	Low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Forest Heath District Council Constitution	
Documents attached:		Appendix A – Minor Amendments made to the Constitution by the Monitoring Officer under Delegated Authority – October to December 2016	

1. Key issues and reasons for recommendation

1.1 Heading

1.1.1 Article 14 of the Forest Heath District Council Constitution refers to the review and revision of the Constitution.

1.1.2 Paragraph 14.1.1 of Article 14 states that:

"14.1.1 The Monitoring Officer will monitor and evaluate the operation of the Constitution to ensure that its aims and principles are given full effect."

1.1.3 Paragraph 14.4.3 of Article 14 also states that:

"14.3.3 The Monitoring Officer, in consultation with the Head of Paid Service and relevant Portfolio Holder, has delegated authority to make minor amendments to the constitution arising from changes to legislation, changes to staffing structures or job descriptions or changes in terminology. Such changes will be reported quarterly to the Overview and Scrutiny Committee. The Monitoring Officer also has authority to amend the constitution to implement decisions of the Leader in relation to the delegation of executive functions to the Cabinet."

1.1.4 **Appendix A** to this report sets out the minor amendments which have been made to the Forest Heath District Council Constitution, under the delegated authority of the Monitoring Officer, from October to December 2016.

1.1.5 All Members of the Council have also been informed of these minor amendments, as part of the ongoing review and revision of the Constitution. The latest updated version of the Constitution is also available on the Council's website and is available for inspection by members of the public, upon request.

Forest Heath District Council

Review and Revision of the Constitution

Minor Amendments made by the Monitoring Officer under Delegated Authority (October to December 2016)

Amendment Date	Approved By	Sections of the Constitution Affected	Nature of Amendment
24 October 2016	Monitoring Officer	Part 1(b) Membership 2015-2019	This Section has been updated to reflect revisions to Member information.
16 December 2016	Monitoring Officer	Part 3 (Functions and Responsibilities) (d) Section 4 – Scheme of Delegation to Officers	(i) Re-allocation of responsibilities between the new post of Service Manager (Shared Legal) and the existing post of Service Manager (Democratic Services) (Section relating to the Head of Human Resources, Legal and Democratic Services) (ii) Further revisions had also been made throughout Section 4 to reflect the new post of Service Manager (Shared Legal)

Amendment Date	Approved By	Sections of the Constitution Affected	Nature of Amendment
16 December 2016	Monitoring Officer	Part 4 (Rules of Procedure) (h) West Suffolk Contract Procedure Rules	Revisions made to reflect the new post of Service Manager (Shared Legal).

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Overview and Scrutiny of Committee



Forest Heath
District Council

Title of Report:	Work Programme Update	
Report No:	OAS/FH/17/006	
Report to and date:	Overview and Scrutiny Committee	12 January 2017
Chairman of the Committee:	Simon Cole Chairman of the Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@forest-heath.gov.uk	
Lead officer:	Christine Brain Democratic Services Officer (Scrutiny) Tel: 01638 719729 Email: Christine.brain@westsuffolk.gov.uk	
Purpose of report:	To update the Committee on the current status of its rolling work programme of annual items for scrutiny during 2017 (Appendix 1).	
Recommendation:	Overview and Scrutiny Committee: That, Members <u>note</u> the current status of the work programme and the annual items expected during 2017.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Documents attached:	Appendix 1 – Current Work Programme	

1. Key issues and reasons for recommendations

1.1 Rolling Work Programme

- 1.1.1 The Committee has a rolling work programme, whereby suggestions for scrutiny reviews are brought to each meeting, and if accepted, are timetabled to report to a future meeting.
- 1.1.2 The work programme also leaves space for Call-ins and Councillor Calls for Action. The current position of the work programme for the next few months is attached at **Appendix 1** for information.
- 1.1.3 Members are asked to note the current status of its work programme for 2017.

Overview and Scrutiny Committee Rolling Work Programme (Forest Heath District Council)

The Committee has a rolling work programme, whereby suggestions for scrutiny reviews are brought to each meeting, and if accepted, are timetabled to report to a future meeting. The work programme also leaves space for Call-ins and Councillor Calls for Action.

Description	Lead Officer	Details
16 March 2017		
Annual Portfolio Holder Presentation	Resources and Performance	The Portfolio Holder has been invited to provide an update on their portfolio and to answer questions from the Committee.
West Suffolk Housing Strategy	Head of Housing	To receive a progress report against action points.
Cabinet Decision Plan	Democratic Services Officer (Scrutiny)	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Democratic Services Officer (Scrutiny)	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.
20 April 2017		
Annual Portfolio Holder Presentation	Families and Communities	The Portfolio Holder has been invited to provide an update on their portfolio and to answer questions from the Committee.
Western Suffolk Community Safety Partnership	Community Safety Co-ordinator	To review the work of the Partnership on an annual basis.
West Suffolk Information Strategy	Head of Resources and Performance	To scrutinise a West Suffolk Information Strategy, which has been jointly produced with St Edmundsbury Borough Council.
Review and Revision of the Constitution (Quarter 4)	Monitoring Officer	The Constitution requires the Committee to receive on a quarterly basis a report on minor amendments made by the Monitoring Officer under delegated authority.
Directed Surveillance (Quarter 4)	Monitoring Officer	To scrutinise the authority's use of its surveillance powers on a quarterly basis.

Description	Lead Officer	Details
Cabinet Decision Plan	Democratic Services Officer (Scrutiny)	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Democratic Services Officer (Scrutiny)	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.

Future items identified to be programmed:

1. Tree Preservation Orders
2. Draft West Suffolk Strategic Plan 2017-2020

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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