

OVERVIEW AND SCRUTINY COMMITTEE

26 February 2020

Minutes of the Overview and Scrutiny Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Wednesday 26 February 2020 at 3:00pm.

Committee Members present: Councillors P.N. Osborne (Chairman), B.J. Drayson (Vice-Chairman), J. Barnes, T.J.C. Byrne (ex-officio), J.J. Carroll, Mrs V. Cook, P.C. Courtel, S.J. Errington, P.J. Gray, A.K. Jeeawon, C.A. Madeley (substitute), C.R. Maynard and M. Mooney.

Other Members present: Councillors J.H.F. Brewerton (in part), C.A. Clark, Mrs D.C. Earl-Williams, A.S. Mier, R.B. Thomas and J. Vine-Hall.

Advisory Officers present: Executive Director (AL), Assistant Director Resources, Head of Service Acquisitions, Transformation and Regeneration, Head of Housing and Community, Head of Strategy and Planning, Major Projects Manager, Contracts Manager and Democratic Services Officer.

Also Present: 1 member of the press and 3 members of public.

OSC19/52 **APOLOGIES AND SUBSTITUTES**

Apologies for absence were received from Councillor L.M. Langlands and Malcolm Johnston, Executive Director.

It was noted that Councillor C.A. Madeley was present as substitute for Councillor L.M. Langlands.

OSC19/53 **DISCLOSURE OF INTERESTS**

Declarations of interest were made by Councillors in the Minutes as indicated below:

J. Barnes	Agenda Item 3 – Personal interest in so far as he was an elected Member of East Sussex County Council.
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Clark	Agenda Item 3 – Personal interest in so far as he was and an elected Member of East Sussex County Council.
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Mrs Earl-Williams	Agenda Item 3 – Personal interest in so far as she was and an elected Member of East Sussex County Council.
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OSC19/54 CALL-IN - DESTINATION LEISURE: BEXHILL REDEVELOPMENT OF EXISTING LEISURE FACILITIES

The Committee considered the report of the Executive Director which detailed what action could be taken following the initiation of the call-in procedure in respect of the Cabinet decision on the redevelopment of the existing Leisure Centre in Bexhill agreed on Monday 10 February 2020 (Minute CB19/98 refers). The Executive Director had initiated the call-in procedure at the request of Councillor P.N. Osborne, Chairman of the Overview and Scrutiny Committee (OSC) in accordance with the procedure.

The Chairman had submitted the following reasons for calling in this item:

- i. a new Leisure Centre is a corporate plan priority project;
- ii. concerns that the contract extension will not have enough time to be sorted out by legal and the current contract has been extended twice before, due to the expectation that a new contract will come with a new facility;
- iii. delays to the purchase and any compulsory purchase plans will cause further delay and cause additional costs;
- iv. failure to replace the existing leisure facilities (some over 30 years old) will hamper the Council's commitment to reduce its carbon output due to the existing facilities inefficient buildings and plant; and
- v. the Council may miss out on possible grant streams to fund the new leisure facilities due to the removal of the Community Information Levy funding.

The following additional comments and rationale for the call-in request were made by Members opposed to the Cabinet decision:

- concern was raised that land ownership issues were still prevalent and that access rights were still to be settled;
- the whole project and, in particular, the housing element had, as a consequence of the decision been delayed by Cabinet's decision to defer the recommendations detailed at Appendix C in the original report. The Council's lack of a current 5-year supply of land for housing was significant and cause for concern;
- further delays opened the project up to increased costs and risks;
- the Committee was advised that the site had been split into two separate projects namely Housing and Leisure Facility. An Employer's Agent would be appointed to oversee the whole development however this had been delayed due to the decision of Cabinet. Separate architects and contractors would be appointed for the two specialist elements if and when the project was approved; and

- accuracy of the Cabinet Minutes was challenged and, in particular, the resolutions approved. The Committee was reminded that all meetings were recorded and available on the Council's website. Members were encouraged to listen to the recording.

Councillors Brewerton and Vine-Hall reassured the Committee that Cabinet had carefully considered this matter and in their view it was the correct decision to defer until the Bexhill Leisure Centre Project Steering Group (BLCPSG) had met to consider the project in more detail.

After discussion, the Committee recommended that Cabinet be requested to reconsider their decision and approve the recommendations in the original Cabinet report, as follows:

Recommendation to COUNCIL: That £5m from either the Strategic Community Infrastructure Levy fund or borrowing (subject to affordability) or other funding sources be allocated to this project, noting the overall funding approach set out at Appendix 3; and that the Capital Programme be updated for the estimated costs and funding as detailed in the report.

AND

It be **RESOLVED:** That project progress be noted and the Executive Director, in consultation with the Cabinet Portfolio Holder for Safer Communities and Communications, Young People, Sport and Leisure, be granted delegated authority to:

- 1) agree an extension of the Bexhill Leisure Centre and Bexhill Leisure Pool contracts to secure continued operation of the existing facilities from 1 April 2021 up to the planned closure of each centre;
- 2) begin the Compulsory Purchase Order process for land at the former high school site and access, subject to a full report to follow; and
- 3) appoint an Employer's Agent and an Architect to carry out detailed design work and preparation of a reserved matters application to be funded from capital project budget previously committed.

Members also recommended that Cabinet reconsider the composition of the BLCPSG to include Councillor Carroll.

RESOLVED: That the decision taken by Cabinet on 10 February 2020 be reviewed, taking into account the above concerns of the Overview and Scrutiny Committee.

(Councillors J. Barnes, Clark, Mrs Earl-Williams and Maynard each declared a personal interest in this matter in so far as they were elected Members of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

CHAIRMAN

The meeting closed at 3:50pm.

