



Buckinghamshire County Council Select Committee

Finance, Performance and Resources Select Committee

Report to the Finance, Performance and Resources Select Committee

Title: Update	Bucks Sports and Social Club - Call-in
Committee date:	Tuesday 19 December 2017
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Cabinet Member sign-off:	John Chilver – Cabinet Member Resources

Purpose of Agenda Item

Information: Provided to enable the select committee to scrutinise a specific issue or inform the development of the work programme

Background

In July 2017, the Cabinet Member for Resources made a decision (R04.17) to 'close all buildings and external facilities of the Bucks Sports and Social Club'.

This decision was 'Called In' by Cllr Brian Roberts, supported by Cllr Niknam Hussain and Cllr Julie Ward for review.

A special Select Committee meeting was arranged at which the Committee Members reviewed the decision on Tuesday 12 September 2017.

As a result the Committee proposed that the Cabinet Member decision should

- **be referred back to the Cabinet Member for Resources for reconsideration and advocated that Option 3 (see below) in the original report should be revisited**
- **The Committee also proposed that the Cabinet Member for Resources should have further discussions with local Members and the Club Committee over a**



period of three months and then report back to the Select Committee on his decision.

- **The Cabinet Member for Resources agreed to this proposal.**

Under Option 3, the management of the club would transfer to an 'alternative delivery vehicle', in this case meaning a community group or company set up for the purpose of running the club such as a Community Interest Company or social enterprise.

A summary of issues raised at the meeting (taken from the minutes) held on 12th September 2017 is below and the action taken to respond to those issues (where reasonably practicable) is also below

<p>In September 2016, Brian Roberts attended a meeting to discuss possible reforms to the Bucks Sports and Social Club and a potential lease arrangement. By the end of November 2016, the lease should have been prepared but nothing happened.</p>	<p>These matters are an account of historical actions or inactions</p>
<p>In March 2017, club staff raised a number of concerns with Brian Roberts as their local County Councillor and he took these issues to the Cabinet Member and relevant officers and suggested a further meeting should be held. Mr Roberts continued to press for Officers to meet with Members and Club Members, but this didn't happen.</p>	
<p>Finally on 24th July 2017, two officers met with two club staff but the Cabinet Member decision recommending closure of the club had been published on 19th July, to be taken on or after 27th July.</p>	
<p>It appeared that a draft lease had been prepared and a business case had been put together with a view to turning the club's fortunes around and club members believed that this was being progressed.</p>	
<p>Whilst Mr Roberts fully acknowledged that Buckinghamshire County Council faced financial challenges, he believed that local residents were right to raise concerns about a lack of engagement and consultation around the possible closure of the Club. Stoke Mandeville Parish Council only heard about the possible closure on local radio station, Mix 96 which Mr Roberts felt was unacceptable. Over 800 people had signed a petition opposing the club's</p>	<p>A letter regarding the future of the club was sent to all identified stakeholders.</p> <p>The letter contained an invitation to make proposals regarding the future of the club. Two proposals were received and evaluated.</p> <p>Stoke Mandeville Parish Council</p>

closure.	was sent the letter but did not respond. SMPC was chased twice by phone.
There were a number of inaccuracies in the report, particularly around the membership figures. The report claimed there were only 56 members, but the level of representations made on this decision illustrated the number of people who use the club regularly, many of whom had been advised that they could not become members currently.	The current membership is only those members of staff of BCC who continue to pay membership fees. Each individual was sent the letter referred to above.
There had been no consultation with local Members or the Greater Aylesbury Local Area Forum ahead of the Cabinet Member Decision report being published and no public consultation feedback had been included in the Cabinet Member report, despite the report template clearly indicating that consultation feedback should be included. There was also no evidence that an Equalities Impact Assessment had been undertaken.	Cllr Roberts, the County Ward Member was consulted and communicated with throughout the consultation period and attended multiple meetings with officers and the Cabinet Member for Resources. Cllr Roberts is Chairman of the LAF. The deputy chairman of the LAF was also sent the letter, and was invited to meet with officers for a briefing in his role as Leader of the Opposition in the County Council. Unfortunately his diary did not allow. An Equalities Impact Assessment has been carried out and is appended to this report.
Wes and Mel Personal Training (WMPT Sparks) currently delivered their fitness classes at the Club and had been told that their bookings would be honoured to April 2018, although the Cabinet Member Decision stated bookings would only be honoured until 31 st October 2017.	This is a matter of record
There was a risk to the Council's reputation due to the lack of consultation.	The Cabinet Member for Resources has made every effort to consult with stakeholders on his decision.
Between 2003 and 2012, the Club was producing an average annual surplus of £24,500. In recent years, since the BCC Facilities Management team had been	This is a matter of record. The club has not been in surplus since it was taken over by the County Council.

<p>managing the Club, there had been a financial deficit of -£5,500 in 2015, - £25,000 in 2016 and -£64,500 in 2017.</p>	
<p>Club members recognised that it was not part of the Council's core business and agreed that the current situation was unacceptable. In 2016, two former County Councillors had offered to represent the Club Committee and put their case forward, which included offering to take on the lease of the club by forming a legal entity to allow this and a schedule of works for the site which included investing in new changing rooms. Subsequently it was discovered that the Councillors had not presented these ideas and had turned down an invitation to establish a Community Interest Company (CIC).</p>	<p>This is a matter of record.</p>
<p>Club Members had now incorporated as a CIC, lease terms had been drawn up and they had investigated options for new changing rooms. They believed that they could increase the membership and revenue the Club produced and asked for this opportunity, as set out in Option 3 of the Cabinet Member Decision report to be considered.</p>	<p>Members of the community and the club have put in a business case to run the Club, as they were invited to do.</p> <p>Unfortunately, it is believed that this bid represents too great a risk to the County Council of a continuing need for financial support.</p>
<p>The Localism Act 2011 allowed facilities to be registered as an Asset of Community Value. In 2015, Stoke Mandeville Parish Council wanted to nominate Bucks Sports and Social Club as an Asset of Community Value and was advised by Buckinghamshire County Council's (BCC) Estates department not to proceed. The Parish Council agreed to reconsider but ultimately decided to submit a bid, which was accepted by Aylesbury Vale District Council in May 2015 and BCC was notified.</p>	<p>This is a matter of record.</p> <p>When a site has been listed as an Asset of Community Value it is subject to certain regulations. If the owner decides to dispose of the asset either through freehold sale or granting a qualifying lease of 25 years or more, this would trigger a period of consultation. In this instance, BCC had not decided to dispose of the site.</p>
<p>On 21st July the Parish Council was alerted from a report on local radio that there was</p>	<p>As previously, all identified</p>

<p>a plan to close the Bucks Sports and Social Club. The Cabinet Member report was then obtained and Mrs Hunt, Chairman of Stoke Mandeville Parish Council contacted the Cabinet Member to make representations and to complain about lack of consultation. There has been plenty of opportunity to consult the Parish Council and the users of the Club. Mrs Hunt asserted that BCC had failed to follow Government guidelines on public consultation.</p>	<p>stakeholders including Stoke Mandeville Parish Council were sent the consultation letter.</p> <p>Stoke Mandeville Parish Council was contacted on two occasions subsequently to ascertain whether they wished to respond.</p>
<p>Mr Hussain advised that the green space of the Club site helped BCC with its duty around Health and Wellbeing and was well-used by the whole community, including Booker Park School who used the playing fields for their sports lessons.</p>	<p>Booker Park school did respond to the consultation so there has been a dialogue with the school about the reciprocal arrangements that exist. These will continue in the near future and discussions are continuing. They are not affected by a decision to close the club.</p>
<p>Mrs Ward reiterated concerns about reputational risk to the Council due to a lack of engagement around the proposal to close the Club, which was widely used.</p>	<p>As previous.</p>
<p>There had been mismanagement and miscommunication at the Club over the past couple of years, particularly in connection with diary management for bookings.</p>	<p>It is acknowledged that there have been issues with bookings and diary management and a system which puts all bookings through Facilities Management has been instituted.</p>
<p>400 people recently attended a Fun Day event at the Club, 190 people would like to become Members and the Committee was confident that if they could replace the changing rooms they could further increase the membership.</p>	<p>This is part of the communities' bid to take over management of the club.</p>
<p>Up to 2014, the Club had been run well and the Council published the Club's accounts up to this point. BCC took over the management of the Club in 2014, due to financial impropriety at the Club by a member of BCC staff who was no longer working there.</p>	<p>Not relevant to the current decision.</p>
<p>The Club had previously been open six</p>	

<p>nights a week and during the day at the weekends – this level of activity had reduced since BCC took over. The Air Ambulance landed there and clients from the Spinal Injuries unit at Stoke Mandeville also used the Club to socialise.</p>	<p>This is part of the communities' bid to take over management of the club.</p> <p>Discussions with Stoke Mandeville Hospital about the potential uses of the site are ongoing, but they are not affected by the decision to close the club</p>
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Cllr Chilver responded to the Call In decision by writing a letter which is Appended at A. to all key stakeholders and interested parties which included; BSSC Members; Local Councillors; Staff; Stoke Mandeville Parish Council; Booker Park School, the Chair and Vice Chair of the LAF, Suppliers and Users. A full list of those who were written to is appended at B.

The letter (appended at A) explained the purpose of the consultation and it gave stakeholders the opportunity to have meetings with Cllr Chilver, send through any questions or concerns to a dedicated Bucks Sports and Social Mailbox and asked for any viable proposals to keep the club from closure with responses required by Monday 20 November.

Over this period of time various meetings, telephone conversations and emails took place with the Cabinet Member for Resources. In the end, two organisations submitted proposals for the future of the club.

In addition, officers have discussed with Booker Park School the usage of the car parking facilities and field usage. This was a historic reciprocal arrangement established some years ago. Both parties now have an open channel to discuss any changes that affect usage in the future.

Stoke Mandeville Parish Council has also been contacted separately to ensure they had received the consultation letter and whether they required a specific meeting with the Cabinet Member for Resources to discuss their concerns however there was no request for further information.

With regard to the two proposals that were received, an independent evaluation panel consisting of Legal, Finance and Procurement professionals was established. The panel reviewed the proposals. They have provided a report on their expert opinion to Cllr Chilver.



Decision

Following this consultation and the advice of the evaluation panel, the Cabinet Member for Resources has concluded that his decision will still stand in regards to closing the Bucks Sports and Social Club.

In deciding that his decision will stand, the Cabinet Member for Resources has taken into account the following factors:

- Full consultation has been carried out
- The County Council has does not have responsibility for the provision of leisure and/or sports facilities
- The advice of the independent panel of experts that neither of the two plans put forward represented an acceptable level of risk to the County Council
- The financial circumstances of the Council
- The value of the total asset and the possible future uses of the site
- The equality impact assessment did not identify any detrimental impact to particular groups

Resource implications

The financial and resource implications are set out against all the options detailed in the report that was submitted for the 12th September 2017 Select Committee meeting.

Next steps

The Cabinet Member for Resources will confirm his decision to close the club.

Officers will discuss with members of the community and the local Member when this should take effect as there is a booking for a New Year's Eve party which could go ahead if wished. The club will close no later than January 15th 2018.

Appendix A – letter sent

To all stakeholders and interested parties in Bucks Sports and Social Club

I am writing to set out the next steps in relation to the Bucks Sports and Social Club.

As you are aware, I agreed with the request of the Select Committee which was as follows:

- The Committee unanimously agreed that the decision should be referred back to me for reconsideration and advocated that Option 3 in the original report should be revisited
- The Committee also proposed that I should have further discussions with local Members and the Club Committee over a period of three months and then report back to the Select Committee on his decision. I agreed to this proposal.

Under Option 3, the management of the club would transfer to an 'alternative delivery vehicle', in this case meaning a community group or company set up for the purpose of running the club such as a Community Interest Company or social enterprise.

During 2016 we invested a significant amount time supporting this option, however unfortunately an appropriate body was not formed before the deadline of April 2017 to which the Council could hand the club over to. This was due to a number of issues, which were outlined to committee in our report.

Our conclusion was that Option 3 was no longer considered feasible.

The County Council continues to face financial pressures and needs to ensure the effectiveness and efficiency of all its expenditure.

Delivery of community based sports and social facilities are not a statutory responsibility of the County Council. There is no option on the table to redevelop the site or any part of it – our advice is that this will not be viable in the short to medium term. So the Council must focus its attention on the future prospects of the site being developed in a sustainable and cost neutral way.

I know there is a strongly held view amongst key stakeholders that the club can be viable, but this has not yet translated into anything that could be relied upon to enable the Council to keep the club open and hand the management over.

This situation cannot be allowed to continue indefinitely, and therefore, in order for me to report back on my decision to the Select Committee in December I am consulting all interested parties and stakeholders with a view to understanding if there is any meaningful prospect of the club being able to sustain itself independently going forward.

However, if there is no such plan then regrettably I will have to confirm my decision to close the club.

I am available to discuss this matter with any individuals or groups who would find that helpful and officers will also be made available to ensure that there is full understanding of

what is being consulted on and what the options are. Of course, adequate notice will need to be given in order to make myself and/or officers available.

Councillor John Chilver

Executive Member for Resources



Appendix B – who the letter went to

Clients / Users:

- Archery
- Aylesbury Motorcycle Training
- Aylesbury Pigeon Club <;
- Badminton
- Badminton Wednesday ;
- Bucks Athletic Association
- Football
- Keep Fit
- Kids Club ;
- Whizz Kids ;
- Wingrave Swan
- WMPT Fight Club
- As well as 7 staff members

- 3 suppliers

- Booker Park School

- Stoke Mandeville Parish Council (who were also rung on a couple of occasions to see if there was any response)

- Cllr Brian Roberts
- Cllr Stephen Lambert

- about 40 members of staff who are paying subs from payroll

- Aylesbury Town Football Club

