

Dear Democratic Services Officer

In accordance with Committee Procedure Rule 46.2, we the undersigned, hereby give notice that we wish to call-in the Executive decision – Investment into Harrow’s Tennis Infrastructure - made on Thursday 23rd June 2022 by Cabinet – and the decision to outsource operation of the Tennis Courts to an external provider and introduce charging, without any prior consultation.

The cabinet outsourcing decision is set out in Recommendation 3 of the Cabinet Report:-

Approve the commencement of a procurement to identify and contract with a supplier for the provision of a tennis court operator and delegate authority to the Corporate Director of Place and the Director of Finance, following consultation with the Portfolio Holder for Community and Culture and the Portfolio Holder for Finance and Human Resources to enter into a contract between Harrow Council and the successful contractor. The responsible Officer leading on the procurement will be the Head of Service – Culture and Leisure. Approval in this regard to include delegating to explore and decide the best contract model between the council and the operator, which model may include a straight/conventional contract, a works concession contract or any other model that will be most effective and also yield value for money to the council

In accordance with Committee Procedure Rule 46.5, we the undersigned, hereby give notice that we wish to call-in the Executive decision with the following reasons.

1. Inadequate consultation with stakeholders prior to the decision;

- a) There has been no consultation with ward councillors prior to cabinet making the decision to outsource the running of the publicly owned tennis courts within our parks in Harrow for profit
- b) There has been no consultation with the Park User Groups prior to cabinet making the decision to outsource the running of the tennis courts as per the contract set out in the **Park User Groups – Operational Framework**.
- c) Lack of adequate consultation with current users of the tennis courts in Harrow and whether they support or oppose the role out of charging and outsourcing to an external provider.
- d) The cabinet report ignores and does not take into account the COMPACT agreement with the voluntary and community sector regarding consultation prior to a decision being made that would impact the sector -
- e) Lack of consultation with debt advice charities who have more relevant data on Harrow residents and their ability to, or not, pay.
- f) The lack of consultation with way the decision was made contradicts the Nolan Principles; in particular; openness and personal judgement. For example the decision to outsource had been made prior to consultation therefore ignored any views that may be made .
- g) The lack of communication or consultation has damaged future partnership working and relationships with residents and community groups.

2. The absence of adequate evidence on which to base a decision;

The cabinet report had insufficient information on the risks associated with the decision to outsource; particularly the potential impact on youth services and groups, spontaneous play, ability to pay, Park User Groups and schools.

Insufficient attention had been paid to potential “unintended consequences” of outsourcing the running of the service;

- There is no evidence base or pricing structure to support the decision. It is noted that the tennis operator would be responsible for the pricing strategy
- There are no contract limits on profits by the provider.
- Free play will be forced into non-prime times so will exclude weekends and evenings.

3. The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;

The decision contradicts Council agreed policies that ensure there is free access to sports facilities through a joined-up, cross-sector approach to delivery.

Harrow Physical Activity and Sports Strategies, and the Public Health Policies, which are currently being updated, are quite clear that free access to sport is key for healthier lifestyles. By introducing charges to be set by an unknown provider, prior to any consultation, undermines the basic principle of free access to sports.

4. The action is not proportionate to the desired outcome;

- a) There is no mention within the report as to how the decision is proportionate to achieving the Councils agreed vision and priorities as set out in the agreed Borough Plan.
- b) We fervently believe that sports facilities provided in parks should not be used to raise money or profit.

5. A potential human rights challenge;

As part of their PSED, cabinet are required to take due regard of equality implications when making decisions.

- The EQiA does not respond to the growing cost-of-living crisis and longer-term inflation predictions, which will have a socio-economic impact on accessibility for an increasing number of residents for many years.
- The EQiA does not reference the economic data accessible to the council, which is highlighted within the Young Harrow Foundation HAY report:-
 - that the number of younger people living in poverty was much higher than ONS were stating –
 - Cost is a growing barrier for many to access gyms and sports facilities – with over 50% saying they do not go to a gym, sports or exercise club at least once a week, and therefore introducing costs would be a further barrier to access these facilities.

Signed by:

Councillor David Perry (Lead)

Councillor Natasha Proctor

Councillor Antonio Weiss

Councillor Graham Henson

Councillor Krishna Suresh

Councillor Nitin Parekh