

SCRUTINY BOARD (CITY DEVELOPMENT)

WEDNESDAY, 20TH APRIL, 2011

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
G Harper, J Jarosz, M Lobley, R Pryke,
M Rafique and M Robinson

B Woroncow (Co-optee)

153 Chair's Opening Remarks

The Chair welcomed everyone to the additional April meeting of the Scrutiny Board (City Development).

154 Exempt Information - Possible Exclusion of the Press and Public

It was reported that Agenda Item 8, Implementing Audit Report Recommendations (Appendix 1 and 2 refers) contained information considered to be exempt under Access to Information Rules 10.4 (1,2,4 & 6) and Article 6 Human Rights Act 1998. Members were asked to consider whether to exclude the press and public from the meeting during the discussion of this information.

RESOLVED – That the press and public be excluded from the meeting during consideration of the aforementioned parts of the agenda designated as containing exempt information on the grounds that 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 press and public were present there would be disclosure to them of exempt information.

155 Late Items

The Chair agreed to accept the following documents as supplementary information:-

- Minutes of the meeting held on 5th April 2011 and the Call-In meeting held on 5th April 2011 (Agenda Item 6) (Minute 158 refers)
- Background information in relation to the closure of East Leeds Leisure Centre and Middleton Pool and Reduced Opening Hours of Garforth Squash and Leisure Centre (Agenda Item 7) (Minute 159 refers)

The documents were not available at the time of the agenda despatch, but made available on the Council's Internet site prior to the Board meeting.

156 Declaration of Interests

There were no declarations of interest made at the meeting.

157 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillors D Atkinson and S Smith with no substitutes having been offered.

158 Minutes of the Previous Meetings

RESOLVED- That the minutes of the meeting held on 5th April 2011 and the Call-in meeting held on 5th April 2011 be confirmed as a correct record.

159 Closure of East Leeds Leisure Centre and Middleton Pool and Reduced Opening Hours of Garforth Squash and Leisure Centre

A report of the Head of Scrutiny and Member Development was re-submitted on the closure of East Leeds Leisure Centre and Middleton Pool and reduced opening hours of Garforth Squash and Leisure Centre. This matter was adjourned at the last meeting

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Scrutiny of Council Budget Decisions on Leisure Centres – Report of the Chief Recreation Officer
- Leisure Centres Key Statistics 2010/11 (Appendix A refers)
- Analysis of Income and Expenditure (Appendix B refers)
- Bodyline Analysis (Appendix C refers)

In addition to the above documents, a copy an update on Garforth, East Leeds, Middleton and Bramley was circulated.

The following representatives were in attendance and responded to Board Members' queries and comments:-

Councillor A Ogilvie, Executive Member, Leisure
Martin Farrington, Acting Director of City Development
Richard Mond, Chief Recreation Officer, City Development
David O'Loan, City Development

At the request of the Chair, the Chief Recreation Officer presented his report in relation to Scrutiny of Council Budget decisions on Leisure Centres highlighting the main points.

The Board then responded to the main points of discussion.

In summary, specific reference was made to the following issues:-

- Clarification of the discounts and subsidies in comparison to private health clubs
- Clarification of the process followed under the Sports Facility Strategy – the Vision for Leisure Centres
- Clarification of the public transport facilities serving the leisure centres

- The deprivation in the areas where these proposals have been implemented and the negative effect these decisions will have in those communities
- The consultation process
- The concern that all children in Leeds have access to swimming pool facilities

RESOLVED-

- a) That the contents of the report and appendices be noted including the decision by the Executive Board to keep Kippax Leisure Centre and Bramley Baths open but having reduced operating hours at Bramley.
- b) That this Board recommends to the Executive Board: that in future, proposals of this nature should be fully consulted upon before the matter is referred to the Executive Board for determination.
- c) That the Executive Board be advised that this Scrutiny Board opposes the reduction in hours at Garforth Squash and Leisure Centre and the proposed Community Asset Transfer (CAT) to the School Partnership Trust and the closure of East Leeds Leisure Centre and Middleton Pool.

(Councillor J Akhtar joined the meeting at 10.10am during discussions of the above item)

160 Implementing Audit Report Recommendations

The Head of Scrutiny and Member Development submitted a report on implementing Audit Recommendations.

Prior to discussing the matter, the Board agreed to conduct this item of business in private session.

The following representatives were in attendance and responded to Board Members' queries and comments:-

Neil Hunter, Head of Internal Audit, Resources
 Martin Farrington, Acting Director of City Development
 Catherine Blanshard, Chief Libraries, Arts and Heritage Officer, City Development

The Chair, on behalf of the Board requested the Head of Internal Audit to give a brief introduction on the following specific issues:-

- An explanation of how whistleblowing worked within the Council
- An explanation of the work of Internal Audit and the process and procedures it follows
- How Internal Audit was viewed within the Council
- Brief resume of the history of this investigation and comments on the report of the Acting Director of City Development on the action and progress taken to implement the recommendations of the Audit Report into these specific whistleblowing allegations

In summary, specific reference was made to the following issues:-

- Clarification of the procedure following an allegation of whistleblowing and the role of Internal Audit in this regard
- Clarification of the number of staff employed within Internal Audit
- Clarification of the process applied for officers to make declarations of interest across the Council and how are they monitored and kept up to date
- Clarification of what checks were made to ensure officers are declaring interests and where they are registered and who has access to these declarations
- Clarification of what mechanisms/safeguards were in place that would identify an officer having an interest when officers were advising Members on issues
- Clarification as to whether officer declarations were available under Freedom of Information and if not why not
- Clarification of what the current position was regarding proposals by Government to introduce the same requirements for officer declarations as those of Elected Members which include being accessible by the public
- The view that the Head of Internal Audit should be required to submit all whistleblowing cases to the Corporate and Governance and Audit Committee and not just those that he regards as having major concerns whilst maintaining the confidentiality of the whistleblower when presenting such information
- Clarification as to whether officers terms and conditions of employment require them to declare conflicts of interest
- To suggest that whistleblowing should be included as part of the newly Elected Members induction training

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That the Head of Internal Audit be requested to submit all whistleblowing cases to the Corporate and Governance and Audit Committee on a regular basis whilst maintaining complete confidentiality of the identity of the whistleblower/s concerned.
- (c) That, the Chief Officer (Human Resources) prepare a report on the following specific issues for consideration at the Board's next meeting on 17th May 2011:-
 - the process applied for officers to make declarations of interest across the Council and how are they kept up to date and monitored
 - what checks are made to ensure that officers are declaring interests and details of where the declarations are kept and who has access to them
 - what mechanisms/safeguards are in place that would identify an officer having an interest when officers were advising Members on issues
 - whether officer declarations are available under Freedom of Information and if not why not

- what the current position is regarding proposals by Government to introduce the same requirements for officer declarations as those of Elected Members which include being accessible by the public
 - to identify whether officers terms and conditions of employment require them to declare conflicts of interest
- (d) That whistleblowing be included as part of the newly Elected Members induction training.

(Councillor G Harper left the meeting at 12.25pm during discussions of the above item)

(Councillor M Rafique left the meeting at 12.30pm during discussions of the above item)

161 Date and Time of Next Meeting

Tuesday 17th May 2011 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 1.05pm)