

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Leisure & Environment Committee** broadcast from Castle House, Great North Road, Newark NG24 1BY on Tuesday, 17 November 2020 at 6.00 pm.

PRESENT: Councillor R Jackson (Chairman)  
Councillor N Mison (Vice-Chairman)

Councillor S Carlton, Councillor Mrs D Cumberlidge, Councillor P Harris,  
Councillor Mrs L Hurst, Councillor B Laughton, Councillor J Lee and  
Councillor Mrs Y Woodhead

ALSO IN ATTENDANCE: Councillor K Girling

APOLOGIES FOR ABSENCE: Councillor L Brailsford (Committee Member), Councillor M Cope (Committee Member) and Councillor Mrs G Dawn (Committee Member)

The meeting was held remotely, in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

68 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

Councillor S Carlton declared a personal interest in Agenda Item 6 – Active4Today – Performance Update and Draft Business Plan 2021/22, as he was a member of the Board of Active4Today.

69 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting which was to be webcast.

70 MINUTES OF THE MEETING HELD ON 22 SEPTEMBER 2020

AGREED that the Minutes of the meeting held on 22 September 2020, be approved as a correct record to be signed by the Chairman.

The Chairman informed the Committee that the order of business on the agenda would be changed. Agenda Item 12 – Grounds Maintenance of HRA Land would be taken in Part 1 – Items for Decision, after Item 7 as the report was no longer confidential.

71 CHAIRMAN'S REPORT

The Chairman delivered an update to the Committee in relation to key developments that had taken place between Committee meetings from services within the

Committee remit.

It was reported that the response to Covid-19 had continued to affect services within the Council's responsibility and Members would be aware that the national restrictions had meant that Council leisure centres had closed once more.

The Managing Director of Active4Today – Andy Carolan, provided an update on the agenda in relation to the impact Covid-19 was having on the business and its finances.

Even before the national restrictions, the regulations in both tier 2 and tier 3 were having a detrimental impact and the Council would therefore be closely monitoring what the exit plan from the national restrictions looked like post 2 December. During October, colleagues from public protection were heavily involved in supporting businesses across Newark and Sherwood to meet the new requirements that tier 2 brought to their operations. This also involved joint work with colleagues in the police to undertake weekend visits to pubs to ensure that they too were operating in line with the new regulations. Whilst the vast majority were, one pub was issued with an enforcement notice. Again, the team would be closely monitoring the exit plan post 2 December, as they were likely to be involved once more in ensuring compliance with whatever the replacement regulations would be. Despite the operational challenges that Covid continued to bring, the Chairman was pleased to be able to inform Members about a number of positive developments which had been achieved.

Four of the Council's parks, which were maintained by the Council's grounds maintenance team, had been awarded Green Flag Status once again. The Council was rightly proud of the parks and open spaces and this award showed that the Castle Gardens, Sconce and Devon, Vicar Water and Sherwood Heath were being looked after to the highest standards. On the agenda was a report recommending that spaces within HRA land were looked after once more by the Council which was a great opportunity to ensure greater consistency in standards and better accountability for more of our open spaces. The Council also continued to make good progress with the new pool at the Dukeries Leisure Centre in Ollerton, which was currently on programme to complete the works in June 2021. This week the steels for the superstructure were set to go in, this would make the development even more real for the community in what would be a very positive facility. The chairman also informed Members regarding the report on the Council's Climate Emergency Strategy and Action Plan, which would go to Full Council on 15 December 2020. Once approved, a number of interventions that were proposed to reduce the Council's carbon footprint would be in the gift of this Committee, including reducing the footprint from the Council's biggest emitters – the leisure centres. The Chairman looked forward to receiving a report next year setting out how the Council would proceed with this.

## 72 ACTIVE4TODAY - PERFORMANCE UPDATE AND DRAFT BUSINESS PLAN 2021/22

The Committee considered the report presented by the Health Improvement and Community Relations Manager which presented the Active4Today Draft Business Plan, 2021/22. The Committee was also updated regarding the Company's performance to end of October 2020 and the exceptional circumstances that had impacted on the Company as a result of Covid-19 throughout the year to date.

It was reported that as a result of Covid-19, site closures and restricted operating parameters had a significant impact on the trading activity to date and would have serious ramifications for the company in respect of trading activity for the foreseeable future. Members were informed that it was important to recognise that the review of the Company's governance arrangements may lead to further changes to the operating model, to be considered by the Committee and may impact on the business plan and therefore the draft plan may require further work.

Members congratulated the team for the work they were undertaking in this difficult time and asked for an update regarding which Leisure Centres were still operating.

The Health Improvement and Community Relations Manager confirmed that the Newark Fitness Centre was still open for school swimming, which was good news that some footfall was going through the centre as part of the school PE curriculum.

The Managing Director of Active4Today confirmed that the closure restrictions had also been lifted for the Southwell Leisure Centre swimming pool and through negotiations with County swimming, school swimming was continuing. Good feedback regarding the swimming programme being provided had been received from Nottinghamshire County Council schools. A4T staff were also continuing with the maintenance of their leisure centres i.e. legislative checks such as legionella and reviewing Covid-19 provisions in preparation for the opening date. The report also noted the positive feedback from customers regarding the work undertaken during the pandemic at the leisure centres.

Members asked for detailed information regarding childhood obesity as the report only indicated that childhood obesity was developing. The Health Improvement and Community Relations Manager confirmed that the work being undertaken to address childhood obesity was far wider than just what Active4Today was offering. Active4Today was trying to provide activities to address obesity and had developed a number of programmes, specific details of interventions to reduce childhood obesity as part of the business plan was still being prepared. Work was being undertaken with schools, bursaries had been given to young people where price was a barrier and work was also being undertaken with health programmes. It was confirmed that a report would be submitted to the January meeting of the Committee including a comparison with local/national obesity figures. The report would also inform Members of the priorities in the physical activity and sport plan.

AGREED (unanimously) that:

- (a) the Committee considered the draft themes for the Active4Today Draft Business Plan 2021/2022 and make any representations to the Company via the Authorised Officer;
- (b) the performance up to period 7 to 31 October 2020 be noted;
- (c) Active4Today provides the January committee meeting with its latest in-year financial position and full year forecast in order that the Committee can form judgements on the appropriateness of further financial contributions; and information regarding childhood obesity be included in the update report to the January meeting of the Committee

73 FLY TIPPING ACTION PLAN

The Committee considered the report presented by the Business Manager – Public Protection, which informed Members of the challenges in progressing the Fly Tipping Action plan and sought agreement for a new timetable for implementing co-ordinated actions in the district. The report also set out the impact of Coronavirus on levels of fly tipping and the enforcement response.

A Member sought clarification regarding how many fly tipping prosecutions the Council had secured in the last two years for each Member ward. It was confirmed that information would be circulated to Members.

A Member asked if any progress had been made regarding the Household Waste Recycling Centres taking in trade waste. It was confirmed that discussions were taking place with Nottinghamshire County Council and Veolia, a system would be put in place to allow the trader to register and they would then be charged per tonne for their waste.

AGREED (unanimously) that:

- (a) the progress made on the action plan be noted;
- (b) the new time table for delivery of the action plan be agreed;
- (c) the enforcement actions being taken against fly tipping be supported; and
- (d) information regarding the number of fly tipping prosecutions secured by the Council in the last two years for each Member ward, be circulate to all Members of the Council.

74 GROUNDS MAINTENANCE OF HRA LAND

The Committee considered the joint report of the Director of Housing, Health and Wellbeing and Director of Communities & Environment which was presented to Members by the Business Manager Environmental Services a business case for Newark and Sherwood's Street Scene Service to deliver the Grounds Maintenance of HRA (Housing Revenue Account, or Housing Service land) land going forward, rather than contracting to a third party for this service. Members were also asked to consider an in principle decision to expand the existing Newark & Sherwood District Council (NSDC) Street Scene service to include the maintenance of HRA land, noting the potential obligations under TUPE of bringing the service in-house and the initial financial outlay required. Members were further presented with details of enhanced levels of service available, which would form part of a future consultation with tenants subject to the approval of the business case as outlined in 1.2 of the report.

Member considered the proposals and supported the scheme as they were confident of the workmanship, recognised the benefits of bringing the works back in-house and suggested that the works could be expanded further to Parish Councils. It was also suggested that tenants and residents could be engaged regarding grass cutting and the possibility of having meadow land, with some land having an early and late cut to allow the land to become wild and engage with nature. The Business Manager

Environmental Services confirmed that Parish Councils were being looked into and the Development team was progressing with the Cleaner, Greener scheme in the district.

A Member asked if the football pitch in Coddington could be considered as a woodland walk as the Coddington residents were in support of the change. It was also suggested that an asset land audit be undertaken for Coddington as there were numerous small areas of land in between properties that the Council owned and the residents were keen to take over the maintenance of that land. It was suggested that the land could be transferred to the Parish Council to save tax payers money. The Business Manager Environmental Services confirmed that a land asset survey was being undertaken for the entire district.

AGREED (unanimously) that:

- (a) in principle the expansion of the existing NSDC Street Scene team to accommodate the HRA grounds maintenance contract and to endorse the grounds maintenance service for the HRA to be in sourced, be approved;
- (b) the potential TUPE implications of bringing the service in house be noted; and
- (c) the decision from the Leisure & Environment committee be referred to the Homes and Communities Committee for consideration of matters relating to this proposal that fall within its remit before being sent to the Policy and Finance Committee for approval.

75 LEISURE & ENVIRONMENT REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2021 AS AT 30 SEPTEMBER 2020

The Committee considered the report presented by the Business Manager – Financial Services, which compared the Revised Budgets for the period ending 31 March 2021 with the Projected Outturn forecast for that period, based on meetings with Financial Services staff and the appropriate Business Manager. These were based on six months’ performance information on the Council’s revenue and capital budgets, including:

- General Fund (GF) Revenue
- Capital Programme

Members were informed that it was requested by Members at the Policy & Finance Committee during February 2020 that reports be presented to the Operational Committees for noting, in order for them to understand the financial position of their Committee.

The Business Manager – Financial Services informed Members that the projected figures contained within the report were produced prior to the Governments changes to Tier 3 and the country lockdown. Due to this there was a further unfavourable variance of £56,000 to Newark Livestock Market. Therefore the overall variance to be reported to the Policy and Finance Committee was £202,000 to date. The main

reasons for this variance was detailed in Appendix A to the Policy and Finance Report contained within the agenda. Members were asked to note that this position was still an indication of the anticipated outturn position and officers continued to work throughout the year revising their forecasts. Further forecast reports closer to the financial year end would give a more accurate assessment of the outturn position.

It was reported that the current position for the Council was an unfavourable variance of circa £0.537m-£0.737m. This was prior to any return funding from the Nottinghamshire Business Rates Pool, for which S151 Officers across the County were working to review the position.

AGREED (unanimously) that the report be noted.

76 MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE - ANNUAL STATEMENT OF ACCOUNTS

The Committee considered the report presented by the Business Manager Financial Services, which presented the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee, Appendix 2 to the report, which was taken from the Committee's Urgency Decision report, which was appended to the report as Appendix 1. The report and the relevant Urgency Decision taken during Covid-19 was also attached as Appendix 3 to the report.

AGREED (unanimously) that the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee be noted.

77 URGENCY ITEMS - MINUTE OF DECISION

The Committee noted the decision that various regulations had recently been published providing an opportunity to issue fixed penalty notices for a number of offences relating to breaches of coronavirus controls. In accordance with regulations 18(11)(a)(iv) of the Health Protection (Coronavirus, Collection of Contact Details etc. and Related Requirements) Regulations 2020 No. 1005, Newark and Sherwood District Council designated officers named below as authorised persons to enforce the provisions of the regulations and to issue penalty charge notices, to the extent set out in the regulations.

All staff in the following posts were authorised to issue fixed penalty notices under the regulations contained within the report.

Business Manager – Public Protection  
Senior Environmental Health Officers  
Environmental Health Officers  
Environmental Health Technical Officers  
Community Protection Officers  
Licensing Enforcement Officers  
Anti-Social Behaviour Officers

The urgency item agreed by Members listed on the Minute of Decision was to ensure

that the authorisation of fixed penalty notices in accordance with regulations proceeded without unnecessary delay.

AGREED (unanimously) that the urgency item be noted.

78 LEISURE & ENVIRONMENT COMMITTEE FORWARD PLAN

The Leisure & Environment Committee Forward Plan was provided for Member information. Members were encouraged to submit any areas of work they wanted to address for the forthcoming year.

Members suggested the following:

- Council land assets – the remit be looked at to see if the Leisure & Environment Committee was the appropriate Committee to provide a list of Council land assets.
- Regular updates regarding the Swimming Pool located at the Dukeries Leisure Centre site.
- Obesity performance figures – a report be submitted to the 19 January 2020 meeting regarding national obesity figures and how the Council would measure the local figures and action plan.

AGREED (unanimously) that:

- (a) the Forward Plan be noted; and
- (b) the following suggested items be researched and included on the Leisure and Environment Committee Forward Plan:
  - Council land assets – the remit be looked at to see if the Leisure & Environment Committee was the appropriate Committee to provide a list of Council land assets.
  - Regular updates regarding the Swimming Pool located at the Dukeries Leisure Centre site.
  - Obesity performance figures – a report be submitted to the 19 January 2020 meeting regarding national obesity figures and how the Council would measure the local figures and action plan.

Meeting closed at 7.45 pm.

Chairman