

# Scrutiny for Policies and Place Committee

**Tuesday 13 November 2018**  
**9.30 am Taunton Library Meeting Room**



To: The Members of the Scrutiny for Policies and Place Committee

Cllr M Lewis (Vice-Chair), Cllr P Ham, Cllr B Filmer, Cllr John Hunt, Cllr J Thorne, Cllr G Noel, Cllr L Leyshon, Cllr A Groskop (Chair) and Cllr N Bloomfield

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Julian Gale, Strategic Manager - Governance and Risk - 5 November 2018

For further information about the meeting, please contact Lindsey Tawse on 01823 355059, [ltawse@somerset.gov.uk](mailto:ltawse@somerset.gov.uk) or Jamie Jackson on 01823 359040, [jajackson@somerset.gov.uk](mailto:jajackson@somerset.gov.uk)

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

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# AGENDA

Item Scrutiny for Policies and Place Committee - 9.30 am Tuesday 13 November 2018

**\*\*Public Guidance notes contained in agenda annexe\*\***

1 **Apologies for absence**

2 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils will be displayed in the meeting room. The Statutory Register of Member's Interests can be inspected via the Community Governance team.

3 **Minutes from the previous meeting held on 24 October 2018** (Pages 7 - 18)

The Committee is asked to confirm the minutes are accurate.

4 **Public Question Time**

The Chairman will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chairman's discretion.**

5 **Revenue Budget Monitoring Update** (Pages 19 - 22)

To consider this report.

6 **Connecting Devon & Somerset Broadband Programme Update** (Pages 23 - 30)

To consider this report.

7 **Reduction in the Use of Single Use Plastics: A Strategy for Somerset County Council** (Pages 31 - 52)

To consider this report, deferred at the last meeting due to time constraints.

8 **Rights of Way Service** (Pages 53 - 72)

To consider this report.

9 **Community Leisure Services** (Pages 73 - 202)

To consider this report.

10 **Exclusion of the Press and Public**

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act, 1972 that the press and public be excluded during the remainder of the meeting on the basis that if they were

Item Scrutiny for Policies and Place Committee - 9.30 am Tuesday 13 November 2018

present during the business to be transacted there would be a likelihood of disclosure to them of exempt information of the following description:

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

**Possible exclusion of the press and public**

**PLEASE NOTE:** Although the main report for this item not confidential, supporting appendices available to Members contain exempt information and are therefore marked confidential – not for publication. At any point if Members wish to discuss information within this appendix then the Committee will be asked to agree the following resolution to exclude the press and public:

**Exclusion of the Press and Public**

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

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

11 **Scrutiny for Policies & Place Committee Work Programme** (Pages 203 - 218)

To receive an update from the Governance Manager, Scrutiny and discuss any items for the work programme. To assist the discussion, attached are:

- The Cabinet's forward plan
- The Committee's work programme

12 **Any Other Urgent Items of Business**

The Chairman may raise any items of urgent business.

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# Agenda Annexe

## Guidance notes for the meeting

### 1. Inspection of Papers

Any person wishing to inspect Minutes, reports, or the background papers for any item on the Agenda should contact the Committee Administrator for the meeting – Lindsey Tawse on Tel: (01823) 357628 or 355059 or Email: [democraticservices@somerset.gov.uk](mailto:democraticservices@somerset.gov.uk) They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)

### 2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

### 3. Minutes of the Meeting

Details of the issues discussed and recommendations made at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### 4. Public Question Time

**If you wish to speak, please tell Lindsey Tawse the Committee's Administrator - by 5pm, 3 clear working days before the meeting (Wednesday 7<sup>th</sup> November 2018). All Public Questions must directly relate to an item on the Committee's agenda and must be submitted in writing by the deadline.**

At the Chairman's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about any matter on the Agenda for this meeting may be taken at the time when each matter is considered.

You must direct your questions and comments through the Chairman. You may not take direct part in the debate. The Chairman will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chairman may adjourn the meeting to allow views to be expressed more freely. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, normally to two minutes only.

## **5. Exclusion of Press & Public**

If when considering an item on the Agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

## **6. Committee Rooms & Council Chamber and hearing aid users**

To assist hearing aid users the following Committee meeting rooms have infra-red audio transmission systems (Luttrell room, Wyndham room, Hobhouse room). To use this facility we need to provide a small personal receiver that will work with a hearing aid set to the T position. Please request a personal receiver from the Committee's Administrator and return it at the end of the meeting.

## **7. Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone wishing to film part or all of the proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chairman can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

## SCRUTINY FOR POLICIES AND PLACE COMMITTEE

Minutes of a Meeting of the Scrutiny for Policies and Place Committee held in the Luttrell Room, on Wednesday 24 October 2018 at 9.30 am

**Present:** Cllr M Lewis (Vice-Chair), Cllr P Ham, Cllr B Filmer, Cllr John Hunt, Cllr J Thorne, Cllr G Noel, Cllr L Leyshon, Cllr A Groskop (Chair) and Cllr N Bloomfield

**Other Members present:** Cllr Munt, Cllr Davies, Cllr Loveridge, Cllr Hall, Cllr Chilcott and Cllr Pullin.

### Apologies for absence:

#### 124 **Declarations of Interest** - Agenda Item 3

In respect of agenda item 5 – Library Service Redesign, the following Members declared a personal interest:

Cllr Leyshon as a Friend of Street Library; Cllr Lewis as a Friend of Castle Cary Library; and Cllr Groskop as a Friend of Bruton Library.

#### 125 **Minutes from the previous meeting** - Agenda Item 1A

The minutes of the meeting held on 11 September 2018 were accepted as being accurate by the Committee.

#### 126 **Public Question Time** - Agenda Item 4

The Committee Chair invited members of the public who had registered to speak to address the Committee regarding agenda item 5.

Cllr Dave Mansell of the Save Wivey Library Group – The Save Wivey Library group asks the Scrutiny Committee to recommend to the Cabinet that Wiveliscombe Library be included in the list of libraries to continue to be operated and funded by the County Council.

#### Response

Thank you for your question which the Scrutiny Committee will consider and debate. As an Officers I would advise that, for legal reasons, decisions about what libraries are operated and funded by the County Council and what libraries may transfer to Community Library Partnerships, or close, should be based on a full and consistent consideration of the evidence and analysis. We would need to be able to justify a decision to add one library back into the network, but not other libraries. With this in mind we would advise that the question is considered within the context of the alternative option set out at paragraph 4.6 of the Cabinet report, which would retain Wiveliscombe, Castle Cary, Street and Somerton libraries. This option is not recommended because we have concluded that providing library services in different ways, in conjunction with reasonable access to alternative library buildings, will fulfil our statutory duty in these communities. The reasons for these conclusions are set out in detail in Appendix 1 to the Cabinet report. We estimate that the cost

saving proposed in this paper would reduce by about £115,000 if these libraries were maintained; we would advise Scrutiny Committee to consider how this cost can be met within a reducing level of funding, when considering their recommendations to Cabinet.

Mr Peter Murphy, Chair, Friends of Somerset Libraries (FoSL) – FRIENDS OF SOMERSET LIBRARIES (FOSL) was formed when Somerset County Council (SCC) threatened the closure of eleven libraries in the previous review of the Library service. In a successful Judicial Review judgement, the judge declared the decision taken as an “example of bad government” and the decisions were quashed with costs awarded against SCC. Since then, FOSL has engaged with SCC and perhaps acted as a critical friend towards the latest review of Library services in the build up to the consultation but has not hesitated to challenge the evolving proposals. FOSL recognise that there has been extensive consultation with communities and that there is a commitment to continue this in order to establish Community Library Partnerships, which we do not oppose. We remain opposed to the replacement professional staff with volunteers and see the latter as complementing the work of trained staff. In order to get CLPs established with the maximum chance of being sustainable FOSL believe that all CLPs should be funded, not just the eight recommended in your papers today. FOSL has showed officers how that could be achieved but that advice has not been heeded. When the Library proposals were published on 16 October, FOSL prepared a Press Release which I attach to this statement for your information and hope that it gives you further background on our constructive engagement with the SCC Library Service. In conclusion, I would like to return to the Northampton Libraries judgement referred to in the Press Release. Here, the Council decided to change their Library proposals as the full extent of the financial position of the Council became clear. The judge made a ruling on the “comprehensive and efficient” requirement of the 1964 Libraries and Museums Act doubting that the new proposals would meet that test. FOSL are concerned that, amongst other possible grounds, there could be grounds for legal challenge where a library building is replaced by mobile provision against the wishes of the community where the present library is sited as we believe that this may fail the “comprehensive and efficient” test. The 2011 Judicial Review judgment awarded costs against SCC and FOSL retain these funds for possible future legal challenge. We are in contact with our legal advisors at the present time. FOSL would urge that communities and the Council exercise maximum flexibility and good faith to permit Community Library Partnerships to be established where possible, which includes more equitable funding than currently provided for.

#### Response

Thank you for the question Peter and thank you for the considerable input and effort you and colleagues from FoSL have put into the process. To answer your various points in turn: 1. Firstly, on the provision of additional funding to all Community Library Partnerships. We have carefully considered FoSL’s submissions throughout the process, including the proposal to provide funding to all Community Library Partnerships. The cost of providing a £5,000 contribution for a further 7 Community Library Partnerships would be £35,000; this funding would have to be found from somewhere. Paragraph 4.7 outlines an alternative option which could save a further £35,000, by seeking Community Library Partnerships at Cheddar, Martock and Ilminster. However,



this would risk the closure of these libraries and we are not recommending this option because as an officer team we have concluded that a library building is necessary to meet local needs in these communities. However, Scrutiny Committee or Cabinet may take a different view. 2. We note FoSL's concerns about whether the proposals would meet the statutory requirement to provide a 'comprehensive and efficient' service. We are confident that they would, for all the reasons set out in considerable detail in Appendix 1 to the Cabinet report. It is important to note that we do not consider mobile services to be a replacement for a library building - this has never been our contention. Mobile library services are there to provide local access to a more limited range of library services for those who find it more difficult to access library buildings. Mobile libraries, outreach services and digital library services complement, and do not replace, the funded network of library buildings. The recommendations propose a library network which provides reasonable access to library buildings, and services - like mobile libraries - for those who find it more difficult to get to alternative libraries. This point is fully explained in Appendix 1 to the Cabinet report. 3. The Northamptonshire judgment which FoSL cite - in Peter's question and in recent press releases - was based on the particular facts of that case. The recommendations we have developed here, which are set out in the Cabinet report, are the result of a long and thorough process of consultation and analysis, and are grounded in a strategic approach to modernising the service and putting our libraries on to a sustainable financial footing. FoSL have characterised the Northamptonshire decision as a 'knee jerk' reaction to a financial situation; what we are proposing is not a knee jerk reaction. Whilst it is true to say that the financial situation of the council has changed since the beginning of the re-design programme, we have maintained a steady course; in fact, the level of saving proposed for network re-design is below the range initially indicated in Autumn 2017. We believe the process we have followed is robust and thorough to the full extent required by the law. This thorough approach is the right thing to do when conducting a once in a generation review of a very important and much valued service. Whilst we understand that the recommendations may be a disappointing outcome for many, including FoSL, we hope that FoSL would agree that the approach we have taken is an example of good government. 4. Turning to your final point, please be assured that we will work very hard to support communities, and will be as flexible as possible. However, as an authority we have to live within our means, and if the recommendations are agreed they would set a reduced budget for the libraries service, which we must operate within.

Mr John Irven, Treasurer, Watchet Library Friends – The Watchet Library Friends was established in 2011 to support wider library use and campaign for the saving of Watchet library when it was scheduled for closure. We were part of the Friends of Somerset Libraries legal challenge taken in the name of a disadvantaged Watchet resident and continue to support their current position. The judgment resulted in the quashing of the decision, and Watchet has remained open since as a vital resource for local people, especially isolated individuals and those less able to access library facilities or travel elsewhere. The library is a key facility on Watchet Esplanade, the Town's community space. We have urged SCC to find savings elsewhere, as since 2011 all libraries remained open whilst saving your original target. However, we have supported Watchet Town Council's aim to establish a Community Library Partnership and the joint letter of intent recently executed with SCC. We do not

believe in entirely volunteer run libraries. Volunteers can only complement, not replace staff, who provide a key resource skill set. Therefore, we endorse the 'Community Supported Library' model where they are still run by SCC and staff, whilst being supported by the local community. We sympathise with other communities less able to establish these because they lack resources & skills or finance. We urge SCC to find more generous and equitable ways to support all communities struggling to establish community library partnerships, which should be done without the threat of consequential closure. We do not accept that replacement by mobile and/or outreach alternatives will provide a comprehensive and efficient service as required under the 1964 act, and do not agree with SCC statements that the changes are to enhance the service, but rather to meet budget cut targets. Therefore, we question why has SCC not considered increasing precept to cover shortfalls, if necessary asking communities if they are prepared to pay, rather than passing costs down to local parish level and asking them to do it all. We feel overhead costs are being unfairly allocated to CLPs, particularly from our experience of the inconsistencies in SCC cost accounting. We also ask SCC to help ensure that the asset transfer of the Watchet library building from WSDC to WTC occurs, a condition of WTC support.

#### Response

Thank you for the question John. I am sure that Committee members would be interested to note that Watchet Town Council and Friends of Watchet Library were amongst the earliest groups to put forward positive and firm suggestions of how they could support their library; this local leadership, in which John has played a key role, is much appreciated.

Turning to your question, some of the points have hopefully been answered in my response to Peter's question. I will take the remaining points slightly out of order, if I may:

- Your concern that the savings have been developed to meet budget cut targets is misplaced. The recommendations have been developed to put the service on a sustainable footing and modernise a 40-year old library network. In order to live within our means as a council and a library service we have to review what we can and can't do in the light of reduced funding, and the law is clear that providing a comprehensive and efficient service does not mean that everyone will live near to a library. We do not take the view that the changes proposed in Watchet are likely to enhance the service there, and we acknowledge the adverse impact that the proposals could have. But the recommendations are lawful.
- To address your point about overheads; please be assured that overhead costs would not be unfairly allocated to Community Library Partnerships. In fact, the reverse is true. Overhead costs would not be allocated to Community Library Partnerships. Through its 'Core Offer' to Community Library Partnerships, the County Council will supply book stock, ICT infrastructure, ongoing support, training and guidance, access to systems, delivery networks. These overheads come at a considerable cost to the County Council, but would be provided free of charge, as part of a partnership approach.
- Turning to the point you have made about volunteer-run libraries; we agree that library staff provide a key skill set which it is extremely difficult to replace by volunteers. We are very proud of our staff, and Watchet Library, like many across the county, is operated by a committed, highly capable and dynamic staff team. Volunteers are unlikely to be able to replace the full skill-set of paid staff, but, for Community Library Partners who are unable to afford the costs of paid staff, volunteer-run libraries can work and

can provide an effective service. The example of Porlock has proved this in Somerset, and there are many more examples nationally of volunteer-run libraries that are effective and sustainable. • To answer your final point, if the recommendations are agreed, we will support Watchet Town Council's request to transfer Watchet Library building from West Somerset District Council to Watchet Town Council, however, this is a matter for the District Council and our influence is limited. • Finally, as an officer it is not for me to comment on the County Council's future decision on the level of Council Tax precept. We would, however, like to make it clear that the recommendations do not represent an intention to pass costs down to parish or town councils. We understand that local councils, at all levels of government, face difficult choices and whilst we hope that some will consider supporting their library, there is no expectation that parish and town councils step in to fund Community Library Partnerships. It is the County Council's responsibility to provide a comprehensive library service, and Appendix 1 of the Cabinet report sets out how we propose to do this in other ways, if Community Library Partnerships cannot be developed.

Mr Jan Karpinski, Friends of Shepton Mallet Library – On behalf of the Friends of Shepton Mallet Library I would like to ask the Committee whether it will please bear in mind that 'Libraries Matter', the wishes of the people of Shepton Mallet and other pertinent points.

#### Response

Thank you for the question Jan and for the considerable efforts that you have put into the consultation exercise. We have carefully considered the views of the Friends of Shepton Mallet Library and other consultation respondents in Shepton Mallet, and these views have had a considerable influence on the recommendations in relation to Shepton Mallet Library, which are to retain a library in Shepton Mallet, and take more time to fully consider the right location for a library within the town.

Cllr Jon Hardy, Shepton Mallet Town Council – Since the original announcement that, on grounds of financial expediency, the Library Service's preferred option was to move the Shepton library to an as yet unbuilt facility at the Mendip District council's office in the SHAPE complex, Shepton Mallet Town Council and the Friends of Shepton Mallet Library have been developed a business plan that will allow SCC to keep the Library in the Town Centre where the vast majority of residents and local business wish it to stay. The report before you acknowledges this fact. The Business Plan demonstrates that it is possible for the Library to be funded at either of the SMTC's alternative options in the Town Centre at the same cost as at SHAPE with the additional bonus of an immediate saving in one-off costs of nearly £40,000 to SCC. In view of this would this committee welcome a presentation by SMTC regarding the Business Plan (which is currently being refined) so that SCC can make a more informed decision regarding the future of the Library at Shepton?

#### Response

Thank you for the offer, which the Committee will consider as part of its work programme for 2019.

Mr Steve Barlow – Children who develop a love of books at an early age are likely to become committed adult readers who will ensure the future of the library service. Besides developing a love of story, they will learn valuable lessons about the world and their place in it. Therefore, in developing Community Library Partnerships in Somerset, would this committee agree that it is vital that community librarians are trained by the Library Service to respond to the needs of young readers, developing an understanding of which titles may be suitable for a range of ages and abilities and knowing how to guide young readers to books that will assist their development and appeal to their imagination? Will the committee further agree that ongoing staff development should be available so that community librarians' knowledge remains up to date, and that Community Libraries should seek help and advice from bodies such as the Federation of Children's Books Groups to ensure that the children who use their libraries have ready access to appropriate reading materials and sound advice that will help them develop their reading skills and widen their experience of literature?

#### Response

Thank you for the question Steve. We would agree that nurturing a love of reading from an early age is important for a variety of reasons including fostering future libraries usage. One of the Libraries Service's commissioned outcomes focuses specifically on Children and Young People, including reading activities and skills development. The Libraries Service will be providing a comprehensive training programme for all those looking to become involved in a community library partnership (CLP). A 'core offer' document has been prepared to identify roles and responsibilities in terms of the support that will continue to be provided by the Libraries Service and the support expected from the local community. The Libraries Service will continue to provide all the book stock and provide appropriate training for community volunteers to maintain collections using an evidence-based stock management system. Community Library Partnerships will continue to provide a range of lending material, which is refreshed and circulated on an ongoing basis. In addition to stock management support, training and guidance will be made available for specific initiatives such as the annual Summer Reading Challenge, pre-school activities, (including the national book gifting programme, BookStart) and an extensive range of events supporting a wider range of libraries outcomes. We need to be realistic in our expectations of communities' ability to develop specialist areas of expertise. Some quite simple but important training can be provided but a CLP may not replace the full range of skills and expert knowledge that a council operated library would provide. A CLP will complement the network of libraries that SCC would be funding – they are not intended to provide a like for like replacement. Somerset Libraries Service will provide an extensive programme of activities for children and young people, encouraging families to take advantage of the wide range of services that will continue to be available.

The Committee Chair invited another member of the public who was present but had not registered to speak to address the Committee regarding agenda item 6.

Mr David Redegwell of Bus Users UK – Talked about the bus service review and noted the importance of good consultation and ensuring that information

was provided in a variety of locations to enable bus users to offer their views. He also noted that providing good transport links was important not only to the local economy but also to Somerset residents of all ages from young people going to schools and colleges to older citizens accessing health care appointments or leisure pursuits. He referred to the need to ensure a joined-up approach for buses users so they can access rail services and vice versa and maintaining the links between the major urban conurbations in Somerset.

The Director Economic and Community Infrastructure Commissioning in response said that a written reply would be sent to Mr Redgewell.

## 127 **Libraries Service Redesign - Recommendations** - Agenda Item 6

The Committee reviewed the report and proposals for changes to the way library services are provided. The report and appendices contained 831 pages and the Committee's consideration of the large amount of information was aided by hearing comments, questions & statements from 6 members of the public. The Strategic Manager for Community and Traded Services responded to the points made, as noted above, and it was agreed that a written response to all submissions received would be prepared and published on the Council's website.

Officers then provided a thorough presentation, to supplement the information provided in the report and its appendices. The presentation provided an overview and general background of the Somerset Libraries journey over the last few years. The report and presentation also provided an explanation and overview of the various aspects of the public consultation in an effort to inform the public and obtain their views and responses.

The Committee considered the list of Libraries (19) that would continue to be operated by the County Council and the 15 libraries where it was proposed to establish a Community Library Partnership with the local community. An explanation was provided of the various types of delivery models for the library service in Somerset.

It was noted that libraries were valued by communities and individuals and recognised for their role in helping to reduce loneliness and social isolation, whilst also attracting younger people to start reading and allowing public internet access and other IT facilities. Officers had made the proposals reflecting changes to population, social need and usage whilst taking care to try to ensure maximum reasonable access.

The Committee noted that a major public and staff consultation exercise was carried out between 29 January and 13 June 2018. A wide range of stakeholder groups were consulted and provided feedback; focus groups were held with children and disabled people; and members of the public and staff provided feedback through separate survey questionnaires. It was reported that over 7000 people and organisations had provided feedback, which had been carefully analysed and thoroughly considered. Further detail had been provided in Appendix 3 to report, which explained how the consultation exercise was conducted, how results were analysed, and set out the high-level summary of results.

There was a discussion and the Committee reflected that the overriding message from the consultation was that the vast majority of consultation respondents were strongly opposed to changes to library service provision, especially where there was a potential risk of library closure. Where respondents were asked to express their preference for Community Library Partnerships or mobile / outreach options, there was an almost universal preference for the community partnership option as a means of retaining the library and this had informed the subsequent proposals.

There was a question about the measures used to attempt to provide 'reasonable access' for those communities where a Community Library Partnership had been proposed. In response it was explained that officers had drawn up the proposals after: maximising walking distance access; ensuring reasonable driving times to library buildings; look at libraries at the centre of public transport networks; consider affordability of access; consider travel patterns and shopping habits; and look at alternative services provided locally.

Members also noted that in respect of library buildings at Langport, Ilminster, Martock, and Cheddar, following the consultation it had been recommended that opportunities to reduce the net cost of these libraries were pursued as detailed in section 5 of the Cabinet report. Members also noted that regarding the current library building in Shepton Mallet, following feedback from the public consultation exercise it was recommended that the Council should spend 6 months working with community partners to develop an alternative town centre location for the library building, before taking a decision on the location of the library (expected around May 2019, after the District Council pre-election period).

There was a question about the process for community groups in the 15 affected communities when invited to express an interest in forming a Community Library Partnership (CLP). In response an overview was provided of the process and it was acknowledged that the timescales were challenging but this was necessary because of the Council's challenging financial situation. Communities interested in exploring CLP options had been supported by the Council for several months and support would continue through the process. Exceptions to the timetable and process may be agreed on a case by case basis, but only by the written approval of the Director for Economic and Community Infrastructure Commissioning. Where exceptions were agreed, different stages of the process may overlap or be progressed in tandem.

The Committee wished to recognise the huge amount of work undertaken by Officers in preparing the proposed changes for the Library Service. Every elected member that spoke during the meeting expressed appreciation to the Officers for either attending meetings in their areas; answering questions; providing explanations and clarification of the proposals; and amending some of the proposed changes after considering evidence and feedback gathered during the consultation exercise.

The Committee noted that the consultation exercise had been very thorough and even though much of the feedback had not supported all the proposed changes, Officers having considered the information provided had attempted to

minimise the negative effects as much as possible. The Committee agreed to accept the recommendations in the report to Cabinet.

In addition to accepting the proposals the Committee agreed 3 additional recommendations:

- a) To ask Officers to revisit the Risk No 4 (page 36) so it might better reflect the various concerns identified regarding possible impacts to the timescale of the Libraries Service Redesign arising from challenges;
- b) To ask Officers to identify where Community Library Partnerships are proposed that a list of partners, including a lead partner, is compiled and presented to the Committee's meeting on 11 December;
- c) To ask Officers to compile a list of the communities where a Community Library Partnership is not possible and to present that list to the Committee's meeting on 11 December.

**128 Revenue Budget 2018/19 Monitoring Update - Agenda Item 7**

The Committee considered this report that presented the projected revenue outturn for 2018/19 based upon actual spending to the end of August 2018. The figures reflected the proposals for change agreed by the Cabinet in September 2018 to be delivered within this financial year.

The Interim Head of Finance noted that the resultant projected outturn was £3.320m over the available budget, while the contingency of £3.400m remained uncommitted at this time. In summary this meant that, should the contingency not be drawn upon, the budget would be balanced overall.

There was a brief discussion and it was confirmed that the figures had applied £8.563m of proposals for change that were agreed last September. The Committee noted that this sum had been reduced for any proposals currently reasonably assessed as "at risk of non-delivery", but all other proposals were assumed to be deliverable at the maximum possible amount.

The Committee agreed to accept the report.

**129 MTFP 2019/20+ Initial Assessment and Proposed Approach - Agenda Item 8**

The Committee considered this report that provided details of the initial assessment of the likely gap between budget requirement and funding sources for the years 2019/20 to 2021/22. It was also explained that all identified savings targets had been re-examined for achievability.

It was reported that the initial assessment of the funding gap for 2019/20 was estimated at £19m, which implied that proposals for change of at least that amount will need to be prepared over the autumn period and for consideration and subsequent approvals in early 2019. It was noted that the Children's Services budget would be 'reset' to better ensure the base budget reflected the increasing demands being made on services.

Looking further ahead to subsequent years the initial assessments indicated further gaps of £7m and £2m, although it was noted that additional work would be required to validate those figures and they were likely to vary due to national funding arrangements being unknown.

There was a brief discussion of the report and it was confirmed that the in compiling the figures it had been assumed that business rate element would remain the same and council tax would again increase by the maximum amount before a referendum was required. It was explained in response to a question that some of the savings identified in earlier years, for delivery either before or in 2019/20, would not be successfully delivered. This had led to nearly £7.4m of savings being reversed: £5.8m generally and £1.6m in regard of procurement savings.

In addition, the report also highlighted a Cabinet recommendation to Council to expand the capital investment programme to allow for the purchase of waste vehicles for the Somerset Waste Partnership (SWP) as a better value for money option than requiring the private sector to provide the vehicles. It was reported that the SWP was currently tendering for 'Recycle More' – a new method of waste collection that would result in additional materials being collected at kerbside. It was envisaged that this would commence roll-out across the County from April 2020.

As part of the new service would be a requirement for new replacement vehicles, equipment and potentially depots (the recycling fleet is nearing the end of its life in any event). The potential outlay could be £25m. It was explained that most tenderers were interested in an arrangement whereby all the Councils within the Waste Partnership fund the vehicles through Public Works Loan Board borrowing, in return for a discount to the contract price, as a similar arrangement was already in place with the existing collection contractor.

In response to a question it was stated that provided that the contract discount offered was sufficient to cover the costs of borrowing and other details the arrangement would offer a relatively safe and almost immediate financial benefit to all Councils willing to borrow.

It was noted that update reports on the development of the MTFP would be presented to each meeting of the Cabinet through the period until the Full Council meeting in February 2019 and in addition that the various Scrutiny Committees would also be kept updated. The report was accepted.

- 130 **Single Use Plastics: A Strategy for Somerset County Council** - Agenda Item 9
- 131 **SCC Annual Feedback Report 2017/18** - Agenda Item 10
- 132 **Scrutiny for Policies and Place Committee Work Programme** - Agenda Item 11

The Committee considered and noted the Council's Forward Plan of proposed key decisions.



Following a discussion, the Committee requested the following additions to the work programme:

- To receive an update report on the **Library Service Redesign** at the 11 December meeting;
- To receive a report on the **Medium Term Financial Plan** at the 23 January 2019 meeting.

133 **Any other urgent items of business** - Agenda Item 12

After ascertaining there were no other items of business, the Chair thanked all those present for attending and closed the meeting at 12.58.

**(The meeting ended at 12.58 pm)**

**CHAIRMAN**

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## **Revenue Budget Monitoring**

**Lead Officer:** Peter Lewis, Director of Finance

**Author:** Peter Lewis, Director of Finance

**Contact Details:** 01823 359028

**Cabinet Member:** Mandy Chilcott, Cabinet Member for Resources

**Division and Local Member:** All

### **1. Summary**

- 1.1. In October 2018, this Committee received a report presenting the projected revenue outturn for 2018/19 based upon actual spending to the end of August 2018 as adjusted for the proposals for change agreed by the Cabinet in September 2018. The projected outturn at that time was £3.320m over the available budget, while the contingency of £3.400m was uncommitted at that time.
- 1.2. At the time of drafting this report for the Committee the updated projection based upon the spending to the end of September is being prepared for consideration by the Cabinet on 19 November. However, it is anticipated that it will be possible to give this Committee an oral update on those figures at the meeting on 13 November.
- 1.3. There is a robust monitoring process in place to ensure that the savings proposals agreed by the Council and Cabinet in February and September respectively are being delivered, or that where there are early signs that they may not be delivered, then prompt corrective action is taken.
- 1.4. Within the monitoring reports during 2018/19, there has been considerable focus on the pressures upon the budget for Children's Services. During recent months finance, service and external experts have been thoroughly reviewing budget, spend and service delivery in order to better understand the pressures and hence enable better control of spending throughout the remainder of 2018/19 and to give confidence in the budget build for 2019/20 and beyond.

### **2. Issues for consideration / Recommendations**

- 2.1. The Committee is asked to note progress on:
  - the projected revenue outturn for 2018/19; and then to comment on
  - the monitoring processes for delivery of the planned savings;
  - the development of the Children's Services budget;and hence whether there are any suggestions for additional management actions or alternative options that they would like to recommend to the Cabinet.
- 2.2. The Committee is asked to consider any issues or information they would like to be addressed or included in future reports.

### **3. Background**

- 3.1. Over recent years, the Council has lived within its means through an estimated £143m of savings and efficiencies and through control of its revenue and capital

budgets. In September 2018 the Cabinet accepted proposals for change across a range of budgets in order to address the then projected overspend for the current financial year.

- 3.2.** During October various budget adjustments have been undertaken in order to give effect to the decisions made by the Cabinet in September. In addition, service underspends to the end of September have been collected and applied to overspending budgets. This has made the movements in this monitoring report more complicated than usual. At the time of writing this report work is still ongoing on the month 6 monitoring report, so it is not possible to report the details here. However, the Committee is reminded that the projected outturn overspend figure at month 5 was £3.320m; it is intended to give the Committee an oral update on month 6 at its meeting on 13 November.
- 3.3.** An essential part of managing the 2018/19 budget within the resources that we have available is the robust monitoring of the Medium Term Financial Plan (MTFP) 1 and 2 savings; MTFP1 savings were agreed by the Full Council in February 2018 and the MTFP2 proposals were approved by the Cabinet in September 2018. The Financial Imperative Team monitors progress against the delivery plans on a weekly basis and the report of any exceptions is given to the Senior Leadership Team weekly also. Progress is assessed as:
- Blue – delivered and cash released;
  - Green – on track to deliver the planned reduction at the correct time;
  - Red – off-track and the delivery is at risk without remedial action.

It is common for there to be an “Amber” in such monitoring, but in this case, with only 6 months of the year to go, it was decided that anything off-track is immediately classed as “Red” and is escalated for attention.

In addition, monthly, the Senior Leadership Team monitors risk associated with the non-delivery of savings and agrees mitigating actions to ensure that risks do not turn into issues. This includes ensuring that dependencies between savings proposals are identified, that governance and decision making follows due process and that impacts and especially cumulative impacts of savings are being managed.

- 3.4.** The latest update shows that 75% of the MTFP1 savings have been classified as having a green or blue status, meaning service directors are confident that these savings will be delivered by the end of the financial year or in the case of the blue savings, they have already been delivered. This is an improved position compared to previous years. This leaves 25% of savings which are ‘at risk’ of being delivered. Of this 25%, there are plans in place for all but 2%, and mitigations for those are continuing to be developed.
- 3.5.** For MTFP2 savings, it is assessed that 86% of these savings are either ‘on track’ for being delivered or have already been achieved. It is significant that over £1.3m of savings assessed as ‘red’ are subject to consultation with external organisations or partnerships, with all input by the Council completed on time. If those external organisations agree our proposals (decisions are imminent) then the 86% on track moves to 96%.
- 3.6.** A significant part of the financial challenge faced by the Council in 2018/19 (and in 2019/20) is the pressure arising from the demand upon the services for Children. Members of this Committee will be aware of the overspend projections

in this area, rising to £22m in 2018/19 and partially offset by an allocation from the contingency of £5m. This gave rise to an unusual rebasing of this budget mid-year and a re-build of the revenue budget for Children's Services for 2019/20.

- 3.7. A review of budgets and spend for Children's Services from 2013/14 is illustrated in the table below.

	<b>Budget £m</b>	<b>Expenditure £m</b>	<b>Variance £m</b>
2013/14	67.465	66.061	-1.404
2014/15	64.703	67.350	2.647
2015/16	72.370	77.068	4.698
2016/17	76.532	80.469	3.937
2017/18	73.846	83.565	9.719
2018/19	66.314	88.635	22.321

- 3.8. The table above clearly illustrates a pattern of increasing spend, in part due to increasing pressures for service delivery and in part due to the improvements required to address concerns highlighted by Ofsted. It is significant that the budget, although overspent in 2017/18, was reduced for 2018/19 yet spending was still on an upward trajectory. This was subject to comment in the Peer Review of the Council that was issued in May 2018.
- 3.9. The overspend in 2018/19 is analysed as being £2.957m due to non-delivery of MTFP1 savings, £15.929m of pressure in Children and Families the majority driven by the number and cost of care placements. The £3.435m of pressure in Children and Learning Commissioning is as a result of Home to School Transport costs.
- 3.10. The budget requirement for 2019/20 has been derived from the work undertaken to analyse the 2018/19 budget, adjusted for the impact of further controls and planned spending reductions. The net effect of this is a budget requirement in 2019/20 of £82.576m, although £1.3m of this reduction is a one-off staff saving for 2019/20. Overall, the budget requirement reduces by £6.059m between 2018/19 and 2019/20.
- 3.11. Members of this Scrutiny Committee and of the Children's Scrutiny Committee will need to be assured that actions being undertaken by the Children's Services management team, supported by the wider Senior Leadership Team, will deliver the reduced spend and that this is not just an "aspirational budget target". Specific actions being taken are:
- Finance Performance Review Meetings (FPRM) meetings weekly on key areas of spend and progress against targets. Themes so far include workforce, placements and 16+ accommodation. Each meeting has identified further opportunities for reducing spend;
  - Fortnightly budget overview at Director and at service management level to ensure delivery of savings targets and manage spend;
  - Finance team identifying budget lines to front line team level in Children's Social Care, to embed financial rigour across the entire system and ensure greater financial accountability of front-line managers;
  - Improving the data link between finance and case recording data bases allowing real-time management analysis of spend.
  - Higher quality initial placement agreements now required, which need Deputy Director sign-off. This is followed by robust contract reviews to

- ensure consistent value for money in high cost placements;
- Progressing the Council's Sufficiency Strategy of securing local low-cost provision providing effective outcomes in difficult market circumstances
- Continuing to improve social work practice to support families, reduce both emergency admissions to care and placement disruptions. These features both result in negative outcomes for children and significant costs.
- Ensuring that there is an effective multi-agency response to children being exploited, including County Lines, where care is not seen as a simplistic solution.
- Financial awareness training and support for all managers in the service.

**3.12.** While there is more to be done to be assured that 2018/19 expenditure can be contained within the budget available, good progress is being made towards this objective at this mid-point of the financial year.

#### **4. Consultations undertaken**

**4.1.** No specific consultations have been undertaken in regard of this report.

#### **5. Implications**

**5.1.** This report is presented to Scrutiny members as part of the process of robust financial management within the Council. It is intended to provide assurance that there is a clear intention to control the spending of the Council within the revenue budget made available.

#### **6. Background papers**

**6.1.** Month 4 Monitoring report to Cabinet – 12 September

**6.2.** Month 5 Monitoring report to Cabinet – 17 October

**Note:** For sight of individual background papers please contact the report author

## Connecting Devon and Somerset Update

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Cabinet Member: Cllr David Hall

Division and Local Member: All

## Connecting Devon and Somerset (CDS) Broadband Delivery Programme

### 1. Background to CDS

- 1.1. CDS is a local government-led partnership which is working to extend superfast broadband infrastructure in areas where commercial providers do not plan to deliver a Next Generation Access (NGA) broadband service. Next Generation Access (NGA) broadband service is a service capable of delivering download speeds of at least 30Mbps
- 1.2. The CDS region covers Somerset, Devon, N Somerset and BaNES, and to a lesser extent Plymouth and Torbay which have more commercial coverage than other parts of the region.
- 1.3. Funding for the CDS Programmes has come from BDUK, Heart of the South West Local Enterprise Partnership, European Regional Development Fund grants (via MHCLG), SCC, DCC, N Somerset, BaNES and other contributing local authorities.
- 1.4. Somerset County Council is the Accountable Body for the CDS partnership. This report provides an update to the Scrutiny Committee on the CDS programme.

### Current Delivery

### 2. 2016 Superfast Extension Programme Contracts

- 2.1. In 2016 CDS ran a procurement to award contracts for broadband wholesale services in 6 Lots across the region. The CDS board agreed that the ITT should prioritise those premises with the lowest speeds. Additional scoring was awarded for business connections. The intervention area focused on working inwards from the more remote areas rather than adding marginally to the edges of existing superfast provision at the edges of towns because it is likely that commercial providers will extend coverage in those areas.

### 3. Gigaclear contracts for Lots 1, 2, 3, 5 and 6

- 3.1. As reported to Scrutiny in June 2018 the Gigaclear contracts had fallen behind in build due to a number of factors including the introduction of additional funding which had required a more extensive redesign than had been expected as well as problems resulting from the compulsory liquidation of Carillion.

- 3.2. Gigaclear had introduced additional contractor resource McNicholas part of the Kier group and reported that they expected to complete the delivery within the contractual time frame.
- 3.3. Unfortunately, Gigaclear has not succeeded in its planned recovery of the programme and has failed to meet its first contracted dates which were due to be achieved by 30 September 2018. Gigaclear has attended before the Connecting Devon and Somerset board to explain its position. Gigaclear also issued a formal apology to CDS stakeholders on 8 October.  
<https://www.gigaclear.net/postcode-checker/connectingdevonandsomerset>
- 3.4. CDS has written to Gigaclear and confirmed that Gigaclear is in default on 3 contracts (Lot 1, Lot 2 and Lot 5) but it has not formally issued a default notice. The contracts do not include financial penalties for delay but do provide for default notices to be issued and options to close the contracts. These alternatives will be considered by CDS as part of making a decision on the way forward. Although there are no financial penalties in the contracts Gigaclear is required to finance the build until there is delivery. CDS does not pay until build has been completed. Accordingly, Gigaclear has received payment of £537,200 for a structure at Millhayes in Devon which it has completed.
- 3.5. The contracts which CDS holds with Gigaclear are due to deliver a gigabit service to around 47,800 premises across the region with approx. 21,900 in Somerset. Gigaclear provides a search facility on their website which is a quick way of checking where the company will be installing a fibre-to-the-premise network - <https://www.gigaclear.com/postcode-checker/>
- 3.6. Network build of this size involves significant investment by Gigaclear. The broadband infrastructure build is funded on a gap funded model. This means that for the current contracts Gigaclear is paying most of the cost for the network build with the public sector funding the gap between the costs which Gigaclear would invest to build to the targeted premises on a commercial basis and the total cost of the infrastructure build. For the 5 contracts which Gigaclear holds with CDS for Gigaclear to build broadband infrastructure Gigaclear is investing £60 Million and the public sector is investing £31 Million. In addition, Gigaclear is investing another £57 Million in the region on a commercial basis. Gigaclear is currently forecasting that the build will cost more than originally expected but has confirmed that it will absorb any additional costs incurred and that there will be no increase to the level of public subsidy.
- 3.7. **Gigaclear is under new ownership. Infracapital part of the Prudential Group took a majority interest in Gigaclear earlier this year and installed a new management team.** The new team has reviewed the progress of the project in detail to identify the problems which have occurred with the delivery and to put in place remedies to prevent them happening again.



- 3.8. The review of the programme identified several issues that existed which were delaying delivery including management of subcontractors, the build methodology and capacity. The new management team identified issues which the CDS team had raised previously with the previous Gigaclear management team, but which had not been acted upon in a timely way. The current Gigaclear management and owners have acknowledged that mistakes were made, and it is putting together revised plans to remedy the situation.
- 3.9. Gigaclear's new management is introducing additional resources raising the number of regionally based staff working on the project from 4 to 38. Key roles which have been/ are being recruited are a director of delivery for CDS region as well as locally based communications and engagement officers, highway liaison roles, programme managers for each of the contract areas and network designers. Mike Surrey the CEO at Gigaclear has the new senior team working on the CDS programme reporting directly to him.
- 3.10. Gigaclear met with Connecting Devon and Somerset to provide its revised plans on 31 October 2018. At the time of writing this report Gigaclear's new plans have only just been received. CDS will be undertaking some detailed analysis of this over the coming weeks with our funders to ensure that the best option and solutions can be found. Until there is an agreed way forward which is supported and acceptable to CDS funders it will not be possible to confirm the critical information on new deployment dates to communities.
- 3.11. A number of FAQ's has been published on the CDS website covering responses to questions about the length of and reasons for the delay, the contract remedies, financial implications as well as implications for communities and the implications for Gigaclear.

<https://www.connectingdevonandsomerset.co.uk/gigaclear-delays/>

- 3.12. Delays were due to several reasons including significant issues in ensuring the right number and type of staff were in place. Issues relating to local roads had more impact than Gigaclear expected.
- 3.13. Building a new fibre network in a rural area is complex with a range of challenges including:
- gaining permission for access to private land to build (wayleaves),
  - gaining access to highways on notice, working with summer embargos,
  - finding the right solutions for the build which has a mixture of build solutions including mole ploughing in fields, verge working,
  - topography challenges such as narrow lanes and high banks in parts of Devon and Somerset,
  - necessary validation and costing reviews,
  - securing the right sub-contractor resources.
- 3.14. BDUK has confirmed that the Phase 2 Broadband delivery programmes across the country are facing delays with several providers. It appears that the industry is challenged by capacity as well as the complexity of build of new

networks in particular “full fibre” FTTP which is more expensive, complex and slower to deploy than cheaper hybrid fibre solutions.

- 3.15. The proposals from Gigaclear will be considered carefully. Connecting Devon and Somerset does not have to accept the proposals put forward.
- 3.16. Gigaclear is proposing a revised approach to delivery and that delivery will still be a fibre network solution. Gigaclear has confirmed that it will not reduce the level of coverage and Connecting Devon and Somerset has made it clear that it expects the same level of coverage.
- 3.17. It will be necessary to balance carefully the competing demands of the time required to build a complex network against the proper expectations of residents and businesses that broadband infrastructure is delivered as soon as possible.
- 3.18. Connecting Devon and Somerset is investigating options that might be available including the possibility that some of the contracts might be stopped.
- 3.19. It should be noted that if the contracts with Gigaclear are ended it does not mean that an alternative supplier could be procured or deliver the same amount of coverage as Gigaclear is currently contracted to provide any sooner than Gigaclear is able to do.
- 3.20. Any decision will be taken in consultation with funding providers.
- 3.21. At the last Scrutiny committee, it was reported that the first premises in Somerset were expected to be delivered in August. Due to the delays that has not yet happened.

#### **4. Airband Contracts**

##### **National Parks**

- 4.1. Network build is now completed and going through the assurance and closure process. This involves technical and financial assurance as well as working with BDUK the national competency centre who also assure the delivery and the state aid compliance.

##### **Lot 4 (North Moor between Exmoor and Dartmoor)**

- 4.2. Additional European Regional Development Fund grant was introduced into the Lot 4 contract in September following BDUK assurance. Airband has completed its first phase of the delivery and is progressing well with the build.

#### **5. Phase 1 BT Open reach contracts**

- 5.1. The contract closure process has been ongoing working with BDUK the national competency centre which also assures the delivery and state aid

compliance. Some 298,000 premises across the region have access to superfast service as a result of the CDS Phase 1 intervention and a further 38,000 have improved broadband speeds. The contract closure process was completed at the end of October.

- 5.2. Gainshare. This is early Take-up Clawback which is due to be paid by BT under the contract. The Broadband state aid clearance provided that up to £129 Million across the whole of the UK could be spent with BT. In the Connecting Devon and Somerset region provision was made for up to £4.7M to be introduced into the contract and which can only be spent with BT.
- 5.3. The contractual process is underway to introduce this £4.7 Million of early Take-up Clawback. The CDS board is seeking to ensure that the early Take-up Clawback should be committed to areas still experiencing very low speeds with a significant degree of social deprivation (measured using the English indices of multiple deprivation). CDS is also seeking to use the early Take-up Clawback to provide full fibre to the premise solutions. Fibre to the premise is considered a future proof technology but it is also more expensive. Given the higher costs of Fibre to the Premise, the early Take-up Clawback is likely to achieve a relatively modest number of premises in the region. However, providers are moving towards full fibre where possible and BDUK has indicated that government policy going forward will be to encourage the move to the delivery of fibre technology solutions for the future. The use of early Take-up Clawback is in line with that approach. Due to the cost of introducing fibre technology there are likely to be some areas which remain where the cost of fibre solutions will continue to be unviable for the present. Other solutions such as fixed wireless access may be required in these areas pending more affordable alternatives becoming available.
- 5.4. The Phase 1 contract provides for Take-up Clawback to be calculated at fixed regular intervals during the post-build stage of the contract. The amount will depend on the level of take up of the infrastructure and these sums must be applied in a state aid compliant manner. The contractual terms provide that the final payments will be made by the end of the post-build stage of the contract which is in 2024.

## **6. Funding**

- 6.1. In October an additional £5M of grant funding has been approved by the Rural Development Agency to extend broadband coverage in rural areas. This is available to support residents and businesses in rural areas which do not yet have a 30 Mbps service.
- 6.2. It is necessary to use this funding in a state aid and procurement compliant manner. To do so this funding has been awarded to be added into existing contracts by agreement with the existing suppliers. Discussions are commencing with Airband about the possibility of introducing the funding into the Lot 4 contract. It is too early to say whether it would be possible to introduce this funding into the Gigaclear contracts pending consideration of Gigaclear's proposals for the existing contractual delivery. As part of the

process of assessing Gigaclear's proposals consideration will also be given to whether it is possible, or appropriate, to introduce the funding to Gigaclear contracts.

## **7. New broadband strategy**

- 7.1. The CDS board has requested that the local broadband strategy be refreshed. It has agreed that the programme should work with the Local Enterprise Partnership to identify the broadband needs going forwards.
- 7.2. It is estimated that there will be some 55,000 premises remaining in the Connecting Devon and Somerset region which will not be able to connect to a superfast (30Mbps) broadband service at the conclusion of the current contracts with Airband and Gigaclear. Of these it is currently anticipated that there will be circa 11,300 premises remaining in Somerset and approximately 1,500 premises will be business/ dual use (business and residential). It is estimated that approx. 1,000 premises will have speeds of less than 15Mbps.
- 7.3. CDS and other stakeholders are encouraging commercial providers to extend their delivery including connecting premises in town and village centres where the comparative cost of connections is lower than in more remote rural areas.
- 7.4. The continuing challenge is to seek ways to extend coverage to all. Although CDS continues to apply for further grants, for the most remote and difficult to reach areas it may be some time before viable superfast solutions can be found for all.
- 7.5. In the meantime, CDS and stakeholders continue to lobby the commercial sector to extend its coverage and for further funding to try to extend coverage to as many as possible.
- 7.6. In order to inform the new broadband strategy CDS launched a survey on 29 October which will be open for a period of 6 weeks and closing on 9 December. Emails are being sent to parish clerks informing them about the survey as well as twitter and Facebook announcements and the survey can be accessed on the CDS website at the following address  
<https://www.connectingdevonandsomerset.co.uk/broadband-user-survey/>

## **8. Voucher scheme**

- 8.1. CDS voucher scheme has been on hold whilst under review pending the BDUK assurance and approval of the Lot 4 change confirmation which has finalised the premises which are due to receive a broadband connection under the current contracts. Now those premises have been identified contractually it will be possible to re-open the scheme. It is now expected that the scheme will be re-opened by the end of the year.

- 8.2. In addition to the CDS voucher scheme there is also the Gigabit voucher scheme run by the Local full fibre network team. This is supplier led and can be used in areas where a supplier is able to deliver a gigabit service. Eligible businesses and residents can work with suppliers who are able to deliver a service to seek vouchers to extend fibre networks.  
<https://gigabitvoucher.culture.gov.uk/>

## **9. Communications**

- 9.1. Work has commenced on a website refresh. Unfortunately, the officer employed to undertake the work left recently after a short period of time and a replacement has not yet been recruited.
- 9.2. It is recognised that the delays in delivery, particularly in the areas where Gigaclear operates have caused concern. CDS has encouraged both Gigaclear and Airband to recruit additional regional personnel to provide more tailored information to residents, businesses and communities as well as to elected members. This is an ongoing process with more direct communications being provided by the suppliers.
- 9.3. CDS is proposing to introduce a Quarterly parish newsletter. Unfortunately, this has been delayed due to the focus on resolving the issues with the Gigaclear contracts which in turn meant that there was little progress to report. Following the Lot 4 contract changes an updating newsletter is due to be issued for the Lot 4 parishes to provide an update on the progress of Airband's delivery. It is expected that this can be published once the update of premises information is completed on Airband's website.

## **10. Digital Utilisation for Growth programme (DUG).**

- 10.1. In addition to Broadband Infrastructure delivery CDS has received European Regional Development Fund grant funding to run a further digital awareness programme – Digital Utilisation for Growth. This programme will provide training on skills and internet use and raises awareness of the capabilities of digital technology to private individuals and to businesses across the CDS region. This training is being provided to assist people to use the infrastructure which is being built.
- 10.2. Funding has now been approved and the DUG programme is now recruiting. Steps are being taken to recruit a programme manager and event co-ordinator in November and Lot based staff and specialist trainers are expected to be recruited from December. It is currently expected that the programme will commence from January 2019.
- 10.3. It is anticipated that this will have a positive impact both in supporting businesses and residents with their online interactions.

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Somerset County Council  
Scrutiny for Policies and Place Committee  
– 13 November 2018

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## **Reduction in the Use of Single Use Plastics: A Strategy for Somerset County Council**

Lead Officer: Michele Cusack, Director of Economic and Community Infrastructure Commissioning

Author: Jonathan Doyle, Service Manager, Community Infrastructure Commissioning

Contact Details: [jdoyle@somerset.gov.uk](mailto:jdoyle@somerset.gov.uk), 07977 401939

Cabinet Member: Councillor David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure

Division and Local Member: All

### **1. Summary**

**1.1.** In February 2018 the Council made the following resolution:

*This Council resolves to ask the Cabinet Member for Resources:*

- 1. To work with partners, suppliers and customers to develop a strategy and timetable to make Somerset County Council (SCC) a 'single-use-plastic-free' authority, specifically the phasing out of sales of SUP bottles and other SUP products across all premises and events;*
- 2. To present the strategy and timetable to Scrutiny Committee for Policies and Place before consideration at Full Council in November 2018;*
- 3. To actively encourage the institutions, businesses and residents of Somerset to adopt similar measures;*
- 4. To lobby the Somerset MP's for national legislation on reducing the use of SUP's;*
- 5. Actively encourage additional plastics recycling facilities through the Somerset Waste Partnership.*

**1.2.** This report presents the draft Strategy to the Policies and Place Scrutiny for consideration before it is presented to Council next month.

### **2. Issues for consideration / Recommendations**

**2.1.** Scrutiny Committee are asked to consider the growing concern locally, nationally and globally about the impact single use plastics are having on our environment, and that action is needed to reverse this trend of negative impacts. The Council can act positively in reducing the use of plastics, and can use its position of influence

with partners, providers and stakeholders, and this Strategy is designed to provide a framework for this work.

## **2.2. Recommendation:**

**It is recommended that the Policies and Place Scrutiny Committee consider the draft “Single Use Plastics: A Strategy for Somerset County Council” and that any suggestions for amendment(s) are then put forward with the Strategy to the Council in November for adoption.**

## **3. Background**

- 3.1.** The County Council is a Waste Disposal Authority, and the District Councils are Waste Collection Authorities. These statutory duties are delivered through the Somerset Waste Partnership (SWP), which produces a five-year Business Plan. The Council and its District Council partners in the Somerset Waste Partnership collaborate to progress the reduction of single use plastics as part of their work to increase recycling and reduce residual waste disposed to landfill.
- 3.2.** The issue of single use plastics has risen in prominence over the last few years. Popular awareness has been raised via initiatives such as Sky’s “Ocean Rescue”. Many organisations, councils and businesses have pledged to go “single use plastics-free”. Concern expressed by consumers about the use of plastic is growing, and demand for alternatives (such as plastic-free shops, fruit and veg not being packaged in plastic) is increasing. A number of major businesses have signed up to the Plastics Pact including Asda, Boots, M&S and Morrisons. The Pact seeks to create a circular economy for plastics, and brings together not only businesses but also UK government and NGOs to tackle the negative impacts of plastic waste.
- 3.3.** In Somerset, along with the County Council, other local authorities have also resolved to reduce or ban the use of single use plastics. In addition to committing to reducing single-use plastic use, the County Council has worked towards increasing recycling plastic (as well as other recyclates). Examples of actions taken include plastic-specific recycling bins in its kitchen and participation in the “Refill” initiative (which allows access for members of the public to refill their water bottles with the aid of the Refill phone app). Members are provided with jugs of water and glasses at meetings rather than plastic bottles. The Leader of the Council Councillor Fothergill is our first Single Use Plastics Champion, providing leadership to this work from the very top of the organisation.
- 3.4.** The Somerset Waste Partnership is driving the change in behaviour on plastics in Somerset, and has introduced the “Pledge Against



Preventable Plastics". All recycling sites now accept rigid plastic pots, tubs and trays as well as plastic bottles. The Partnership's Business Plan 2019-2024 is being reported to the Board at the end of September 2018 (and subsequently reported to each partner for consideration and approval) and this reflects the drive towards more recycling and reuse of materials, and the avoidance of unnecessary waste.

- 3.5. It is in this context that the County Council made its decision in February to move towards becoming single use plastics-free, and to use its influence with providers, partners and stakeholders to help them do the same.

#### **4. What the Strategy does**

- 4.1. The Strategy sets out the issue that we are trying to address and how the Council will tackle this important matter. It not only gives a strategic framework for the Council's own activities, and how the work fits with the general direction for dealing with waste (which provides a well-known hierarchy of reduce-reuse-recycle-recovery-disposal for us to work within) but also how SCC will work with its partners and providers. It will show how we will work closely with the Somerset Waste Partnership to raise awareness of the issues of Single Use Plastics with partners, local businesses and communities and how their usage can be reduced. By commissioning various providers to undertake a wide range of activities, the Council is in a strong position to make decisions and influence others to act responsibly when it comes to the use of plastics.
- 4.2. The actions in the Strategy are based on the waste hierarchy; to reduce the amount of plastic used is the clear priority. This means assessing current practices, enabling people to reuse the plastic that we use, providing good quality and convenient recycling facilities, and ensuring staff, providers and partners can make informed and sustainable choices when it comes to their plastic use.
- 4.3. Raising awareness and working in partnership are key principles of the Strategy; the County Council is mindful of the benefits of working with others and of its ability to influence behaviour and actions, including enforcing action (through including clauses/conditions in contracts with providers around their use of plastics).
- 4.4. An Action Plan is part of the Strategy which sets out specific tasks to meet its strategic objectives. This includes what SCC will do itself, how it will raise awareness and how it will work with partners.
- 4.5. The Action Plan sets out a realistic timeframe for delivery, mindful of what are the priority actions, resources, and financial

considerations.

## **5. Financial considerations**

- 5.1.** The current financial situation of the County Council has to be taken into account, and the ability to assign resources to deliver this Strategy. It is simply not reasonable or realistic to expect quick delivery and significant resources to be allocated to this work. As such, the timescale for delivery allows for flexibility and is not too rigid to tie officers to unreasonable demands at a time when the priority is to deliver statutory services and to ensure the financial stability and sustainability of the Council.

## **6. Consultations Undertaken**

- 6.1.** Plastics are a standing item on the SWP's Senior Management Group, which enables collaboration between the councils and the Partnership. The SWP is an important part of the work and the partnership acts as an effective facilitator of bringing Somerset's Councils together to deliver a more environmentally friendly level of plastics use.
- 6.2.** This report and the Strategy have been shared with partners and senior officers in the most relevant services (Property, Facilities Management, Commissioning, Commercial and Procurement) and the Cabinet Member. The direction of travel has the support of the Council's Senior Leadership Team and, as noted above, the Leader of the Council is the Single Use Plastics Champion. The Strategy has been shared with these individuals.

## **7. Implications**

- 7.1.** Financial Implications: alternatives to plastic are likely to be more expensive. This will have to be taken into account in the decision making process.
- 7.2.** Legal Implications: there are no current legal implications however part of the Strategy relates to introducing standardised contractual requirements so that providers change their behaviour (if required) and act responsibly to reduce their use of plastics.

## **8. Background Papers**

- 8.1.** Appendix A - Draft "Single Use Plastics: A Strategy for Somerset County Council".

# APPENIX A

## **Reduction in the Use of Single Use Plastics**

### **A Strategy for Somerset County Council**

**DRAFT**

**November 2018**

Contents	Page
1 Introduction; a focus on plastics	2
2 Policy Context	5
3 The Strategy	7
4 Current Activity	8
5 Strategic Objectives and Delivering them	9
6 Reporting	15

**Somerset County Council will move towards becoming a “Single Use Plastics-free” authority, and will work with partners and providers to help them do the same**

## 1. Introduction

Nationally and globally the need to take action on Single Use Plastics is a growing concern due to their negative impacts. Although there is not yet a nationally recognised definition of Single Use Plastics, the Strategic Management Group of the Somerset Waste Partnership agreed to adopt the following meaning: **“Plastic that is designed to be used only once before it is recycled or thrown away”**.

During its meeting in February 2018 the County Council made the following resolution:

*This Council resolves to ask the Cabinet Member for Resources:*

*To work with partners, suppliers and customers to develop a strategy and timetable to make Somerset County Council (SCC) a ‘single-use-plastic-free’ authority, specifically the phasing out of sales of SUP bottles and other SUP products across all premises and events;*

*To present the strategy and timetable to Scrutiny Committee for Policies and Place before consideration at Full Council in November 2018;*

*To actively encourage the institutions, businesses and residents of Somerset to adopt similar measures;*

*To lobby the Somerset MP’s for national legislation on reducing the use of SUP’s;*

*Actively encourage additional plastics recycling facilities through the Somerset Waste Partnership.*

### A focus on plastic

Plastic is an incredibly useful and versatile material; it plays an important role in helping foods last longer and thus reducing food waste. Although providing major benefits, there are significant negative impacts which need addressing with plastics. The cost of a reliance on plastic go beyond the financial; there are significant environmental costs to take into account.

The figures are staggering.

- Around a million plastic bottles are bought around the world every minute and it's predicted that figure will rise by another 20% by 2021, with far too few being recycled;
- Here in the UK the average household uses 480 plastic bottles a year but only recycles 270 of them. This means nearly half (44%) are NOT put in the recycling, meaning over 35 million plastic bottles are used every day but almost 16 million of them aren't being put out for recycling;
- Between 8 and 12 million metric tonnes of plastic waste ends up in our oceans every year;
- In Somerset the cost of collection and disposing of our waste is over £176 for every single household in the county.

One major and highly visible and intrusive issue is that badly designed and unrecyclable plastics end up as litter in the environment, which ultimately ends up in the sea. It is estimated that up to 13 million tonnes of plastic leak into the global marine environment every year through deliberate littering, escaping unintentionally from a waste management process, or nurdles being washed down drains and falling overboard from ships. In 2016-17 the Great British Beach Clean initiative found on average 744 items of litter per 100 metres of beach. This has adverse implications for our environment, economy and human health.

### ***What are Nurdles?***

Nurdles are raw plastic granules/pellets similar in size to a lentil. These are used in the manufacture of a wide range of plastic products.

It is estimated that up to 53 billion of the tiny pellets escape into the UK's environment each year. This happens during the manufacture, transport or use of plastic products.

The nurdles are often spilt accidentally into rivers and oceans or fall into drains where they are washed out to sea.

Nurdles can soak up chemical pollutants from their surroundings and then release toxins into the animals that eat them.

Nurdles are one of the main sources of "primary microplastics" - small pieces of plastic which have come from larger items broken down - in European seas.

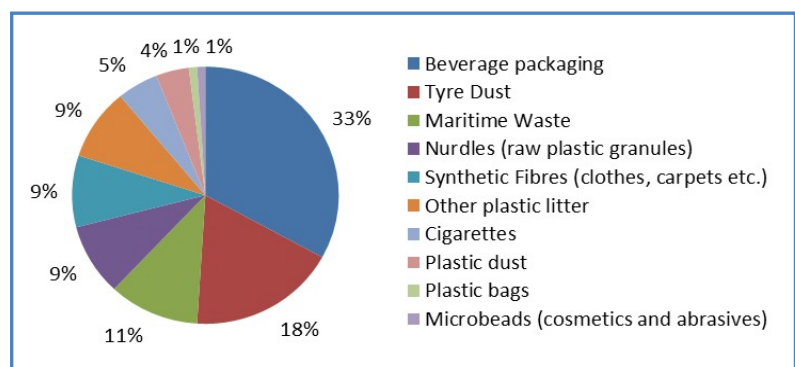
The amount of sea birds and mammals entangled or killed every year and suffocation is huge, with litter being responsible for the death of over 1million sea birds and mammals annually. Recently the unseen effects of plastic have become more understood and are equally concerning: larger plastics break down into very small particles over hundreds of years and become “microplastics” which do not biodegrade but instead accumulate in the environment. It is possible that wildlife ingest these and it could cause harm to human health.

### **Microplastics and Microbeads**

A type of microplastics, **microbeads**, are extremely small pieces of plastic (less than 1mm in size) that are added to everyday cosmetic products such as face wash, toothpaste, abrasive cleaners and a lot more. They are most frequently made of polyethylene but can be of other petrochemical plastics such as polypropylene and polystyrene. Microbeads are small enough to go down your plughole and easily pass water filtration systems and could be eaten by fish and other marine animals, some of which may end up on our plate.

Plastic is a non-renewable material, made largely from fossil fuels. Simply discarding it is a waste of an extremely valuable material.

The direct economic costs of this marine litter to maritime industries, the cost of clean-up and on tourism in the UK are estimated at £103m per year.



*Sources of Marine Plastics*

The problem is a global one, but in the UK we can do our bit, and in Somerset we can certainly provide leadership on this growing environmental problem.

Plastic is extremely widespread in our society and 50% of plastic by weight is ‘single-use’, by definition it is used once before being thrown away or recycled. Drinks packaging makes up a third of marine plastic

### ***“Environmentally friendly plastics”***

So-called "environmentally friendly" plastics fall into three types:

- Bioplastics made from natural materials such as corn starch
- Biodegradable plastics made from traditional petrochemicals, which are engineered to break down more quickly
- Eco/recycled plastics, which are simply plastics made from recycled plastic materials rather than raw petrochemicals.

Products which claim to be compostable or biodegradable often aren't and some of these new materials, such as 'bioplastics', can cause more problems than they solve.

Not all bioplastics compost easily or completely and some leave toxic residues or plastic fragments behind

Some will break down only at high temperatures in industrial-scale, municipal composters or digesters, or in biologically active landfills

Some bioplastics are virtually indistinguishable from traditional petrochemical plastics, but cannot be processed with normal plastics and hence cannot be recycled and will invariably end up in landfill.



## 2. Policy context – setting the framework for taking action on plastics

# My Pledge Against Preventable Plastic

- ✓ **Remember your things to bring:**  
bag for life; reusable water bottle; coffee cup.
- ✓ **Ignore the straw:**  
sip from the glass.
- ✓ **Choose to re-use:**  
no plastic cutlery; take condiments from a bottle or pot—never a sachet!
- ✓ **Be a local litter hero:**  
organise a beach, street or park litter pick in your community; if you see litter on the road proudly pick it up and bin it.
- ✓ **Say yes to less:**  
only pick the packaging you really need; buy loose fruit/veg; avoid unrecyclable black plastic.
- ✓ **Lobby locally:**  
let local shops and businesses know what's important to you, ask them what they can do to help.

**Do what you can. Every little helps!**

\*Printed on 100% recycled paper

Somerset  
Waste  
Partnership

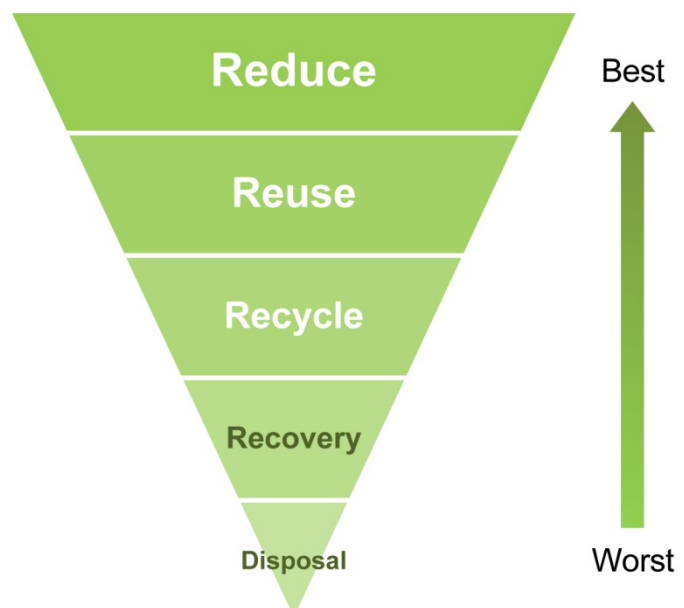
The direction of travel in policy is clearly towards the reduction of the use of plastic, and reflects that current levels of plastic use is unacceptable:

- In December 2017, 193 members of the UN [signed a resolution](#) committing to prevent and significantly reduce marine pollution of all kinds by 2025 and to prioritise policies and measures to avoid marine litter and microplastics entering the marine environment.

- The EU [Strategy for Plastics in a Circular Economy](#) was adopted in January 2018. It intends to transform the way plastic products are designed, used, produced and recycled in order to reduce the value of plastic

that is lost from the economy each year after a very short use.

- Also published in January 2018 is the UK's [25 Year Plan to Improve the Environment](#). The Plan outlines ways to reduce the use of plastics that contribute to pollution, and broader steps to encourage recycling and the more thoughtful use of resources. The aim is to eliminate all avoidable plastic waste by 2042.
- The 2017 [Litter Strategy for England](#) aims to change our culture, through education, enforcement and infrastructure provision, to achieve a substantial reduction in littering behavior.



- The Somerset Waste Partnership is running the “My Pledge Against Preventable Plastic” initiative. In addition, policy and operational decisions (such as the “Recycle More” initiative, which as the name suggests will deliver increased recycling) and their Business Plan has embedded a strong approach to tackling the issue of plastic in the county. As the Partnership delivers household waste collection and disposal on behalf of Somerset’s local authorities the Business Plan sets out how this waste will be managed, including plastic, through the well-known waste hierarchy – reduce, reuse, recycle and compost, energy recovery and final disposal.
- It is expected that Defra’s Resources and Waste strategy will be announced during the autumn of 2018. It is seen as a key element in the Government’s environmental policy and is expected to have a major focus on plastics, including the potential for a Deposit Return Scheme and the concept of Extended Producer Responsibility. While any new legislation will take time to come into force is key that all authorities in Somerset take the lead in addressing the issues
- **This Strategy is designed to complement the relevant national policies, and to work alongside the Somerset Waste Partnership’s efforts, to take meaningful action.**

### 3. The Strategy

This Strategy:

- sets out how the Council is and will work with partners, suppliers and customers to make Somerset County Council (SCC) a 'single-use-plastic-free' authority;
- sets out how the Council is and will phase out of sales of single use plastic bottles and other SUP products across all premises and events;
- explains how the Council is and will actively encourage institutions, businesses and residents of Somerset to adopt similar measures to reduce/cut out their use of single use plastics;
- explains how Somerset MP's are and will be lobbied for national legislation on reducing the use of SUP's; and
- is part of the work to actively encourage additional plastics recycling facilities through the Somerset Waste Partnership.

The Strategy sets out the timescale for activity to deliver it, including "quick wins".

The Strategy is realistic about the Council's ability to deliver its objectives; the current and future financial framework is extremely challenging. This Strategy bears that in mind and does not impose tight deadlines or unaffordable targets that could impact upon the other priorities of the Council, particularly on the work to ensure its financial stability.

#### **4. Current activity**

The County Council is already doing things which contributes a reduction in plastic use and increased recycling of remaining plastics:

- The Refill Initiative – the County Council supports this national initiative which encourages County Hall is already a Refill point, where members of the public can refill water bottles free of charge.
- Councillors don't use plastic bottles at public meeting; instead jugs of water and glasses are provided for Councillors meetings
- Plastic bottles recycling – separate bins are provided in the staff kitchens within County Hall.
- Printing –a reduction in printing has led to less plastic based waste.
- Individual, smaller plastic bottles of washing up liquid and hand soap have been replaced with larger containers, reducing plastics usage.
- Across Somerset the Household Waste Recycling Centres now accept Plastic Pots, Tubs and Trays.
- The Waste Partnership also raises awareness through its “Pledge Against Preventable Plastics” campaign aimed at promoting awareness of how to reduce SUP usage.
- The in-house repairs and maintenance team introducing waste sorting to maximise opportunities for recycling and re-use which is also leading to cost savings.

Despite these activities, there is scope for more action to reduce single use plastics use, to increase reuse and to increase recycling.

From a County Council perspective alongside the environmental benefit there is also the financial benefit of reducing waste disposal costs. Somerset County Council pay the costs of waste disposal; the less waste disposed of, the less charge to the County Council.

## 5. Strategic Objectives and delivering them

This strategy is based on activities that reduce the use of single use plastics and associated activities that will make most impact. To deliver these objectives, where it is the right choice and is appropriate economically and practically viable, the following over-arching themes will be employed:

- **The Council doing its bit and leading the way: reducing our own use of plastic and its impact**
- **Working with partners and suppliers/providers to reduce their use of plastic and its impact**

<b>OBJECTIVE 1 – Reduce the use, and preferably stop, using all single use plastic food and beverage packaging, cutlery, cups etc and work with suppliers and service providers to make sure they follow this objective when working with SCC</b>				
<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Work with SCC's food and drink contractors to raise awareness and to identify how to phase out plastics use	By April 2019	Contract manager, Facilities Management, Property Services	Contract Managers to consider contractual ability to exercise change	Tangible reduction in plastics use in delivery, preparation and packaging of food and drinks across SCC estate

<b>OBJECTIVE 2 – Review and improve existing practice and the recycling routes available to make sure plastic is not sent for residual waste disposal in SCC premises</b>				
<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Review existing recycling facilities at SCC premises to assess if the recycling of plastics by staff and visitors is maximized or if additional or alternative means can be practically employed	By June 2019	Facilities Management, Property	FM/site managers to review recycling facilities and implement	Increased breadth of recycling facilities available

<b>OBJECTIVE 3 – Ensure that the first option is always re-usable rather single use plastics</b>				
<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Expand the availability of refill water at SCC sites and promoted through the Refill app and initiative	By Sept 2019	Facilities Management, Property Services	Find locations that are publicly accessible without difficulty, register on the Refill.org app	Increased number of locations of SCC sites registered on Refill app
Raise the awareness of staff to increase use of reusable plastic rather than single use	Ongoing, starting January 2019	Communications, All staff	Weekly Our Somerset, Yammer, Core Brief	Reduced use of plastic bottles and packaging for food/drink
Use invitations/ communications for meetings at SCC properties to reinforce the desire for visitors to bring/use reusable drinks containers etc	Ongoing, starting January 2019	All staff, standard advice provided to visitors, room booking system contain SUP advice as a reminder (if poss)	Core Brief, Yammer, room booking system	Range of comms used to get the message across to visitors

<b>OBJECTIVE 4 – Raise staff awareness so that they can all make informed choices about their use of plastic food/drink packaging and cutlery choices</b>				
<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Communications to all staff to raise awareness and to signpost to the alternative options available other than plastic, including “hints and tips” communications	April 2019 and ongoing	Comms	Our Somerset, Yammer, Core Brief	Number of communications sent to raise awareness  reduced use of plastic bottles and packaging for food/drink

**OBJECTIVE 5 – Take steps that will reduce plastic use and its impact across all SCC sites**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
As part of awareness raising ask all staff to question where plastic use can be reduced or negated, and where reuse or recycling can be improved	April 2019 and ongoing	Comms	Our Somerset, Yammer, Core Brief	Reduction in unnecessary use of plastics across the SCC estate (increased reuse and recycling, reduction in plastic waste)
Work with tenants of SCC properties, including County Farm tenants, to reduce the use of plastics on all SCC sites	April 2019 and ongoing	Property	Work to encourage responsible environmental behaviors	Reduction in unnecessary use of plastics across the SCC estate (increased reuse and recycling, reduction in plastic waste)
Working with the SCC Technology and People Programme, increase the use of technology to decrease the reliance upon plastics on all SCC sites	April 2019 and ongoing	SCC TAP Programme, Facilities Management	TAP Champions, Yammer, Core Brief	Reduction in the use of plastic stationery and other plastic office equipment

**OBJECTIVE 6 – Work with our suppliers and potential future suppliers to help minimise use of single-use-plastic food and drink packaging and tableware and encourage them to do the same (to work alongside Objective A7)**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
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Review contractual ability to require suppliers to change practices to reduce plastic use	January 2019	Contract Managers	Review contract for existing clauses that allow delivery of plastic reduction	Reduction in unnecessary use of plastics at cafés/food stations etc on SCC premises
Where contractual requirements do not exist, where practical, negotiate with contracted providers and suppliers to deliver a reduction in plastic use in all food and drink containers	January 2019	Contract Managers. Legal	Review contract for existing clauses that allow delivery of plastic reduction	Reduction in unnecessary use of plastics at cafés/food stations etc on SCC premises

**OBJECTIVE 7 – Ensure procurement specifications and contractors’ activities consider, and where practical minimise, the environmental risks associated with plastics**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Assess the feasibility of the inclusion of a mandatory condition for all future contracts to require the provider/supplier to adhere with SCC’s “no SUP” policy	By April 2019	Commercial and Procurement, Legal	Create a suitable clause/condition that would require the provider to opt out rather than opt in	As many contracts contain a “no or reduced SUP” clause as feasible

**OBJECTIVE 8 – Work with the Somerset Waste Partnership to support educating school pupils and to engage with their local communities about waste**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
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<p>Work with the SWP to increase school engagement on plastics, reuse, recycling and sustainable methods of waste treatment</p>	<p>Ongoing</p>	<p>SWP, SCC rep, SSE</p>	<p>Use SWP's Strategic Management Group as a vehicle for delivery; SWP Board.</p> <p>Extend the education programme currently being delivered by SWP with team at Carymoor</p> <p>SSE to help with Comms to schools to raise awareness of the issues</p>	<p>Increased engagement with schools on waste</p> <p>Reduction in residual waste from schools</p>
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**OBJECTIVE 9 – Working with the Somerset Waste Partnership, raise awareness with partners, businesses and communities on reducing use of single use plastics**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Collaborative working with the SWP to ensure communication on the impacts of single use plastics and to inform of alternatives available	Ongoing	SWP, SCC rep  SCC rep to identify partners to ensure message is communicated widely	Your Somerset  SWP modes of communication (e.g. email, Facebook)	Measured number of communications  Increased awareness of alternatives  Increased reuse and recycling
Collaborative working with SWP and the Devon, Somerset and Torbay Trading Standards service to support local business to make the right decisions with regards to packaging	Ongoing	SWP, DSTTS Service	SWP to offer training DSTTS colleagues and to provide information on alternatives to SUPs	Increased awareness of alternatives  Reduction in the use of SUPs in packaging used by local businesses

**OBJECTIVE 10 – Working with the Somerset Waste Partnership on waste matters related to the reduction of use of plastics and their impacts, including litter, recycling, encouraging reuse, and taking action against activities such as launching sky lanterns from SCC land**

<b>ACTION</b>	<b>WHEN</b>	<b>WHO</b>	<b>HOW</b>	<b>MEASURING SUCCESS</b>
Continuing active SCC involvement in SWP activities on work that advocates/delivers the reduction of residual waste and improved environmental performance in Somerset on waste	Ongoing	SCC reps (officer and Member), SWP	Through the SWP's SMG and Board	Upward trend of performance on reducing residual waste  Increased levels of recycling  Reduced littering

## **6. Reporting Delivery of this Strategy**

- Progress on delivering this Strategy will be reported through the Council's performance management processes. This will ensure corporate awareness of delivery
- An annual report will be presented to the County Council's Policies and Place Scrutiny annually.

**November 2018**

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## **Rights of Way Service**

Lead Officer: Alyn Jones

Author: Pete Hobley – Service Manager Rights of Way

Contact Details: 01823 358185 pahobley@somerset.gov.uk

Cabinet Member: Councillor John Woodman

Division and Local Member: All

### **1. Summary**

- 1.1.** This report provides an update on the finances and workload of the Rights of Way Service (the Service), with a particular focus on the statutory duty to keep the Definitive Map & Statement under continuous review.
- 1.2.** Rights of Way has many cross-cutting themes, most notably with health, sustainable transport, modal shift, tourism, and economic regeneration. As a result, the Service has many links, direct or indirect with the targets contained within the County Plan, as follows:
  - We will reduce early deaths from preventable causes.
  - We will work to increase customer satisfaction across Somerset County Council.
  - We will improve digital services such as dedicated websites for vulnerable groups – providing necessary alternatives for those unable to access online services.
  - We will work with the voluntary, community and social enterprise sector to have more volunteers, help and support available within Somerset's communities.
  - We will work with our partners to bring more start-ups and attract new business into Somerset.
  - We will maintain our highways to allow our communities to travel safely and invest in our street lighting to help reduce Somerset's carbon footprint.
  - We will provide more opportunities for local suppliers to provide us services.
  - We will ensure that more of our contracts deliver a real social benefit to our communities.
  - We will ensure that by 2020, when Government ends its funding for our day-to-day services, we will be in a sustainable financial position.

### **2. Issues for consideration / Recommendations**

- 2.1.** Concerns have been raised in relation to applications to modify the Definitive Map & Statement. This paper sets out the context of the Service from a financial and resource point of view, with a particular focus on the backlog of applications and associated issues.
- 2.2.** The Committee is invited to consider the contents of the report.

### **3. Background**

- 3.1.** In broad terms the Highways Act 1980 provides a range of duties and powers in relation to how the Service should protect and assert the rights of the public and how changes can be made to the path network. Most local authorities, Somerset County Council (SCC) included, for practical purposes generally interpret this as the recorded path network on the Definitive Map & Statement (DMS). The Wildlife & Countryside Act 1981 provides a range of duties in relation to ensuring that the DMS is kept up to date and under continuous review. It is under this Act that there is provision for anyone to apply to SCC where they believe the DMS is not an accurate record of the public rights (this could be an existence, status, width or alignment issue).
- 3.2.** The Service is structured around delivery of functions under these two acts. The Maintenance & Development Team deals with; day-to-day maintenance, development control issues, volunteer scheme administration, and the Definitive Map Team determine Definitive Map Modification Order (DMMO) applications and process other legal orders and events.
- 3.3. Service Staff Structure**  
The Maintenance & Development Team has 12.34 FTE (inclusive of Service Manager post, excluding Exmoor National Park Authority staff) and the Definitive Map Team has 6.2 FTE (2.2 of which are focussed on non-rights of way work dealing with Land Charge enquiries). A full breakdown is available in Appendix 1.
- 3.4. Service Budgets**  
The Maintenance & Development revenue budget is currently £669k. The Definitive Map revenue budget is currently £147k (this includes c.£110k income from Land Charges work and other paid for Rights of Way services). The total capital allocation for 2018/19 is £433k, which goes towards new bridges, structures and minor capital items to support the volunteer schemes.
- 3.5.** There is a legal presumption that the DMS is conclusive evidence of what it shows until proven otherwise. The backlog of DMMO applications is primarily comprised of applications to add or upgrade rights as opposed to deletion of existing rights. These factors are pertinent in how the Service currently weights limited resources towards the network that is recorded on the DMS, with a lesser amount focussed on investigating applications that assert that the DMS is incorrect (not all applications are successful). It should also be noted that the Council is on occasions served Highways Act 1980 notices by the public in relation to the recorded network, for obstructions (s130A) or routes being out of repair (s56). It is therefore important that where possible we continue to maintain a high percentage of the recorded network being available and easy to use to avoid court action that may flow from any notices served.
- 3.6. Workload & performance**  
Maintenance & Development - approximately 3100 live issues (service requests, obstructions, etc.) on the recorded 6100km+ path network, administration of 6 volunteer schemes, development control issues, and processing of diversion proposals. The primary performance indicator for this team is a nationally recognised indicator known as 'ease of use'. Current performance in this respect is relatively stable and for 2017/8 was 82% of the

network being classed as 'easy to use'.

Definitive Map – 325 undetermined DMMO applications and 6 Town & Village Green (TVG) applications, and processing of other legal orders/ events. Approximately 10 determinations a year, ideally including one TVG application. This was achieved last year and is hoped to be achievable this year, albeit there was no TVG application determination last year.

### **3.7. DMMO applications**

There are some important points to consider in relation to DMMO applications;

- they are the applicant's assertion,
- officers are required to consider all available evidence and make a recommendation based upon the evidence,
- where the evidence is insufficient to support the making of an order, applications must be, and are, refused (44% of those applications determined in 2017/18 were refused)
- where confirmed, the orders will not always reflect exactly what was applied for,
- there are appeal processes involving the Secretary of State (SoS) regardless of the decision,
- there is no ability to charge applicants,
- suitability of the physical route cannot be a consideration,
- January 1<sup>st</sup> 2026 will be the cut-off date for applications based on pre-1949 documentary evidence.

**3.8.** The backlog of applications is one of the largest nationally. An application submitted today could experience a 30-year delay before being determined. DMMO applications should be determined 'as soon as reasonably practicable', however there is no set timescale. The backlog has occurred for the simple reason that the rate of applications being submitted has exceeded the determination rate and this has occurred to greater or lesser degrees for a significant number of years. Over the last 5 years the average number of applications received per annum is 22.5, over double the current determination rate. The appropriate response to address the backlog is to increase the determination rate, either through additional resource or a change to process. A streamlined process has been adopted and is largely still in place, however the levels of scrutiny that currently exist from applicants and objectors means that on most occasions a fully streamlined process is not achievable. A typical investigation can take approximately 6 months to determine (allowing for consultation periods).

**3.9.** Due to difficulties with staff retention and recruitment, the use of consultants was trialled on a small number of applications. Following a successful recruitment exercise no further applications have been assigned to consultants. There were concerns raised about the quality of the consultants' reports. Whilst the reports were not in the standard Council format, their content was deemed sufficient to enable a decision to be taken. Any future use of consultants would see them use the Council's template for consistency.

**3.10.** The size of the backlog has reduced slightly in the last year, but will be subject to fluctuation, and there is the possibility it will increase further as the 2026 cut-off date approaches.

**3.11.** Applicants do have a right to appeal should their applications not have been

determined within 12 months of receipt. The Deregulation Act 2015 contains a provision that this appeal process will switch from the Secretary of State (SoS) to the Magistrates' Court. This change would mean appellants paying a court fee, where currently there is no charge to appeal to the SoS. It is considered that this change (yet to be implemented) has been part of the reason behind a considerable increase in the number of appeals in the last 3 years. In parallel there has been a change in response from the SoS to such appeals. Historically such appeals were dismissed, whereas now the SoS is directing the Council to determine them within a set timescale (varying from 6 months – 4 years so far). This change in approach is replicated across the country. There are currently 27 applications subject to a direction. It is not always possible to meet the timescale set by the SoS.

### **3.12. Statement of Priorities**

DEFRA advises that the SoS, when determining a non-determination appeal, will consider any statement that the local authority produces that sets out their priorities in relation to DMMO applications. This statement is often referred to as a Statement of Priorities. It is believed the Council has had such a statement in place for more than 15 years. The current version is appended to this report.

**3.13.** The current SoP refers to a scoring mechanism to prioritise applications, which was a product of the Rights of Way Improvement Plan 2006. In 2011 applications were scored with a view to scoring rounds taking place every 5 years to ensure a degree of chronology to the system. Applicants submitting DMMO applications after 2011 were assured they would be scored in 2016. The scoring round in 2016 was put on hold pending consideration of a revision to the SoP. The 2016 scoring round, along with the size of the backlog, and increase in non-determination appeals led to a review of the SoP, which is now nearing a conclusion. The latest draft, along with the 2011 scored list and the list of applications since 2011 (unscored), are appended to this report.

**3.14.** It is not expected that the draft SoP, if adopted, will prevent non-determination appeals or resulting directions from the SoS. However, a few important changes are proposed as follows:

- Where there is a direction from the Secretary of State to determine an application within a specified timeframe the application will be prioritised (reflecting current practise).
- The current scored list of applications will continue to be investigated in scored order, and unscored applications will be investigated thereafter in chronological order.
- Investigations initiated by the County Council will be treated as 'applications' for the purposes of this policy (reflecting current practise).
- Applications in relation to paths where a decision has already been reached by the Authority will not be treated differently in terms of priority simply because they are second applications. Previously such applications were given less priority than first applications. However, a disadvantaged applicant or landowner may well find additional evidence to support their position and reverse any previous decision. Arguably if such evidence is found, the application should be given no greater or lesser priority than a first application.

### **3.15. Register of DMMO applications**



There is a statutory requirement to publish a register of DMMO applications. This can be found at <http://roam.somerset.gov.uk/roam/Dashboard/Welcome>. Details of who has made the applications is also available via this website. By far the greatest type of applicant are the equestrian users, responsible for over 80% of applications. Current off-road provision for equestrians is poor outside of the protected landscapes, hence the applications from equestrian associations or individuals are for adding bridleways/ restricted byways or upgrading of existing footpaths to bridleways/ restricted byways.

- 3.16.** Given not all applications are successful it is difficult to speculate too much as to the reasons for a high level of applications from the equestrian sector. However, possible reasons are that; not all rights were captured when the Definitive Map was first produced (1950s-70s), and the particular geography of Somerset with numerous drove roads potentially provides for a greater number of physical routes compared to other authorities and that these routes may carry public rights.

**3.17. Costs of processing DMMO applications**

A rough cost estimate of investigating an application to the point of determination (based on current resource and determination rate per annum) is £4,000 (inclusive of on-costs). Once determined there are a number of routes an application could take with different officer costs associated with each.

Applications, where they are not controversial or contentious, are determined under delegated powers. Where they are controversial or contentious, then they are recommended to the Regulation Committee for a decision. The approximate split is 50/50. Preparing a determination to go to Committee attracts additional Rights of Way officer time in the region of £500-600.

**3.18. Legal support and costs**

Legal support for the Maintenance & Development functions is very ad-hoc and is almost entirely internal apart from for occasional development-related legal agreements that are outsourced and funded by the developer.

Legal support for DMMO applications prior to decision is generally only called upon when the decision is taken by the Regulation Committee, i.e.: where the case is controversial or contentious. The cost of this support per Committee (assuming usually one Rights of Way item per Committee) is estimated to be £1300-1500. Combined legal support and rights of way officer costs for applications being determined by Regulation Committee equates to c.£6000.

Where determinations result in a public inquiry being held, advocacy support is generally sought. This tends to be a Rights of Way specialist, as opposed to a legally trained professional. Preparation and attendance at a 3-day inquiry can cost in the region of £2000.

**3.19. Town & Village Green applications**

Whilst there are only a handful of applications, it is not unusual for those applications intended as a possible way of preventing development, to be controversial or contentious. In such circumstances it is the Regulation Committee that makes the decision. To support the Committee in coming to a decision it is common practise for Councils to instruct a barrister to hear the evidence at a non-statutory public inquiry and come to a recommendation. A

standard inquiry would be 3 days and the Council sets aside £15,000 for the cost of such an inquiry.

#### **4. Consultations undertaken**

**4.1.** The draft SoP has undergone consultation with the Local Access Forum and with the Regulation Committee in September. The decision to adopt the draft will be taken in the coming weeks.

#### **4.2. Approach of other Councils**

It is understood that there are only 3 or 4 Councils in a similar position, although this may be a changing picture with the revenue support grant reduction and the 2026 cut-off date approaching. At one such authority, applications were dealt with by the legal services team and were not considered a high priority. Another authority has triple the officer resource for tackling their sizeable backlog.

**4.3.** In general, the legislation does constrain what is achievable in dramatically increasing productivity when it comes to determining modification applications. Contact was made recently with Northumberland County Council, as we were made aware that they had a backlog (less than half the size of Somerset's), which they have since managed to eliminate with a similar staff resource. This was achieved over the space of a decade and centred on reduced analysis of evidence, leaving the Secretary of State to consider the finer details and arguments should a decision be appealed or objected to. The application receipt rate was much lower than in Somerset and they also had a lower percentage of appeals/ objections. It was also based upon a stable and experienced workforce, something that we are striving towards.

**4.4.** As previously referenced, the current level of scrutiny on determination reports in Somerset makes a lighter analysis of evidence more difficult. There would likely be criticism from both the applicant and affected landowners/ objectors as and when decisions were not in their favour, for not considering the evidence in sufficient detail. The Council currently has a good record in decisions being upheld by the SoS and there is a danger that reducing the analysis would lead to that reputation changing and the quality and impartiality of officer reports attracting greater scrutiny and criticism. Officers continue to examine how investigations and reports can be streamlined to achieve greater efficiencies without losing quality. The similarity of evidence in many of the applications enables some of the analysis to be replicated across reports.

**4.5.** Research has shown that there is one Council (Norfolk CC) that have taken the decision that where possible a neutral stance will be taken at public inquiries. In such circumstances it would generally fall to the applicant to support the decision of the Council at the public inquiry. The expectation of the SoS is that the decision made by the Council would be supported by the Council at any resulting inquiry.

#### **5. Implications**

##### **5.1. DMMO applications**

There are currently 3 areas where the performance falls below what might be considered to be acceptable:

- The timescale for determinations from receipt of application is longer

than a fair interpretation of 'as soon as reasonably practicable'.

- The capacity to refer opposed orders to the SoS is being hampered by concentrating on meeting SoS directions.
- The cumulative effect of SoS directions (currently 27) and their short timescales means that the deadlines are increasingly being missed.

**5.2.** The implications of the above are largely reputational. There is no set timescale for determining an application. There is no apparent course of further action where the Council fails to meet SoS direction deadlines.

To avoid the backing up of too many opposed orders awaiting referral to the SoS, the workload balance is now being altered to ensure that this workstream resumes alongside continuing to attempt to meet SoS directions. With no additional resource this will likely result in the determination rate being affected and the degree by which SoS directions not being met, increasing.

**5.3.** To address, in part, the above implications, the Service contends that an additional 4 investigating officers would greatly assist, although it is recognised that such an investment may be difficult in the current financial situation.

## **6. Background papers**

**6.1.** See appendices

**Note** For sight of individual background papers please contact the report author

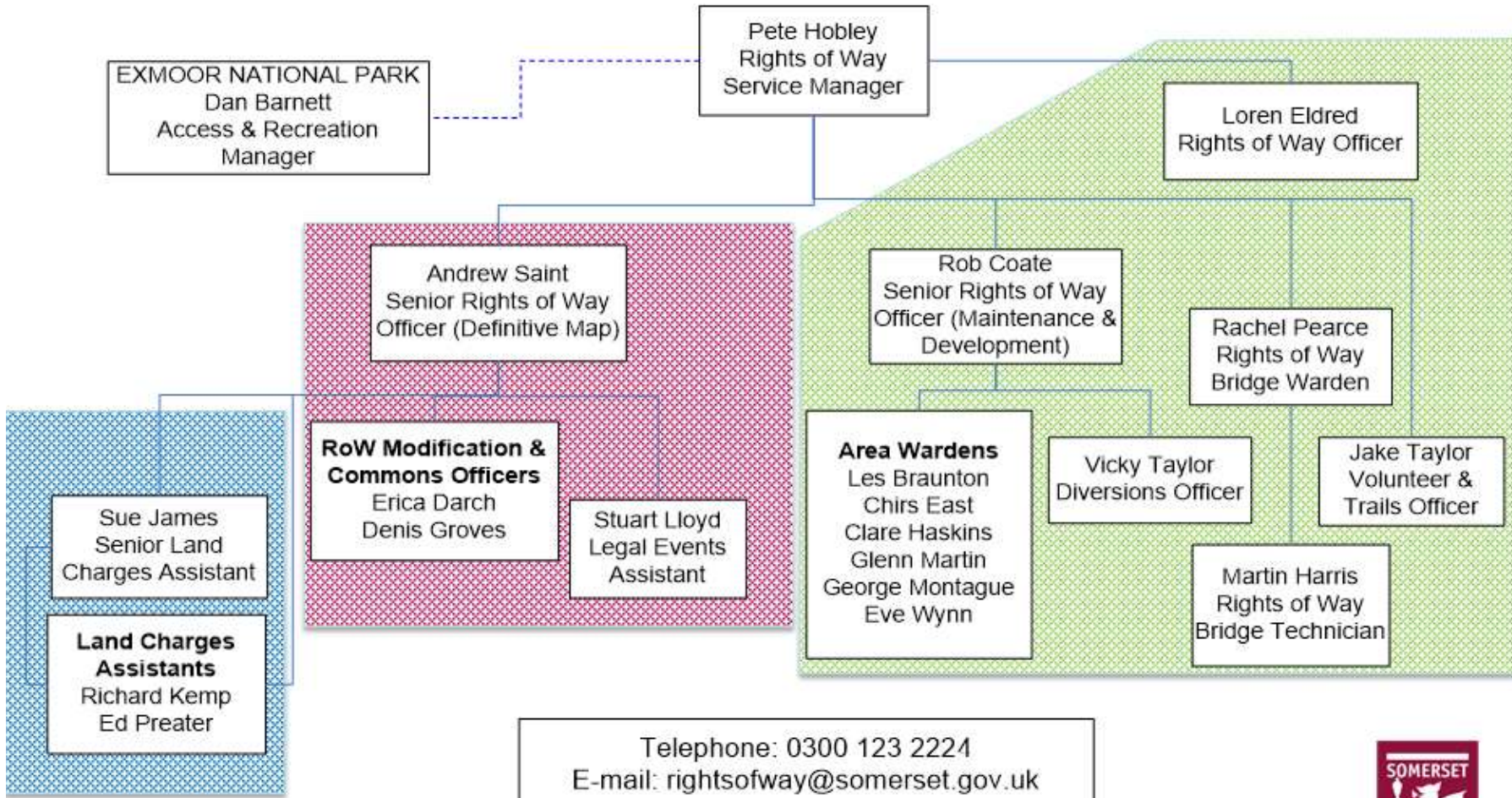
### **Appendices**

- Appendix 1 Rights of Way Service Staff Structure
- Appendix 2 Statement of Priorities
- Appendix 3 Draft Statement of Priorities 2018
- Appendix 4 Scored and unscored list of DMMO applications

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# Rights of Way Service



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## APPENDIX 2

### REVISED “STATEMENT OF PRIORITIES”

#### WILDLIFE AND COUNTRYSIDE ACT 1981 - Section 53 Applications

The new statement to consist of the following priorities: -

##### Applications for Definitive Map Modification Orders

1. To investigate all applications by using the Rights of Way Improvement Plan (RoWIP) Scorecard to determine their order of investigation unless\*:-
  - The path concerned has been identified as an important link in the Local Transport Plan (LTP);
  - the path concerned is likely to disappear as a result of development;
  - an affected party can demonstrate that they are experiencing exceptional significant problems due to an application that impacts on their property\*\*;
  - The path concerned is subject to a Section 130 notice and the County Council is satisfied that there is cogent evidence that the status or route of the path is in dispute.
2. To give priority to first applications for modifications of the Definitive Map and Statement over second and subsequent applications on paths where a decision has already been reached by the Authority.
3. To continue to accept applications for modifications to the Definitive Map and Statement up to the cut off date of 2026.

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\* *Applications submitted during the term of a Rights of Way Improvement Plan will only be Scorecarded following a RoWIP review.*

\*\* *Any request to take an application out of turn will be considered by the Regulation Committee. Parties must make an initial request to the Local County Councillor or Chairman of the Regulation Committee for the matter to be considered. It is expected that this clause will apply in exceptional circumstances only, in accordance with Section 8.9 of Appendix C to the Constitution of the County Council.*

Date: October 2011

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## APPENDIX 3

### The Definitive Map and Statement of Rights of Way Statement of Priorities

1. This statement sets out how Somerset County Council prioritises the investigation of applications to modify the legal record of public rights of way known as the Definitive Map and Statement. For the purpose of this document the term 'application' is used in a broad sense and encompasses both:

- i) applications made under section 53(5) of the Wildlife and Countryside Act 1981 (including applications for which the County Council has waived the requirement for strict compliance with Schedule 14 of the 1981 Act); and
- ii) cases which are not subject to an application made under section 53(5) but which the County Council have nevertheless undertaken to investigate of its own accord.

2. Applications which were received by or before 28 November 2011 and which were scored under the previous Statement of Priorities will ordinarily be investigated in scored order (those with the highest score being investigated first).

3. Applications received since 28 November 2011 will ordinarily be investigated in chronological order of receipt with the oldest applications being investigated first.

4. Subject to the provisions below, all applications received by or before 28 November 2011 will be investigated before the investigation of those applications received since that date.

5. Applications can be investigated out of their normal order (i.e. the order set out in paragraphs 2 to 4 above) in the following circumstances:

- i) where it is determined that an application should be investigated out of turn in accordance with paragraph 6 below; or
- ii) where the application is subject to a direction made by the Secretary of State under paragraph 3(2) of Schedule 14 to the Wildlife and Countryside Act 1981; or
- iii) where the application is being considered as part of a batch pursuant to paragraph 7 below

The order in which applications prioritised under this paragraph are investigated will be at the discretion of the Rights of Way Service Manager.

6. Applications will only be taken out of turn in accordance with paragraph 5(i) in exceptional circumstances, having regard to the existence of the following:

- i) the path concerned is subject to a Small Improvement Scheme or is identified /affected by any Future Transport Plan;
- ii) the claimed rights are likely to be obstructed as a result of development;
- iii) an affected party can demonstrate that:
  - a) they are experiencing exceptional problems due to an application that impacts on their property, and
  - b) their out of turn request has the support of the Chairman of the Regulation Committee and/or the local County Councillor;
- iv) the path concerned is subject to a Section 130A notice and the County Council is satisfied that there is cogent evidence that:
  - a) the status or alignment of the path is in dispute; and
  - b) the resolution of that dispute would enable the County Council to respond with greater certainty to the Section 130A notice.

7. In order to make the most efficient use of resources, applications may be batched together. In such cases applications which would otherwise be of a lower priority will be brought forward to be investigated with an application which is about to be investigated. All batching will be at the discretion of the Rights of Way Service Manager.

## APPENDIX 4

\*Shaded rows are applications that have been determined

### SCORED LIST

Priority No.	DMMO ID	Grouping with other apps	Parish	Reason
	664		High Ham	
1	509		Chapel Allerton	
2	588		Hardington Mandeville	
3	616	and 619	Crewkerne	Upgrade
4	733		Brompton Regis	
5	707		Brympton/West Coker	
6	703		Chapel Allerton	
7	512		Chaffcombe	
8	656		Wellington	
9	607	and 608, 609	Pitney	Upgrade
10	651		West Buckland	
11	617		Crewkerne	Upgrade
12	671		East Coker	
13	508		Clatworthy	
14	595		Winsham	Upgrade
15	708		Yeovil Without	
16	561		Merriott	
17	516		Tatworth & Forton	Upgrade
18	519		Tatworth & Forton	Upgrade
19	511	and 510 (formerly no 45in queue)	Ashill	Upgrade and Add
20	567		Merriott	Upgrade
21	576		South Petherton	Upgrade
22	714		Cutcombe	Upgrade
23	717		Moorlinch	Add
24	565		Merriott	Upgrade
25	562		Merriott	
26	579	and 580, 581	South Petherton	Upgrade AND Add
27	643		Charlton Musgrove	Upgrade
28	517		Tatworth & Forton	
29	650		North Cadbury	Upgrade
30	652	and 653, 654	Barton St David	Upgrade, Add, Upgrade
31	566		Merriott	Upgrade
32	710		High Ham	Upgrade and Add
33	603	and 604	West/East Chinnock	upgrade
34	641		Whitestaunton	Upgrade
35	635		Charlton Mackrell	Upgrade and Add
36	525		Combe St Nicholas	Upgrade
37	642		Cucklington	Upgrade
38	522		Tatworth & Forton	Add
39	582		South Petherton	Upgrade
40	507		Otterhampton	Add
41	526		Combe St Nicholas	Upgrade
42	553		Drayton	Upgrade
43	711	and 712	High Ham	Add
44	523		Tatworth & Forton	Add and Upgrade

<b>45</b>	510	now with 511 No 19 in queue	Ashill	Add and Upgrade
<b>46</b>	544		Kingsbury Episcopi	Upgrade
<b>47</b>	589	and 590, 591	Hardington Mandeville	Add and Upgrade
<b>48</b>	662		Dowlish Wake	Add
<b>49</b>	592		Hardington Mandeville	Upgrade
<b>50</b>	673	and 674, 675	Combe St Nicholas	Upgrade
<b>51</b>	684		Aller	Add and Upgrade
<b>52</b>	719		Stogumber/Monksilver	Upgrade
<b>53</b>	718		Stogumber/Elworthy	Upgrade
<b>54</b>	722		Treborough	Upgrade
<b>55</b>	734		Winsford	Upgrade
<b>56</b>	720		Winsford	Upgrade
<b>57</b>	721		Winsford/Exton	Upgrade
<b>58</b>	732		Broomfield	Upgrade
<b>59</b>	578		South Petherton	Upgrade
<b>60</b>	672		Bridgwater	Add
<b>61</b>	716		Timberscombe	Upgrade
<b>62</b>	728		Spaxton	Upgrade
<b>63</b>	731		Broomfield	Upgrade
<b>64</b>	599		Barrington/Shepton Beauchamp	Upgrade
<b>65</b>	529		Combe St Nicholas	Add
<b>66</b>	513		Chaffcombe	Add & Upgrade
<b>67</b>	534		Ilminster Chilthorne Domer/Yeovil	Upgrade
<b>68</b>	706		Without	Add
	546		Kingsbury Episcopi	
<b>70</b>	613	and 614	Crewkerne	Upgrade
<b>71</b>	514		Chaffcombe	
<b>73</b>	704		St Cuthbert Out	Add
<b>74</b>	647		West Crewkerne	Add
<b>75</b>	601	and 602	Barrington	Upgrade and Add
<b>76</b>	524		Chard Town/Chaffcombe	Add and Upgrade
<b>77</b>	552		Drayton	Add
<b>78</b>	698		Somerton	Add
<b>79</b>	545		Kingsbury Episcopi	
<b>80</b>	715		Exford	
<b>81</b>	725		Cutcombe	Upgrade
<b>82</b>	702		High Ham	Add
<b>83</b>	549		Drayton	Add
<b>84</b>	571		Broadway	Add
<b>85</b>	627		Kingsdon Shepton Beauchamp/South Petherton	Upgrade
<b>86</b>	574	and 575		Upgrade
<b>87</b>	586		Corton Denham	Add
<b>88</b>	676		Mudford	Add
<b>89</b>	531	and 532	Ilminster	Upgrade
<b>90</b>	577		South Petherton	Add
<b>91</b>	584	and 585	South Petherton	Upgrade
<b>92</b>	612		Somerton	Add
<b>92</b>	587		Hardington Mandeville	Add
<b>94</b>	521	(see 515 file)	Tatworth & Forton	
<b>95</b>	537		Puckington/Stocklinch	Upgrade
<b>96</b>	528		Chard	Upgrade

<b>97</b>	518		Tatworth & Forton	
<b>98</b>	644		Charlton Musgrove	Add
<b>99</b>	628		Kingsdon	
<b>100</b>	638		Castle Cary/Pitcombe	Upgrade
<b>101</b>	631		Combe St Nicholas	Add and Upgrade
<b>102</b>	649		Edington	Add
<b>103</b>	533		Ilminster	Upgrade
<b>104</b>	605		Fivehead	Upgrade
<b>105</b>	615	and 618, 622, 623, 624	Crewkerne/Merriott	Upgrade
<b>106</b>	727		Carhampton	Upgrade
<b>107</b>	724		Brompton Regis	Upgrade
<b>108</b>	723		Crowcombe	Upgrade
<b>109</b>	726		Carhampton	Upgrade
<b>110</b>	636		Charlton Mackrell	Add and Upgrade
<b>111</b>	640		Chiselborough	Add
<b>112</b>	583		South Petherton	
<b>113</b>	661		Martock	Add and Upgrade
<b>114</b>	573		Shepton Beauchamp	Add
<b>115</b>	701		High Ham	Add
<b>116</b>	692	and 693, 694, 695	Somerton/Compton Dundon	Add
<b>117</b>	530		Dinnington	Add
<b>118</b>	697		Somerton	Add
<b>119</b>	709		Somerton	Add
<b>120</b>	630	and 632, 633	Combe St Nicholas	Add and Upgrade
<b>121</b>	596	and 678,679,680	Winsham	Add and Upgrade
<b>122</b>	705		Pilton	Add
<b>123</b>	639		Castle Cary/North Barrow	Upgrade
<b>124</b>	563	and 564	Merriott	
<b>125</b>	637		Charlton Mackrell	Upgrade and Add
<b>126</b>	677		Winsham/Wayford	Add
<b>127</b>	568	and 569, 570	Broadway	Add
<b>128</b>	629		Combe St Nicholas	Add
<b>129</b>	538	and 539	Isle Abbots	Upgrade and ADD
<b>231</b>	515	and 521	Tatworth & Forton	Upgrade
<b>131</b>	527		Combe St Nicholas	Upgrade
<b>132</b>	657	and 658, 659, 660	North Curry	Add
<b>133</b>	620	and 621	Merriott	Add and Upgrade
<b>134</b>	506		Cheddar	Upgrade
<b>135</b>	646		Abbas & Templecombe	Upgrade
<b>136</b>	610	and 611	Pitney	Add
<b>137</b>	648		West Crewkerne	Add
<b>138</b>	606		Fivehead	Upgrade and Add
<b>139</b>	593	and 594	Closworth	Upgrade and Add
<b>140</b>	685	and 686, 687, 688, 689, 690	Curry Rivel	Add
<b>141</b>	535	and 536	Puckington	Add and Upgrade
<b>142</b>	572		Broadway	Add
<b>143</b>	645		Charlton Musgrove/Wincanton/Bratton Seymour	Add and Upgrade
<b>144</b>	550		Kingsbury Episcopi	Add

145	625	and 626	West Crewkerne	Upgrade
146	713		Montacute/Chilthorne Domer	Add
147	663		North Perrott	Upgrade
148	551		Kingsbury Episcopi	Upgrade
149	520		Tatworth & Forton	Upgrade
150	691	and 696, 699, 700	Somerton/Compton Dundon	Upgrade and Add
151	670		Marston Magna	Upgrade and Add
152	668	and 669	Babcary/South Barrow	Upgrade and Add
153	547	and 548	Kingsbury Episcopi	Upgrade
154	597	and 598, 600 and 555, 556, 557, 558, 559,	Barrington	Add and Upgrade
155	554	560	Long Sutton Isle	Upgrade and Add
156	540	and 541, 542, 543	Abbots/Beercrocombe/Ilton	Upgrade and Add
157	681	and 682, 683	Huish Episcopi	Add and Upgrade

## UNSCORED LIST

Priority No.	DMMO ID	Parish	Reason
	735	Wellington Without	ADD and Delete
	736		
	737		
	738	Shepton Mallet	ADD
	739	Broomfield	UPGRADE
	740	Broomfield	UPGRADE
	741	Broomfield	UPGRADE
	742	Milverton	ADD
	743	Stoke St Gregory	ADD
	744	Stoke St Gregory	ADD
	745	Burrowbridge	ADD
	746	Stoke St Gregory	ADD and UPGRADE
	747	Stoke St Gregory	ADD
	748	Stoke St Gregory	ADD
	749	Stoke St Gregory	ADD
	750	Stoke St Gregory	ADD and UPGRADE
	751	North Curry	ADD
	752	North Curry	ADD and UPGRADE
	753	North Curry	ADD
	754	North Curry	ADD
	755	North Curry	ADD
	756	Lyng	ADD
	757	Burrowbridge	ADD
	758	Burrowbridge	add - RB
	759	Burrowbridge	add - RB
	760	North Petherton	ADD
	761	North Petherton	add a RB and upgrade section of footpath 'BW 23/41'
	762-1	North Petherton	upgrade to RB
	762-2	North Petherton	upgrade to RB

763	Stoke St Gregory	add - RB
764	Old Cleeve	upgrade to RB
765	Old Cleeve	add - RB
766	Upton	add - RB
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795	Ilminster	Upgrade
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809	Compton Bishop	Vary particulars
810	Compton Bishop	New
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815		

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818		
819		
820	Chedar, Axbridge	Upgrade
821		
822		
823		
824		
825		
826	Whitestaunton	Upgrade
827	North Petherton	Add R/Byway
828	Kingsbury Episcopi	Upgrade and Add R/Byway
829	Milverton	Upgrade and Add R/Byway
830	East Pennard	Add R/Byway
831	Ptney	Upgrade
832	East Pennard	Add R/Byway
833	East Pennard	Add R/Byway
834	West Bradley	Upgrade to R/Byway
835	Muchelney	Add R/Byway
836	Fivehead / Curry Rival	Add R/Byway
837	Fivehead	Add R/Byway
838	Muchelney	Add R/Byway
	Aller, Huish Episcopi and	
839	Langport	Add R/Byway
840	North Curry	Upgrade footpath to Bridleway
841	Ashill	Add R/Byway
842	Aller	Add R/Byway
843	East Pennard	Add R/Byway
844	Bruton	Upgrade to R/Byway
845	Creech St. Michael	Add Bridleway
846	Creech St. Michael	Upgrade and Add Bridleway
847	Bruton	Upgrade to Bridleway
848	Carhampton	Add footpath
849	Ashill	Adding a restricted byway.
850	North Petherton	Adding a restricted byway.
851	Sparkford & Q Camel	Upgrade to Bridleway
852	Spaxton	Upgrade to Restricted Byway
853	Bruton	Add a restricted byway
854	Selwood	Add a footpath
855	Wedmore	Vary particulars
856	Porlock	Upgrade to Bridleway
857	Yeovil	Add Footpath
858	Queen Camel	Upgrade and Add bridleway
859	Queen Camel	Upgrade and Add bridleway
861	Yeovilton	Upgrade to restricted Byway



## Community Leisure Services

Lead Officer: Michèle Cusack, Director – Economic & Community Infrastructure Commissioning (01823 359003)

Author: Jonathan Doyle, Service Manager for Commissioning, Community Infrastructure & Claire Lovett, Head of Property

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Cabinet Member: Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure

Division and Local Member: Various

### 1 Summary

**1.1** In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as '1610 Ltd') to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

**1.2** If approved, the proposed key decision paper will authorise:

(1) the Council to cease commissioning community leisure services at the following sites upon expiry of the existing contract with 1610 Ltd on 31 March 2019:

- Mendip – Glastonbury (St. Dunstan's Academy);
- Sedgemoor - Highbridge (The King Alfred School);
- South Somerset - Castle Cary (Caryford at Ansford Academy), Crewkerne (Wadham School), Stoke-sub-Hamdon (Stanchester Academy) and Yeovil (Preston School Academy);
- Taunton Deane - Taunton (The Castle School);
- West Somerset - Minehead (West Somerset College).

(2) Senior officers to negotiate the transfer of the County Council's residual leisure assets to the host schools / academies (where appropriate and where transfer has not already taken place through academisation).

### 2 Issues for consideration / Recommendations

**2.1** Committee are asked to scrutinise and comment upon the contents of the proposed Cabinet Decision key decision report (attached as appendix A).

**2.2** In doing so, the Committee should:

- have regard to the Equalities Impact Assessments set out in the appendices to the report;
- note that two schools have signed 1610 into longer term leases beyond 2019 to ensure continuation of leisure services on their sites.

### **3 Background**

- 3.1** The history of the leisure trust is set out in the key decision report. Essentially, the externalisation of the community leisure services in 2009 enabled 1610 (or 'Somerset Leisure Ltd' as the Trust was originally known) to retain the responsibility for the operational management of the sites as well as the strategic development of the leisure and sporting activities.
- 3.2** Each of the centres were intended to fulfil a dual function in meeting the statutory requirements for PE curriculum space and encouraging access to leisure facilities to members of the local communities who are able to access the sports halls, artificial pitches, squash courts and fitness suites when not in use by pupils.
- 3.3** A number of other sites were originally included in the contract. The leisure provider vacated these establishments at various points throughout the contract term either due to changes in lease arrangements or, more recently in the case of Cresta, through negotiation.
- 3.4** The precise site ownership and legal arrangements at each facility are complex and vary from site to site, particularly since the change in the relationship between the County Council and schools under the school academisation programme.
- 3.5** Officers have been working with 1610 on the development of a comprehensive exit strategy for each site in order to manage the expiration of the contract term effectively.
- 3.6** The County Council does not intend to impose a requirement for community leisure services to continue to be available when leisure assets are transferred to them. It is acknowledged that some community leisure services could cease in the future as a result of the proposed decision.
- 3.7** Provision of community leisure is a non-statutory service.

### **4 Consultations undertaken**

- 4.1** There is no statutory duty to consult with members of the public on the proposal to cease commissioning community leisure services.
- 4.2** The County Council has consulted a number of key stakeholders and partners in recent months including 1610 Ltd and the host schools.

### **5 Implications**

#### **5.1 Equalities Implications**

A number of equalities impact assessments (EIAs) have been undertaken and will be appended to this committee report. They acknowledge that some people, including the elderly and those with disabilities, may find it more difficult to access alternative provision.

#### **5.2 Community Safety Implications**

It is acknowledged that sport and community leisure can play a part in reducing young people's anti-social behaviour.

By ceasing to commission community leisure provision, it means the County Council is more able to focus on services that provide care and support to vulnerable people across Somerset.

### **5.3** Sustainability Implications

The divestment of assets to schools helps to ensure the sustainability of providing curriculum leisure facilities.

Any future reduction of services to the local community could lead to increased car use as people travel to alternative community leisure providers.

### **5.4** Health and Safety Implications

The transfer of leisure assets to the schools / academies will ensure that safeguarding of young people remains of paramount importance.

### **5.5** Privacy Implications

All applicable laws and regulations, including the General Data Protection Regulation, relating to processing of personal data and privacy, will be adhered to.

### **5.6** Health and Wellbeing Implications

It is medically proven that people who do regular physical activity have a much lower risk of coronary heart disease and stroke, type 2 diabetes, cancers, depression and dementia.

## **6** **Background papers**

### **6.1** There are 21 appendices to this report:

- Proposed key decision report (appendix A)
- Confidential appendix (appendix B)
- Map showing the locations of the sites (appendix 1)
- Heat-maps, catchment profiles and EIAs for each of the sites (appendices 2-19)

### **6.2** A decision in January 2017 authorising officers to proceed with a review of the County Council's involvement in leisure provision leading to this proposed decision can be accessed at:

<http://democracy.somerset.gov.uk/ieDecisionDetails.aspx?ID=229>

### **6.3** One of the former sites referenced in point 3.3 (Cresta in Chard) has recently been subject to a separate decision that can be accessed at:

<http://democracy.somerset.gov.uk/mgIssueHistoryHome.aspx?IId=3898&PlanId=175>

**Note:** For sight of individual background papers please contact the report author

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## Community Leisure Services post-2019

Cabinet Members: Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure

Division and Local Members: Please refer to list below

Lead Officer: Michèle Cusack, Director – Economic & Community Infrastructure Commissioning (01823 359003)

Author: Jonathan Doyle, Service Manager for Commissioning, Community Infrastructure & Claire Lovett, Head of Property

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	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>																
	County Solicitor	Honor Clarke	01/11/18																
	Monitoring Officer	Scott Wooldridge	05/11/18																
	Corporate Finance	Peter Lewis	01/11/18																
	Human Resources	Chris Squire	01/11/18																
	Property/Procurement/ICT	Simon Clifford	05/11/18																
	Senior Managers including Commissioning	Paula Hewitt & Michèle Cusack	01/11/18																
	Local Members	<table border="0"> <tr> <td>Cllr Mike Best</td> <td>Cllr Mike Lewis</td> </tr> <tr> <td>Cllr Neil Bloomfield</td> <td>Cllr Liz Leyshon</td> </tr> <tr> <td>Cllr Mandy Chilcott</td> <td>Cllr Jane Lock</td> </tr> <tr> <td>Cllr Simon Coles</td> <td>Cllr Tony Lock</td> </tr> <tr> <td>Cllr Giuseppe Frascini</td> <td>Cllr Faye Purbrick</td> </tr> <tr> <td>Cllr John Hunt</td> <td>Cllr Hazel Prior-Sankey</td> </tr> <tr> <td>Cllr Andy Kendall</td> <td>Cllr Terry Napper</td> </tr> <tr> <td></td> <td>Cllr John Woodman</td> </tr> </table>	Cllr Mike Best	Cllr Mike Lewis	Cllr Neil Bloomfield	Cllr Liz Leyshon	Cllr Mandy Chilcott	Cllr Jane Lock	Cllr Simon Coles	Cllr Tony Lock	Cllr Giuseppe Frascini	Cllr Faye Purbrick	Cllr John Hunt	Cllr Hazel Prior-Sankey	Cllr Andy Kendall	Cllr Terry Napper		Cllr John Woodman	
Cllr Mike Best	Cllr Mike Lewis																		
Cllr Neil Bloomfield	Cllr Liz Leyshon																		
Cllr Mandy Chilcott	Cllr Jane Lock																		
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Cllr Giuseppe Frascini	Cllr Faye Purbrick																		
Cllr John Hunt	Cllr Hazel Prior-Sankey																		
Cllr Andy Kendall	Cllr Terry Napper																		
	Cllr John Woodman																		
	Cabinet Members	Cllr Mandy Chilcott, Cabinet Member for Resources Cllr David Hall, Cabinet Member for Economic Development, Planning and Community Infrastructure Cllr Christine Lawrence, Cabinet Member for Public Health and Well-Being Cllr Frances Nicholson, Cabinet Member for Children & Families																	
	Opposition Spokesperson	Cllr Simon Coles, Opposition Spokesman for Economic Development, Planning and Community Infrastructure																	
	Relevant Scrutiny Chairman	Cllr Anna Groskop for Scrutiny Policies and Place																	
<b>Forward Plan Ref</b>	FP/18/03/06																		

<p><b>Summary</b></p>	<p>In August 2009, the County Council entered into an agreement with Somerset Leisure Limited (now known as '1610 Limited') to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.</p> <p>In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision. This decision paper sets out the recommended course of action for decommissioning community leisure provision. One of the sites, Cresta in Chard, has recently been subject to a separate decision on 29 August 2018 (which can be viewed on the Council's website at <a href="http://democracy.somerset.gov.uk/mglIssueHistoryHome.aspx?Ild=3898&amp;PlanId=175">http://democracy.somerset.gov.uk/mglIssueHistoryHome.aspx?Ild=3898&amp;PlanId=175</a>).</p>
<p><b>Recommendations:</b></p>	<p><b>That the Cabinet Member for Economic Development, Planning and Community Infrastructure:</b></p> <p><b>1. authorises the Council to cease commissioning community leisure services at the following sites upon expiry of the existing contract with 1610 Limited on 31 March 2019 (or, for individual sites, at an earlier date if the asset transfers referred to in recommendation 2 below are concluded sooner):</b></p> <ul style="list-style-type: none"> <li>• Mendip – Glastonbury (St. Dunstan's Academy);</li> <li>• Sedgemoor - Highbridge (The King Alfred School);</li> <li>• South Somerset - Castle Cary (Caryford at Ansford Academy), Crewkerne (Wadham School), Stoke-sub-Hamdon (Stanchester Academy) and Yeovil (Preston School Academy);</li> <li>• Taunton Deane - Taunton (The Castle School);</li> <li>• West Somerset - Minehead (West Somerset College).</li> </ul> <p><b>2. authorises the Lead Director for Economic &amp; Community Infrastructure and Director of Commissioning to negotiate the transfer to the relevant Academy Trusts of the County Council's residual leisure assets at Castle Academy, St. Dunstan's Academy and West Somerset College (being those sites where transfer of the leisure assets has not already taken place through academisation).</b></p> <p><b>3. authorises the Lead Director for Economic &amp; Community Infrastructure, the Director of Commissioning, the Director of Finance and the Head of Corporate Property to negotiate the most appropriate disposal of the building and land that housed the recently decommissioned Cresta swimming pool at Zembard Lane in Chard.</b></p> <p><b>4. agrees the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential appendix (number 20) in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.</b></p>

<p><b>Reasons for Recommendations:</b></p>	<p>The County Council does not have a statutory duty to provide community leisure services. The Council’s budget is under significant pressure and there is a need for the organisation to live within its means focusing on its statutory services, in particular those delivered to vulnerable people.</p> <p>The accompanying confidential Appendix 20 contains commercially sensitive information relating to the contract and the Council’s financial and business affairs. Officers recommend that this is treated as exempt information. “Exempt information” is defined by Section 100 of the Local Government Act 1972, by Schedule 12A to that Act.</p>
<p><b>Links to Priorities and Impact on Service Plans:</b></p>	<p>This decision will support the County Council’s Medium Term Financial Plan that forecasts and monitors both revenue expenditure (day-to-day running costs of providing services) and capital expenditure (long-term investment in infrastructure) and the more pressing Financial Imperative work in the current financial year.</p> <p>It is acknowledged that this decision may have a negative impact on the County Council’s vision of the County Plan and the Health and Wellbeing Strategy for Somerset (2013 – 2018). However, market availability of leisure services has been considered as part of this report.</p>
<p><b>Consultations and co-production undertaken:</b></p>	<p>The County Council has consulted a number of key stakeholders and partners in recent months:</p> <p><u>(1) 1610 Limited</u></p> <p>The County Council has held talks with 1610 Limited who was provided an open invitation to submit proposals for developing long-term provision at the current sites. At the same time, officers from the County Council and 1610 Limited have worked collaboratively on an exit strategy.</p> <p><u>(2) Host Schools</u></p> <p>The County Council has been in contact with representatives of the host schools and have met with school business managers, PE staff and principals. A workshop has been held with schools to help them decide whether they wished to provide community leisure facilities themselves. The Council will continue to work with the provider and the schools (which may include meetings with governing bodies and/or academy trusts) until the end of the contract.</p>

## Background

Many of the community leisure facilities were originally funded through successful National Lottery awards: Sport England invested over £16m in new sports facilities in Somerset in the late 1990s, including the sites on which 1610 currently operate. Many of the funding agreements are now time-expired.

## Current Management Fee

The County Council currently pays an annual management fee to 1610 Limited to provide community leisure services at the various sites.

The current management fee for the 2018/19 financial year is £927.1k. Of this, £766.5k is funded by revenue-based budget in the Economic and Community Infrastructure Service and a contribution of £155.6k is received from the Central School Services Block combined budget within the Dedicated Schools' Grant.

The County Council receives no other contributions towards the cost of the management fee.

Although it is possible that some residual costs will need to be met in financial year 2019/2020, the savings realised from not commissioning community leisure services in the future will contribute to bridging the County Council's identified budget shortfall.

## Management Fee Changes since 2009

The calculation of the management fee is based on a number of costs that change from year to year, such as the national non-domestic rates for each leisure centre and fluctuations in the average earnings rate and retail price index.

The management fee has reduced to reflect the occasions when 1610 Limited has vacated leisure sites (please refer to 1.3 below) or where jointly-agreed savings and efficiencies have been achieved with 1610 Limited's management.

The management fee payments since the beginning of the contract are set out in the following table. Please note that the first year of operation began in August 2009 and was not represent a full financial year.

Financial Year	Management Fee	Difference from Preceding Year
2009/10	£784,742	
2010/11	£1,558,500	+£773,758
2011/12	£1,572,150	+£13,650
2012/13	£1,559,930	-£12,220
2013/14	£1,481,396	-£78,534
2014/15	£1,419,126	-£62,269
2015/16	£1,192,663	-£226,463
2016/17	£1,132,065	-£60,598
2017/18	£918,740	-£213,325
2018/19	£927,152	+£8,412
Total	£12,546,464	

## **Financial Implications:**



### Operational Income

The County Council does not receive any operational income from the contract. 1610 Limited retain all monies taken at the leisure centre from monthly memberships and casual users for the running of the centres and is able to determine the amount of re-investment into the centres.

### Repairs and Maintenance Costs

Each of the sites is subject to a 'shared use agreement' that sets out the repairs and maintenance responsibilities. 1610 Limited, the County Council and the schools on which the centres are located each contribute accordingly.

### Market Values

The Department for Education has previously stated its expectation that all Local Authority-owned land and facilities used for educational purposes (such as school halls and outdoor playing areas) should be made available to academies.

By mutual agreement with the governing bodies, the leisure facilities at Castle Academy, St. Dunstan's Academy and West Somerset College were not included in the original academisation leases.

However, the leisure facilities form part of the school campus on each of the sites and are integral to the running of the three schools. As the Local Authority would not only be obliged to ensure curriculum use to be made available to the schools, it would also need to continue to ensure the safeguarding of school pupils was of paramount importance.

Therefore, the only body to whom the County Council would consider leasing or selling the three sites would be the respective academy trusts. Consequently, the land and buildings have no appreciable or definable commercial value to the County Council.

It is likely that the governing bodies of the three academies would now wish to agree to lease the buildings and land currently used for community leisure services from the County Council. Separate agreements will be drawn up that will run concurrently with the main academy leases. There will be no income to the County Council derived from the leases apart from an annual peppercorn rental.

Academies are unable to sell or change the use of publicly-funded school land without government approval.

### 1610 Limited

1610 Limited hold a number of other contracts in Somerset and neighbouring counties. The County Council's current management fee represents approximately 12% of 1610 Limited's annual turnover based on their published year end accounts at 31 March 2017.

<b>Legal Implications:</b>	<p><u>Statutory duties</u></p> <p>The Council does not have a statutory duty to provide community leisure services.</p> <p>The Council has a duty under section 2B of the National Health Service Act 2006 to take “<i>such steps as it considers appropriate for improving the health of the people in its area</i>”, however this duty is a ‘target duty’ and will be met if the local authority is taking all reasonable steps to meet the duty within the available budget.</p> <p>A decision to cease providing community leisure services due to the Council’s financial position will not amount to a breach of the section 2B duty.</p> <p>In taking the decision to cease to commission community leisure services, the needs of users who have protected characteristics must be considered: section 149 of the Equality Act 2010 imposes a duty on the County Council to have due regard to the impact of the decision on those with protected characteristics.</p> <p><u>The Public Sector Equality Duty.</u></p> <p>Due regard is the regard that is appropriate in all the circumstances, and decision makers must take reasonable steps to inquire into the issues and understand the impact, or likely impact, of the decision on those of the listed equality needs affected by the decision.</p> <p>Accordingly, the impact assessments accompanying this report are based on thorough information and must be properly analysed. If the decision maker fails to comply with the Public Sector Equality Duty, this could lead to a judicial review challenge being brought by a user of the leisure facilities.</p> <p>There is no statutory duty to publicly consult on the proposal to cease providing community leisure services and the view of the Legal Services department is that there is no common law duty to consult in this case.</p> <p><u>Expiry of contract with 1610 Limited</u></p> <p>The contract with 1610 Limited will automatically expire on 31 March 2019. There is no requirement for the Council to give notice of termination under the contract.</p> <p>Under the contract, the Council has a continuing obligation to indemnify 1610 Limited for employment costs arising because of a transfer of staff under TUPE following expiry of the contract.</p> <p>This liability will only arise if an academy continues to provide community leisure services once the facilities have been transferred to it as this is likely to constitute a business transfer under Regulation 3(1)(a) of TUPE.</p> <p>The Council will seek to obtain a ‘back-to-back’ indemnity from transferee academies to ensure that it is compensated for any liability to 1610 Limited.</p> <p>If there is no TUPE transfer, all redundancy and pension costs arising from expiry of the contract will be the responsibility of 1610 Limited.</p>
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	<p><u>Transfer of community leisure facilities to academies</u></p> <p>The Council has a general responsibility for education, including a duty to contribute towards physical development (s. 13 of the Education Act 1996).</p> <p>The Council is also under a pivotal duty in s.14 of the 1996 Act to ensure that primary and secondary school places are sufficient in number, character and equipment to provide for appropriate education for all pupils; this includes physical education.</p> <p>The proposed transfer of the leisure assets to the academies will ensure that the Council continues to meet its education duties by providing the facilities necessary to deliver curriculum physical education for pupils.</p> <p>Legal Services will negotiate appropriate legal documentation to transfer the assets to the academies.</p>																		
<p><b>HR Implications:</b></p>	<p>As noted in the legal implications section above, depending on the nature of future provision at different sites, staff currently employed by 1610 Limited at the leisure facilities may be entitled to transfer under TUPE.</p> <p>If TUPE applies, employees would transfer to the employ of the relevant academy trust or, if the school is community of voluntary-controlled, the staff would transfer to the County Council.</p> <p>Beyond the considerations above, responsibility for Human Resources lies with the provider.</p>																		
<p><b>Risk Implications:</b></p>	<p>Risk: Lack of availability of community leisure facilities to the community if sites are to close, impacting on the health and wellbeing of local residents.</p> <p>Mitigations: (i) Ensure effective signposting and ongoing support with the schools to assist them if they wish to take on the provision themselves. (ii) EIA to take into account the potential impact.</p> <table border="1" data-bbox="496 1447 1533 1485"> <tr> <td>Likelihood</td> <td>3</td> <td>Impact</td> <td>2</td> <td>Risk Score</td> <td>6</td> </tr> </table> <p>Risk: The Education and Skills Funding Agency (ESFA) do not give permission for academies to take on additional liabilities relating to community leisure assets / provision.</p> <p>Mitigation: Legal colleagues to work with the ESFA.</p> <table border="1" data-bbox="496 1715 1533 1753"> <tr> <td>Likelihood</td> <td>2</td> <td>Impact</td> <td>3</td> <td>Risk Score</td> <td>6</td> </tr> </table> <p>Risk: Transfers of assets are not concluded in time for the end of contract, resulting in additional cost to the County Council.</p> <p>Mitigation: Leisure Strategy Board to monitor progress and delivery of the end-of-contract project.</p> <table border="1" data-bbox="496 1984 1533 2022"> <tr> <td>Likelihood</td> <td>2</td> <td>Impact</td> <td>2</td> <td>Risk Score</td> <td>4</td> </tr> </table>	Likelihood	3	Impact	2	Risk Score	6	Likelihood	2	Impact	3	Risk Score	6	Likelihood	2	Impact	2	Risk Score	4
Likelihood	3	Impact	2	Risk Score	6														
Likelihood	2	Impact	3	Risk Score	6														
Likelihood	2	Impact	2	Risk Score	4														

Risk: Castle Academy, St. Dunstan's Academy and West Somerset College decline to lease the leisure facilities from the County Council.

Mitigation: (i) Liaise with the relevant Academy Trusts to endeavour to resolve any issues which may deter the Academy Trusts from entering into the said leases. (ii) Legal colleagues to seek direction from the ESFA in the absence of agreement from the Academy Trusts to enter into the said leases.

Likelihood	1	Impact	5	Risk Score	5
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**Equalities Implications**

A number of equalities impact assessments have been undertaken and are included with this report. They seek to identify the people currently using the community leisure services and how they would be affected were services to cease or reduce in the future, particularly people with protected characteristics.

The paper acknowledges that some people, including the elderly and those with disabilities, may find it more difficult to access alternative provision although attempts have been made to offer some mitigation – such as identifying nearest alternatives and where alternative provision is not within a reasonable distance, details of public transport to the nearest alternative leisure provision.

**Community Safety Implications**

It is acknowledged that sport and community leisure can play a part in reducing young people's anti-social behaviour.

It will be important for any future provider to consider the safeguarding of pupils at school sites and leisure centres in conjunction with future dual-use arrangements.

By ceasing to commission community leisure provision, it means the County Council is more able to focus on services that provide care and support to vulnerable people across Somerset.

**Sustainability Implications**

The divestment of assets to schools helps to ensure the sustainability of providing curriculum leisure facilities.

Any future reduction of services to the local community could lead to increased car use as people travel to alternative community leisure providers.

**Health and Safety Implications**

Before their exit from the sites, 1610 Limited will continue to ensure the premises and any community leisure equipment remain safe to use and qualified staff are available to provide assistance.

The transfer of leisure assets to the schools / academies will ensure that safeguarding of young people remains of paramount importance.

**Other Implications (including due regard implications):**

	<p><b><u>Privacy Implications</u></b></p> <p>All applicable laws and regulations, including the General Data Protection Regulation, relating to processing of personal data and privacy, will be adhered to.</p> <p><b><u>Health and Wellbeing Implications</u></b></p> <p>It is medically proven that people who do regular physical activity have a:</p> <ul style="list-style-type: none"> <li>• 35% lower risk of coronary heart disease and stroke</li> <li>• 50% lower risk of type 2 diabetes</li> <li>• 50% lower risk of colon cancer</li> <li>• 20% lower risk of breast cancer</li> <li>• 30% lower risk of early death</li> <li>• 83% lower risk of osteoarthritis</li> <li>• 68% lower risk of hip fracture</li> <li>• 30% lower risk of falls (among older adults)</li> <li>• 30% lower risk of depression</li> <li>• 30% lower risk of dementia</li> </ul> <p>[Source: Zing website]</p>
<p><b>Scrutiny comments / recommendation (if any):</b></p>	<p><b>N/A</b></p>

## 1. Background

(1.1) Many of the community leisure facilities were originally funded through successful National Lottery awards: Sport England invested over £16m in new sports facilities in Somerset in the late 1990s, including the 1610 sites.

(1.2) The history of the leisure trust is as follows:

October 2007	The Executive Board of the County Council approves a report on the proposed externalisation of its then in-house community leisure services to a new trust operation.
November 2008	The County Council forms 'Somerset Leisure Limited', an independent company limited by guarantee.
June 2009	The trust secures charitable status.
July 2009	The County Council enters into a number of agreements with Somerset Leisure Limited, including the principal 'Funding And Service Levels' contract for the delivery of leisure centre services and physical education activities for a period of ten years. The contract expiry date is 31 March 2019.
August 2009	The community leisure services, including the members of staff, transfer to the trust.
October 2011	Somerset Leisure rebrands as '1610 Limited' (1610 being the number of square miles in the county)

(1.3) The leisure centres are located on school sites in the areas shown below. The centres are integral to the educational premises, rather than operating as stand-alone facilities.

- Mendip – Glastonbury (St. Dunstan's);
- Sedgemoor - Highbridge (King Alfred's);
- South Somerset - Castle Cary (Caryford at Ansford), Crewkerne (Wadham), Stoke-sub-Hamdon (Stanchester) and Yeovil (Preston);
- Taunton Deane - Taunton (Castle);
- West Somerset - Minehead (West Somerset College).

(1.4) Four additional sites at Chilton Trinity & East Bridgwater in Bridgwater; Whitstone at Shepton Mallet and 'Cresta' at Holyrood in Chard were originally included in the contract. The leisure provider vacated these establishments at various points throughout the contract term either due to changes in lease arrangements or, more recently in the case of Cresta, through negotiation (see 1.15 below).

(1.5) The externalisation of the community leisure services enabled 1610 Limited to retain the responsibility for the operational management of the sites as well as the strategic development of the leisure and sporting activities. Each of the centres were intended to fulfil a dual function in meeting the statutory requirements for PE curriculum space and encouraging access to leisure facilities to members of the local communities who are able to access the sports halls, artificial pitches, squash courts and fitness suites when not in use by pupils.

(1.6) The range of facilities on offer, the condition of the buildings, and the performance, usage and profitability of each leisure centre varies from site to site. The site ownership and legal arrangements at each facility are complex, particularly since the change in the relationship between the County Council and schools under the school academisation programme which afforded greater freedoms to converted schools than had been previously available under local authority control. A table summarising the current position is shown below.

Name of School	Type of School	Current Arrangements	Future Arrangements
<p>Ansford Academy Maggs Lane Castle Cary Somerset BA7 7JJ</p>	<ul style="list-style-type: none"> <li>• Secondary School without sixth form (11-16)</li> <li>• Academy Converter</li> <li>• Single Academy Trust</li> </ul>	<p>The Academy Trust owns the land and buildings</p>	<p>The Academy Trust will continue to hold the freehold for the leisure buildings and determine whether it would wish to continue any community leisure services.</p> <p>No legal documentation is required as a result of this decision.</p>
<p>Preston School Academy Monks Dale Yeovil Somerset BA21 3JD</p>	<ul style="list-style-type: none"> <li>• Secondary without sixth form (11-16)</li> <li>• Academy Converter</li> <li>• Single Academy Trust</li> </ul>	<p>The County Council leases the whole site to the Academy Trust.</p> <p>There is a separate underlease of the leisure facilities by the Academy to 1610.</p>	<p>The Academy Trust will determine whether it would wish to continue any community leisure services.</p> <p>No additional legal documentation is required as a result of this decision.</p>
<p>St Dunstan's School Wells Road Glastonbury Somerset BA6 9BY</p>	<ul style="list-style-type: none"> <li>• Secondary School without sixth form (11-16)</li> <li>• Academy Converter</li> <li>• Supported by a Multi Academy Trust (Midsomer Norton Schools Partnership)</li> </ul>	<p>The County Council leased the School site to the Academy Trust upon its academisation It did not include the leisure facilities.</p> <p>There is a lease of the leisure facilities between the County Council and 1610 Ltd dated 29 October 2010 ("the 2010 Lease").</p>	<p>The County Council will lease the leisure facilities to the Academy Trust for a term of years expiring on 31 July 2136 being co-terminus with the academisation lease.</p> <p>Upon termination of the 2010 Lease the Academy Trust will determine whether it would wish to continue any community leisure services.</p>

<p>Stanchester Academy Stoke Sub Hamdon Somerset TA14 6UG</p>	<ul style="list-style-type: none"> <li>• Secondary school without sixth form (11-16)</li> <li>• Academy Converter</li> <li>• Single Academy Trust</li> </ul>	<p>The County Council leased the whole site including the leisure facilities to the Academy Trust upon its academisation and the academisation lease was granted subject to the lease between the County Council and 1610 Ltd dated 29 October 2010 (“the 2010 Lease”)</p>	<p>Upon the termination of the 2010 Lease the leased leisure facilities will become subsumed into the academisation lease.</p> <p>Upon the termination of the 2010 Lease the Academy Trust will determine whether it would wish to continue any community leisure services.</p>
<p>The Castle School Wellington Road Taunton Somerset TA1 5AU</p>	<ul style="list-style-type: none"> <li>• Secondary School with Sixth Form (11-19)</li> <li>• Academy Converter</li> <li>• Supported by a Multi Academy Trust (The Castle Partnership Trust)</li> </ul>	<p>As an interim measure to facilitate its conversion to Academy status the County Council granted a Tenancy at Will of the School site to the Academy Trust upon its academisation</p> <p>The leisure facilities were not included in the Tenancy at Will. There is a lease of the leisure facilities between the County Council and 1610 Ltd dated 29 October 2010 (“the 2010 Lease”)</p>	<p>The County Council is intending to grant an academisation lease of the whole School site, including the leisure facilities, to the Academy Trust for a period of years expiring on 30 June 2136.</p> <p>This is in accordance with the Key Decision relating to the Creation of new Academies in Somerset taken by the Cabinet Member for Children and Young People dated 18 May 2011.</p> <p>Upon the termination of the 2010 Lease the Academy Trust will determine whether it would wish to continue any community leisure services.</p>
<p>The King Alfred School - An Academy 185 Burnham Road Highbridge Somerset TA9 3EE</p>	<ul style="list-style-type: none"> <li>• Secondary School with sixth form (11-18)</li> <li>• Academy sponsored</li> <li>• Supported by a Multi Academy Trust (The Priory Learning Trust)</li> </ul>	<p>The County Council leased the whole site including the leisure facilities to the Academy Trust upon its academisation and the academisation lease was granted subject to the lease between the County Council and 1610 Ltd dated 8 March 2016 (“the 2016 Lease”).</p> <p>There is a User Agreement relating to the leisure facilities between the County Council (1) The Governing Body of King Alfred’s (2) and 1610 Ltd dated 8 March 2016 (“the User Agreement”).</p>	<p>The County Council will, if called upon to do so, enter into a deed of novation of the User Agreement to the Academy Trust.</p> <p>Upon the termination of the 2016 Lease the leased leisure facilities will become subsumed into the academisation lease.</p> <p>Upon termination of the 2016 Lease, the Academy Trust will determine whether it would wish to continue any community leisure services.</p>



<p>Wadham School Mount Pleasant Crewkerne Somerset TA18 7NT</p>	<ul style="list-style-type: none"> <li>• Upper School with Sixth Form (13-18)</li> <li>• Voluntary Controlled School</li> </ul>	<p>The School site including the leisure facilities is held by the County Council via freehold and leasehold ownership.</p> <p>There is a Lease and Underlease of the leisure facilities between the County Council and 1610 Ltd both dated 29 October 2010 (“the 2010 Leases”).</p>	<p>Upon the termination of the 2010 Leases, the County Council will retain ownership of the site and will, in consultation with the School, determine whether it would wish to continue any community leisure services.</p> <p>No additional legal documentation is required as a result of this decision.</p>
<p>West Somerset College Bircham Road Alcombe Somerset TA24 6AY</p>	<ul style="list-style-type: none"> <li>• Upper School with Sixth Form (13-19)</li> <li>• Academy Converter</li> <li>• Supported by the Bridgwater College Trust</li> </ul>	<p>The County Council leased the School site to the Academy Trust upon its academisation. It did not include the leisure facilities.</p> <p>There is a lease of the leisure facilities between the County Council and 1610 Ltd dated 29 October 2010 (“the 2010 Lease”)</p> <p>There is a separate deed on the West Somerset College leisure facilities between the County Council and the Squash Club Trustees that runs until July 2028 (“the squash deed”).</p>	<p>The County Council will lease the leisure facilities to the Academy Trust for a period expiring on 31 May 2136 being co-terminus with the academisation lease and novate the squash deed to the Academy Trust</p> <p>Upon the termination of the 2010 Lease, the Academy Trust will determine whether it would wish to continue any community leisure services.</p>

(1.7) Under the Funding and Service Levels Agreement, the County Council pays the leisure provider an annual fee to manage and run the facilities which is calculated from a base budget figure linked to inflation and the national non-domestic rates for each site. As a result of the increasing financial pressure on the County Council and the need to find savings, year-on-year management fee reductions have exceeded the 'efficiency savings' threshold contained within the Agreement.

(1.8) The Cabinet Member for Business, Inward Investment and Policy took a decision in January 2017 that authorised officers to proceed with a review of the County Council's future involvement in community leisure provision. The decision, which is available here, enabled officers to explore a range of options available ahead of the 1610 contract expiry date in 2019. The paper confirmed there would not be a 'one size fits all' solution and acknowledged the aspirations and commercial potential of each site would need to be considered on an individual basis.

(1.9) The County Council commenced an engagement exercise with the schools over their ambitions for the centres. Officers' considered view was that the host schools, as primary stakeholders, were likely to offer the best opportunity for long-term continuity and protection of PE curriculum space, as well as maximising safeguarding opportunities of pupils and supporting the Government's ambitions for schools to enjoy maximum autonomy.

(1.10) To assist schools in making a decision about taking on the community leisure facilities, a workshop was held in June 2017 in conjunction with the Somerset Activity and Sports Partnership to provide information and guidance on a range of issues, including Sport England's strategy, equipment procurement and legal agreements, along with an opportunity to hear from schools that currently already run their own community leisure provision.

(1.11) As indicated in the above table, two schools – Preston Academy in Yeovil and The King Alfred school in Highbridge - have signed 1610 Limited into longer term leases beyond 2019. Therefore, as services will be continuing beyond March 2019, there are no equality impact assessments included with this report for these sites. Ansford Academy is currently in talks with 1610 Limited over the ongoing management of the Caryford facility.

(1.12) Officers have been working with 1610 Limited on the development of a comprehensive exit strategy for each site in order to manage the expiration of the contract term effectively. The strategy covers the asset register for each site, the process to be followed leading up to transfer of responsibility of each site, the information 1610 Limited will need to supply and the practical arrangements for each site's hand-over. Discussion has also taken place around a staggered / phased transition that may be mutually beneficial to all parties.

(1.13) 1610 Limited was provided with an opportunity to state an interest and submit proposals for sites although this did not lead to a position where it was possible to commence any formal transfer of assets.

(1.14) As part of any conditions of transfer to schools or academies, the County Council will not impose a requirement for community leisure services to continue to be available and it is acknowledged that some community leisure services could cease in the future as a result of this decision. Work has been conducted to assess the impact of this scenario in each community, including collecting information about alternative facilities available.

(1.15) Due to urgent health and safety considerations, a separate decision was taken on 29 August 2018 that authorised the early cessation of leisure services at Cresta swimming pool with effect from Monday 3 September 2018 and to close the facilities

to members of the public from the same date. The swimming pool has since been drained and chemicals removed from the site. This decision paper provides officers with the necessary authorisation to dispose of the building and land in the most appropriate manner.

(1.16) Provision of community leisure is a non-statutory service, however the County Council is aware of the correlation between effective ill-health prevention now and reduced calls on health and social care services in the future. The Council's financial situation is well known and continued spend in this discretionary area is not considered the best use of the funds available, especially in light of pressure on statutory services. The demand on statutory services, notably care services, has continued to increase whereas local government funding has decreased.

## **2. Options considered and reasons for rejecting them**

### Arrange Contract Extension on Existing Terms

(2.1) The contract with 1610 Limited provides for a contract extension on existing terms. The County Council would need to provide 1610 Limited with six months' notice of its intention to extend the contract and it would have to be for a single period of ten years.

(2.2) In this situation, the County Council would be bound by the current contract and its terms, which no longer reflect the requirements of the Council. It would require the continuation of an annual management fee along with ongoing cost of repairs and maintenance of sites. This option was rejected on the grounds of affordability.

### Terminate the Contract with 1610 Limited before 2019

(2.3) The County Council could serve notice on 1610 Limited to terminate the contract before the agreed expiry date although it could be placing itself at risk of a claim by the provider that the Council had committed a 'repudiatory breach' of the Funding and Service Levels Agreement resulting in an accompanying claim for damages.

(2.4) Without a planned exit strategy in place, it would be difficult to ensure adherence to the stipulations of previously-secured grant conditions, placing the County Council at risk from claw-back. In the event of early termination, the County Council may also be responsible for certain redundancy and pension costs. As such, the financial and legal issues associated with this option mean it is ruled out as not appropriate.

### Look for an Alternative Provider in the Leisure Market

(2.5) The Council could invite organisations interested in running its leisure centres to submit formal proposals. There is a mature market place with several national organisations and many smaller trusts / companies available.

(2.6) Leisure providers may be hesitant to invest in sites which have inevitable commercial restrictions associated with school-based provision such as the limitation of their hours of operation and the potential safeguarding issues.

(2.7) This option was rejected on the grounds of affordability. However, host schools may decide to look for their own providers once the assets are in their control.

### Contract on Reduced Terms – i.e. less sites / reduced management fee

(2.8) The County Council could negotiate a reduction in the management fee paid to a contracted provider. This is likely to lead to a reduced service such as shortened

opening hours, less classes / facilities, or a closure of the least profitable / loss-making sites.

(2.9) This option has been discounted given leisure is a non-statutory service and, in the current financial climate, it is important for the County Council to focus its resources on statutory services.

### **3. Background Papers**

(3.1) Review of Leisure Provision non-key decision by the Deputy Leader of the Council and Cabinet Member for Business, Inward Investment & Policy dated 27 January 2017. A copy of the decision is available here.

(3.2) Closure of Cresta Swimming Pool in Chard by the Cabinet Member for Economic Development, Planning and Community Infrastructure dated 29 August 2018. A copy of the decision is available here.

(3.3) Twenty appendices to the report should be read in conjunction with the decision report.

#### General:

Appendix 1 – Map showing the location of the 1610 sites

#### Equality Impact Assessments:

Appendix 2 – Heatmap relating to the Ansford / Caryford site

Appendix 3 – Catchment profile relating to the Ansford / Caryford site

Appendix 4 – Equality Impact Assessment relating to the Ansford / Caryford site

Appendix 5 – Heatmap relating to the Castle site

Appendix 6 – Catchment profile relating to the Castle site

Appendix 7 – Equality Impact Assessment relating to the Castle site

Appendix 8 – Heatmap relating to the St. Dunstan's site

Appendix 9 – Catchment profile relating to the St. Dunstan's site

Appendix 10 – Equality Impact Assessment relating to the St. Dunstan's site

Appendix 11 – Heatmap relating to the Stanchester site

Appendix 12 – Catchment profile relating to the Stanchester site

Appendix 13 – Equality Impact Assessment relating to the Stanchester site

Appendix 14 – Heatmap relating to the Wadham site

Appendix 15 – Catchment profile relating to the Wadham site

Appendix 16 - Equality Impact Assessment relating to the Wadham site

Appendix 17 – Heatmap relating to the West Somerset site

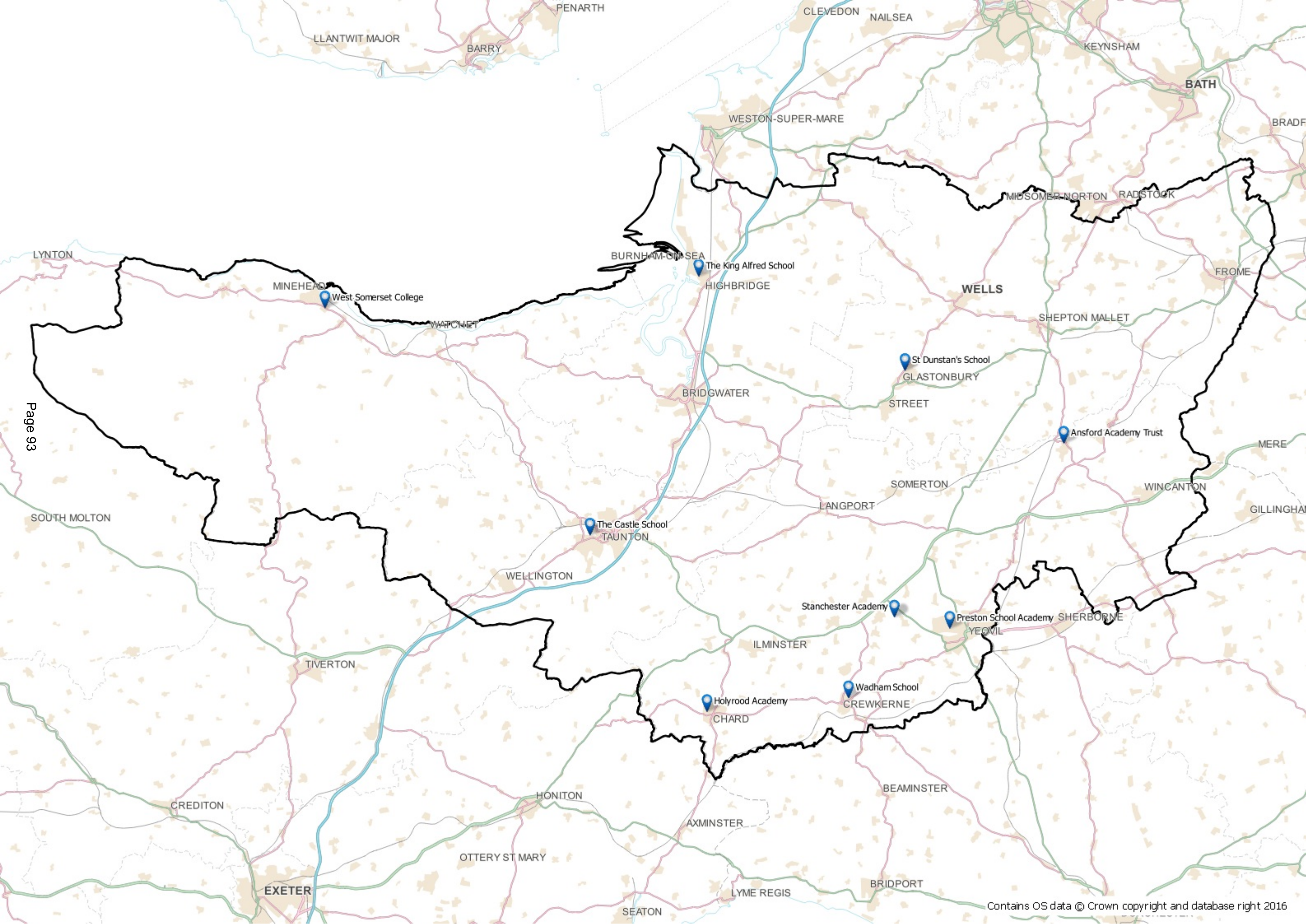
Appendix 18 – Catchment profile relating to the West Somerset site

Appendix 19 – Equality Impact Assessment relating to the West Somerset site

[Note: as mentioned in (1.11), there are no equality impact assessments for the Preston Academy and King Alfred sites as provision will be continuing at these sites].

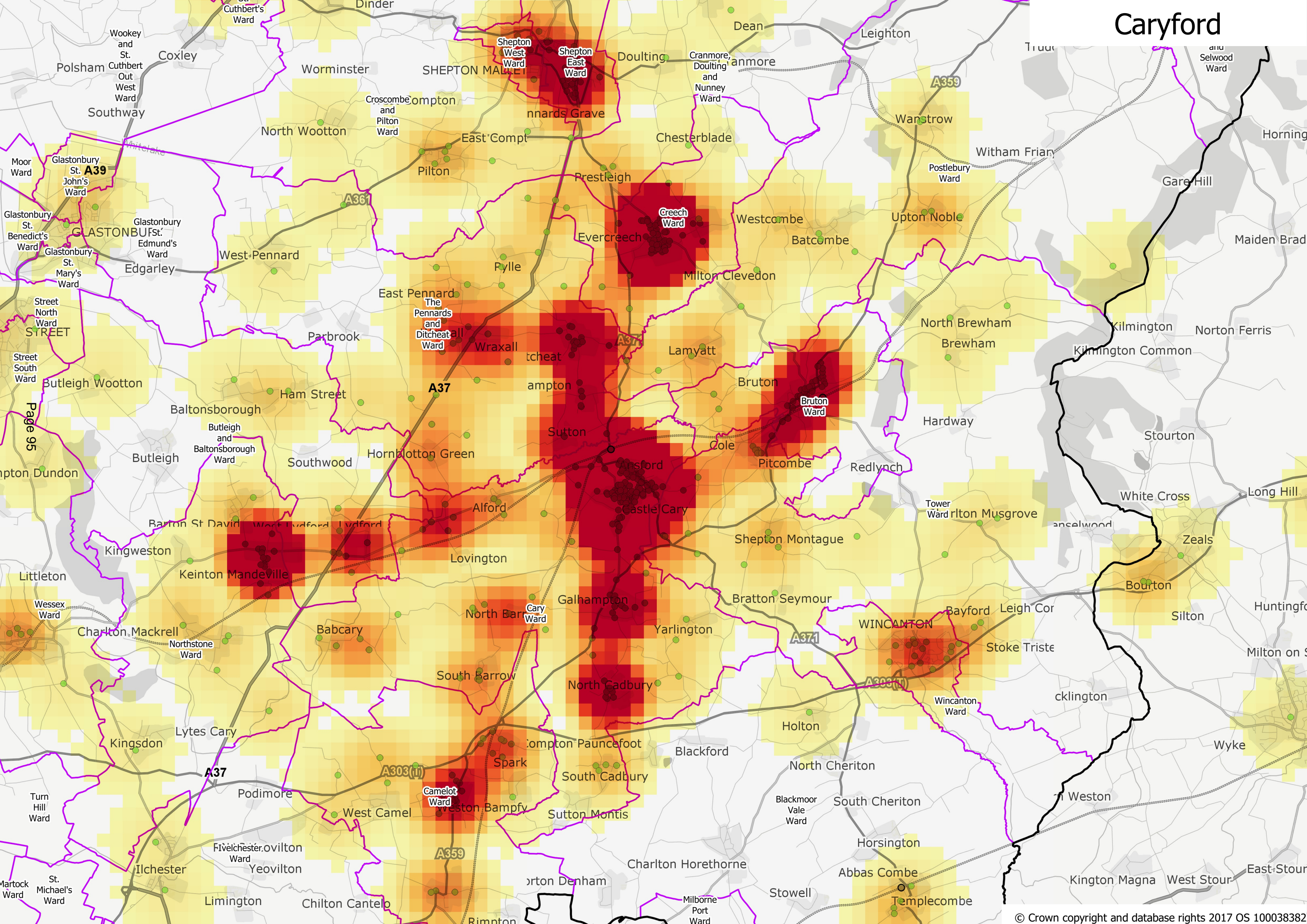
#### Confidential:

Appendix 20 – Interim Finance Director's Accompanying Notes



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# Caryford



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Decision Report – Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 3

Table showing the gender, age and ethnicity profile of the most affected wards for Caryford:

Gender Profile	Bruton	Butleigh and Baltonsborough	Camelot	Cary	Cranmore, Douling and Nunney	Creech	Croscombe and Pitton	Glastonbury St Benedict's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Postlebury	Shepton East	Shepton West	Street North	Street West	The Pennards and Ditchheat	Tower	Wessex	Total
Total males	1477	1070	1361	2636	1161	1123	1131	1154	1073	1018	1464	1019	2843	2390	1991	1001	1082	1108	2556	28658
Total females	1430	1128	1381	2866	1213	1211	1153	1252	1147	1040	1541	1042	2650	2486	2166	1058	1098	1334	2846	30042

Age Profile	Bruton	Butleigh and Baltonsborough	Camelot	Cary	Cranmore, Douling and Nunney	Creech	Croscombe and Pitton	Glastonbury St Benedict's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Postlebury	Shepton East	Shepton West	Street North	Street West	The Pennards and Ditchheat	Tower	Wessex	Total
Age 0-4	139	91	117	267	108	106	78	128	125	88	121	99	432	271	299	105	68	119	248	3009
Age 5-9	168	118	152	271	152	101	107	110	101	91	155	154	277	247	235	106	135	115	251	3046
Age 10-15	454	155	276	377	236	161	183	149	156	114	231	149	376	364	316	188	172	213	355	4625
Age 16-24	399	165	202	467	165	191	187	262	253	210	246	168	705	587	477	178	188	227	479	5756
Age 25-44	558	369	448	1039	502	486	416	625	498	450	509	426	1675	1189	1201	476	400	411	1023	12701
Age 45-64	706	823	831	1663	739	692	800	639	695	680	1079	700	1397	1384	942	619	723	811	1608	17531
Age 65-74	236	251	394	693	279	300	286	183	201	229	348	246	368	411	314	223	283	336	751	6332
Age 75 and over	247	226	322	725	193	297	227	310	191	196	316	119	263	423	373	164	211	210	687	5700
Median age	37	49	48	48	45	47	49	43	44	47	49	45	36	42	37	44	48	48	49	45

Ethnic Profile	Bruton	Butleigh and Baltonsborough	Camelot	Cary	Cranmore, Douling and Nunney	Creech	Croscombe and Pitton	Glastonbury St Benedict's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Postlebury	Shepton East	Shepton West	Street North	Street West	The Pennards and Ditchheat	Tower	Wessex	Total
White: British	2728	2111	2659	5320	2278	2238	2179	2181	2104	1919	2916	1956	4824	4654	3883	1990	2112	2320	5201	55573
White: Irish	12	21	6	18	11	5	17	21	6	22	16	14	34	20	10	8	7	14	19	281
White: Gypsy or Irish Traveller	1	2	4	2	1	0	4	8	4	5	0	10	20	6	4	2	7	1	2	83
White: Other White	75	45	42	85	56	47	60	131	53	72	43	54	473	117	143	34	31	53	112	1726
Black and Minority Ethnic	91	19	31	77	28	44	24	65	53	40	30	27	142	79	117	25	23	54	68	1037

*[Source: all information taken from the 2011 Census].*

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## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance  
([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

10 October 2018

### Section 1 – Description of what is being impact assessed

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the Caryford Leisure Centre on the Ansford Academy site, near Castle Cary. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Fitness Studio
- Sports Hall
- Netball and tennis courts
- Climbing wall
- Some fitness classes in the reception area

Caryford Leisure Centre's classes include Zumba, pump and Pilates. The Centre also offer junior gymnastic courses and can host children's birthday parties.

It should be noted that Ansford Academy has stated its intention to continue to provide some leisure services.

## The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

### **Section 2A – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)**

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

#### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

#### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.

## Age Profile

1610's data show a total of 1,539 registered users at the leisure centre, of whom the ages of 1,531 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

In the 2011 Census, there were 58,700 people living within the catchment area. Please see information in table B. The age profile of the catchment area is broadly similar to the county profile, as shown in table C.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	7	0.5%	3,009	5.1%	5.4%
Age 5-9	114	7.4%	3,046	5.2%	5.2%
Age 10-15	192	12.5%	4,625	7.9%	7.2%
Age 16-24	347	22.5%	5,756	9.8%	10.2%
Age 25-44	421	27.4%	12,701	21.6%	22.5%
Age 45-64	346	22.5%	17,531	29.9%	28.3%
Age 65-74	74	4.8%	6,332	10.8%	10.8%
Age 75 and over	38	2.5%	5,700	9.7%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Children aged 10-15 will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions.

### **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 813 (52.8%) registered female users at the centre and 718 (46.7%) registered male users. In addition, there were 8 people (0.5%) whose gender was not known or not recorded.

In the 2011 Census, there were 30,042 females (51.2%) and 28,658 males (48.8%) living in the identified catchment area. This mirrors the profile of the county (also 51.2% females and 48.8% males).

Therefore, based solely on these demographics, it can be concluded there is likely to be a greater impact on females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of *potential* users are also likely to be female.

However, both male and females may be able to access the alternative provision described in section four below.

**Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	55,573	94.7%	95.5%	
White: Irish	281	0.5%	0.4%	
White: Gypsy or Irish Traveller	83	0.1%	0.0%	
White: Other White	1,726	2.9%	2.6%	
Black and Minority Ethnic	1,037	1.8%	1.5%	

As can be seen in the table,

- The profile of the catchment area (i.e. potential users of the facility) and the county average is broadly the same.
- White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

**Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

**Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on

people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are delivering the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person could have used the centre once or on a regular basis.

### **Affected Electoral Wards**

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 2.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Bruton
- Butleigh and Baltonsborough
- Camelot
- Cary
- Cranmore, Doultling and Nunney
- Creech
- Croscombe and Pilton
- Glastonbury St Benedict's
- Glastonbury St John's
- Glastonbury St Mary's
- Northstone
- Postlebury
- Shepton East
- Shepton West
- Street North
- Street West
- The Pennards and Ditchat
- Tower
- Wessex

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 3. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

### Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart disease, stroke and cancer.

### Other Sources



Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Castle Cary and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Females are likely to be more affected than males.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at Caryford Leisure Centre may continue to be made available by the Academy. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

#### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

There is a gym at Wincanton which is run by an organisation called 'LED' from the King Arthur's Community School site (<https://www.ledleisure.co.uk/our-centre/wincanton-sports-centre>). It contains a gym, swimming pool and offers classes, sports bookings and activities for children.

It is situated approximately five miles from the leisure centre and there is a regular bus route from Castle Cary to Wincanton. Details can be found at <https://bustimes.org/regions/SW>

The organisation has been contacted by County Council officers and describe their facilities as accessible for people with disabilities.

#### Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type I and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

#### Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

#### National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.

**If you have identified any negative impacts you will need to consider how these can be**

mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The Academy is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

	<p>available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme described in section 4.</p>		
<p><b>Gender Reassignment</b></p>			
<p>A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.</p>			
<p><b>Marriage and Civil Partnership</b></p>			
<p>A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.</p>			
<p><b>Pregnancy and Maternity</b></p>			
<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

If leisure facilities were to close, White British people will be most affected.

It is unlikely to result in a negative impact on people of minority ethnic groups.

If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).

Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.

The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

Women are expected to be more affected by a closure or reduction of community leisure services than men.

If the Academy provides community leisure services, they would almost certainly be available to both male and females.

If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).

Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.

The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

<b>Sexual Orientation</b>			
Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<u>Low Income:</u> The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.  If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.	It is not possible for the County Council to mitigate this impact.  <b>Promote outdoor provision?</b>		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<u>Rurality:</u> If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.	It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.	Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.	The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support

			mitigation if they arise.
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**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

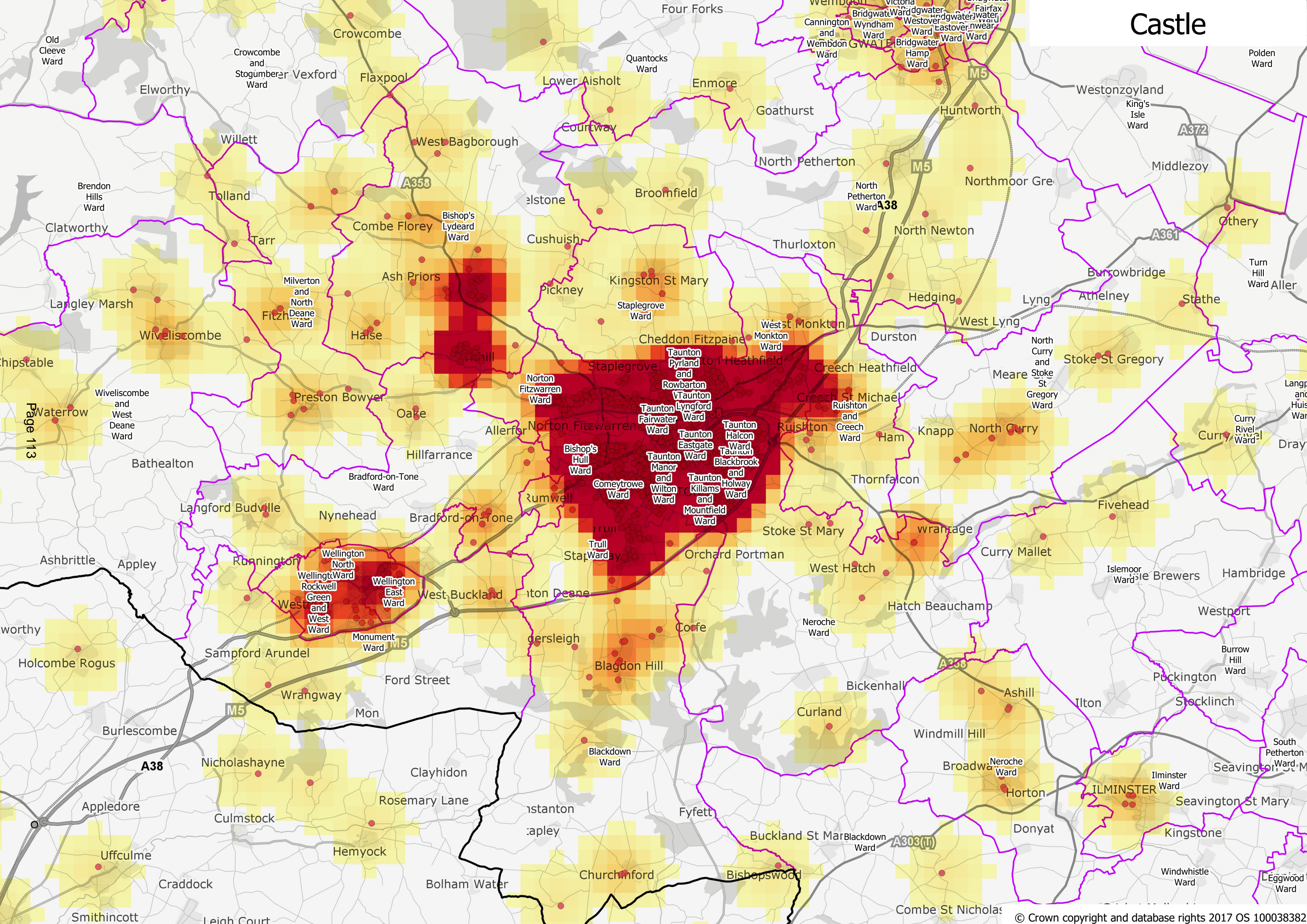
- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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# Castle



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Decision Report – Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 6

Tables showing the gender, age and ethnicity profile of the most affected wards for Castle:

Gender Profile	Bishop's Hull	Bishop's Lydeard	Blackdown	Comeytrowe	Milverton and North Deane	Monument	North Petherton	Norton Fitzwarren	Ruishton and Creech	Staplegrove	Taunton Blackbrook and Holway	Taunton Eastgate
Total males	1811	3026	1024	2734	1079	1054	3555	1782	1912	1969	3062	2447
Total females	2099	3297	1040	2995	1129	1130	3600	1264	2096	2035	3395	2287

Page 115

Age Profile	Bishop's Hull	Bishop's Lydeard	Blackdown	Comeytrowe	Milverton and North Deane	Monument	North Petherton	Norton Fitzwarren	Ruishton and Creech	Staplegrove	Taunton Blackbrook and Holway	Taunton Eastgate
Age 0-4	181	415	69	262	95	96	470	176	167	180	383	323
Age 5-9	203	479	90	269	136	104	396	132	216	202	360	144
Age 10-15	277	519	171	438	193	128	480	142	305	399	451	274
Age 16-24	352	531	181	607	188	155	716	580	306	531	767	897
Age 25-44	790	1565	352	1129	392	418	1733	976	745	810	1782	1667
Age 45-64	1109	1751	765	1619	688	720	2038	666	1191	1100	1812	877
Age 65-74	454	578	244	693	291	245	732	233	551	401	476	245
Age 75 and over	544	485	192	712	225	318	590	141	527	381	426	307
Median age	47	41	49	47	47	50	42	31	49	42	39	31

Ethnic Profile	Bishop's Hull	Bishop's Lydeard	Blackdown	Comeytrowe	Milverton and North Deane	Monument	North Petherton	Norton Fitzwarren	Ruishton and Creech	Staplegrove	Taunton Blackbrook and Holway	Taunton Eastgate
White: British	3641	6131	1980	5235	2131	2089	6852	2822	3918	3622	6030	3,821
White: Irish	18	18	11	30	20	6	15	15	11	8	19	37
White: Gypsy or Irish Traveller	3	2	4	5	4	8	9	1	13	5	10	5
White: Other White	83	90	34	140	25	53	169	100	26	181	218	551
Black and Minority Ethnic	165	82	35	319	28	28	110	108	40	188	180	320

	Taunton Fairwater	Taunton Halcon	Taunton Killams and Mountfield	Taunton Lyngford	Taunton Manor and Wilton	Taunton Pyrland and Rowbarton	Trull	Wellington East	Wellington North	Wellington Rockwell Green and West	West Monkton		Total
Gender Profile													
Total males	3038	3050	1783	2680	2508	2929	996	1879	1913	2855	2081		51167
Total females	3283	3414	1971	2834	2886	3319	1076	1986	2033	3156	2223		54548

	Taunton Fairwater	Taunton Halcon	Taunton Killams and Mountfield	Taunton Lyngford	Taunton Manor and Wilton	Taunton Pyrland and Rowbarton	Trull	Wellington East	Wellington North	Wellington Rockwell Green and West	West Monkton		Total
Age Profile													
Age 0-4	462	578	193	361	234	421	100	220	218	339	264		6207
Age 5-9	291	459	178	286	232	370	107	187	247	316	276		5680
Age 10-15	353	484	255	358	296	445	175	291	364	467	323		7588
Age 16-24	771	758	374	651	527	698	226	423	446	535	435		11655
Age 25-44	2141	1832	817	1560	1110	1409	330	861	992	1310	1066		25787
Age 45-64	1446	1493	1119	1366	1287	1580	566	1009	1028	1681	1222		28133
Age 65-74	415	453	339	445	640	636	267	419	314	654	393		10118
Age 75 and over	442	407	479	487	1068	689	301	455	337	709	325		10547
Median age	36	35	46	39	49	42	48	44	40	45	41		43

	Taunton Fairwater	Taunton Halcon	Taunton Killams and Mountfield	Taunton Lyngford	Taunton Manor and Wilton	Taunton Pyrland and Rowbarton	Trull	Wellington East	Wellington North	Wellington Rockwell Green and West	West Monkton		Total
Ethnic Profile													
White: British	5661	6093	3534	5054	4873	5983	1975	3619	3761	5740	4125		50418
White: Irish	30	34	26	22	38	24	13	5	17	37	8		254
White: Gypsy or Irish Traveller	3	13	12	8	2	7	3	16	17	14	5		100
White: Other White	406	185	112	262	225	112	44	90	76	101	77		1690
Black and Minority Ethnic	221	139	70	168	256	122	37	135	75	119	89		1431

[Source: all Information taken from the 2011 Census].

## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance ([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

24 September 2018

### Section 1 – Description of what is being impact assessed

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the Castle Leisure Centre which is located at Wellington Road in Taunton. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Fitness studio with resistance & CV machines and free weights
- Sports hall for football, basketball & badminton
- Athletics track and artificial football pitch
- Tennis and netball courts
- Various exercise classes

The leisure centre is occasionally used to host large events including boxing and wrestling. The sports hall is ideal for these types of events and can also be used for roller-skating, craft fayres and children's birthday parties. In the school holidays, 1610 also hire out classrooms and dance studios.

It should be noted that The Castle Academy has stated its intention to continue to provide some leisure services, such as community lettings of the artificial football pitch. It is possible that some of the other services currently on offer may be subject to change.

## The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Section 2A** – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.

## Age Profile

1610's data show a total of 2,491 registered users at the leisure centre, of whom the ages of 2,407 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

In the 2011 Census, there were 157,537 people living within the catchment area (as described in section three). Please see information in table B. The age profile of the catchment area is broadly similar to the county profile, as shown in table C.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	11	0.5%	9,024	5.7%	5.4%
Age 5-9	343	14.3%	8,411	5.3%	5.2%
Age 10-15	208	8.6%	11,365	7.2%	7.2%
Age 16-24	549	22.8%	17,466	11.1%	10.2%
Age 25-44	752	31.2%	38,146	24.2%	22.5%
Age 45-64	445	18.5%	42,469	27.0%	28.3%
Age 65-74	77	3.2%	15,261	9.7%	10.8%
Age 75 and over	22	0.9%	15,395	9.8%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Children and young people aged 5-9 and 16-24 respectively will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions. Parents with young children, teenagers and older people could be eligible to use the Slinky service described in section four.

### **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 1,323 (53.1%) registered female users at the centre and 1,114 (44.7%) registered male users. In addition, there were 54 people (2.2%) whose gender was not known or not recorded.

In the 2011 Census, there were 54,548 females (51.4%) and 51,167 males (48.6%) living in the identified catchment area. This is very similar to the profile of the county of 51.2% females and 48.8% males.

Therefore, based solely on these demographics, it can be concluded there is likely to be a greater

impact on females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of *potential* users are also likely to be female.

However, both male and females may be able to access the alternative provision described in section four below.

### **Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	98,690	93.4%	95.5%	
White: Irish	462	0.4%	0.4%	
White: Gypsy or Irish Traveller	169	0.2%	0.0%	
White: Other White	3,360	3.2%	2.6%	
Black and Minority Ethnic	3,034	2.9%	1.5%	

As can be seen in the table,

- The profile of the catchment area (i.e. potential users of the facility) and the county average is broadly the same although there is a higher percentage of 'Other White' and BME people in the catchment.
- White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

### **Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

### **Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where



there may be separate male and female changing areas. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are **delivering** the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person could have used the centre once or on a regular basis.

## Affected Electoral Wards

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 5.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Bishop's Hull
- Bishop's Lydeard
- Blackdown
- Comeytrove
- Milverton and North Deane
- Monument
- North Petherton
- Norton Fitzwarren
- Ruishton and Creech
- Staplegrove
- Taunton Blackbrook and Holway
- Taunton Eastgate
- Taunton Fairwater
- Taunton Halcon
- Taunton Killams and Mountfield
- Taunton Lyngford
- Taunton Manor and Wilton
- Taunton Pyrland and Rowbarton
- Trull
- Wellington East
- Wellington North
- Wellington Rockwell Green and West
- West Monkton

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 6. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

## Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart

disease, stroke and cancer.

### Other Sources

Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Taunton and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Females are likely to be more affected than males.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at Castle Leisure Centre may continue to be made available by the Academy. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

There are a number of alternative fitness providers in the Taunton area that provide similar services to those on offer at the leisure centre, including Blackbrook (<https://www.better.org.uk/leisure-centre/taunton-deane/blackbrook-leisure-centre-and-spa#>) and Wellsprings (<https://www.better.org.uk/leisure-centre/taunton-deane/wellsprings-leisure-centre#>), both of which are approximately three miles from the centre and run by GLL (trading locally as 'Better').

Both are situated approximately three miles from the leisure centre and are accessible by walking or cycling. Alternatively, there may be bus routes from people's homes that would help them access this alternative provision. Details can be found at <https://bustimes.org/regions/SW>

The two organisations have been contacted by County Council officers and both describe their facilities as accessible for people with disabilities.

There are no bookable all-weather pitches at these centres although it is unlikely that Castle Academy would withdraw community use to its ATP given that it has recently been re-carpeted.

There are a number of other private gym operators in Taunton (Anytime Fitness, Nuffield, Taunton School, Activate, Elect, etc) and a number of fitness classes held in local community centres, schools and village halls.

## Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type 1 and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

## Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

## National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.

#### Taunton and Wellington 'Slinky'

The Taunton and Wellington 'Slinky' is an accessible bus service funded by Somerset County Council for people unable to access conventional transport. This service can be used for a variety of reasons such as getting to local health appointments or exercise classes, visiting friends and relatives, going shopping or for social reasons. People will be eligible to use the Slinky bus if they:

- do not have your own transport;
- do not have access to a public bus service;
- have a disability which means they cannot access a public bus.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative gyms are available in the locality (please refer to section4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The Academy is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

	<p>locally. Details can be found on the Zing website. Alternative gyms are available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>		
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## Gender Reassignment

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.

## Marriage and Civil Partnership

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

## Pregnancy and Maternity

<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative gyms are available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

<p>If leisure facilities were to close, White British people will be most affected.</p> <p>It is unlikely to result in a negative impact on people of minority ethnic groups.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative gyms are available in the locality (please refer to section 4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

<p>Women are expected to be more affected by a closure or reduction of community leisure services than men.</p>	<p>If the Academy provides community leisure services, they would almost certainly be available to both male and females.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative gyms are available in the locality (please refer to section 4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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<b>Sexual Orientation</b>			
<p>Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.</p>	<p>It is not possible for the County Council to mitigate this impact.</p>		<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<p><u>Low Income:</u></p> <p>The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.</p> <p>If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.</p>	<p>It is not possible for the County Council to mitigate this impact.</p>		<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<p><u>Rurality:</u></p> <p>If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.</p>	<p>It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

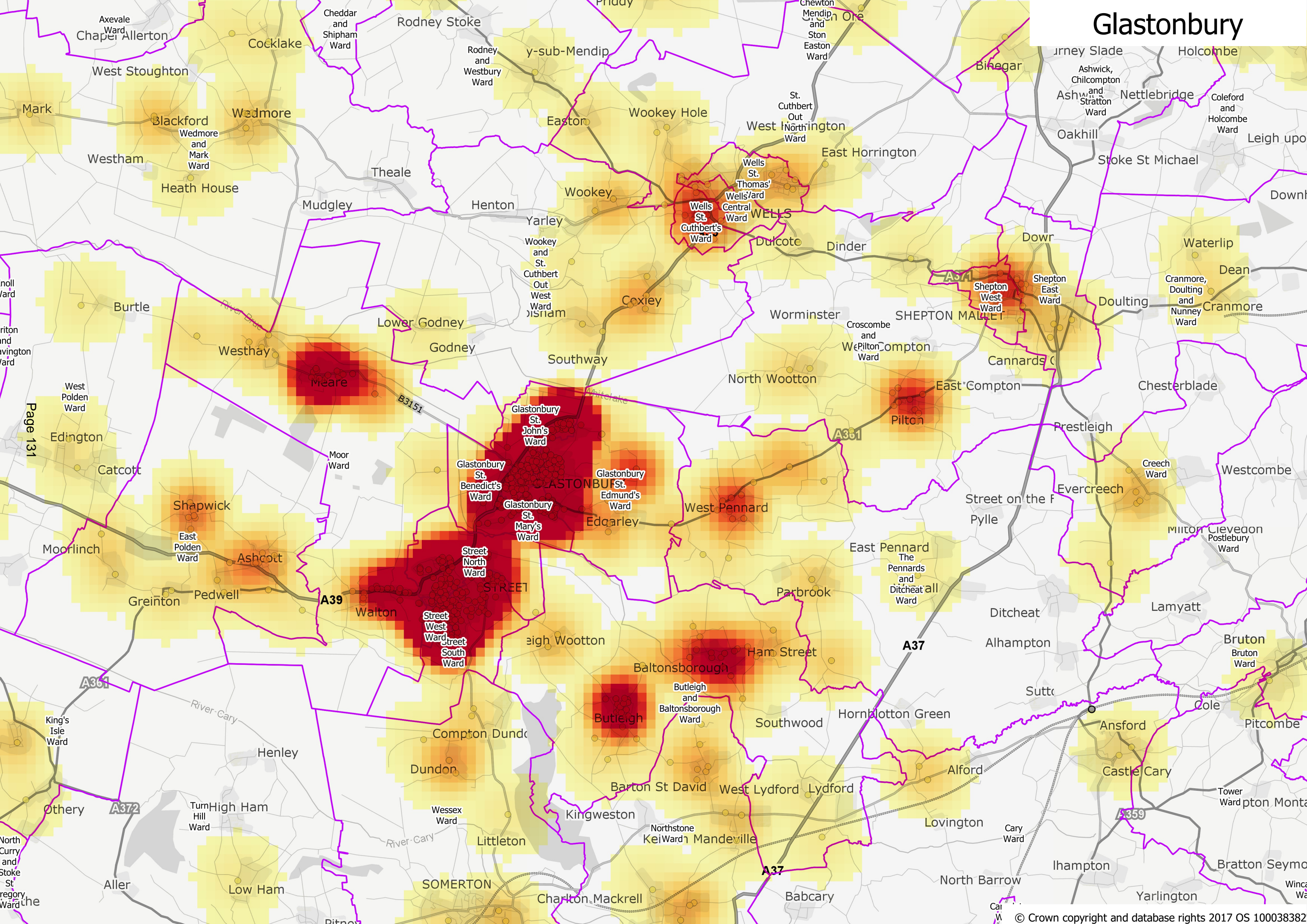
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**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

# Glastonbury



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Decision Report –Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 9

Tables showing the gender, age and ethnicity profile of the most affected wards for Glastonbury St. Dunstan's:

Gender Profile	Butleigh and Baltonsborough	Croscombe and Pilton	East Polden	Glastonbury St Benedict's	Glastonbury St Edmund's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Shepton East	Shepton West	Street North	Street South	Street West	The Pennards and Ditcheat	Wells Central	Wells St Cuthbert's	Wells St Thomas'	Wessex	Wookey and St Cuthbert Out West	Total
Total males	1070	1131	1073	1154	1072	1073	1018	1464	2843	2390	1991	2756	1001	1082	861	2082	1939	2556	1227	29783
Total females	1128	1153	1057	1252	1176	1147	1040	1541	2650	2486	2166	2833	1058	1098	1100	2278	2276	2846	1283	31568

Age Profile	Butleigh and Baltonsborough	Croscombe and Pilton	East Polden	Glastonbury St Benedict's	Glastonbury St Edmund's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Shepton East	Shepton West	Street North	Street South	Street West	The Pennards and Ditcheat	Wells Central	Wells St Cuthbert's	Wells St Thomas'	Wessex	Wookey and St Cuthbert Out West	Total
Age 0-4	91	78	74	128	121	125	88	121	432	271	299	300	105	68	71	196	155	248	113	3084
Age 5-9	118	107	115	110	112	101	91	155	277	247	235	289	106	135	75	197	191	251	139	3051
Age 10-15	155	183	179	149	255	156	114	231	376	364	316	631	188	172	112	267	331	355	202	4736
Age 16-24	165	187	190	262	189	253	210	246	705	587	477	929	178	188	179	500	501	479	204	6629
Age 25-44	369	416	373	625	454	498	450	509	1675	1189	1201	1089	476	400	390	969	706	1023	488	13300
Age 45-64	823	800	742	639	667	695	680	1079	1397	1384	942	1243	619	723	495	1254	1113	1608	790	17693
Age 65-74	251	286	251	183	250	201	229	348	368	411	314	517	223	283	245	438	575	751	326	6450
Age 75 and over	226	227	206	310	200	191	196	316	263	423	373	591	164	211	394	539	643	687	248	6408
Median age	49	49	48	43	44	44	47	49	36	42	37	37	44	48	51	46	49	49	47	45

Ethnic Profile	Butleigh and Baltonsborough	Croscombe and Pilton	East Polden	Glastonbury St Benedict's	Glastonbury St Edmund's	Glastonbury St John's	Glastonbury St Mary's	Northstone	Shepton East	Shepton West	Street North	Street South	Street West	The Pennards and Ditcheat	Wells Central	Wells St Cuthbert's	Wells St Thomas'	Wessex	Wookey and St Cuthbert Out West	Total
White: British	2111	2179	2076	2181	2059	2104	1919	2916	4824	4654	3883	5109	1990	2112	1801	4130	3925	5201	2412	57586
White: Irish	21	17	6	21	12	6	22	16	34	20	10	26	8	7	12	26	41	19	16	340
Irish Traveller	2	4	7	8	10	4	5	0	20	6	4	6	2	7	1	8	8	2	6	110
White: Other White	45	60	25	131	108	53	72	43	473	117	143	190	34	31	100	111	115	112	51	2014
Ethnic	19	24	16	65	59	53	40	30	142	79	117	258	25	23	47	85	126	68	25	1301

*[Source: all information taken from the 2011 Census].*

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## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance ([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

10 October 2018

### Section 1 – Description of what is being impact assessed

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the Glastonbury Leisure Centre which is located on the site of St. Dunstan's Academy at Market Place, Glastonbury. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Fitness studio
- Sports Hall
- Sports Pitch
- Tennis Courts

Glastonbury Leisure Centre offers a wide range of exercise classes, including circuits, abs, group cycle and boot camp. A number of activities are arranged for children including fencing, mini ballet and parties.

The sports hall and is available to hire at weekends, evenings and during the school holidays. 1610 also hire the gymnasium, multi-use games area, drama room and meeting room.

It should be noted that St Dunstan's Academy has stated its intention to consider continuing to

provide some leisure services. It is possible that some of the other services currently on offer may be subject to change.

### The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

### **Section 2A – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)**

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

#### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

#### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.



## Age Profile

1610's data show a total of 1,564 registered users at the leisure centre, of whom the ages of 1,310 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	28	2.1%	3,084	5.0%	5.4%
Age 5-9	141	10.8%	3,051	5.0%	5.2%
Age 10-15	142	10.8%	4,736	7.7%	7.2%
Age 16-24	257	19.6%	6,629	10.8%	10.2%
Age 25-44	384	29.3%	13,300	21.7%	22.5%
Age 45-64	265	20.2%	17,693	28.8%	28.3%
Age 65-74	69	5.3%	6,450	10.5%	10.8%
Age 75 and over	24	1.8%	6,408	10.4%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Children and young people aged 5 -24 will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions. Parents with young children, teenagers and older people could be eligible to use the Slinky service described in section four.

### **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 843 (53.9%) registered female users at the centre and 708 (45.3%) registered male users. In addition, there were 13 people (0.8%) whose gender was not known or not recorded.

In the 2011 Census, there were 31,568 females (51.5%) and 29,783 males (48.5%) living in the identified catchment area. This is very similar to the profile of the county of 51.2% females and 48.8% males.

Therefore, based solely on these demographics, it can be concluded there is likely to be a greater impact on females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of *potential* users are also likely to be female.

However, both male and females may be able to access the alternative provision described in section four below.

### **Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	57,586	93.9%	95.5%	
White: Irish	340	0.6%	0.4%	
White: Gypsy or Irish Traveller	110	0.2%	0.0%	
White: Other White	2,014	3.3%	2.6%	
Black and Minority Ethnic	1,301	2.1%	1.5%	

As can be seen in the table,

- the profile of the catchment area (i.e. potential users of the facility) and the county average are broadly the same.
- there is a higher percentage of ‘Other White’ and BME people in the catchment. White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

### **Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

### **Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are **delivering** the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person could have used the centre once or on a regular basis.

## Affected Electoral Wards

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 8.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Butleigh and Baltonsborough
- Croscombe and Pilton
- East Polden
- Glastonbury St Benedict's
- Glastonbury St Edmund's
- Glastonbury St John's
- Glastonbury St Mary's
- Northstone
- Shepton East
- Shepton West
- Street North
- Street South
- Street West
- The Pennards and Ditchat
- Wells Central
- Wells St Cuthbert's
- Wells St Thomas'
- Wessex
- Wookey and St Cuthbert Out West

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 9. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

## Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart disease, stroke and cancer.

## Other Sources

Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Glastonbury and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Females are likely to be more affected than males.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at Glastonbury Leisure Centre may continue to be made available by the Academy. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

There are a number of alternative fitness providers in the Glastonbury area that provide similar services to those on offer at the leisure centre.

The main gym alternatives would be Tor Sports & Leisure in Glastonbury (<https://www.fusion-lifestyle.com/centres/tor-sports-fitness/>) run by Fusion Lifestyle in partnership with Mendip District Council. The centre provides a similar offer to that of 1610 and is located within two miles of the centre.

Strode College and Strode Leisure Centre are alternatives in the neighbouring town of Street (as with Tor, the latter is run by Fusion Lifestyle). There is a regular bus route from Glastonbury to Street. Details can be found at <https://bustimes.org/regions/SW>

The two organisations have been contacted by County Council officers and both describe their facilities as accessible for people with disabilities.

### Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type 1 and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

### Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

### National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their

application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.

### Mendip 'Slinky'

The Mendip Slinky is an accessible bus service funded by Somerset County Council for people unable to access conventional transport. This service can be used for a variety of reasons such as getting to local health appointments or exercise classes, visiting friends and relatives, going shopping or for social reasons. People will be eligible to use the Slinky bus if they:

- do not have your own transport;
- do not have access to a public bus service;
- have a disability which means they cannot access a public bus.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The Academy is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>



	<p>locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>		
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## Gender Reassignment

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.

## Marriage and Civil Partnership

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

## Pregnancy and Maternity

<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

<p>If leisure facilities were to close, White British people will be most affected.</p> <p>It is unlikely to result in a negative impact on people of minority ethnic groups.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

<p>Women are expected to be more affected by a closure or reduction of community leisure services than men.</p>	<p>If the Academy provides community leisure services, they would almost certainly be available to both male and females.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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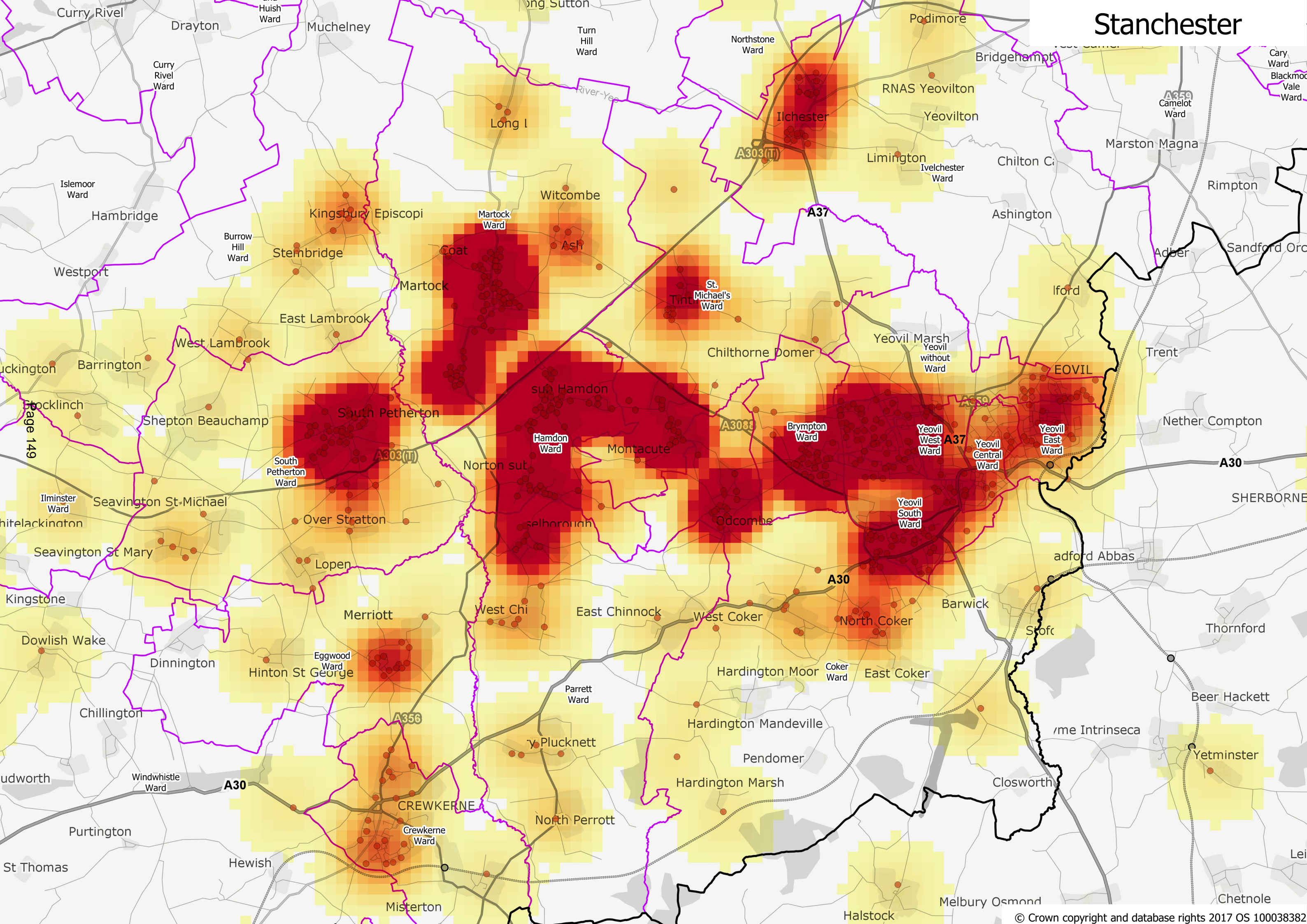
<b>Sexual Orientation</b>			
Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<u>Low Income:</u>  The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.  If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<u>Rurality:</u>  If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.	It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.	Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.	The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

# Stanchester



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Decision Report –Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 12

Tables showing the gender, age and ethnicity profile of the most affected wards for Stanchester:

Gender Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ivelchester	Martock	St Michael's	South Petherton	Yeovil Central	Yeovil South	Yeovil West	Total
Total males	3660	1074	3748	2613	1171	1334	2545	2784	1163	2308	3888	4327	3519	34134
Total females	3648	1137	4078	2697	1250	1377	1774	2940	1144	2558	3828	4471	3930	34832

Age Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ivelchester	Martock	St Michael's	South Petherton	Yeovil Central	Yeovil South	Yeovil West	Total
Age 0-4	533	81	429	257	109	142	252	264	123	237	484	492	486	3889
Age 5-9	455	112	377	235	135	145	229	291	131	264	412	494	420	3700
Age 10-15	543	150	487	323	169	231	281	417	160	283	535	598	566	4743
Age 16-24	938	220	705	435	168	234	863	517	181	342	959	889	906	7357
Age 25-44	2390	381	1731	1080	489	594	1307	1254	458	1004	2288	2338	1727	17041
Age 45-64	1712	787	2203	1639	714	788	877	1724	709	1394	1806	2412	1864	18629
Age 65-74	387	265	984	744	348	324	279	674	295	653	565	825	714	7057
Age 75 and over	350	215	910	597	289	253	231	583	250	689	667	750	766	6550
Median age	35	48	46	48	49	45	30	46	48	49	37	41	41	40

Ethnic Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ivelchester	Martock	St Michael's	South Petherton	Yeovil Central	Yeovil South	Yeovil West	Total
White: British	6844	2135	7575	5169	2359	2645	4136	5543	2212	4735	6596	8257	7018	65224
White: Irish	24	5	23	18	7	6	14	8	15	12	27	26	20	205
White: Gypsy or Irish Traveller	2	6	8	5	1	6	4	8	15	6	8	2	6	77
White: Other White	204	42	107	53	22	24	79	64	40	60	608	300	229	1832
Black and Minority Ethnic	234	23	113	65	32	30	86	101	25	53	477	213	176	1628

*[Source: all Information taken from the 2011 Census].*

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## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance  
([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

24 September 2018

### **Section 1 – Description of what is being impact assessed**

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the Stanchester Leisure Centre which is located at Montacute Road in Stoke-sub-Hamdon. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Fitness studio with resistance & CV machines and free weights
- Sports hall for football, basketball and badminton
- Floodlit tennis courts
- Various exercise classes - such as fit steps, group cycle and circuits.

The Sports hall is available to hire at weekends, evenings and during the school holidays. The tennis courts are included in the membership cost or can be used by non-members. The Centre provides gymnastics for children and can cater for children's parties.

It should be noted that Stanchester Academy has stated its intention to consider providing some community leisure services in the future. It is possible that some of the other services currently on offer may be subject to change.

## The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

### **Section 2A – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)**

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

#### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

#### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.

## Age Profile

1610's data show a total of 1,430 registered users at the leisure centre, of whom the ages of 1,303 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

In the 2011 Census, there were 68,966 people living within the catchment area (as described in section three). Please see information in table B. The age profile of the catchment area is broadly similar to the county profile, as shown in table C.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	4	0.3%	3,889	5.6%	5.4%
Age 5-9	105	8.1%	3,700	5.4%	5.2%
Age 10-15	118	9.1%	4,743	6.9%	7.2%
Age 16-24	215	16.5%	7,357	10.7%	10.2%
Age 25-44	404	31.0%	17,041	24.7%	22.5%
Age 45-64	362	27.8%	18,629	27.0%	28.3%
Age 65-74	82	6.3%	7,057	10.2%	10.8%
Age 75 and over	13	1.0%	6,550	9.5%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Young people aged 16-24 will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions. Parents with young children, teenagers and older people could be eligible to use the Slinky service described in section four.

## **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 778 (54.4%) registered female users at the centre and 632 (44.2%) registered male users. In addition, there were 20 people (1.4%) whose gender was not known or not recorded.

In the 2011 Census, there were 34,832 females (50.5%) and 34,134 males (49.5%) living in the identified catchment area. This is similar to the profile of the county of 51.2% females and 48.8% males.

Therefore, based solely on these demographics, it can be concluded there is likely to be a greater

impact on females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of potential users are also likely to be female.

However, both male and females may be able to access the alternative provision described in section four below.

### **Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	65,224	94.6%	95.5%	
White: Irish	205	0.3%	0.4%	
White: Gypsy or Irish Traveller	77	0.1%	0.0%	
White: Other White	1,832	2.7%	2.6%	
Black and Minority Ethnic	1,628	2.4%	1.5%	

As can be seen in the table,

- The profile of the catchment area (i.e. potential users of the facility) and the county average is broadly the same although there is a higher percentage of 'Other White' and BME people in the catchment.
- White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

### **Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

### **Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going

through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are **delivering** the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person

could have used the centre once or on a regular basis.

### Affected Electoral Wards

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 11.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Brympton
- Burrow Hill
- Crewkerne
- Coker
- Eggwood
- Hamdon
- Ivelchester
- Martock
- St Michael's
- South Petherton
- Yeovil Central
- Yeovil South
- Yeovil West

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 12. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

### Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart disease, stroke and cancer.

### Other Sources

Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the

proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Stoke-sub-Hamdon and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Females are likely to be more affected than males.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at Stanchester Leisure Centre may continue to be made available by the Academy. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

#### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

There does not appear to be another gym in Stoke-sub-Hamdon although there is an independent gym in the village of Martock (<https://www.facebook.com/fitmartock/>) which is located approximately four miles from the leisure centre.

Alternatively, there are a number of options in Yeovil, including 1610's site at Preston Academy (<https://www.1610.org.uk/centres/preston-sports-centre/>) and the LED-run Goldenstones Leisure Centre (<https://www.ledleisure.co.uk/our-centre/goldenstones-leisure-centre-yeovil>), both of which are approximately five miles away. There are a number of buses that run from Stoke-sub-Hamdon to Yeovil on a daily basis.

The two organisations have been contacted by County Council officers and both describe their facilities as accessible for people with disabilities.

#### Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type 1 and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

#### Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

#### National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.



### The Martock and South Petherton 'Slinky'

The Martock and South Petherton 'Slinky' is an accessible bus service funded by Somerset County Council for people unable to access conventional transport. This service can be used for a variety of reasons such as getting to local health appointments or exercise classes, visiting friends and relatives, going shopping or for social reasons. People will be eligible to use the Slinky bus if they:

- do not have your own transport;
- do not have access to a public bus service;
- have a disability which means they cannot access a public bus.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The Academy is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

	<p>locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>		
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**Gender Reassignment**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.

**Marriage and Civil Partnership**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Pregnancy and Maternity**

<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

<p>If leisure facilities were to close, White British people will be most affected.</p> <p>It is unlikely to result in a negative impact on people of minority ethnic groups.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

<p>Women are expected to be more affected by a closure or reduction of community leisure services than men.</p>	<p>If the Academy provides community leisure services, they would almost certainly be available to both male and females.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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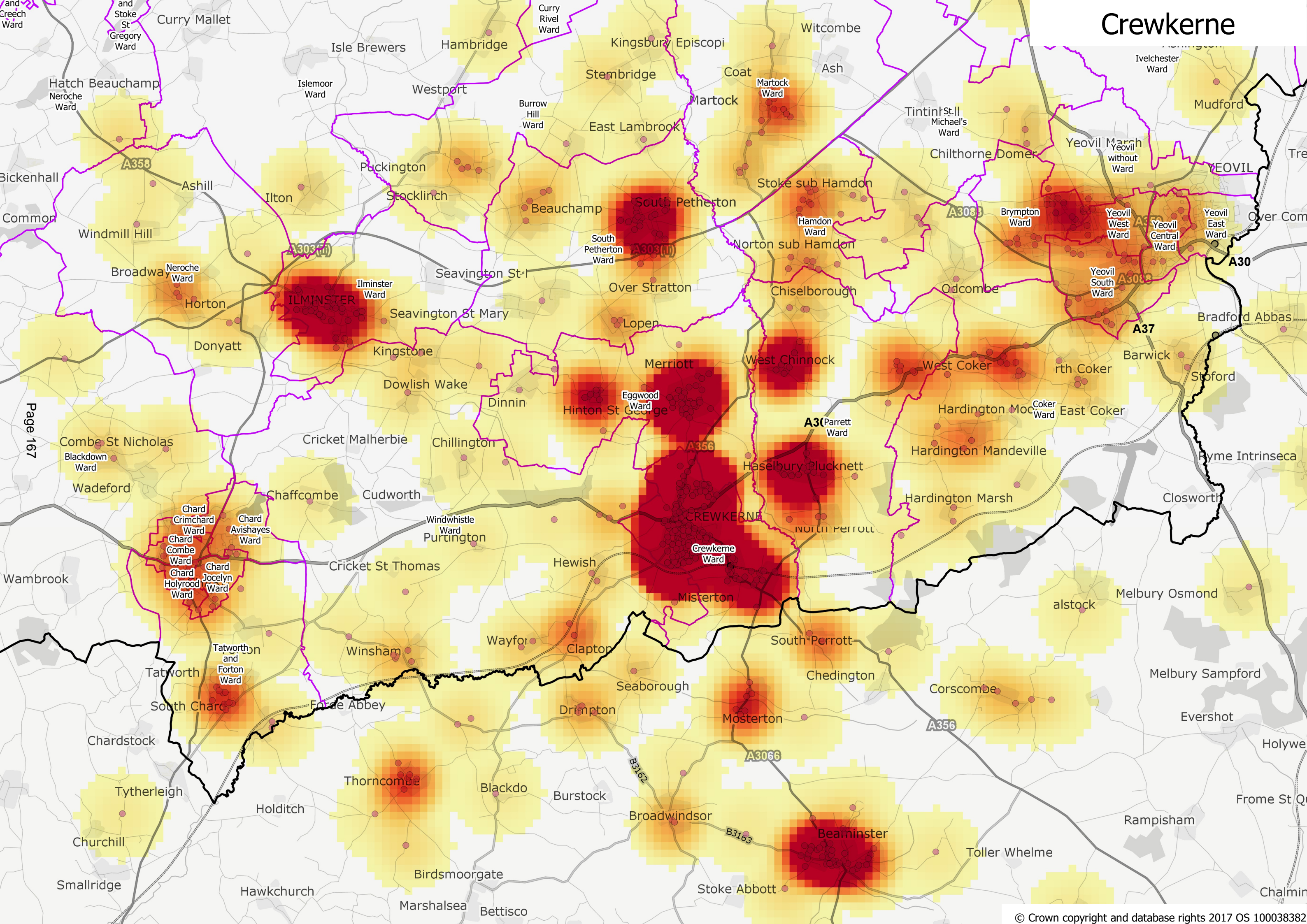
<b>Sexual Orientation</b>			
Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<p><u>Low Income:</u></p> <p>The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.</p> <p>If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.</p>	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<p><u>Rurality:</u></p> <p>If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.</p>	It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.	Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.	The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

# Crewkerne



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Decision Report –Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 15

Tables showing the gender, age and ethnicity profile of the most affected wards for Crewkerne:

Gender Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ilminster	Martock	Parrett	Windwhistle	Yeovil Central	Yeovil East	Yeovil South	Yeovil West	Yeovil Without	Total
Total males	3660	1074	3748	2613	1171	1334	2889	2784	1136	1127	3888	3702	4327	3519	3477	40449
Total females	3648	1137	4078	2697	1250	1377	3128	2940	1200	1166	3828	3873	4471	3930	3558	42281

Age Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ilminster	Martock	Parrett	Windwhistle	Yeovil Central	Yeovil East	Yeovil South	Yeovil West	Yeovil Without	Total
Age 0-4	533	81	429	257	109	142	398	264	86	91	484	575	492	486	416	4843
Age 5-9	455	112	377	235	135	145	312	291	118	109	412	485	494	420	307	4407
Age 10-15	543	150	487	323	169	231	380	417	157	124	535	584	598	566	460	5724
Age 16-24	938	220	705	435	168	234	579	517	181	187	959	955	889	906	702	8575
Age 25-44	2390	381	1731	1080	489	594	1390	1254	431	384	2288	2092	2338	1727	1635	20204
Age 45-64	1712	787	2203	1639	714	788	1524	1724	724	793	1806	1749	2412	1864	1958	22397
Age 65-74	387	265	984	744	348	324	684	674	341	342	565	526	825	714	849	8572
Age 75 and over	350	215	910	597	289	253	750	583	298	263	667	609	750	766	708	8008
Median age	35	48	46	48	49	45	44	46	50	51	37	36	41	41	44	44

Ethnic Profile	Brympton	Burrow Hill	Crewkerne	Coker	Eggwood	Hamdon	Ilminster	Martock	Parrett	Windwhistle	Yeovil Central	Yeovil East	Yeovil South	Yeovil West	Yeovil Without	Total
White: British	6844	2135	7575	5169	2359	2645	5820	5543	2279	2190	6596	6931	8257	7018	6722	78083
White: Irish	24	5	23	18	7	6	23	8	9	11	27	30	26	20	20	257
White: Gypsy or Irish Traveller	2	6	8	5	1	6	3	8	6	1	8	13	2	6	1	76
White: Other White	204	42	107	53	22	24	74	64	31	64	608	415	300	229	141	2378
Black and Minority Ethnic	234	23	113	65	32	30	97	101	11	27	477	186	213	176	151	1936

*[Source: all Information taken from the 2011 Census].*

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## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance ([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

24 September 2018

### Section 1 – Description of what is being impact assessed

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the Crewkerne Leisure Centre which is located at Yeovil Road in Crewkerne. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Sports hall & courts for badminton and gymnastics
- Outside courts & pitches for tennis, netball and cricket

There is no cardio or resistance gym equipment in the centre.

The leisure centre is occasionally used to host children's birthday parties.

It should be noted that Wadham School has stated its intention to continue to provide some leisure services, such as community lettings of the sports hall. It is possible that some of the other services currently on offer may be subject to change.

## The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

### **Section 2A – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)**

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

#### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

#### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.

## Age Profile

1610's data show a total of 1,737 registered users at the leisure centre, of whom the ages of 2,407 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

In the 2011 Census, there were 82,730 people living within the catchment area (as described in section three). Please see information in table B. The age profile of the catchment area is broadly similar to the county profile, as shown in table C.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	66	4.0%	4,843	5.9%	5.4%
Age 5-9	357	21.9%	4,407	5.3%	5.2%
Age 10-15	309	18.9%	5,724	6.9%	7.2%
Age 16-24	186	11.4%	8,575	10.4%	10.2%
Age 25-44	381	23.3%	20,204	24.4%	22.5%
Age 45-64	285	17.5%	22,397	27.1%	28.3%
Age 65-74	64	3.9%	8,572	10.4%	10.8%
Age 75 and over	15	0.9%	8,008	9.7%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Children and young people aged 5-15 will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions.

### **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 849 (48.9%) registered female users at the centre and 839 (48.3%) registered male users. In addition, there were 49 people (2.8%) whose gender was not known or not recorded.

In the 2011 Census, there were 42,281 females (51.1%) and 40,449 males (48.9%) living in the identified catchment area. This is very similar to the profile of the county of 51.2% females and 48.8% males.

Therefore, based solely on these demographics, it can be concluded there is likely to be an equal impact on males and females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of potential users are likely to be female. However, both male and females may be able to access the alternative provision described in section four below.

**Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	78,083	94.4%	95.5%	
White: Irish	257	0.3%	0.4%	
White: Gypsy or Irish Traveller	76	0.1%	0.0%	
White: Other White	2,378	2.9%	2.6%	
Black and Minority Ethnic	1,936	2.3%	1.5%	

As can be seen in the table,

- The profile of the catchment area (i.e. potential users of the facility) and the county average are broadly the same.
- White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

**Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

**Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are delivering the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person could have used the centre once or on a regular basis.

## Affected Electoral Wards

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 14.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Brympton
- Burrow Hill
- Crewkerne
- Coker
- Eggwood
- Hamdon
- Ilminster
- Martock
- Parrett
- Windwhistle
- Yeovil Central
- Yeovil East
- Yeovil South
- Yeovil West
- Yeovil Without

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 15. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

## Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart disease, stroke and cancer.

## Other Sources

Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.



**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Crewkerne and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Children and young people aged 5-15 will be proportionally more affected compared to the catchment area and county average.
- Females and males are likely to be equally affected.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at Crewkerne Leisure Centre may continue to be made available by the School. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

#### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

The main alternative in Crewkerne is the volunteer-run Aqua Centre ([www.aquacentre.co.uk/](http://www.aquacentre.co.uk/)) that has a gym, classes and a pool. There is also the 'Lift-Fitness' gym (<http://www.lift-fitness.co.uk/home>) in the town which is a gym with personal training available, although no exercise classes.

Both are situated within walking distance from the leisure centre and are accessible by walking or cycling

The two organisations have been contacted by County Council officers. The Aqua Centre is fully accessible for people with disabilities although Lift Fitness may not be accessible for some people (there is a step from the street into the gym although there is currently no ramp for access).

#### Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type I and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

### Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

### National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section 4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The School is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

	<p>locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme described in section 4.</p>		
<b>Gender Reassignment</b>			
<p>A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.</p>			
<b>Marriage and Civil Partnership</b>			
<p>A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.</p>			
<b>Pregnancy and Maternity</b>			
<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

If leisure facilities were to close, White British people will be most affected.

It is unlikely to result in a negative impact on people of minority ethnic groups.

If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).

Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.

The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

Women are expected to be more affected by a closure or reduction of community leisure services than men.

If the School provides community leisure services, they would almost certainly be available to both male and females.

If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).

Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.

The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

<b>Sexual Orientation</b>			
<p>Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.</p>	<p>It is not possible for the County Council to mitigate this impact.</p>		<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Other (including caring responsibilities, rurality, low income, Military Status etc)</b>			
<p><u>Low Income:</u></p> <p>The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.</p> <p>If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.</p>	<p>It is not possible for the County Council to mitigate this impact.</p>		<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<p><u>Rurality:</u></p> <p>If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.</p>	<p>It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

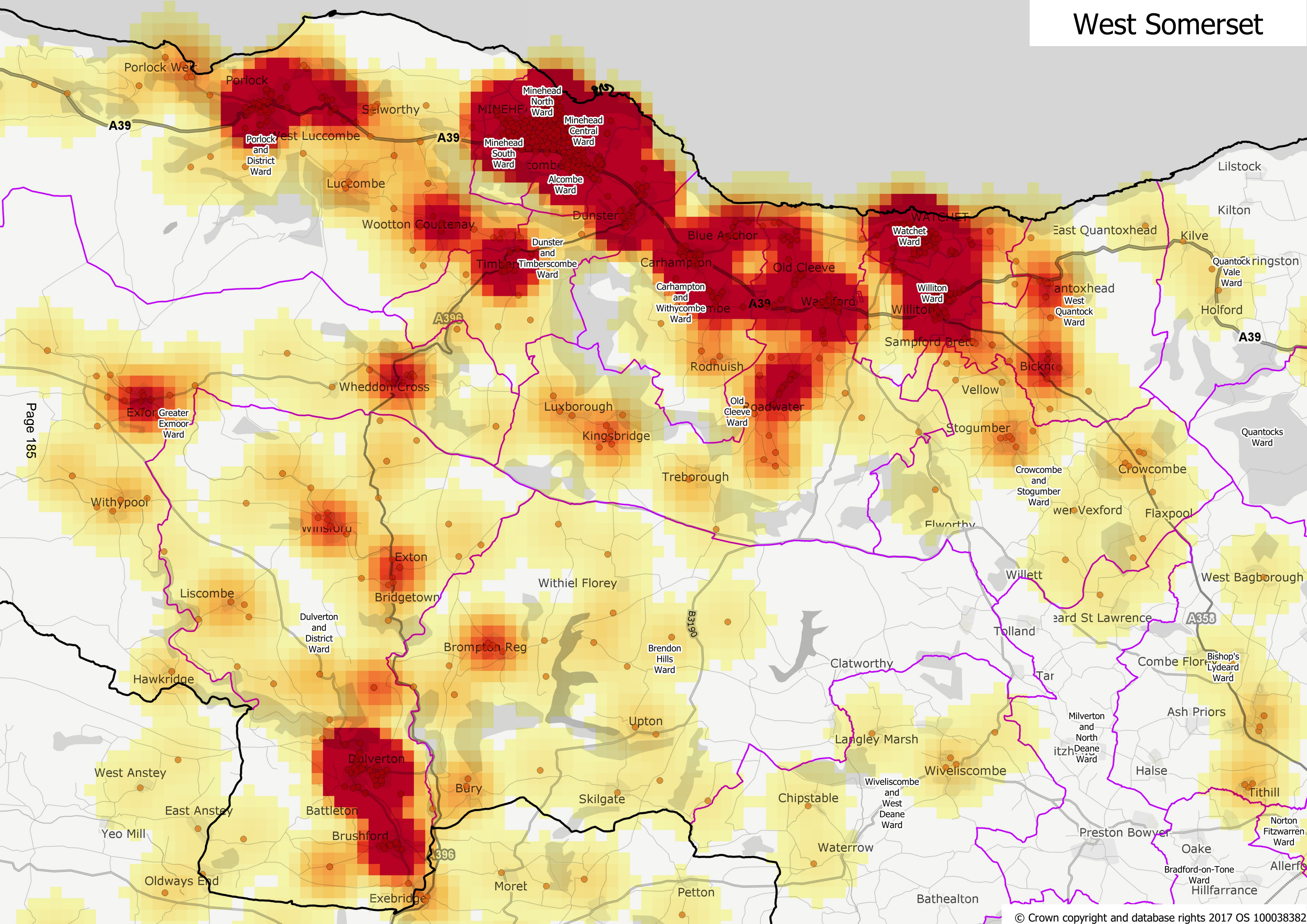
**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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Decision Report –Cabinet Member Key Decision  
10 December 2018  
Community Leisure Services post-2019  
Appendix 18

Tables showing the gender, age and ethnicity profile of the most affected wards for West Somerset:

Gender Profile	Alcombe	Bishop's Lydeard	Brendon Hills	Carhampton and Withycombe	Crowcombe and Stogumber	Dulverton and District	Dunster and Timberscombe	Greater Exmoor	Minehead Central	Minehead North	Minehead South	Old Cleeve	Porlock and District	Watchet	West Quantock	Williton	Wiveliscombe and West Deane	Total
Total males	1092	3026	656	547	576	1199	551	550	2364	982	1197	1038	1103	1856	539	1283	1880	20439
Total females	1222	3297	631	611	615	1292	668	573	2529	1157	1438	1158	1235	1929	549	1414	2020	22338

Age Profile	Alcombe	Bishop's Lydeard	Brendon Hills	Carhampton and Withycombe	Crowcombe and Stogumber	Dulverton and District	Dunster and Timberscombe	Greater Exmoor	Minehead Central	Minehead North	Minehead South	Old Cleeve	Porlock and District	Watchet	West Quantock	Williton	Wiveliscombe and West Deane	Total
Age 0-4	109	415	39	39	69	100	33	37	223	69	105	77	85	216	29	119	187	1951
Age 5-9	108	479	62	37	49	85	42	40	207	53	104	105	71	165	25	131	184	1947
Age 10-15	162	519	88	51	58	136	72	60	299	65	139	115	120	251	51	205	305	2696
Age 16-24	204	531	86	123	70	187	92	102	792	141	169	179	161	404	63	247	345	3896
Age 25-44	443	1565	201	171	217	403	188	189	1232	332	397	358	289	737	150	489	785	8146
Age 45-64	627	1751	478	386	407	791	393	400	1100	576	718	760	805	1171	357	733	1227	12680
Age 65-74	316	578	215	189	180	383	227	171	455	368	473	337	408	486	221	387	452	5846
Age 75 and over	345	485	118	162	141	406	172	124	585	535	530	265	399	355	192	386	415	5615
Median age	49	41	53	54	53	54	55	51	39	61	58	52	57	47	59	49	47	52

Ethnic Profile	Alcombe	Bishop's Lydeard	Brendon Hills	Carhampton and Withycombe	Crowcombe and Stogumber	Dulverton and District	Dunster and Timberscombe	Greater Exmoor	Minehead Central	Minehead North	Minehead South	Old Cleeve	Porlock and District	Watchet	West Quantock	Williton	Wiveliscombe and West Deane	Total
White: British	2231	6131	1253	1137	1143	2417	1177	1091	4332	2029	2555	2130	2291	3700	1067	2604	3697	40985
White: Irish	9	18	2	4	7	9	3	3	17	9	14	12	5	14	4	27	21	178
Traveller	2	2	0	0	1	0	0	0	1	0	3	1	2	0	0	0	4	16
White: Other White	41	90	17	9	28	35	26	17	420	46	41	28	25	33	12	29	118	1015
Ethnic	31	82	15	8	12	30	13	12	123	55	22	25	15	38	5	37	60	583

*[Source: all information taken from the 2011 Census].*

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## Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance  
([www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**Baroness Thornton, March 2010**

**What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?**

The expiry of the current contract with a community leisure provider and disposal of leisure assets.

**Version**

1

**Date**

24 September 2018

### Section 1 – Description of what is being impact assessed

#### General Background

In August 2009, the County Council entered into an agreement with Somerset Leisure Ltd (now known as 1610 Ltd) to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year.

In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision, a non-statutory service.

This decision paper sets out the recommended course of action of decommissioning community leisure provision and the transfer of the sites to the schools and academies on which they are situated. While it is hoped that community leisure services will continue to be provided by the schools, the County Council is not placing an obligation on the schools to do so and is therefore unable to guarantee a continuation of service as it will be beyond its control. As a result, it is necessary to consider the possibility of community leisure services either reducing or ceasing and the alternative provision that may be available for people in the affected communities.

This particular paper refers to the West Somerset Leisure Centre which is located next to the West Somerset Academy at Bircham Road in Minehead. There are separate assessments available for each of the other affected leisure centres.

The current facilities on offer at the Leisure Centre include:

- Fitness studio
- Exercise classes such as 'kettlecise', spinning and yoga
- Gym with resistance and cardio equipment
- Sports hall for activities such as badminton
- All weather pitches for sports such as football
- Tennis courts

The leisure centre is occasionally used to host events including children's birthday parties.

West Somerset College is sponsored by the Bridgwater College Trust that has stated its firm intention to continue to provide some leisure services. It is possible that some of the other services currently on offer may be subject to change.

## The County Council's Public Health Responsibility

It is important to bear in mind that the County Council does not have a statutory duty to provide community leisure services although it does have a duty under section 2B of the National Health Service Act 2006 to take "such steps as it considers appropriate for improving the health of the people in its area".

This duty is a 'target duty' and will be met if the local authority is taking all reasonable steps to meet the duty. The County Council's Public Health Team is targeting its resources to those who are inactive, as this is where the greatest public health gain can be made. The physical activity and healthy eating offer is a place-based approach using asset based community development techniques to empower and support communities to take ownership of, and develop community-based initiatives where they live and work.

It will be targeting areas of high social need as it is aware of the association between living in these communities and physical inactivity and obesity levels. The Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Section 2A** – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

The people, groups or communities that could be affected are those that currently access leisure services from the sites included in the contract and those who may be future users of the sites. The outcomes of any site closure would potentially affect all groups although it is important the County Council considers the impact on people with protected characteristics, some of whom may not find it easy to access alternative provision.

### **Protected Characteristic – Disability**

1610 do not collect information pertaining to disability and, therefore, the County Council is unable to determine the precise impact of the closure of the leisure centre on people with this protected characteristic.

However, the County Council recognises that disabled people can experience considerably higher levels of health inequality than the general population and enabling participation in health and wellbeing activities will help address this inequality.

For example, on average, the life expectancy of women with a learning disability is 18 years shorter than for women in the general population; and the life expectancy of men with a learning disability is 14 years shorter than for men in the general population (NHS Digital 2017).

Indeed, many disabled people cannot access sports or can face physical, logistical and psychological barriers. Negative early experiences in school turn many disabled people off sport altogether.

### **Protected Characteristic: Age**

Somerset has an aging demographic and maintaining the health and wellbeing of older people is a high priority for the County. There are many factors, physical and mental, which may lead to an older person having reduced physical fitness, including the effect of the ageing process itself on muscle mass and strength. Physical activity is considered important in reducing the risk of an older person experiencing a fall. There is evidence to show the risk of hip fracture is up to 40% lower in older people who are more active.

## Age Profile

1610's data show a total of 4,191 registered users at the leisure centre, of whom the ages of 3,798 people were recorded. Please see the age profile of these people in table A below. The age bandings are the same as used in the Census.

In the 2011 Census, there were 42,777 people living within the catchment area (as described in section three). Please see information in table B. The age profile of the catchment area is broadly similar to the county profile, as shown in table C.

Current Registered Users (A)			Catchment Area (B)		County Average (C)
Age 0-4	73	1.9%	1,951	4.6%	5.4%
Age 5-9	312	8.2%	1,947	4.6%	5.2%
Age 10-15	260	6.8%	2,696	6.3%	7.2%
Age 16-24	777	20.5%	3,896	9.1%	10.2%
Age 25-44	1208	31.8%	8,146	19.0%	22.5%
Age 45-64	785	20.7%	12,680	29.6%	28.3%
Age 65-74	276	7.3%	5,846	13.7%	10.8%
Age 75 and over	107	2.8%	5,615	13.1%	10.2%

As can be seen,

- The most affected age banding of registered users (table A) will be those people in the 25-44 age range.
- Children and young people aged 5-9 and 16-24 respectively will be proportionally more affected compared to the catchment area and county average.
- The profile of registered users differs from the catchment area and county average profiles whereby the highest number of *potential* users are people within the 45-64 age range.

It is likely that some older people may qualify for the Exercise Referral Scheme, as described in section four below. For people of pensionable age (65 in 2018, rising to 67 by 2028), the National Concessionary Travel Scheme, described in section four below, may be of some assistance to older people to access alternative leisure centres.

Passes are available for Somerset residents who are of pensionable age and allows people to travel free on buses in every area of England, subject to certain time restrictions. Parents with young children, teenagers and older people could be eligible to use the Slinky service described in section four.

## **Protected Characteristic – Sex**

Although women are more inactive than men (27% compared to 24%. Source: Department for Digital, Culture, Media & Sport), men experience poorer health outcomes than women and, on average, die younger.

1610's data show a total of 2,179 (52.0%) registered female users at the centre and 1,912 (45.4%) registered male users. In addition, there were 100 people (2.4%) whose gender was not known or not recorded.

In the 2011 Census, there were 22,338 females (52.2%) and 20,439 males (47.8%) living in the identified catchment area. This is comparable to the profile of the county of 51.2% females and 48.8% males.

Therefore, based solely on these demographics, it can be concluded there is likely to be a greater

impact on females if community leisure services were to cease or reduce at the leisure centre due to the profile of the people currently using the facilities.

The Census information suggests that a higher number of *potential* users are also likely to be female.

However, both male and females may be able to access the alternative provision described in section four below.

### **Protected Characteristic – Race**

1610 do not collect information pertaining to race although we are able to compare the ethnicity profile of the catchment area to the county average.

Catchment Area			County Average	
White: British	40985	95.8%	95.5%	
White: Irish	178	0.4%	0.4%	
White: Gypsy or Irish Traveller	16	0.0%	0.0%	
White: Other White	1015	2.4%	2.6%	
Black and Minority Ethnic	583	1.4%	1.5%	

As can be seen in the table,

- The profile of the catchment area (i.e. potential users of the facility) and the county average is broadly the same
- White British people are most likely to be affected by the closure of the leisure facility.

The County Council is aware that people from black and minority ethnic groups are at greater risk of some health conditions than the general population (for example, Diabetes UK and the British Heart Foundation report a greater prevalence of diabetes and chronic heart disease respectively in minority ethnic groups). These risks will be reduced by participation in health and wellbeing activities.

The County Council is also aware through reports issued by the Equality and Human Rights Commission that gypsy and traveller communities experience extreme health inequality, with average male life expectancy being under 50 years. Where race equality is combined with other protected characteristics (for example age, low income or disability), the impact multiplies.

### **Protected Characteristic – Sexual Orientation**

1610 do not collect information pertaining to sexual orientation and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, the County Council is aware that lesbian, gay, bisexual and transgender people of all ages can experience barriers to participating in health promotion activities and in accessing health services due to societal stigma and discrimination; as well as experiencing poor health and wellbeing as a direct result of exclusion and discrimination.

It is also aware that people of a certain orientation may feel less comfortable accessing new/alternative facilities which could cause distress or anxiety.

### **Protected Characteristic – Gender Reassignment**

1610 do not collect information pertaining to gender reassignment and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas. Therefore, it is possible that any



reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Pregnancy and Maternity**

1610 do not collect information pertaining to pregnancy and maternity and, therefore, the County Council is unable to determine the precise impact on people with this protected characteristic.

However, it is acknowledged that women in the later stages of pregnancy may find it more uncomfortable to travel to alternative centres. Therefore, it is possible that any reductions or cessation of services at the leisure centre may have a disproportionate impact on people with this protected characteristic.

### **Protected Characteristic: Religion or Belief**

1610 do not collect information pertaining to religion or belief and, therefore, the County Council is unable to determine the precise impact of the closure of the facility on people with this protected characteristic although it is aware of cultural preferences - for example, some women following the Muslim faith are not permitted to engage in mixed gender sports.

The likelihood of there being a detrimental impact on people with particular religious, or other, beliefs is considered low.

### **People on Low Income**

1610 do not collect information on income. It is acknowledged that people on low income will find it more difficult to access alternative provision due to the possible increased need to travel. There is alternative provision identified above that is within walking or cycling distance. It is acknowledged there may also be some differences in admission prices at alternative centres.

### **Carers**

1610 do not collect information on carers although it is acknowledged that carers may attend the centre in order to accompany, and provide assistance to, family and friends or certain people who would otherwise be unable to access the centre on their own. It is acknowledged that for some people, it may be more difficult for carers to access alternative centres.

## **Section 2B – People who are **delivering** the policy or service**

It is also possible that existing employees may be made redundant and some may be entitled to transfer to the employ of a new provider. This will be a matter between for their current employer to handle. We will, however, work with 1610 Ltd to make sure that staff are dealt with fairly through this process.

## **Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

### **Data Analysis**

The leisure operator, 1610 Limited, provided the County Council with user data in May 2018. This contained the postcode, gender and age of registered users. There were some acknowledged limitations with the data:

- It does not differentiate between 'casual' users and members.
- Approximately 13% of post codes provided were unable to be mapped due to incorrect or missing information.
- The County Council is not aware of the dates used for the age calculations.
- There was no activity information contained in the data, which means that each person could have used the centre once or on a regular basis.

## Affected Electoral Wards

Officers within the Customers and Communities Team have used the information to produce a 'heat-map' showing at-a-glance where the majority of users are living. Please refer to appendix 17.

As can be seen in the heat-map, the highest concentration of users are located in the following electoral wards:

- Alcombe
- Bishop's Lydeard
- Brendon Hills
- Carhampton and Withycombe
- Crowcombe and Stogumber
- Dulverton and District
- Greater Exmoor
- Minehead Central
- Minehead North
- Minehead South
- Old Cleeve
- Porlock and District
- Watchet
- West Quantock
- Williton
- Wiveliscombe and West Deane

Together, these wards effectively represent the 'catchment area' for the leisure centre.

The gender, age and ethnicity profiles of the above-named wards are shown in the table contained in appendix 18. All information has been taken from the most recent Census (2011).

This information has been used in section 2A of this report to compare and contrast the catchment area with information from the 2011 Census (<https://www.ons.gov.uk/census/2011census>).

## Public Health England

From a healthy futures perspective, it is vital to encourage health and wellbeing activity among children and young people. In 2014, Public Health England published a paper for head teachers, governors and staff in education settings which set out the link between pupil health and wellbeing & attainment.

The paper (which can be accessed at <https://tinyurl.com/yb62owfp>) affirmed a positive association between academic attainment and the physical activity levels of pupils. In particular, it reported on physical activity being linked to pro-social behaviour and enhanced peer relationships leading to reductions in disruptive classroom behaviour and improved examination results. The paper also confirmed that pupils with better health and wellbeing are likely to achieve more academically.

Approximately one in five children leaving primary school in year 6 are classed as obese. Data released earlier this year by the National Child Measurement Programme says that, nationally, 4% of children aged ten and eleven in year 6 are classed as severely obese. Experts have warned that severe obesity places people at a serious health risk including diabetes, heart disease, stroke and cancer.

## Other Sources

Information has taken from other external sources has been used in this assessment, including NHS Digital England, Diabetes UK, the British Heart Foundation and the alternative community leisure providers mentioned in section four below.

**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

It can be concluded that there would be an inevitable impact on people in Minehead and surrounding areas if the leisure centre were to close. In relation to the protected characteristics we have identified that:

- The most affected age banding of registered users will be those people in the 25-44 age range whereby the highest number of potential users are people within the 45-64 age range.
- Females are likely to be more affected than males.
- White British people are most likely to be affected than other ethnicity groups.

However, as mentioned above, it is expected that the services currently on offer at West Somerset Leisure Centre will continue to be made available by the Academy. If not, there are other facilities within a reasonable distance from the centre that people may be able to access that will allow them to maintain their activity levels.

#### Alternative Ways to Keep Active / Get Fit

There are many other ways to keep fit and active locally. Details can be found on the Zing website - <https://www.zingsomerset.co.uk>

Residents will shortly be able to access the digital offer of the new delivery model of ZING. A mapping exercise has been undertaken and additional weight management and physical activity opportunities in key geographical locations have been identified to help signpost to locally run initiatives.

There are a number of alternative fitness providers in Minehead, such as the Beach Hotel Fitness Suite (<https://www.thebeachhotel.org/fitness-suite/>) and the Fitness Station Gym & Tanning Station (<http://www.fitnessstationgym.co.uk/>). The Beach Hotel has confirmed its facilities are accessible for people with disabilities.

Both are situated approximately one mile from the leisure centre and are accessible by walking or cycling. Alternatively, there may be bus routes from people's homes that would help them access this alternative provision. Details can be found at <https://bustimes.org/regions/SW>

There are no bookable all-weather pitches at these centres although it is unlikely that West Somerset College would withdraw community use to its ATP.

#### Exercise Referral Scheme

People experiencing ill health could be affected by a centre closure although the County Council's Exercise Referral Scheme will be able to signpost people to other providers.

The scheme is specially designed for healthcare professionals to recommend their patients to an exercise programme in order to support their health and wellbeing and quality of life. Health care professionals includes GPs, physiotherapists, practice nurses, dietitians, health trainers and psychologists.

The services are provided by a number of leisure providers and independent instructors in Somerset and operate through fully qualified staff who design and work through a personalised programme of exercise with the patient.

People have benefited from exercise to help in the rehabilitation, treatment and prevention of certain medical conditions, including:

- Asthma
- Chronic obstructive pulmonary disease (COPD)
- Osteoarthritis
- Rheumatoid arthritis
- Joint replacement
- Simple mechanical back pain
- Stable Angina
- Osteoporosis
- Hypertension
- Hypercholesterolaemia
- Depression
- Stress
- Anxiety
- Diabetes Type 1 and Type 2

Following a referral from a health professional, the patient will be given the referral form with a list of all accredited leisure providers across Somerset that operate the scheme. The patient is then able to choose where they would like to attend to undertake the programme and is encouraged to make contact with the leisure provider to book an initial appointment to launch their referral.

The services are paid for by the patient, although many leisure providers offer the services as part of a membership scheme or offer concessionary rates.

### Weight Loss Support

There are a number of websites offering trusted information to support weight loss, such as:

- Somerset Partnership Dieticians resources - <http://www.sompar.nhs.uk/what-we-do/general-health/dietetics/paediatric-weight-management/resources/>
- The British Dietetics Association - <https://www.bda.uk.com/foodfacts/home>
- The British Heart Foundation resources - <https://www.bhf.org.uk/publications>
- NHS Choices 12 week weight loss plan - <https://www.nhs.uk/Livewell/weight-loss-guide/Pages/weight-loss-guide.aspx>

There are also a number of commercial weight loss clubs available for people to access (for example, Slimming World and Weight Watchers) whose websites can often provide helpful tips and advice.

### National Concessionary Travel Scheme

The National Concessionary Travel Scheme may be of some assistance to people with disabilities in order to assist them to access other leisure provision. People could be entitled to free bus passes if they:

- are blind or partially sighted;
- are profoundly or severely deaf;
- are without speech;
- have a disability, or have suffered an injury, which has a substantial and long-term adverse effect on your ability to walk;
- do not have arms or have long-term loss of the use of both arms;
- have a learning disability;
- have applied for a licence to drive under Part III of the Road Traffic Act 1988, but their application was turned down because of section 92 of the Act (physical fitness) although not if it was because of persistent misuse of drugs or alcohol.

## The West Somerset 'Slinky'

The West Somerset Slinky is an accessible bus service funded by Somerset County Council for people unable to access conventional transport. This service can be used for a variety of reasons such as getting to local health appointments or exercise classes, visiting friends and relatives, going shopping or for social reasons. People will be eligible to use the Slinky bus if they:

- do not have your own transport;
- do not have access to a public bus service;
- have a disability which means they cannot access a public bus.

**If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)**

Identified issues	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
<b>Age</b>			
<p>If leisure facilities transfer to another provider, young people may not be able to afford a new provider's membership fees. Older people may also be concerned about the affordability of services.</p> <p>If leisure facilities were to close, both older and younger people may find it difficult to access alternative provision as transport may prove to be a barrier.</p>	<p>Concessionary rates could be made available for older and younger people/children although this would be a matter for the new provider.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Older people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
<b>Disability</b>			
<p>If community leisure services were to reduce or cease, some disabled user groups could be adversely affected. For example, the incumbent provider provides opportunities for people with learning disabilities to access leisure provision.</p>	<p>It is hoped that community leisure services continue to be provided at the site and the facilities remain accessible for people with a disability. The Academy is likely to ensure its staff team are trained to ensure they have appreciation and sensitivity towards the needs of the disabled customers.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>

	<p>locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p> <p>Disabled people may qualify for assistance via the National Concessionary Travel Scheme or Slinky services, described in section 4.</p>		
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## Gender Reassignment

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group. However, as noted above, it is acknowledged that people whose gender has been reassigned, or are going through the process, may find it more uncomfortable initially to access alternative provision where there may be separate male and female changing areas.

## Marriage and Civil Partnership

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

## Pregnancy and Maternity

<p>If leisure facilities were to close, pregnant women and new parents could be adversely affected by having to find alternative provision with associated additional travel.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

<p>If leisure facilities were to close, White British people will be most affected.</p> <p>It is unlikely to result in a negative impact on people of minority ethnic groups.</p>	<p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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**Religion and Belief**

A wide group of people access leisure provision. A change of ownership or closure is unlikely to directly result in a discriminative or negative impact on this particular group.

**Sex**

<p>Women are expected to be more affected by a closure or reduction of community leisure services than men.</p>	<p>If the Academy provides community leisure services, they would almost certainly be available to both male and females.</p> <p>If community leisure services were to reduce or cease, there are a number of other ways to keep fit and active locally. Details can be found on the Zing website. Alternative provision is available in the locality (please refer to section4).</p>	<p>Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.</p>	<p>The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.</p>
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<b>Sexual Orientation</b>			
Leisure facilities regularly used by people of a certain orientation may feel more comfortable than having to access new/alternative facilities, which could cause distress or anxiety.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<u>Low Income:</u> The current provider provides concessionary rates for individuals in receipt of working tax credits and means-tested benefits.  If community leisure services were to close, it is possible that those on a low income will be less likely to access alternative provision due to transport costs.	It is not possible for the County Council to mitigate this impact.		The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.
<u>Rurality:</u> If services were to close or reduce it could cause a particular difficulty for people in a rural area to access alternative provision which may mean a further distance to travel.	It will be important to inform leisure users in good time in order to allow them to make alternative arrangements.	Sign-posting of alternative provision will be referenced in the media release that will be issued by the Council's Communications Team.	The County Council will not monitor this although its Public Health Team will continue to monitor the community's health and wellbeing, particularly if the community leisure services cease or diminish, in order to identify if any unmet health needs emerge and look to support mitigation if they arise.

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

- This decision will be published online.
- Discussions will take place with potential new service providers before site transfers take place.

<b>Completed by:</b>	Jonathan Doyle and Claire Lovett
<b>Date</b>	10 October 2018
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

## Somerset County Council Forward Plan of proposed Key Decisions

The County Council is required to set out details of planned key decisions at least 28 calendar days before they are due to be taken. This forward plan sets out key decisions to be taken at Cabinet meetings as well as individual key decisions to be taken by either the Leader, a Cabinet Member or an Officer. The very latest details can always be found on our website at:

<http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=134&RD=0&FD=1&bcr=1>

Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 defines a key decision as an executive decision which is likely:

(a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or

(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

The Council has decided that the relevant threshold at or above which the decision is significant will be £500,000 for capital / revenue expenditure or savings. Money delegated to schools as part of the Scheme of Financial Management of Schools exercise is exempt from these thresholds once it is delegated to the school.

Cabinet meetings are held in public at County Hall unless Cabinet resolve for all or part of the meeting to be held in private in order to consider exempt information/confidential business. The Forward Plan will show where this is intended. Agendas and reports for Cabinet meetings are also published on the Council's website at least five clear working days before the meeting date.

Individual key decisions that are shown in the plan as being proposed to be taken "not before" a date will be taken within a month of that date, with the requirement that a report setting out the proposed decision will be published on the Council's website at least five working days before the date of decision. Any representations received will be considered by the decision maker at the decision meeting.

In addition to key decisions, the forward plan shown below lists other business that is scheduled to be considered at a Cabinet meeting during the period of the Plan, which will also include reports for information. The monthly printed plan is updated on an ad hoc basis during each month. *Where possible the County Council will attempt to keep to the dates shown in the Plan. It is quite likely, however, that some items will need to be rescheduled and new items added as new circumstances come to light.* Please ensure therefore that you refer to the most up to date plan.

For general enquiries about the Forward Plan:

- You can view it on the County Council web site at <http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=134&RD=0&FD=1&bcr=1>
- You can arrange to inspect it at County Hall (in Taunton).
- Alternatively, copies can be obtained from Scott Wooldridge or Michael Bryant in the Democratic Services Team by telephoning (01823) 357628 or 359500.

To view the Forward Plan on the website you will need a copy of Adobe Acrobat Reader available free from [www.adobe.com](http://www.adobe.com)  
Please note that it could take up to 2 minutes to download this PDF document depending on your Internet connection speed.

To make representations about proposed decisions:

Please contact the officer identified against the relevant decision in the Forward Plan to find out more information or about how your representations can be made and considered by the decision maker.

The Agenda and Papers for Cabinet meetings can be found on the County Council's website at:  
<http://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=134&Year=0>

Weekly version of plan published on 2 October 2018

FP Refs	Decision Date/Maker	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring it to be considered in private?	Contact Officer for any representations to be made ahead of the proposed decision
<b>FP/18/08/04</b> First published: 7 August 2018	29 Oct 2018 ECI Commissioning Director	Issue: Somerset Accelerator Programme Decision: Approving the deployment of part of Somerset County Council's existing capital programme allocation for Business Growth Fund as a contribution which will leverage externally generated funds for Bruton Enterprise Centre & approving a contribution from SCC's economic development fund as a contingency	Allocating Funding for Accelerator Programme - Decision Report Appendix 1 - Bruton Enterprise Centre - Equality Impact Assessment Appendix 2 - Somerset Accelerator Programme Grant Scheme Special Urgency Rule 11 Procedure Notice		Katriona Lovelock, Economic Development Officer Tel: 01823 359873
<b>FP/18/06/08</b> First published: 19 June 2018	Not before 5th Nov 2018 Director of Commissioning and Lead Commissioner for Economic Community Infrastructure	Issue: To approve the appointment of a supplier to deliver the Wiveliscombe Enterprise Centre and Wells Technology Enterprise Centre Decision: To approve the appointment of a supplier			Nathaniel Lucas, Senior Economic Development Officer Tel: 01823359210
<b>FP/18/07/03</b> First published: 10 July 2018	7 Nov 2018 Cabinet Member for Economic Development, Planning and Community Infrastructure	Issue: Somerset Pollinator Action Plan Decision: Agreement to the objectives set out in the Somerset Pollinator Action Plan and for the plan to become SCC policy			Simon Breeze Tel: 07832 130370

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<b>FP/18/08/07</b> First published: 13 August 2018	19 Nov 2018 Cabinet Member for Resources and Economic Development, Cabinet Member for Education and Council Transformation	Issue: Revision of Section 106/CIL Pupil Yields in respect of contributions towards additional School Places Decision: That the formula used for calculating education contributions under Section 106 of the Town and County Planning Act 1990, and for the Community Infrastructure Levy (CIL) for school places should be revised			Elizabeth Smith, Service Manager – Schools Commissioning Tel: 01823 356260
<b>FP/18/08/06</b> First published: 13 August 2018	19 Nov 2018 Cabinet Member for Children and Families	Issue: Somerset Youth Justice Plan Decision: To approve the Somerset Youth Justice Plan. The Plan sets out how Youth Justice Services will be delivered in Somerset during 2018/19			Lise Bird, Strategic Manager - Prevention,
<b>FP/18/03/06</b> First published: 13 March 2018	Not before 19th Nov 2018 Cabinet Member for Economic Development, Planning and Community Infrastructure, Cabinet Member for Corporate and Community Services	Issue: Community Leisure Services Post 2019 Decision: Agree that SCC does not extend or renew the current contract for community leisure provision. Sites will be made available for disposal to the schools were possible.			Barry James, Strategic Commissioning Manager – Community Infrastructure Tel: 01823 356659

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<b>FP/08/06/03</b> First published: 12 June 2018	Not before 19th Nov 2018 Cabinet Member for Children and Families	Issue: Emergency Residential Stepdown Pilot Decision: To approve an 18 month pilot programme to procure emergency children's residential provision, exploring different models of delivering the service to see what works best			Louise Palmer, Strategic Commissioner
<b>FP/18/01/03</b> First published: 5 January 2018	Not before 19th Nov 2018 Cabinet Member for Children and Families	Issue: Heathfield School, Taunton - Award of Contract for the Proposed ASD Base Decision: To seek approval to award the contract for the delivery of the proposed new base		Part exempt	Carol Bond, Project Manager, Property Programme Team Tel: 01823 355962
<b>NON-KEY DECISION</b> First published: 28 December 2017	Not before 19th Nov 2018 Director of Commissioning and Lead Commissioner for Economic Community Infrastructure	Issue: Strategy for the Management of the County Farms Estate Decision: To approve the publication of the strategy for the management of the County Farms Estate in accordance with existing policies, taking into account the recommendations from Scrutiny Committee Policies & Place			Claire Lovett, Head of Property Tel: 07977412583

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<p><b>FP/17/09/04</b> First published: 11 September 2017</p>	<p>Not before 19th Nov 2018 Director of Finance, Legal and Governance, Director of Commissioning and Lead Commissioner for Economic Community Infrastructure</p>	<p>Issue: iAero (Yeovil) Aerospace Centre (2,500 sq m) Acceptance of ERDF Funding Decision: The acceptance of the offer of ERDF funding (£3.5 million), for the iAero (Yeovi) Aerospace Centre</p>			<p>Lynda Madge, Commissioning Manager – Economy &amp; Planning Tel: 01823 356766</p>
<p><b>FP/18/03/04</b> First published: 12 March 2018</p>	<p>Not before 19th Nov 2018 Cabinet Member for Highways and Transport</p>	<p>Issue: Procurement for the construction of traffic signals improvements at the Rowbarton junction in Taunton Decision: To commence the process to secure a contractor to deliver the scheme to improve the traffic signals at Rowbarton junction in Taunton</p>			<p>Sunita Mills, Service Commissioning Manager Tel: 01823 359763</p>
<p><b>FP/18/02/08</b> First published: 13 February 2018</p>	<p>Not before 19th Nov 2018 Cabinet Member for Highways and Transport</p>	<p>Issue: Taunton Transport Strategy Decision: To agree to adopt the joint (with TDBC) Taunton Transport Strategy</p>			<p>Lucy Bath Tel: 01823 359465</p>
<p><b>FP/18/08/03</b> First published: 7 August 2018</p>	<p>19 Nov 2018 Director of Commissioning and Lead Commissioner for Economic Community Infrastructure</p>	<p>Issue: Extension of the Somerset Local Education Partnership for five years Decision: An agreement is required to a five year extension to the Somerset LEP for the continuation of the services</p>			<p>Sue Taylor, Service Manager - Contracts and Performance</p>



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<p><b>FP/18/04/06</b> First published: 30 April 2018</p>	<p>Not before 19th Nov 2018 Director of Commissioning and Lead Commissioner for Economic Community Infrastructure</p>	<p>Issue: Procurement of the HotSW Growth Hub Service Decision: To undertake the procurement of a Business Support Service (Growth Hub) on behalf of the HotSW LEP</p>			<p>Melanie Roberts, Service Manager - Economic Policy Tel: 01823359209</p>
<p><b>FP/18/08/02</b> First published: 7 August 2018</p>	<p>19 Nov 2018 Director of Children's Services</p>	<p>Issue: Provision of accommodation and support for Unaccompanied Asylum-Seeking Children - Framework Contract Award Decision: A competitive tending process if being carried out for providers to join a framework for contract for semi-independent accommodation and support</p>			<p>Carrie-Ann Hiscock</p>
<p><b>FP/18/08/01</b> First published: 7 August 2018</p>	<p>Not before 19th Nov 2018 ECI Operations Director</p>	<p>Issue: Award of Concession Contract for the Provision of Cashless Parking Services Decision: To award a 5 year contract with an option for a further 2 year period to provide a "pay by phone" option for payment of car parking charges at Council locations within Somerset</p>			<p>Steve Deakin, Parking Services Manager, Parking Services, Community and Traded Services Tel: 01823355137</p>

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<p><b>FP/18/08/08</b> First published: 22 August 2018</p>	<p>19 Nov 2018 Cabinet, Cabinet Member for Economic Development, Planning and Community Infrastructure</p>	<p>Issue: Connecting Devon and Somerset: RDPE funding &amp; RDPE grant funding agreement Decision: To accept Rural Development Programme for England (RDPE) funding on behalf of the Connecting Devon &amp; Somerset Programme for the deployment of additional broadband infrastructure and sign up to the RDPE grant funding agreement.</p>	<p>CDS accept rural development programme for England funding and sign agreement Equality Impact Assessment Form and Action Table 2015 HM revised 2018</p>		<p>Nathaniel Lucas, Senior Economic Development Officer Tel: 01823359210</p>
<p><b>FP/08/07/01</b> First published: 3 July 2018</p>	<p>5 Nov 2018 Cabinet</p>	<p>Issue: Libraries Service Redesign 2018 Decision Decision: To agree the basis of library service provision to different communities around Somerset, following on from and having regard to the public consultation exercise undertaken earlier in the year</p>			<p>Oliver Woodhams, Strategic Manager, Community and Traded Services Tel: 07977400667</p>
<p><b>FP/18/07/02</b> First published: 3 July 2018</p>	<p>7 Nov 2018 Cabinet Member for Children and Families, Economic and Community Infrastructure Commissioning Director, Cabinet Member for Education and Council Transformation</p>	<p>Issue: Creation of New Academies in Somerset Decision: King Arthur's Community School, Blackbrook School, Ruishton C of E Primary School, West Monkton C of E Primary School, Selworthy Special School, Countess Gytha Primary School</p>			<p>Elizabeth Smith, Service Manager – Schools Commissioning Tel: 01823 356260</p>

Weekly version of plan published on 2 October 2018

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<b>FP/18/07/07</b> First published: 17 July 2018	19 Nov 2018 Cabinet	Issue: Family Support Service Update Decision: Providing an update on the progress of the Family Support Service project, following the Cabinet decision on the 12th February 2018			Alison Bell, Consultant in Public Health, Public Health
<b>FP/18/10/04</b> First published: 23 October 2018	19 Nov 2018 Cabinet	Issue: Heart of the South West - Proposed Joint Committee Update Decision: To consider the report and associated recommendations to full Council			Julian Gale, Strategic Manager - Partnership Governance Tel: 01823 359047
<b>FP/18/10/01</b> First published: 19 October 2018	19 Nov 2018 Cabinet	Issue: Annual Report of the Director of Public Health Decision: To consider the report			Pip Tucker, Public Health Specialist Tel: 01823 359449
<b>FP/18/09/04</b> First published: 25 September 2018	19 Nov 2018 Cabinet	Issue: Revenue Budget Monitoring - Month 6 Decision: To consider the report			Peter Lewis, Interim Director of Finance
<b>FP/18/10/06</b> First published: 24 October 2018	19 Nov 2018 Cabinet	Issue: Quarter 2 Performance Report Decision: To consider the report			Director of Corporate Affairs
<b>FP/18/10/02</b> First published: 19 October 2018	19 Nov 2018 Cabinet	Issue: Somerset Improving Lives Strategy Decision: To endorse the strategy			Public Health Director

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<b>FP/18/09/06</b> First published: 25 September 2018	19 Nov 2018 Cabinet	Issue: Capital Budget Monitoring - Month 6 Decision: To consider the report			Peter Lewis, Interim Director of Finance
<b>FP/18/09/05</b> First published: 25 September 2018	19 Nov 2018 Cabinet	Issue: 2018/19 Treasury Management Mid-Year Report Decision: Recommend the proposed Treasury Management Strategy to Council			Alan Sanford, Principal Investment Officer Tel: 01823 359585
<b>FP/08/09/07</b> First published: 25 September 2018	19 Nov 2018 Cabinet	Issue: Somerset Waste Partnership Draft Business Plan 2019 - 2024 Decision: To approve the draft business plan			Mickey Green, Managing Director - Somerset Waste Partnership Tel: 01823 625707
<b>FP/18/09/01</b> First published: 3 September 2018	12 Nov 2018 Cabinet	Issue: South West Peninsula Framework Contract for Residential Children's Homes Decision: A competitive tendering process is being carried out across the South West Peninsula for residential Children's home providers to join the framework contract commencing from 1 Feb 2019.			Louise Palmer, Strategic Commissioner

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<b>FP/18/10/09</b> First published:	23 Nov 2018 Cabinet Member for Adult Social Care, Cabinet Member for Education and Council Transformation	Issue: AIS Renewal and Replacement Contract Award Decision: Renewal for a 12 month period of support contracts for two business applications. Award of a contract to supplier A as detailed in the confidential appendix to the key member decision report			Stephen Chandler, Director of Adult Social Services Tel: 01823 359025
<b>FP/18/10/10</b> First published:	26 Nov 2018 Cabinet Member for Highways and Transport	Issue: Adoption of the Somerset Bus Strategy Decision: Formal adoption of the strategy following wider public consultation			Mike O'Dowd-Jones, Strategic Commissioning Manager – Highways and Transport Tel: 01823 356238
<b>FP/18/10/11</b> First published:	30 Nov 2018 Director of Corporate Affairs	Issue: Microsoft Software Supplier Decision: To agree a 3 year contract award for the supply of Microsoft software licences and support			Andy Kennell Tel: 01823359268
<b>FP/18/10/03</b> First published: 23 October 2018	Not before 10th Dec 2018 Cabinet Member for Education and Council Transformation	Issue: A change to the protocol for schools converting to a sponsored academy retaining any surplus revenue balances, and the charging for academy conversions by the authority Decision: To consider the report			Ken Rushton, Service Manager - School Finance Tel: 01823356911

Weekly version of plan published on 2 October 2018

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<b>FP/18/07/05</b> First published: 17 July 2018	19 Dec 2018 Cabinet	Issue: Equality Objectives 2019 - 2023 and Equality Commitment Decision: Asking Cabinet to agree a new set of Equality Objectives for 2019 - 2023 and the new Equality Commitment			Tom Rutland Tel: 01823 359221
<b>FP/18/09/08</b> First published: 25 September 2018	19 Dec 2018 Cabinet	Issue: Revenue Budget Monitoring - Month 7 Decision: To consider the report			Peter Lewis, Interim Director of Finance
<b>FP/08/09/09</b> First published: 25 September 2018	19 Dec 2018 Cabinet	Issue: Capital Budget Monitoring - Month 7 Decision: To consider the report			Peter Lewis, Interim Director of Finance
<b>FP/18/09/10</b> First published: 2 October 2018	19 Dec 2018 Cabinet	Issue: Decision to conclude the award of a contract for the provision of highway improvements at M5 Junction 25 Decision: The decision is to enter into a contract with the preferred contractor for the construction of the highways scheme to improve M5 Junction 25			Sunita Mills, Service Commissioning Manager Tel: 01823 359763

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<p><b>FP/18/10/05</b> First published: 24 October 2018</p>	<p>19 Dec 2018 Cabinet</p>	<p>Issue: County Hall refurbishment - A Block approval of final business case and contract award Decision: Agree the costs to complete the priority 1 improvement works and refurbishment; agree that the ECI Director and Head of Corporate Property can enter the contract to deliver the full cost of the refurbishment in advance of the approval of the 2019/20 full Capital Investment Programme outcome</p>			<p>Claire Lovett, Head of Property Tel: 07977412583</p>
<p><b>FP/18/07/10</b> First published:</p>	<p>19 Dec 2018 Cabinet</p>	<p>Issue: Award of a contract for the provision of a framework of support services for people with complex, multiple needs Decision: To award a 5 year contract with an option for a further 2 years</p>			<p>Tim Baverstock, Strategic Commissioning Manager - Strategic Commissioning</p>
<p><b>FP/18/10/08</b> First published:</p>	<p>Cabinet</p>	<p>Issue: Admission Arrangements for Voluntary Controlled and Community Schools for 2020/2021 Decision: To agree the admission arrangements for voluntary controlled and community schools for 2020/21</p>			<p>Jane Seaman, Access and Admissions Manager Tel: 01823 355615</p>

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### Scrutiny for Policies and Place Committee Work Programme

Agenda item	Meeting Date	Lead Officer
	<b>13 November 2018</b>	
Revenue Budget Monitoring Report – Month 6		Peter Lewis/Lizzie Watkin
Flood and Water Management – regular LLFA update		Jon Doyle
Rights of Way		Alyn Jones
Connecting Devon & Somerset Broadband Progress Update		Katriona Lovelock
Leisure Services Update		Jon Doyle
	<b>11 December 2018</b>	
Revenue Budget Monitoring Report		Lizzie Watkin
Latest Council Performance report		Simon Clifford/Louise Day/Ryszard Rusinek
Flood and Water Management		Dan Martin/Jon Doyle
A Block Refurbishment Project		Sian Powell/Claire Lovett
Library Service redesign update		Ollie Woodhams
	<b>23 January 2019</b>	
Medium Term Financial Plan		Peter Lewis
	<b>06 March 2019</b>	
	<b>05 April 2019</b>	
	<b>22 May 2019</b>	
	<b>19 June 2019</b>	
	<b>10 July 2019</b>	
	<b>18 September 2019</b>	
	<b>09 October 2019</b>	
	<b>04 November 2019</b>	
	<b>11 December 2019</b>	
Temporary Labour Contract Update		

**Note:** Members of the Scrutiny Committee and all other Members of Somerset County Council are invited to contribute items for inclusion in the work programme. Please contact Jamie Jackson, Service Manager Scrutiny, who will assist you in submitting your item. [jjackson@somerset.gov.uk](mailto:jjackson@somerset.gov.uk) 01823 359040

**To add:**

Flood and Water Management – Land Drainage Enforcement Policy

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