

Economy, Residents, Communities and Governance Scrutiny Committee

Meeting Venue
By Teams

Meeting Date
Monday, 14 December 2020

Meeting Time
2.30 pm

For further information please contact
**Wyn Richards, Scrutiny Manager and
Head of Democratic Services**
wyn.richards@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

08-12-2020

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod. Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting. Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	ELECTION OF VICE-CHAIR
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Arising from the Annual Meeting of the Council, to elect a Vice-Chair for the ensuing year.

3.	DISCLOSURES OF INTEREST
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To receive any disclosures of interests by Members relating to items to be considered at the meeting.

4.	DECLARATION OF PARTY WHIPS
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To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

5.	FREEDOM LEISURE ANNUAL REPORT
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To scrutinise Freedom Leisure's Annual Report.

(Pages 5 - 20)

6.	SCRUTINY WORK PROGRAMME
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Future meetings of the Committee are scheduled as follows:

18-01-21	10.00 – 12.00	Performance Q3 + Risk (Provisional – Confidential Report – Housing)
28-01-21	14.00 – 16.00	Budget
01-03-21	10.00 – 12.00	Digital Strategy 2021-25
12-04-21	10.00 – 12.00	
03-06-21	10.00 – 12.00	Performance Q4 + Risk
12-07-21	10.00 – 12.00	Performance Q1 + Risk (To be confirmed)
06-09-21	10.00 – 12.00	
18-10-21	14.00 – 16.00	Performance Q2 + Risk
29-11-21	10.00 – 12.00	

Potential items for consideration:

- Regulatory Services
- Recycling rates – what advantage is being taken of the increases in recycling rates and how can we maintain recycling rates.
- Economic Impact Study / Town Centre Focus Group
- County Farms
- Review of removal of Pest Control Service (added by Co-ordinating Committee)
- Growing Mid Wales

7.	EXEMPT ITEM
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To consider passing the following Resolution:

RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

The Monitoring Officer has determined that category 3 of the Access to Information Procedure Rules applies to the following item. His view on the public interest test (having taken account of the provisions of Rule 14.8 of the Council's Access to Information Rules) was that to make this information public would disclose

information relating to the financial or business affairs of any particular person (including the authority holding that information).

These factors in his view outweigh the public interest in disclosing this information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

8.	RESOLUTION OF CONTRACTUAL ISSUES WITH HEART OF WALES PROPERTY SERVICES (HOWPS)
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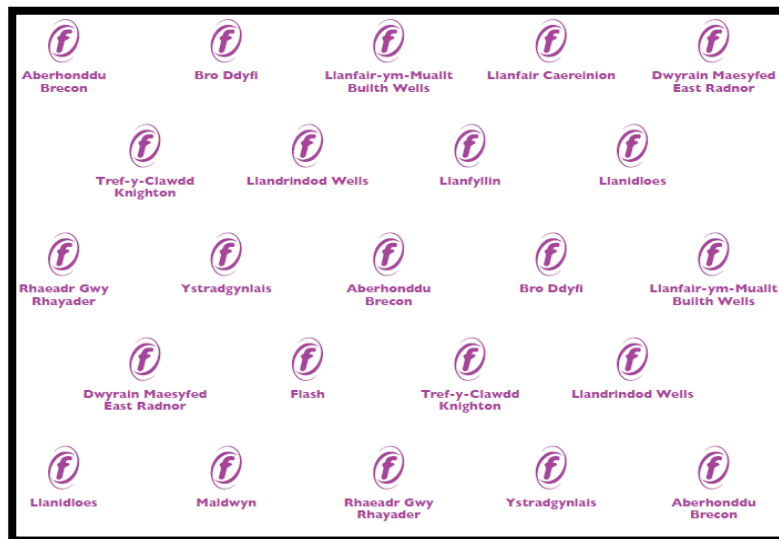
To scrutinise the confidential report of the Head of Legal and Democratic Services and the Head of Housing and Community Development.

(Pages 21 - 24)

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FREEDOM LEISURE
QUARTERLY PERFORMANCE MONITORING REPORT
CONTRACT YEAR 5
QUARTER 4: JANUARY – MARCH 2020
for the
Powys County Council
Leisure Facility Management Contract

GWYN OWEN - AREA MANAGER, FREEDOM LEISURE POWYS



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I. Circulated To

Freedom Leisure

Ivan Horsfall-Turner, Managing Director

Matt Hunt, Operations Director

David Talbut, Finance Director

Karen Burrell, Marketing Director

Ian Morey, Business Development Director

Jackie Turner-Robinson, Human Resources Director

Jeremy Rowe, Regional Director

Mark Lee, H&S Manager

Sales & Marketing Team

Powys County Council

Cllr. Rachel Powell, Portfolio Holder

Nigel Brinn, Corporate Director,
Economy & Environment

Clive Pinney, Solicitor to the Council

Nina Davies, Professional Lead,
Housing & Community Development

Jenny Ashton, Service Strategy and
Development Manager

Jane Thomas, Head of Financial
Services

Phil Woosnam, Finance Business
Partner

2. Executive Summary

Freedom Leisure commenced operation in partnership with Powys County Council (PCC) on 1st July 2015. This report covers year 5 of the contract for the 4th quarter, 1st January – 31st March 2020. These are the key headlines from this quarter and year end:

- Income has grown by 2.1% v LY (exc. mngt. fee & grants)
- Active participation +2.9% v LY
- Health Intervention participation -52% v LY
- ‘Swim School’ lessons +5.7% v LY
- Compliance audits achieved 99% which is a 1% increase on last year
- All sites closed March 20th due to COVID19 and in line with government instruction.

3. Financial Performance

3.1 When compared to the bid position for year 4 the contract stands with a deficit of £59.2k at the close of the year. Up until quarter 4 and as detailed in previous 2019/20 reports the contract had been performing ahead of bid. However given the forced closure of all sites in March inevitably resulted in the contract returning a deficit position at year end. A more detailed analysis for all sites can be found in the appendix.

In light of COVID19 the contract does face immediate and significant challenges. These are:

- The withdrawal of the furlough scheme
- Operating within COVID restrictions
- Customer & member confidence
- 50% reduction in the Free Swim Grant

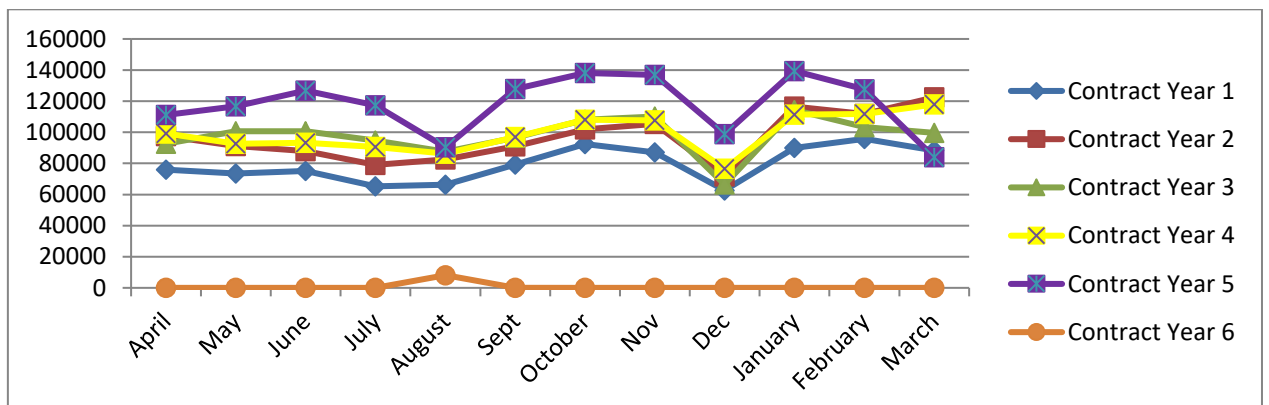
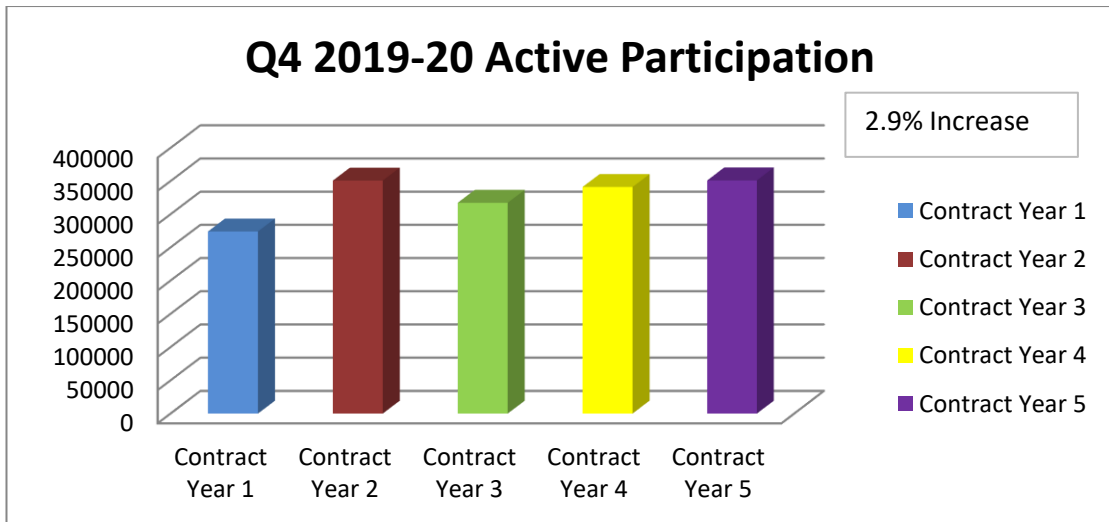
Following continued discussion with PCC a number of measures are being adopted to assist the contract in facing the above challenges and to ensure the contract regains its pre covid performance.

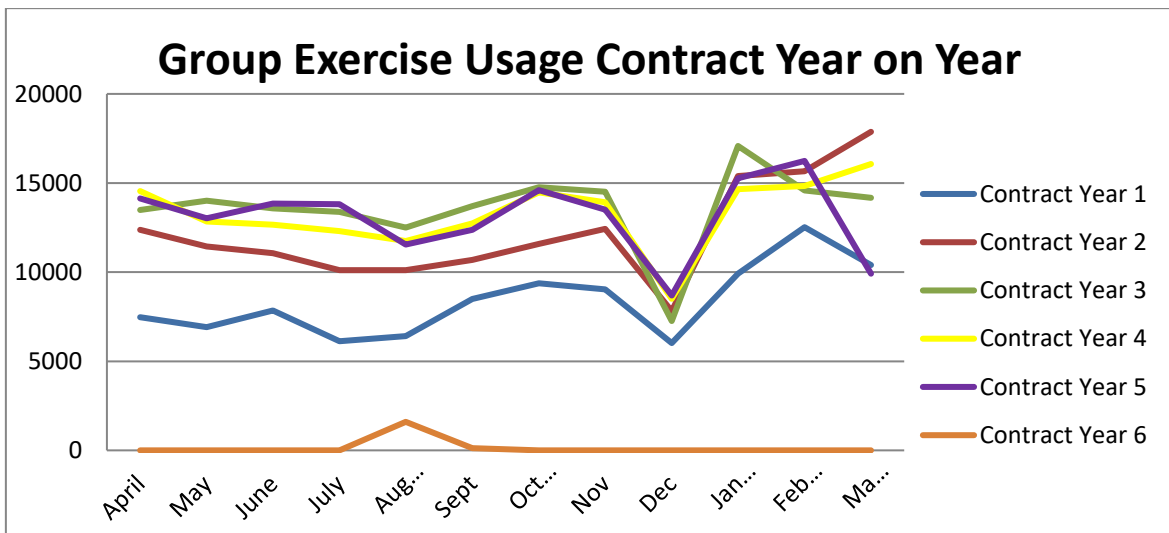
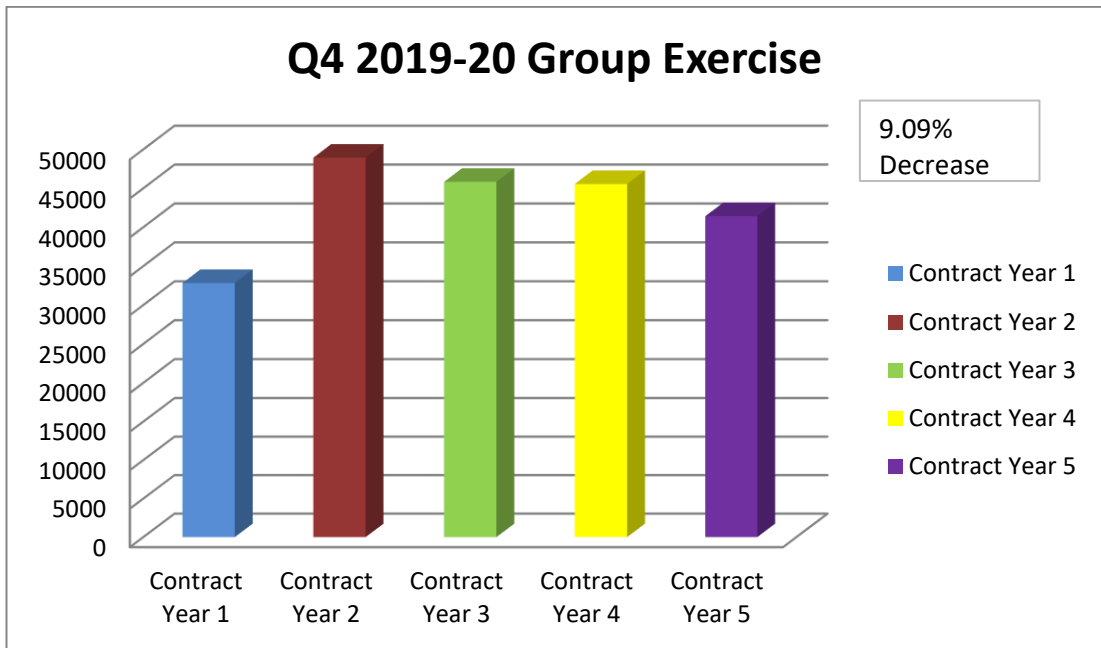
- To maintain open book accounting measures between PCC & FL until March 2021
- A review every month during reactivation as sites reopen during what is a most critical period.
- A review of the overall contract to take place by March 2021.
- FL to focus on reduced costs, including staffing costs and increasing income through the reopening phase
- Fees & charges to reflect the challenges highlighted above with additional increase within 12 months if required.
- A review of opening hours across the portfolio
- Flexibility as to how and when the PCC remedial / backlog fund can be accessed.
- Capital investment directed at key sites that will deliver greater access for Powys communities for a broader range of health & wellbeing services

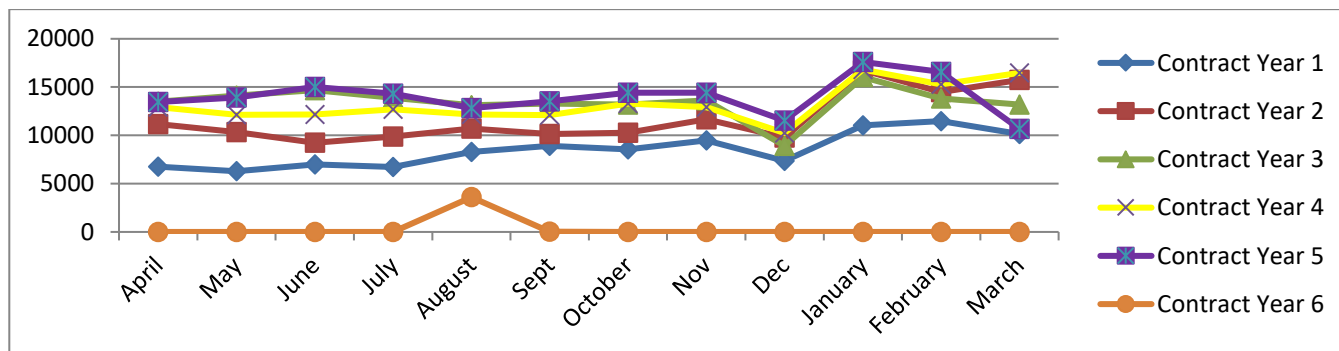
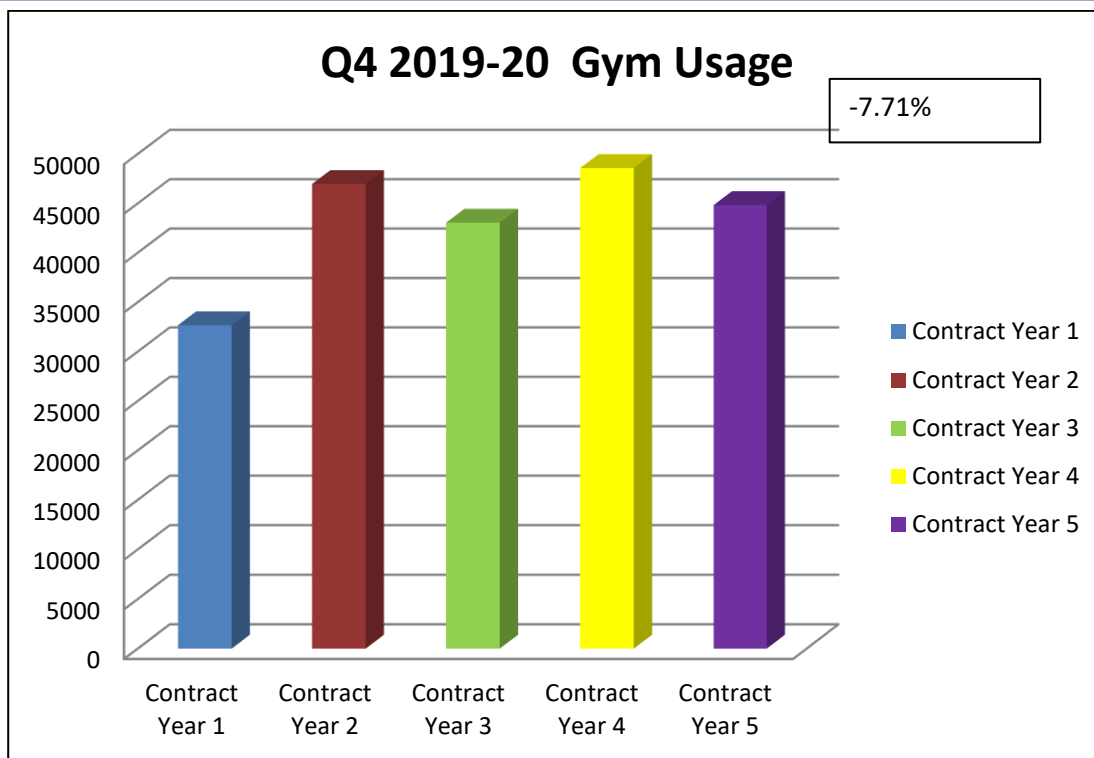
4. Participation and Service Improvement

4.1 The 4th quarter finished +2.9% compared to the previous year.

The graphs below illustrate each of our major participation areas compared with quarter 4 in contract years 1-5.







4.2 Aquatics

4.2.1 Swim School

Our swim school continues to remain most popular and despite no delivery for the last 2 weeks in March finished the year with 4,284 enrolled. This is +5.7% compared to 2018/19.

4.2.2 Welsh Government Free Swimming Initiative (fsi) Scheme

In 2019/20 the free swim initiative has delivered to a total of 27,724 participants in Powys. This is -31% when compared to the same period last year. This follows the Welsh Government revision of the free swim delivery with priority now being focused on 16 & under and the vulnerable within our communities. Our 16 & under utilisation has increased by 55.5% (3,043 users) whilst our 60+ provision has decreased by 25.1% (24,681 users) when compared to the 2018/19 as a whole.

4.3 Powys - National Exercise Referral Scheme (NERS)

During the year the scheme has performed well and has exceeded targets despite facing significant challenges that culminated with Public Health Wales (PHW) suspending the scheme until further notice. Funding will continue to be available to pay staff costs and all incurred non-pay costs. It is essential that all areas retain their existing NERS staff under the current circumstances and PHW will support all areas to do so.

- The impact of COVID & the loss of 4 instructors during the year has been significant. When compared to the previous year this resulted in:
 - Take up decreased by 20%.
 - Completing 16 week consultations decreased by 14%
 - 52 week feedback decreased by 1%
- Machynlleth referrals was suspended from May 2019 – January 2020 following the instructor resignation. The scheme grew well in quarter 4 with 22 participants.
- Recruitment has also been successful for Knighton with the service developing well with 15 active participants in Knighton.

Table 1: Powys Qtr 4 2019/20	Consultations	Take Up	16 Week Complete	1 Year Conclusions
Total	212	204	97	2
% v Target	144%	173%	164%	248%
Total YTD	765	702	454	289
% v Target	130%	148%	193%	245%

The Powys NERS team has also undertaken a great deal of outreach work within Powys communities this quarter. A selection of this work with our partners is listed below:

- 14th January NERS Data Base Development meeting with PHW Brecon.
- 15th January Bronllys Health and Wellbeing day
- 25th February Ystradgynlais Hospital, Wellbeing at Work Roadshow
- 26th February Link working with Cancer services, cancelled
- 09th March PHW Powys Make Every Contact Count, Rhayader

4.4 Fresh (our family health programme targeting obesity)

Quarter 4 usage was slightly down on the previous quarters as many believed that the programme would close in March. 30 families attended the programmes which were delivered in the South and North of Powys. Attendance was strong with 97% at completion of their programme and 98% of children continuing onto our graduate programme of Junior Fitness and still participating in this 6 weeks later. 99% of participants and their families scored FRESH as a positive experience during their attendance.

The programme results evidenced that participants reduced their BMI by -0.6% and become more active on average by 1.3 days extra per week. This resulted in the reduction of their sedentary activity time by -5.9 hours.

We are pleased to have received confirmation that our bid to replace 'Fresh; with a new 'Family Fitness' programme has been successful. This will continue the excellent work achieved to date and will enable us now to extend the programme across all sites and provide an entry level for families into fitness and allow them to then access a unique fitness and health menu available in their areas of the county.

	2019/2020				
<u>How much did we do?</u>	Q1	Q2	Q3	Q4	Year End
Number of children attending	56	48	40	30	174
Age profile of children attending:-					
7 - 9	19	20	18	12	69
10 - 11	25	17	14	12	68
12 - 13	12	11	8	6	37
Gender profile of children attending:-					
Males	30	25	16	12	83
Females	26	23	24	18	91
Number of parents / carers attending	92	86	71	63	312
Number of courses run	2 evening & 2 school based	2 evening & 2 school based	2 evening & 2 school based	2 evening & 2 school based	16
<u>How well did we do?</u>	Q1	Q2	Q3	Q4	Year End
% completion of full course	98.00%	98.00%	97.00%	97%	97.60%
% of MEND/FRESH candidates who start a graduate programme and who are still attending regular session of exercise 6 weeks after starting graduate programme	97.00%	95.00%	96.00%	98.00%	96.50%
% of MEND/FRESH candidates attending regular session of exercise 6 months after starting graduate programme	96%	93%	95%	97%	95.25%
% of children, young people and parents who evaluated MEND/FRESH as a positive experience (score 4 or 5)	98%	96%	98%	99.00%	97.75%
Mean change in scores across all MEND/FRESH domains compared to the national average:-	Q1	Q2	Q3	Q4	Year End
BMI - Powys	-0.9	-0.9	-0.4	-0.6	-0.70
Waist - Powys	-2.2	-2	-1.6	-1.8	-1.90
No of days active - Powys	1	1	1	1.3	1.08
Hours Active - Powys	7.1	7.1	6.8	7	7.00
Sed Activity - Powys	-6.1	-6.7	-6.5	-5.9	-6.30
Recovery Heart Rate - Powys	-10	-9.8	-9	-9.3	-9.53
SDQ - Powys	-5.4	-6.9	-6.3	-6	-6.15
Nutrition Score - Powys	10.3	12	10	11	10.83

5. Asset and Environmental Management

- 5.1** Remedial maintenance works that are funded from the 2019/20 PCC Remedial / Backlog fund have been actioned, with further works submitted to PCC for consideration. Following approval of a 5-year critical replacement capital programme, other larger projects have also been started. To date a total of £250k from the remedial / backlog fund has been committed, with an additional £495k being invested from the capital fund. A summary report of all works across our sites is shared with the client on a regular basis.
- 5.2** Brecon heating system replacement completed.
- 5.3** LED lighting schemes in East Radnor Leisure Centre and Builth Sports Centre were successfully completed.
- 5.4** Sauna at Maldwyn successfully replaced with minimal disruption to aquatic delivery.
- 5.5** A summary of the electricity and gas consumption across sites for the year 2019/20 v 2018/19 evidences that electricity has decreased by 6.3% and gas by -5%. An explanation for this is listed below.
- 5.6** Energy Savings
- Brecon upgraded LED lighting
 - East Radnor upgraded LED lighting
 - Maldwyn sports hall LED lighting upgrade
 - East Radnor BMS replacement
 - Rhayader BMS replacement
 - Powys 'energy' awareness programme for all team members
 - Weekly energy monitoring
- 5.7** Flash ATP
- Following consultation with PCC Engineering and Design services, a drainage consultant has now been appointed to undertake drainage investigations of the area and advise required remedial work. The investigations will be undertaken in February for required works to take place in the spring. Working with PCC EDS, a tender document is being compiled for the replacement playing surface.
- 5.8** Bro Ddyfi
- Following failure of the beam and block floor at Bro Ddyfi Leisure Centre, PCC Structural Engineers have conducted inspections and will produce a report detailing required remedial work and on-going inspection regime. Consultation has also taken place with PCC Schools Service on the potential of co-locating a new leisure centre within revised plans for Ysgol Bro Hyddgen. FL are awaiting confirmation from PCC on the future of the building.

5.9 Planned Programme of Works & Outdoor Pitches Capital Bid

A revised 6-year strategic capital bid including the critical replacement of failed equipment and building fabric across the leisure portfolio has been submitted for consideration to PCC. Along with this a separate bid has been submitted for the phased replacement of all outdoor pitch facilities that form part of the contract. These proposals will ensure the Powys leisure property portfolio is maintained correctly and critical plant and equipment is replaced when required. Such investment is essential to ensure that facilities avoid closure and that the Freedom Leisure and PCC partnership continues to build on the success achieved to date.

5.10 Brecon Swimming Pool Capital Bid

As reported last quarter, Brecon swimming pool is in a poor state of disrepair and in need of significant investment to prevent a further reduction of usage and inevitable closure. A capital bid for urgent works required to the building has been submitted to PCC for consideration. Approval of this capital funding will secure provision of leisure services in the area and that the facility remains open for the foreseeable future.

5.11 Compliance

Overall compliance increased by 1% from the previous year to 99% compared to 98% in 2019.

Powys Compliance Audit Results					
		Jul-19		Jan-20	
Region	Site	Compliance Result (%)	Overall Result (%)	Compliance Result (%)	Overall Result (%)
North	Caereinion	100	100	100	100
	East Radnor	100	100	100	100
	Flash	100	100	100	100
	Knighton	100	93	100	100
	Llanfyllin	100	98	100	100
Mid	Bro Ddyfi	100	98	100	96
	Llanidloes	100	100	100	100
	Maldwyn	100	98	100	100
	Rhayader	100	98	100	100
South	Builth Wells	100	100	100	100
	Brecon	94	93	94	93
	Llandrindod	100	100	100	100
	Ystradgynlais	100	98	100	100
Average (%)		100	98	100	99

6. Health & Safety

- 6.1** All accidents are reported through the STITCH national database system. During this reporting period there have been a total of 55 accidents which represent 0.01% of total footfall. None of these accidents were reportable.
- 6.2** As has been well reported & documented we closed all facilities in March following government advice re COVID. Prior to this we worked with public health and national governing bodies in delivering our services up until we were instructed to close until further notice.
- 6.3** Our scheduled mandatory lifeguard training continued until lockdown and an example of a summary report for January 2020 can be found in the table below.

Area	Site		Jan-20	Area	Site		Jan-20
Powys	Brecon	Total	32	Powys	Llanfyllin	Total	12
		Active	26			Active	9
		Complete	26			Complete	9
		% complete	100%			% complete	100%
Powys	Bro Ddyfi	Total	25	Powys	Llanidloes	Total	13
		Active	22			Active	12
		Complete	21			Complete	12
		% complete	95%			% complete	100%
Powys	Builth Wells	Total	16	Powys	Maldwyn	Total	20
		Active	16			Active	19
		Complete	16			Complete	15
		% complete	100%			% complete	79%
Powys	East Radnor	Total	12	Powys	Rhavader	Total	19
		Active	10			Active	18
		Complete	10			Complete	18
		% complete	100%			% complete	100%
Powys	Knighton	Total	13	Powys	Flash	Total	20
		Active	13			Active	20
		Complete	13			Complete	20
		% complete	100%			% complete	100%
Powys	Llandrindod Wells	Total	23	Powys	Ystradgynlais	Total	22
		Active	18			Active	21
		Complete	18			Complete	21
		% complete	100%			% complete	100%

7. Human Resources

7.1 COVID19

Our purpose when immediately going into lockdown was to keep all employees & unions informed as we navigated ourselves through the government guidance and measures. This continues as we now enter our reactivation in quarter 2 2020/21.

There has however inevitably been some impact to our employees. We have made full use of the government furlough scheme. In addition we have had to reduce our central support services with the loss of our regional support within HR & H&S.

As indicated in section 3.1 we will continue to focus on reduced costs, including staffing costs and increasing income through the reopening phase.

Appendix : Detailed Financial Analysis

April 2019 to March 2020		Surplus / Deficit Report															
Total All Sites	Knighton	East Radnor	Rhayader	Llan Wells	Builth Wells	Brecon	Ystradgynlais	NERS	Fresh	Bro Ddyfi	Maldwyn	Llanfair	Llanidloes	Flash	Llanfyllin	HQ	Total
Income																	
Membership	81,970	39,047	97,189	33,996	67,161	333,302	149,122	327	13	90,992	243,840	10,149	72,190	269,724	10,652	0	1,499,674
Swimming	86,215	97,689	68,096	81,407	98,927	250,242	216,602	0	0	157,335	201,770	0	89,145	322,245	54,199	0	1,723,872
Catering	6,342	8,850	6,953	7,203	12,059	96,643	12,786	0	99	16,618	18,244	16,254	7,457	85,849	2,824	0	298,181
Main Hall	668	11,999	5,785	31,291	12,140	52,963	10,860	0	0	15,870	64,057	11,342	4,873	33,849	5,813	0	261,510
Studio	4,378	2,017	5,252	8,559	4,521	21,652	7,457	0	0	10,446	15,689	3,112	4,769	6,694	0	0	94,546
Outside	10	0	0	11,607	383	21,832	10,134	0	0	0	24,563	102	987	7,792	443	0	77,853
Fitness	6,769	3,383	19,542	0	5,752	36,087	14,835	0	0	6,184	33,267	822	6,562	39,540	2,136	0	174,879
Children's Activities	6,332	15,094	606	1,587	9,697	13,407	15,128	0	0	987	17,498	1,840	3,506	7,222	0	0	92,904
Bowling	0	0	0	0	0	9,701	0	0	0	4,547	0	0	0	17,707	0	0	31,955
Events	0	0	0	0	0	0	0	0	0	1,950	634	50	0	0	0	0	2,634
Goods For Resale	2,457	2,786	2,654	2,471	4,322	13,748	4,751	0	0	7,213	8,210	0	3,364	14,551	1,102	0	67,629
Room Hire	4,865	0	14,149	974	0	14,292	2,673	0	0	3,341	5,253	2,034	0	3,020	0	0	50,601
Other	5,876	18,255	5,284	5,093	4,295	15,065	12,866	0	24,996	44,300	11,886	1,588	2,831	23,090	1,820	0	177,245
Turnover	205,882	199,120	225,510	184,188	219,257	878,934	457,214	327	25,108	359,783	644,911	47,293	195,684	831,283	78,989	0	4,553,483
Management Fee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,316,028	2,316,028
Contract Recharge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Income	205,882	199,120	225,510	184,188	219,257	878,934	457,214	327	25,108	359,783	644,911	47,293	195,684	831,283	78,989	2,316,028	6,869,511

Expenditure																			
Staffing Costs	175,518	181,988	191,149	183,314	243,732	588,668	418,003	162,710	12,824	309,680	462,288	80,897	173,705	582,095	118,017	0		3,884,588	
Other Employee Cos	676	1,245	2,821	1,801	2,083	11,133	1,982	11,045	3,190	1,731	4,359	262	1,065	8,276	976	0		52,645	
Repairs and Mainter	23,530	26,421	27,984	28,987	26,370	60,050	38,452	0	0	56,505	49,977	18,939	33,258	69,362	16,881	0		476,716	
Utilities	41,694	43,086	59,682	37,130	49,514	163,092	63,056	0	0	80,445	117,518	19,724	33,442	147,822	39,302	0		895,507	
Cleaning	5,850	8,337	6,055	4,322	6,367	19,761	10,284	0	0	10,132	11,945	2,298	7,596	19,257	5,783	0		117,987	
Administration	1,613	870	2,599	944	1,723	4,789	4,872	1,120	0	1,742	4,924	473	1,471	4,817	709	0		32,666	
Marketing and Adver	2,732	2,853	3,348	3,028	3,242	7,118	5,176	762	0	3,526	5,771	2,832	2,193	7,216	2,438	0		52,235	
ICT	4,513	4,518	6,030	4,402	8,191	14,448	8,781	759	0	7,690	12,475	4,723	4,405	13,754	4,214	1,920		100,823	
Events	893	0	(171)	1,400	0	66	0	30,000	0	0	23	0	0	54	0	0		32,265	
Goods For Resale	1,240	2,132	1,845	3,144	2,459	10,964	3,400	0	0	4,587	4,419	477	2,362	7,527	839	0		45,395	
Equipment	11,536	3,993	7,701	6,206	5,692	21,673	12,601	2,991	0	16,621	36,512	3,060	7,947	21,105	2,232	0		159,870	
Catering	3,454	5,293	4,735	0	6,541	51,506	7,973	0	0	7,686	9,365	9,360	4,651	44,117	1,819	0		156,500	
Contract Costs	1,799	0	0	(1,039)	0	1,799	1,799	0	0	4,159	1,799	0	0	10,327	0	0		20,643	
Rates	3,998	6,365	8,419	6,102	7,233	20,409	13,623	1,446	0	14,307	14,938	5,576	6,365	15,885	6,943	0		131,609	
Insurance	0	0	0	0	0	0	0	0	0	0	0	0	0	2,500	0	31,826		34,326	
Finance Charges	2,085	1,383	1,341	1,317	1,633	4,926	2,607	0	0	2,834	4,845	1,215	1,966	4,563	1,247	5,448		37,410	
Professional Fees	1,907	2,585	4,652	2,592	2,799	6,672	4,022	0	0	3,937	5,491	2,666	1,889	7,806	866	1,248		49,132	
Irrecoverable VAT	11,884	17,196	21,029	16,449	19,163	55,919	26,700	7,863	574	31,716	40,462	9,967	15,325	54,512	13,338	1,551		343,650	
Total Expenditure	294,922	308,265	349,219	300,099	386,742	1,042,993	623,331	218,696	16,588	557,298	787,111	162,469	297,640	1,020,995	215,604	41,993		6,623,967	

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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