

SCRUTINY BOARD (CULTURE AND LEISURE)

MONDAY, 12TH NOVEMBER, 2007

PRESENT: Councillor T Hanley in the Chair

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

44 Declarations of interest

Councillor Atha declared a personal interest in Agenda item 9, Inquiry into Middleton Park Equestrian Centre due to his position as trustee of the Centre. (Minute No. 51 refers).

Councillor Mulherin declared personal interest in Agenda Item 9, Inquiry into Middleton Park Equestrian Centre due to her position as a Governor at Joseph Priestley College. (Minute No. 51 refers).

Councilor Kirkland declared a personal interest in Agenda Item 8, Inquiry into Wharfemeadows Park Fencing and the Council's Water Safety Policy due to his position on Otley Town Council. (Minute No. 50 refers).

45 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Arif Hussian.

46 Minutes

RESOLVED – That the minutes of the meeting held on 8 October 2007, be confirmed as a correct record subject to the inclusion of the following comments:

- Councillor Mulherin joined the meeting during the discussion of Item 9, Major Projects Update. (Minute no. 39 refers).
- Minute no.39 – Major Projects Update – An update report was requested on progress at Roundhay Mansion. It was agreed that a report would be submitted to the December meeting.

47 Matters arising from the Minutes

Minute no. 39 – Major Projects Update

Concern was expressed over proposed measures to prevent skateboarders and the cost of these measures. It was requested that the Executive Member

be presented with the views of the Board, that enforcement of existing bye laws be used to prevent unlawful skateboarding activity across the City.

48 Executive Board Minutes

With regard to Minute no.8, The Mansion, Roundhay Park, it was requested that further information be presented to the Board on the selected options.

RESOLVED – That the minutes of the Executive Board held on 17 October 2007 be noted.

49 Overview and Scrutiny Committee Minutes

In response to a query on Minute no.31, Annual Audit and Inspection Letter, and a concern regarding the City's rating drop in the 'Culture' block. It was reported that there would be a performance update at the Board's next meeting.

RESOLVED – That the minutes of the Overview and Scrutiny Committee held on 11 September 2007 be noted.

50 Inquiry into Wharfemeadows Park Fencing and the Council's Water Safety Policy

The Head of Scrutiny and Member Development submitted a report regarding the Board's inquiry into the decision to erect a fence at Wharfemeadows Park, Otley and the Council's general water safety policy. Appended to the report were two reports prepared by the Royal Society for the Prevention of Accidents (ROSPA) and terms of reference for the inquiry.

The Chair welcomed the following to the meeting:

- Peter Cornall, Head of Water and Leisure Safety, ROSPA
- Chris Ingham, HR Manager (Safety, Well-being and Attendance)
- Sean Flesher, Principal Area Manager (West), Parks & Countryside

Peter Cornall addressed the meeting. He reported that ROSPA had been commissioned to work closely with the Council following the tragic drowning incidents in Roundhay Park in 2005. The work had involved risk assessment, training and site management of water sites. ROSPA had been requested to look at sites at Wharfemeadows Park and Roundhay Park and site audits were subsequently undertaken.

In response to a question of why the Roundhay and Wharfemeadows sites had been selected, it was reported that these had been chosen by an Officer working group which consisted of representatives from Health and Safety, Legal, Insurance, Education Leeds and others. ROSPA were then commissioned to carry out site audits as they were considered the most appropriate body to do this.

Further to questions of why Wharfemeadows Park was chosen, it was reported that the site provided a good example of an urban park area with fast running water to undertake a site specific assessment.

The Chair welcomed Tony Hartigan and Sylvia Reid of the Wharfemeadows Action Group who addressed the Board, tabling a paper that elaborated on evidence that had previously been submitted.

Further comments were made regarding the poor condition and quality of the recently erected fence. The Principal Area Manager reported that the on-site work had not been completed and that all works would be checked for quality and completeness. In line with standard contract procedures, any defects would be corrected prior to final completion.

The Chair reported that the Inquiry was coming to a conclusion and that a draft report would be prepared. It was hoped that this draft report would be available for the Board's December meeting.

RESOLVED –

- (1) That the contents of the two ROSPA reports be noted.
- (2) That a draft report on the Inquiry into Wharfemeadows Park and the Council's Water Safety Policy be prepared.

51 Inquiry into Middleton Park Equestrian Centre

The Head of Scrutiny and Member Development submitted a report regarding the Board's Inquiry into Middleton Park Equestrian Centre. Appended to the report was a copy of the management agreement currently in operation between the Equestrian Centre and the Council.

Councillor Atha and Charlotte Bromet (Chair of Trustees) addressed the Board on behalf of the trustees. It was reported that the centre catered for approximately 220 rides per week, including carriage rides for the severely disabled. Members of the Board who had visited the centre reported how they had been impressed by what they had witnessed and felt that the centre provided a valuable service for some of the most vulnerable people across the City.

Pat Kelly, Legal and Democratic Services reported and confirmed that current funding arrangements would remain in place until the end of the financial year. He also referred to the ongoing exchanges of correspondence between the centre and the Council; however a consensus view on how to move forward had not yet been reached.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Monday, 10th December, 2007

- (1) That the recent dialogue between the Council and the Centre be welcomed.
- (2) That both parties be urged to continue in constructive negotiations in order to resolve the matters at point and provide clarity over the future of the Middleton Park Equestrian Centre.
- (3) That the Board be kept informed of the outcome of the continuing negotiations and a further report be brought to the Board detailing the final position and the associated implications.

52 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.

RESOLVED –

- (1) That, with the addition of a report on Roundhay Mansion, the work programme be agreed as presented.
- (2) That the Principal Scrutiny Adviser review the outcomes of the Board's previous meetings (during the current municipal year) and present a further report at the December meeting.

53 Date and Time of Next meeting

Monday, 10th December 2007 at 10.00 a.m. (Pre-meeting for all Board Members at 09.30 a.m.).