

RECORD OF EXECUTIVE DECISION

Monday, 16 January 2012

Decision No: (CAB 11/12 7659)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CHILDREN SERVICES AND LEARNING
SUBJECT:	FUTURE OPERATION OF KEY MILLBROOK SITE FACILITIES
AUTHOR:	Karl Limbert

THE DECISION

- (i) To approve the principle of procuring the management and delivery of community leisure facilities in relation to the former Millbrook School Sports Hall, together with such ancillary sports and recreation services as may be appropriate for the site, subject to compliance with Sport England (and their successors) funding conditions and agreements.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Heads of Legal, HR and Democratic Services; Property and Procurement, Finance and the Cabinet Member for Children's Services and Learning, to do anything necessary to procure the services set out above, in accordance with UK procurement rules and the Council's Contract Procedure Rules, including but not limited to, determining the method of procurement, selection of a preferred bidder, award of contract and contract completion.
- (iii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Heads of Legal, HR and Democratic Services; Property and Procurement, Finance and the Cabinet Member for Children's Services and Learning, to approve the details and completion of the letting of the Down to Earth Farm and Motor Vehicle Workshop to Oasis Community Learning at the appropriate time, following the vacation of the former Millbrook Community School site by Oasis Community Learning

REASONS FOR THE DECISION

1. Under the terms of the existing Short Term Lease, the Oasis Academy: Lord's Hill will vacate the Millbrook site upon completion of its new buildings (currently scheduled for September 2012). This will serve as a trigger for the Short Term Lease being terminated and, as such, for the Millbrook site being handed back over to the Authority. On this basis, it is now necessary to make arrangements for the long-term operation and management of the facilities on the Millbrook site. It is anticipated that the vast majority of the buildings will be required for utilisation as

Children's Services facilities. However, there are three key facilities that sit outside of this anticipated usage and which, therefore, require independent planning. Specifically, these facilities are:

- The Sports Hall and Ancillary Facilities;
- The Down to Earth Farm; and
- The Motor Vehicle Workshop.

2. This report, therefore, seeks to secure agreement for an approach to delivering a management solution for the facilities in question, with a view to having this in place in time for the handover of the site in September 2012.

DETAILS OF ANY ALTERNATIVE OPTIONS

The proposals contained within this paper represent the result of several months' worth of detailed discussions within the Authority. These discussions have clarified the fact that the Council itself does not have the resources and/or the in-house capability to deliver services from the aforementioned facilities. As such, the option of not undertaking the proposed actions detailed within this report would result in the Authority being left without a clear means of operating/managing these facilities from September 2012 onwards. This, in turn, would lead to the following deleterious outcomes:

- Sports Hall and Ancillary Facilities – as these were built under a 21-year agreement with Sport England (dated 1 July 2009), the Authority has an ongoing responsibility to ensure that these facilities remain open and continue to deliver the requisite levels of provision to the local community. Failure to provide this would, in effect, place the Authority in breach of the agreement and as such, would likely serve as a trigger for Sport England seeking to reclaim a substantial part of the original grant (the total value of which was just over £1.5 million). This, naturally, is a situation that the Council should seek to avoid.
- Down to Earth Farm – as this facility has historically run at a loss, its continued operation by the Council after September 2012 would likely incur a revenue charge that it would currently be hard-pressed to find. As such, a nil-cost option that keeps the facility open is to be preferred.
- Motor Vehicle Workshop – since the Council presently has no independent use for this facility, failure to put an alternative plan for its use in place would necessitate its either being demolished, or else be retained and maintained. Both of these options would result in a cost being incurred by the Council with, at the same time, no value being derived from the facility itself.

As a consequence of the above reasoning, the "do nothing" option has been rejected.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

Councillor Moulton declared an interest and withdrew from the meeting for this item

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date:
16 January 2012

Decision Maker:
The Cabinet

Proper Officer:
Sue Lawrence

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on 24 Jan 2012

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*