

Committee(s): Community Environment and Enforcement Committee	Date: 19 December 2022
Subject: Brentwood Leisure Trust, Audit and Scrutiny Report	Wards Affected:
Report of: Tracey Lilley, Director of Communities and Health	Public
Report Author/s: Name: Kim Anderson, Corporate Manager, Community, Leisure and Health Telephone:01277 312500 E-mail: kim.anderson@brentwood.gov.uk	For: Information

Summary

At the 24th November 2020 Audit and Scrutiny Committee Cllr Dr Barrett forwarded a recommendation for the scrutiny work programme to include a review of the historic relationship between Brentwood Borough Council and the Brentwood Leisure Trust (BLT). Subsequently this was agreed at the 26th January 2021 Audit and Scrutiny Committee (Min.670 refers) and added to the scrutiny work programme with the process to be dealt with by way of a cross party working group.

One of the recommendations of that the Audit and Scrutiny Report (Appendix **A**) is that this is brought to the Community Environment and Enforcement Committee. The appendices to the Audit and Scrutiny report are set out in Appendices B-G and it is before Members tonight.

Recommendation(s)

Members are asked to:

R1. To note the report and recommendations from the Member Cross Party Working Group to the Audit and Scrutiny Committee on 15 November 2022.

Main Report

Introduction and Background

1. Full details of the Audit and Scrutiny report are set out in Appendix **A**.
2. Following the BLT Cross-Party Working Group meetings (set out in appendices C-G) the members having considered all the information provided to them made the following conclusions:

- The initial set up 2003 of the Trust arrangements did not provide a strong foundation in which it could succeed.
 - Financial issues were identified at an early stage and whilst various attempts were made by the Council over a period of time to assist, the Trust was never in a strong financial position.
 - The State Aid position was reviewed when a further request for funds was made by the Trust in 2020.
 - Whilst a number of reports were made to various committees on Brentwood Leisure Trust there was not a strong and regular client management with the Trust.
 - Regular reports were not made to the appropriate committee on a consistent basis.
 - Record keeping of any meetings with the Trust was poor by both parties.
 - The Council's Asset Management of the building was varied and inconsistent over several years.
 - Changes in officers at certain times and over the period made the monitoring and relationship building between the Council and the Trust inconsistent.
 - Members on the board were ineffective in terms of two-way communication between the Trust and the Council. This has now been dealt with by changes to the Council's Constitution last year.
3. The recommendations from the BLT Cross-Party Working Group are set out below:
- a. The Council should continue with the positive progress made in making sure that record keeping, and governance of partnership/contractual arrangements are robust and transparent and regular reports are made to the appropriate committee.
 - b. Regular update reports of major partnership/contractual arrangements should be included within the A&S Committee annual workplan.
 - c. This report is made to the Community, Environment & Enforcement Committee.

Reasons for Recommendation

To ensure that robust governance is in place as part of any current and future contractual arrangements.

Consultation

None

References to Corporate Plan

The vision of Transformation includes an action to improve the Council's governance arrangements, leading to faster, more effective decision-making. An effective scrutiny function is an essential element of that priority.

Implications

Financial Implications

Financial Implications: Tim Willis, Interim Director of Resources

Tel/Email: 01277 312500 / tim.willis@brentwood.rochfordgov.uk

There are no direct financial implications in relation to this report.

Legal Implications

Andrew Hunkin Interim Director of People and Governance

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The recommendations set out within this report are within the Council's powers and duties. The Council has power under s1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to public law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. In addition, s111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

Economic Implications

Name/Title: Phil Drane, Director of Place

Tel/Email: 01277 312500/phil.drane@brentwood.rochford.gov.uk

There are no direct economic implications in relation to this report.

Equality and Diversity Implications *(Please complete for manager review)*

Name/Title: Kim Anderson, Corporate Manager (Communities, Leisure & Health)

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There are no direct Equality and Diversity implications to this report.

Appendices to this report

- Appendix A: Audit and Scrutiny BLT Working Group report
- Appendix B: Scrutiny Review form.
- Appendix C: Working Group 3rd March 2021 – Questions.
- Appendix D: Working Group 3rd March 2021 – Minutes.
- Appendix E: Working Group 10th August 2021 – Minutes.
- Appendix F: Working Group 20th December 2021 – Minutes
- Appendix G: Working Group 30th August 2022 - Minutes