

Meeting:	Overview and Scrutiny Committee
Date:	22 nd April 2008
Subject:	Byron Leisure Centre – Scope for Challenge Panel
Key Decision: (Executive-side only)	
Responsible Officer:	Jill Rothwell, Corporate Director, Strategy and Business Support
Portfolio Holder:	Cllr Paul Osborne
Exempt:	No
Enclosures:	Byron Leisure Centre – scope for challenge panel

Section 1 – Summary and Recommendations

This report provides comment on proposals to hold a challenge panel to consider the Byron Centre Proposals and identifies three options to proceed.

Recommendations:

The Overview and Scrutiny is asked to

- i consider the options for undertaking the challenge panel
- ii decide on the appropriate course of action

Section 2 – Report

Background (if needed)

The April 1st meeting of the Overview and Scrutiny committee received a proposal from the Lead Members for Sustainable Development and Enterprise to hold a challenge panel to:

- Consider the funding arrangements for the centre
- Offer further opportunity for consultation with local people on the development

At the committee concern was expressed regarding the appropriateness of holding the challenge panel during the run up to the Mayoral elections. It was requested that further advice be provided on the legal position of holding the panel at this time.

Current situation

Advice from the Director of Legal Services has suggested that, whilst there are no specific legal objections to holding the panel during the period of purdah that as the proposed meeting is the week before the GLA elections, and the Byron site is a matter of political controversy, it is more likely to conduct an effective and focused review after the election is completed.

With this in mind, the advice of the planning service has been sought, regarding their timetable for consideration of the development and the possible impact of a delay in holding the panel on scrutiny's capacity to contribute to the planning decisions. Proposals for the site are to be considered on 7th May and any information from the panel would need to be available to the planning committee at this time. In reality, therefore, it seems that the possibility of scrutiny investigation uncovering any additional information to contribute to the robustness of the planning decision is unlikely in the time now available

Why a change is needed

Not applicable

Main options

There are a number of options available to the committee:

1. To postpone the challenge panel until after the Mayoral elections, though the window of opportunity for holding the panel after May 1st and before 7th May is extremely narrow and is unlikely to allow sufficient time to elicit any additional information to that which has been gathered during the planning process;
2. To press ahead with the challenge panel as originally proposed. It is unlikely that holding the panel in the significantly charged political atmosphere will be conducive to successful scrutiny investigation. As with option two it is also unlikely to elicit any additional information to that which has been gathered during the planning process.
3. Given that there has now been further consultation as a part of the planning process, to cancel the challenge panel at this point in time but instruct the Lead Scrutiny Members for Sustainable Development and Enterprise to continue monitoring the situation and return to the option of more detailed investigation if there appear to be further problems in future. This would seem therefore to be the best option for the committee to pursue.

Other options considered

None

Recommendation:

That the committee considers the three options outlined above.

Considerations

Resources, costs and risks

The committee needs to ensure that its resources are targeted in the most appropriate way, given the issues raised in connection with the panel, the committee runs the risk of duplicating consultation that has been undertaken during the planning process and adding little of value at this stage of the development.

Staffing/workforce

There are none specific to this report

Equalities impact

There are none specific to this report

Community safety (s17 Crime & Disorder Act 1998)

There are none specific to this report

Legal Implications

Legal advice is contained in the body of the report

Financial Implications

The costs of setting up a panel will be contained within the overall scrutiny budget

Performance Issues

There are no specific performance issues

Scrutiny performance management issues

There are no specific scrutiny performance management issues

Recommendations matrix attached as appropriate

Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 17 th April 2008		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 16 th April 2008		

Section 4 - Contact Details and Background Papers

Contact: Lynne McAdam, Service Manager Scrutiny
020 8420 9387

Background Papers: None

If appropriate, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	NO

**Appendix One:
BYRON LEISURE CENTRE REDEVELOPMENT – CHALLENGE PANEL
DRAFT SCOPE**

1	SUBJECT	Byron Leisure Centre redevelopment
2	COMMITTEE	Overview and Scrutiny Committee
3	REVIEW GROUP	To be confirmed at committee
4	AIMS/ OBJECTIVES/ OUTCOMES	<ol style="list-style-type: none"> 1. To examine the financial arrangements being put in place to finance the development. 2. To examine the scheme being proposed by the Council. 3. To provide a public forum for the discussion of issues and concerns that remain relating to the way forward for the leisure centre site, and to make recommendations based on these discussions. 4. To provide a suggested way forward for the delivery of large scale Council projects of this type in the future.
5	MEASURES OF SUCCESS OF REVIEW	<ol style="list-style-type: none"> 1. Recommendations relating to a clear, corporate approach on consultation and planning for large projects / one where there is a significant community interest. 2. Agreement on a mutual way forward between the Council and other interested parties for the redevelopment of Harrow Leisure Centre.
6	SCOPE	<p><u>Financial issues</u> – to examine how the funding for the leisure centre redevelopment will be secured and delivered, identifying potential for the delivery of future projects by the Council.</p> <p><u>Consultation</u> – to provide an additional forum for consultation between the Council and user groups on the delivery of the proposed scheme, and to evaluate the consultation that has already taken place, making recommendations for potential improvements for future projects, where appropriate.</p>
7	SERVICE PRIORITIES (Corporate/Dept)	8. Increase opportunities for participation in sport and culture. (2007/08)
8	REVIEW SPONSOR	Javed Khan
9	ACCOUNTABLE MANAGER	Lynne McAdam, Service Manager, Scrutiny
10	SUPPORT OFFICER	Ed Hammond
11	ADMINISTRATIVE SUPPORT	Ed Hammond
12	OTHER INPUT	Portfolio Holder Leisure centre user groups Council officers General public

13	METHODOLOGY	<p><i>Challenge panel</i></p> <p>A single “challenge panel” meeting bringing together a number of stakeholders, including the Council and user groups. The challenge panel would discuss 1) financial issues relating to the delivery of the project and 2) the new proposals for the leisure centre site, taking into account previous and future consultation plans.</p> <p>The challenge panel would be held as a public meeting. Members of the public would be able to attend and make comments but only at the discretion of the Chairman.</p>
14	EQUALITY IMPLICATIONS	<p>Equality of access to the new leisure centre is an important issue that will be central to the discussions.</p>
15	ASSUMPTIONS/ CONSTRAINTS	<p>Assumptions – that user groups will be willing to participate. That the meeting will “fit” within the existing consultation arrangements.</p> <p>Constraints – the nature of the review, as a challenge panel, would mean that a more wide-ranging discussion with the public at large would not be possible. The scope reflects this. It will be made clear that recommendations will reflect the views of the parties being consulted, where the recommendation relates to consultation itself.</p> <p>If agreement on the scope is not reached at O&S on 1 April, it will limit the ability of the panel to have a positive impact on the delivery of the project itself.</p>
16	SECTION 17 IMPLICATIONS	<p>None directly specific although the requirement for new building proposals to “design out” crime may be considered tangentially.</p>
17	TIMESCALE	<p>Agreement sought at O&S on 1 April.</p> <p>At the moment, it is proposed that the panel be held during the third week of April, which should still provide opportunity for recommendations to impact upon the developments.</p> <p>Report and recommendations to O&S in May.</p>
18	RESOURCE COMMITMENTS	<p>Officer time only.</p>
19	REPORT AUTHOR	<p>Challenge panel, with scrutiny officer</p>
20	SCRUTINY PRINCIPLES	<p>Have been considered in the drafting of the scope. The scope reflects all the principles as agreed.</p> <p>The scope meets the feasibility criteria used to assess feasibility of scrutiny projects and is likely to deliver meaningful change.</p>

21	REPORTING ARRANGEMENTS	<p>Outline of formal reporting process:</p> <p>To Portfolio Holder [] When.....</p> <p>To CMT [] When.....</p> <p>To Cabinet [] When.....</p>
22	MONITORING ARRANGEMENTS	Standard six month reporting cycle.