

Report of Head of Facilities

Report to South (Outer) Area Committee

Date: Monday 4th February 2013

Subject: Morley Amateur Operatic Society Loss of Income

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Morley South
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. This report updates and seeks Area Committee approval, under the scheme of delegations, to compensate Morley Amateur Operatic Society for loss of income owing to a computer error that resulted in a double booking on the 9th February 2013.
2. An investigation was carried out and ICT Services identified that the in- built warning system had failed on or around the 1st May 2012. This meant that during the inputting phase the warning message that informs the inputter that a booking already exists would not have been visible resulting in the double booking.

Recommendations

3. The Outer South Area Committee are recommended to consider approving a credit to the value of £2371 to Morley Amateur Operatic Society to be used against future lettings at Morley Town Hall to offset the losses incurred as noted within this report.

1 Purpose of this report

- 1.1 To seek approval of The Outer South Area Sub Committee to approve a compensatory credit to the value of £2371.00 to Morley Amateur Operatic Society for loss of income owing to a double booking at Morley Town Hall on February 9th 2013.

2 Background information

- 2.1 Morley Amateur Operatic Society submitted a letting application for their 2013 pantomime at Morley Town Hall in May 2012. The letting was processed through the lettings database by Facilities Management with confirmation being sent to the applicant.
- 2.2 In November 2012, Facilities Management were made aware that there was a clash of dates on the 9th February 2013 with a Brass Band Concert Season letting made by Matthew Simms that had been booked and confirmed in February 2012.
- 2.3 Facilities Management and Matthew Simms tried to relocate the Brass Band Concert to another council building however the lack of an electronic record of the ticket sales and a suitable venue to host the concert meant that priority was given to the Brass Band Concert. The Saturday evening pantomime booking on the 9th February 2013 was cancelled. This was in accordance with the booking terms and conditions.

3 Main issues

3.1 Lettings Procedures

- 3.1.1 Lettings applications are accepted on a first come first served basis subject to dates being available. All lettings are processed through a lettings database that has an inbuilt warning system to notify staff that a booking has already been processed when the same dates have been confirmed with another applicant.
- 3.1.2 Having been made aware of the double booking the Lettings Team Leader completed a thorough investigation to gain an understanding of how the double booking occurred whilst also reviewing the on-site paper system the Town Hall staff operate.
- 3.1.3 The investigation revealed that the member of staff who processed the application did so in accordance with the lettings procedures however during the investigation ICT Services identified that the in - built warning system had failed on or around the 1st May 2012. This meant that during the inputting phase the warning message that informs the inputter that a booking already exists would not have been visible.
- 3.1.4 The investigation also revealed that the paper based system used by the staff at the Town Hall was not robust.

3.2 Terms and Conditions

- 3.2.1 All applicants are provided with a copy of the terms and conditions and sign to say that they accept them. The terms and conditions state that;

- *Leeds City Council reserves the right to cancel the hire agreement at any time and without payment of compensation other than to return the hiring fee.*

3.2.2 The terms and conditions do not make reference to or make a recommendation that to avoid any losses being incurred that applicants are advised to insure their booking against any losses being incurred should the letting be cancelled by the council. This has now been included.

3.3 Financial Implications

3.3.1 Morley Amateur Operatic Society have provided financial information for their letting in 2012 which suggests that the loss of income they incurred from the cancellation of their Saturday evening performance was £2700. This figure was further verified against other year's income levels. The cancellation of their letting provided a cost saving of £329 therefore the actual loss incurred was £2371.

3.4 Communication

3.4.1 Since November 2012 Facilities Management maintained open dialogue with the group whilst also ensuring officers within the Area Support Team and Local Ward Members were kept updated. All parties agreed that the losses incurred by the group needed to be treated sensitively particular given that they provide valuable services to local people in terms of affordable access to entertainment, music and the arts.

3.4.2 Through this communication the group have recognised that the council are not in a position to make cash settlement for the losses incurred however they have indicated that they would accept the amount to be credited to be used against future bookings.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 This report is a product of consultation with local Members, Area Support Team and the parties involved and presents a proposal for Outer South Area Committee to consider.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Internal and statutory partners are committed to equality and cohesion and all projects they are involved with will have considered these issues.

4.3 Council policies and City Priorities

4.3.1 The work outlined in this report contributes to targets and priorities set out in the following council policies.

- Vision for Leeds
- Children and Young People Plan
- Health and Well being City Priority Plan
- Safer and Stronger Communities Plan
- Regeneration Priority Plan.

4.4 Resources and value for money

- 4.4.1 Leeds City Council is not in a position to make cash settlement for the losses incurred. However, Morley Amateur Operatic Society have indicated that they would accept the amount to be credited to be used against future bookings.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 All decisions taken by the Area Committee in relation to the delegated functions from the Executive Board are not eligible for Call In
- 4.5.2 There are no legal implications arising from the contents of this report.

4.6 Risk Management

- 4.6.1 This report provides an update on events to date and no risks have been identified.

5 Conclusions

- 5.1 Facilities Management have completed a thorough investigation to ascertain how the double booking occurred, the outcome being that it was caused by a problem within the database. There is an acceptance from Facilities Management that a more robust paper based diary system could have helped to avoid the double booking occurring. The terms and conditions clearly state that the council reserves the right to cancel an agreement and without compensation being paid and the applicant has signed to say that he agrees to accept them. The applicant has on this occasion requested that consideration be given to compensation being paid in the form of a credit against future lettings at Morley Town Hall.

6 Recommendations

- 6.1 The Outer South Area Sub Committee are recommended to consider approving a credit of £2341 to Morley Amateur Operatic Society to be used against future lettings at Morley Town Hall to offset the losses incurred as noted within this report.

7 Background documents¹

- 7.1 There are no background papers associated with this report.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.