

## SCRUTINY BOARD (CULTURE AND LEISURE)

MONDAY, 16TH JULY, 2007

**PRESENT:** Councillor T Hanley in the Chair

Councillors B Atha, A Barker, B Gettings,  
A Hussain, B Jennings, G Kirkland,  
V Morgan, L Rhodes-Clayton and  
G Wilkinson

### 9 Declarations of interest

Councillor Atha declared a personal and prejudicial interest in Item 8, Terms of Reference for an Inquiry into the Governance Arrangements of Middleton Park Equestrian Centre due to his position as Trustee of the Middleton Park Equestrian Centre. He withdrew from the meeting during the discussion on this item.

### 10 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Mulherin (Maternity).

### 11 Minutes

**RESOLVED** – That the minutes of the meeting held on 11 June 2007 be confirmed as a correct record.

### 12 Members' Questions

The Head of Scrutiny and Member Development submitted a report which afforded Scrutiny Board Members the opportunity to put questions to the Executive Member for Leisure, the Chief Officer for Libraries, Arts and Heritage and the Chief Recreation Officer.

The Chair welcomed Councillor John Proctor, Catherine Blanshard and Denise Preston to the meeting.

In summary the following issues were discussed:

- Further to new railings that had been placed in front of the cobbled surface outside **Otley Library** and a question as to why Ward Members had not been consulted, it was reported that this was a standard treatment to surfaces where it was hazardous for people to walk. The cobbles had been installed immediately outside the library to discourage people walking to close to the large library windows and

distracting library users. Members' concerns that they should be notified of similar instances in the future were noted.

- In response to questions regarding the **Grand Theatre Board**, Councillor Proctor reported that a new General Manager had not yet been appointed. The post had been advertised and an Acting General Manager had been appointed in the interim period. In relation to questions on the Grand Theatre's finances he informed the Board that since the Grand Theatre had re-opened running costs had substantially increased. He suggested that if the Board wanted detailed financial information that an Inquiry into the Grand Theatre could be undertaken.
- A question was asked as to how successful the previous weekends **Opera in the Park** and **Party in the Park** at Temple Newsam had been and following the adverse weather conditions what damage had been done. The events had been considered to be highly successful and attendance figures for the **Opera in the Park** had been estimated at between 43 and 45 thousand. Figures for the **Party in the Park** had not yet been collated. It was too early to assess the damage to the grounds due to the heavy rain from the Sunday lunchtime through to the end of Sunday's performances. Councillor Proctor paid tribute to Officers for their efforts in the organisation of the events as did Board Members who also praised Officers for the high calibre profile of the events.

**RESOLVED** – That the contents of the discussion be noted.

### 13 **Request for Scrutiny - Wharfemeadows Park Fence**

The Head of Scrutiny and Member Development submitted a report regarding a request for scrutiny that had been received from the Wharfemeadows Action Group. The request had been made following **proposals for fencing arrangements within Wharfemeadows Park** and the implications city wide. The letter outlining the request for scrutiny was attached to the report.

Sylvia Reid, Linda Lukats and Tony Hartigan of the Wharfemeadows Action Group attended the meeting to present the request for scrutiny.

Sylvia Reid addressed the meeting and read a statement of the Group's request. Main issues highlighted included the following:-

- The reason for the request for scrutiny was that the decision to install fencing along the River Wharfe and the associated water safety strategy should be fully examined.
- Ward Members were not in favour of the original fencing plan, had lobbied Executive Members not to approve the scheme and had expected their Executive Members to vote against the proposals.
- Plans and studies had indicated a need for greater access to the river.
- That the fencing proposals were linked to the Coroner's report following the inquest into the tragic drownings at Roundhay Park.
- The Coroner's report had only recommended improved signage which would have probably cost in the region of a few thousand pounds

instead of the £1.5 million pounds the fencing and water policy would cost Leeds

- Local people were informed that the Royal Society for Prevention of Accidents (RoSPA) had instructed the Council to fence off the river even though RoSPA is not a statutory body.
- Concern was expressed that the recommendations were based on an Appeal Court ruling that had been overturned in the House of Lords.
- Otley Town Council unanimously supported the Wharfemeadows Action Group

In support of her submissions, Sylvia Reid made reference to minutes of the meetings of the Executive Board meetings held on 9 February and 16 May, 2007, the verbatim minutes of Council held on 21 February 2007, the Wharfemeadows Action Group deputation to Council on 18 April 2007 and various press articles.

Members suggested that as this issue was such a complex matter that a Working Group could be established to scrutinise the issue in order to be able to report back to the full Scrutiny Board more quickly. It was also suggested that no work should be undertaken until the conclusion of any Inquiry and that the Board wished to recommend to the Executive Board that officers be instructed to suspend the erection of the fence until the Board published its recommendations.

The Chair made reference to a late submission that had been received from Greg Mulholland, MP for Leeds North West. It was reported that this would be considered as part of any Inquiry into this matter.

Councillor Proctor stated his support for the inquiry and made suggestions relating to potential witnesses. He also stated that the Executive Board was unanimous in voting in the favour of the original proposals.

Denise Preston, Chief Recreation Officer raised the following points in relation to issues discussed:

- RoSPA was commissioned to prepare a report on Water Health and Safety for the Council
- Legal advice and that of the Senior QC was fully considered at all stages of the development of the **policy on the Safety Management of Open Water**
- The 9<sup>th</sup> February Executive Board report clearly stated that the coroner had only asked the Council to examine signage at Roundhay.
- All of the points raised in the WAG letter attached to the Agenda papers had been fully considered and explained in the Executive Board reports on 16<sup>th</sup> May and 13<sup>th</sup> June 2007.
- The Executive Board decision was to proceed with the works and until that resolution was changed officers would continue with works.

## **RESOLVED –**

- (a) That a full Scrutiny Inquiry is carried out.
- (b) That a Working Group be established to undertake the Inquiry and report back to the Board.
- (c) That it be recommended to the Executive Board that work on the fencing be suspended until the Board has reported its findings.

#### **14 Terms of Reference for an inquiry into the Governance Arrangements of Middleton Park Equestrian centre**

The Head of Scrutiny and Member Development submitted a report which detailed draft terms of reference for the **proposed inquiry into the Governance Arrangements of Middleton Park Equestrian Centre.**

Councillor Procter informed the meeting that it would be beneficial to arrange a briefing session for the Chair of the Board before finalising the terms of reference for this inquiry. The Board agreed to defer this item until such a briefing had taken place.

**RESOLVED** – That the item be deferred pending a further meeting between the Chair and Executive Member for Leisure.

#### **15 Lift in Leeds Central Library**

The Chief Libraries, Arts and Heritage Officer submitted a report which provided the Board with an update regarding the installation of the new lift in the **Central Library.**

In summary and response to Members' questions, the following issues were highlighted:

- Delays in the installation of the lift had occurred due to modifications required to the lift shaft and manufacturer's problems with obtaining parts.
- During periods of difficulty in use of the library for users who required the lift, they were encouraged to use the libraries electronic enquiry system and materials were also delivered to local libraries upon request.
- Contractual issues regarding the purchase and installation of the lift were currently being investigated and payment had been withheld.

**RESOLVED** – That the report be noted.

#### **16 Leeds International Concert Season**

The Chief Officer Libraries, Arts and Heritage submitted a report regarding the **Leeds International Concert Season.**

The Chair welcomed Andrew Macgill Head of Arts and Events and Matthew Sims, Principal Music Officer to the meeting.

Andrew Macgill gave the Board a brief overview of the report. He reported that the **Leeds International Concert Season** had been running for the past 27 years, based at the Town Hall. It was organised by a small specialist team, arranged over 200 concerts per year and provided the largest local authority led concert season in the country. **The Leeds International Concert Season** had large attendances and was well respected across the concert industry.

In response to questions and concerns regarding the possible refurbishment of the Town Hall and associated costs, it was reported that there were some technical deficiencies with the Town Hall. Work was required to meet health and safety legislation requirements and improvements to the stage were desired.

Members praised the success of the Concert Season and the effort of Officers in achieving this success. Further issues discussed included performances in other locations within Leeds, the Big Bang schools concerts and the comparison of attendances with other major concert venues.

**RESOLVED** – That the report be noted.

## **17 Work Programme**

The Head of Scrutiny and Member Development submitted a report which detailed the Board's current Work Programme. Also attached to the report was an extract from the **Forward Plan of Key Decisions** which highlighted decisions that fell within the Board's remit.

Issues discussed included the establishment of the Working Group for the **Inquiry into the Wharfemeadows Park Fence** and possible additions to the Work Programme. It was suggested that the Board receives a presentation on **Parks and Countryside Budgets**.

**RESOLVED** –

- (a) That the report and current Work Programme be noted.
- (b) That a Working Group open to all Members of the Board be established for the Inquiry into the Wharfemeadows Park Fence and the Principal Scrutiny Adviser facilitate a meeting of this group.

## **18 Date and Time of Next Meeting**

It was noted that the next scheduled meeting of the Board was Monday, 10 September 2007 at 10.00 a.m. This was subject to change depending on the timescales of the Inquiry into the Wharfemeadows Park fence.