



# CULTURE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL

WEDNESDAY, 19TH APRIL, 2017

At 6.00 pm

in the

ASCOT AND BRAY - TOWN HALL,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<u>CONTRACT AWARD - OPERATION OF 4 MARLOW ROAD, MAIDENHEAD</u>  To comment on the report to be considered by Cabinet on the 27 April 2017.	3 - 14

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Report Title:	Contract Award – Operation of 4 Marlow Road, Maidenhead
Contains Confidential or Exempt Information?	Part I except for Appendix 5 - <b>Part II – Not for publication by virtue of paragraph 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.</b>
Member reporting:	Cllr Natasha Airey, Lead Member for Children's Services Cllr Samantha Rayner, Lead Member for Culture and Communities
Meeting and Date:	Cabinet – 27 April 2017
Responsible Officer(s):	Andy Jeffs , Interim Executive Director for Community. Alison Alexander, Managing Director. Kevin McDaniel , Director of Children Services.
Wards affected:	Belmont / All Maidenhead Wards

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## REPORT SUMMARY

1. 4 Marlow Road, Maidenhead opened in 2008 and provides an operating base for a number of local organisations, including Maidenhead Citizens Advice Bureau, Relate Marriage Guidance Services and Windsor and Maidenhead Youth Counselling Service, together with the Royal Borough's Youth Service and various community programmes.
2. Since 6 January 2015, the facility has been managed by the Royal Borough's Youth Service. However, with the transfer of children's services to Achieving for Children from 1 August 2017, there is a need to explore alternative options for managing the facility as the new contractor AfC do not wish to manage the community building.
3. Following exploration, this report recommends that operation of the facility should transfer to Parkwood Leisure from 1 August 2017. All existing sub leases and users of the centre would continue to operate as currently. In addition, the Youth Service will be issued with a lease as part of the transfer to Achieving for Children.
4. The car park would continue to be operated by the Royal Borough who would collect and retain the car park income.
5. Four members of staff, 1.8FTE, would be TUPE transferred to Parkwood Leisure.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and:

- i) Approves the addition of 4 Marlow Road to the existing Parkwood Leisure contract, fixed for eight years, as a deed of variation, effective from 1 August 2017.
- ii) Approves the TUPE transfer of four part time staff, 1.8FTE, to Parkwood Leisure.

- iii) **Notes the following sub leases which will be issued subject to a further report to cabinet in May :**
- a. **Achieving for Children for use of the Youth Service area, see Appendix 1. (in line with leases for other AfC building)**
  - b. **Windsor and Maidenhead Youth Counselling Service for their base, see Appendix 2. (for 10 years)**
  - c. **Relate for their base, see Appendix 3. (for 10 years)**
  - d. **Citizens Advice Bureau for their base, see Appendix 4. (for 10 years)**

## **2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

- 2.1 4 Marlow Road is a purpose built Youth and Community Centre, near Kidwells Park in Maidenhead. It is a well used facility and provides accommodation for a number of local organisations, as well as the Royal Borough's Youth Service and various community programmes, see table 1 for details of activity.

**Table 1: 4 Marlow Road activity levels**

<b>Organisation</b>	<b>Use of facility</b>	<b>Activity levels</b>
Maidenhead Citizens Advice Bureau	Operating base	4,000 visitors per annum
Relate Marriage Guidance Services	Operating base	2,000 visitors per annum
Windsor and Maidenhead Youth Counselling Service	Operating base	7,000 visitors per annum
Youth Service	Office base and activities programme	9,000 visitors per annum
Various	Community programmes	Over 17,500 visits per annum.

- 2.2 Since 6 January 2015, the Royal Borough's Youth Service has managed the whole facility. Subject to final ratification on 4 July 2017, the Royal Borough will enter into a partnership with Kingston and Richmond Councils to deliver its children's services through Achieving for Children from 1 August 2017. As a result, options for the future management of the facility have been explored including:
- Culture, Libraries, Arts and Registration Services – the type of building operation does not fit with their operational model and the area is not suitable for inclusion with a library to make it a dual-use site.
  - Royal Borough's Facilities Team can offer some of the skills required, but again the building's operating model is very different from their existing model.
  - Parkwood Leisure has the necessary skills and experience to operate the site and the operating model is identical to that of the leisure centres.
  - Open market tender – with over half the facility sublet on peppercorn leases and covered by a restrictive covenant, the site is not considered an attractive operation for open market tender.
- 2.3 On the basis of the options explored, it is recommended that 4 Marlow Road is added to the existing contract with Parkwood Leisure. The existing contract allows for additional facilities to be added on the same contractual conditions as

the leisure centres, by use of a deed of variation. This means that the facility would be operated by a professional facility management company, offering additional opening hours and quality levels similar to the leisure centres, as per the specification, and providing continued operational support to all current tenants. The 8 yr contract runs concurrently with the existing leisure centre operating contract.

- 2.4 All existing sub leases and users of the centre would continue to operate as they do currently on the same terms as at present. In addition, a sub lease would be issued to Achieving for Children for the Youth Service use of the facility. New leases would be issued to Citizens Advice Bureau, Relate and Windsor and Maidenhead Youth Counselling Service to ensure that all existing services to residents continue with no break in service.
- 2.5 The car park would continue to be operated by the Royal Borough, collecting and retaining the car park income. In 2016-2017, this was £3,600. Ownership and responsibility for the fabric of the buildings would remain with the Royal Borough and all operational costs would be taken up by Parkwood.
- 2.6 Four members of staff, 1.8FTE, currently provide the facility management of 4 Marlow Road although this is insufficient to cover the breadth of the existing use of the facility and is therefore supplemented by additional staff from the Youth Service. These four members of staff would TUPE transfer to Parkwood Leisure on 1 August 2017.

**Table 2: Options**

Option	Comments
Approve the issue of a deed of variation to Parkwood Leisure to operate 4 Marlow Road. <b>This is the recommended option</b>	The continued operation of the centre as a facility for hire by local residents will continue, and local organisations and clubs bookings will continue.
Do nothing.	The operation of the centre and its ability to provide services to local residents will be removed.

### 3. KEY IMPLICATIONS

- 3.1 The key implications are set out in table 3.

**Table 3: Key implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Provision of community based services for residents at 4 Marlow Rd.	Reduced hours of operation.	Continued provision.	Additional facilities/ hours provided.	n/a	1 August 2017
Provision of facilities for hire to	Reduced provision of facilities	Continued provision of facilities	Additional operational capacity	n/a	1 August 2017

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
residents for a mixed range of formal and informal activities at 4 Marlow Road	for hire	for hire.	for hire by local residents		

#### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

- 4.1 The financial implication of the change in facility management would be met from existing budgets . The details of which are appended in part II appendix 5. Subject to agreement, this would be added to the existing 10+10 year Parkwood Leisure contract as a deed of variation.

**Table 4: Revenue implications**

	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
	Revenue	Revenue	Revenue
Addition	£0	£0	£0
Reduction	£0	£0	£0
Net impact	£0	£0	£0

- 4.2 Within the 2017-2018 capital programme, £440,000 has been approved to replace the roof at 4 Marlow Road. In addition, it is estimated that there will be an ongoing capital cost of £20,000 per annum to maintain the Royal Borough's elements of the £6,000,000 Grade 2 listed building.

**Table 5: Capital implications**

	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
	Capital	Capital	Capital
Addition	£0	£20,000	£20,000
Reduction	£0	£0	£0
Net impact	£0	£0	£0

- 4.3 Basic prices for hire of the facilities would be subject to price control mechanism as with the Leisure Centre contract. Increases will be restricted to a maximum of inflation as measured by C.P.I. in October.

#### **5. LEGAL IMPLICATIONS**

- 5.1 4 Marlow Road is held in trust for the community as part of the Kidwells Park Trust, with a restrictive covenant for use for community or education.
- 5.2 The current leases for the Citizens Advice Bureau and Relate expire in August 2018.

- 5.3 Windsor and Maidenhead Youth Counselling Service and Achieving for Children do not have existing leases and these will be prepared by Shared Legal Solutions.
- 5.4 Shared Legal Solutions has confirmed that the existing Parkwood Leisure contract allows additional facilities to be added on the same contractual conditions as the leisure centres, by use of a deed of variation
- 5.5 The contract would operate as part of the Parkwood contract with the Contract Manager responsible for liaising with RBWM. The Kidwells Trust will remain the owner of the building and RBWM as the head lease holder will remain responsible for all building maintenance.

## 6. RISK MANAGEMENT

- 6.1 The risks of implementing the recommendations of this report are set out in table 6.

**Table 6: Risk management**

<b>Risks</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
Loss of services to residents if the building is not operated at its current level or there is a period of reduction due to operational management changes	MEDIUM	Liaison with Parkwood Leisure to ensure a smooth transition following approval.  Tight contract management.	LOW

## 7. POTENTIAL IMPACTS

- 7.1 There will be impacts in terms of workforce which will require the TUPE transfer of four members of staff to Parkwood Leisure. Informal consultation has already taken place with the staff concerned and no issues are anticipated.

## 8. CONSULTATION

- 8.1 The report will be considered by the Culture and Communities and Children's Services Overview and Scrutiny Panels and their comments will be reported to Cabinet.
- 8.2 Consultation on the potential options for 4 Marlow Road has taken place with the Youth Service, Parkwood Leisure, the Royal Borough's Facilities team and the Culture, Leisure, Arts and Registration Service.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The timetable for implementation of the recommendations in this report, if approved, is set out in table 7.

**Table 7: Timetable**

Date	Details
April to July 2017	TUPE consultation with affected staff.
May to July 2017	Negotiation, agreement and issue of sub leases for Citizens Advice Bureau, Relate, Windsor and Maidenhead Youth Counselling Service and Achieving for Children.
May to July 2017	Agreement and issue of deed of variation to Parkwood Leisure contract
1 August 2017	TUPE transfer of staff to Parkwood Leisure
1 August 2017	Handover of facility management to Parkwood Leisure.

- 9.2 Implementation date if not called in: Immediately

## 10. APPENDICES

- 10.1 The four appendices to the report show the operational areas of the organisations operating from the facility at 4 Marlow Road and can be made available in hard copy or electronic format.

Appendix 1: Area for Achieving for Children  
Appendix 2: Area for Windsor and Maidenhead Youth Counselling.  
Appendix 3: Area for Relate.  
Appendix 4: Area for Citizens Advice Bureau.  
Appendix 5: **Part II** – Financial details and proposed Contract Sum

## 11. BACKGROUND DOCUMENTS

- 11.1 None

## 12. CONSULTATION (MANDATORY)

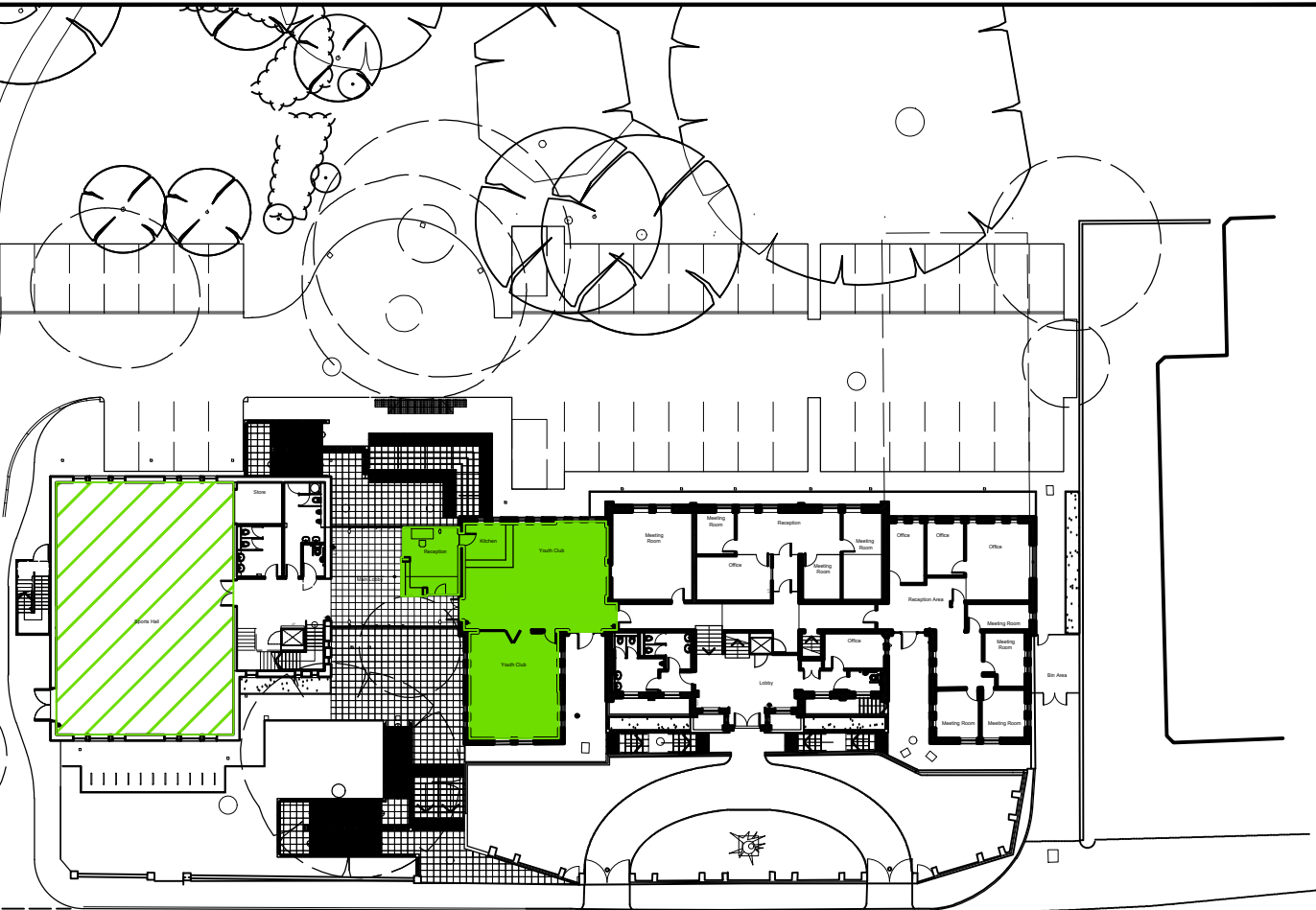
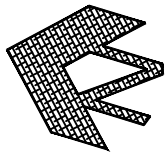
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Cllr Natasha Airey	Lead Member for Children's Services	25/3/17	3/4/17
Cllr Samantha Rayner	Lead Member for Culture and Communities	25/3/17	3/4/17
Alison Alexander	Managing Director	24/3/17	3/4/17
Russell O'Keefe	Strategic Director	24/3/17	31/3/17
Andy Jeffs	Strategic Director	24/3/17	3/4/17
Rob Stubbs	Section 151 Officer	24/3/17	31/3/17
Terry Baldwin	Head of HR	24/3/17	1/4/17



## REPORT HISTORY

<b>Decision type:</b> Key decision	<b>Urgency item?</b> No
Report Author: Kevin Mist, Community Services Project Lead, 01628 796443	

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Ground Floor



Part time

A.f.C. Youth Services



Full time

4, Marlow Road,  
Maidenhead,  
Berks.

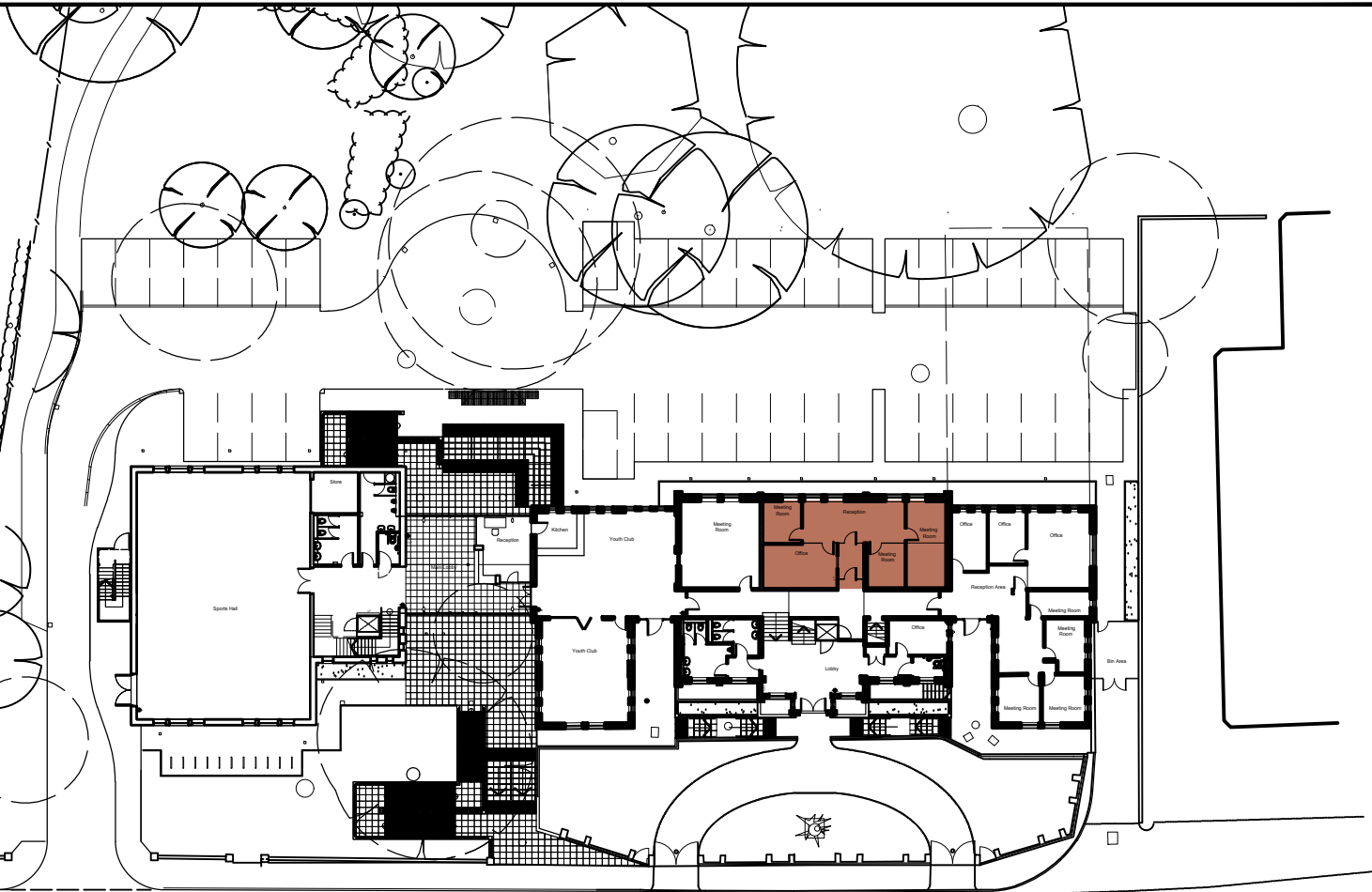
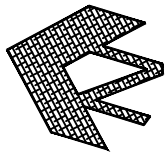
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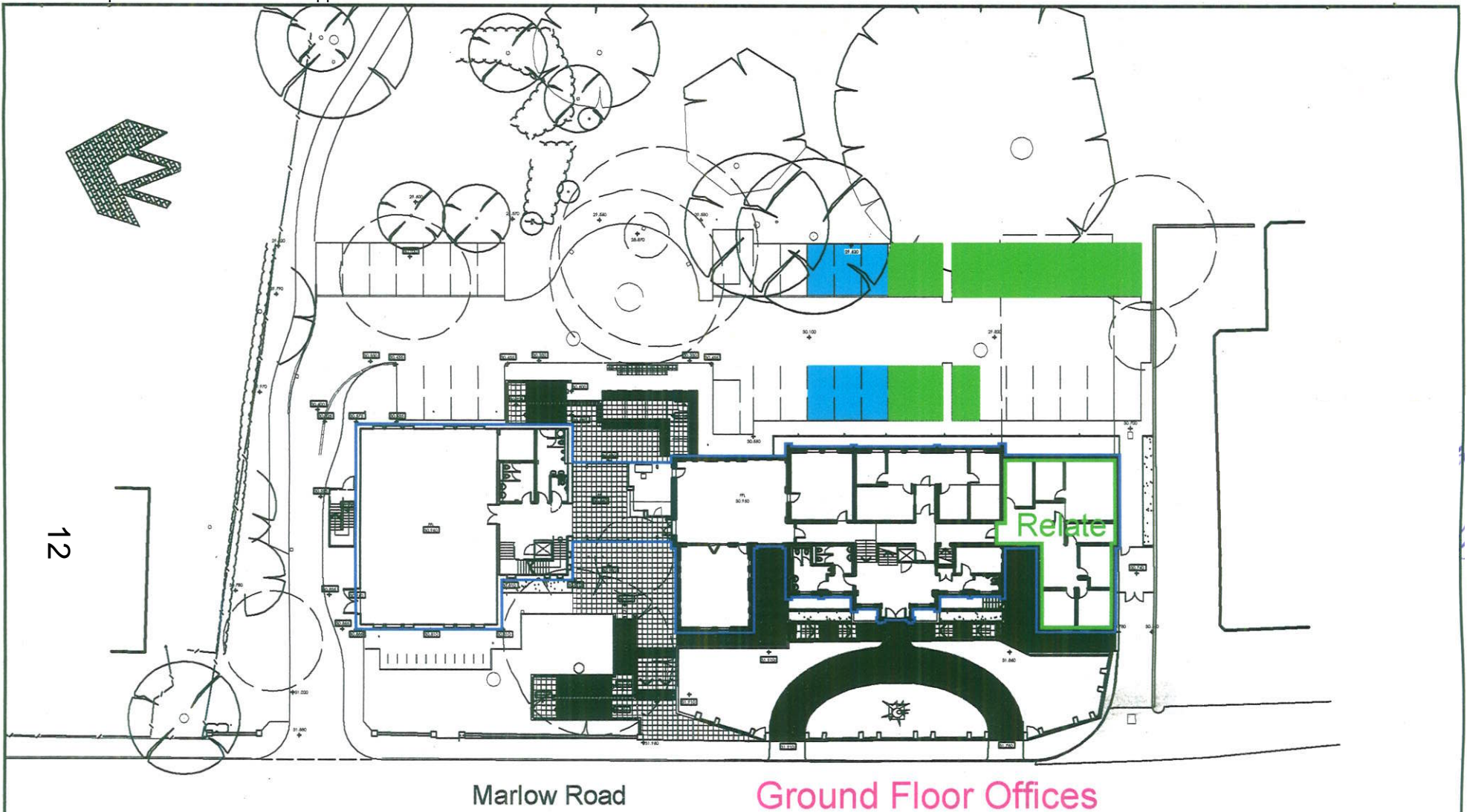
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Ground Floor

No.22 Youth Counselling Service

4, Marlow Road, Maidenhead, Berks.	Date 17/02/2017 OS. Ref. - SU 8579	EO 2874 B Scale 1:500	Reproduced from the Ordnance survey mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings Royal Borough of Windsor & Maidenhead - Licence Number LA086118	
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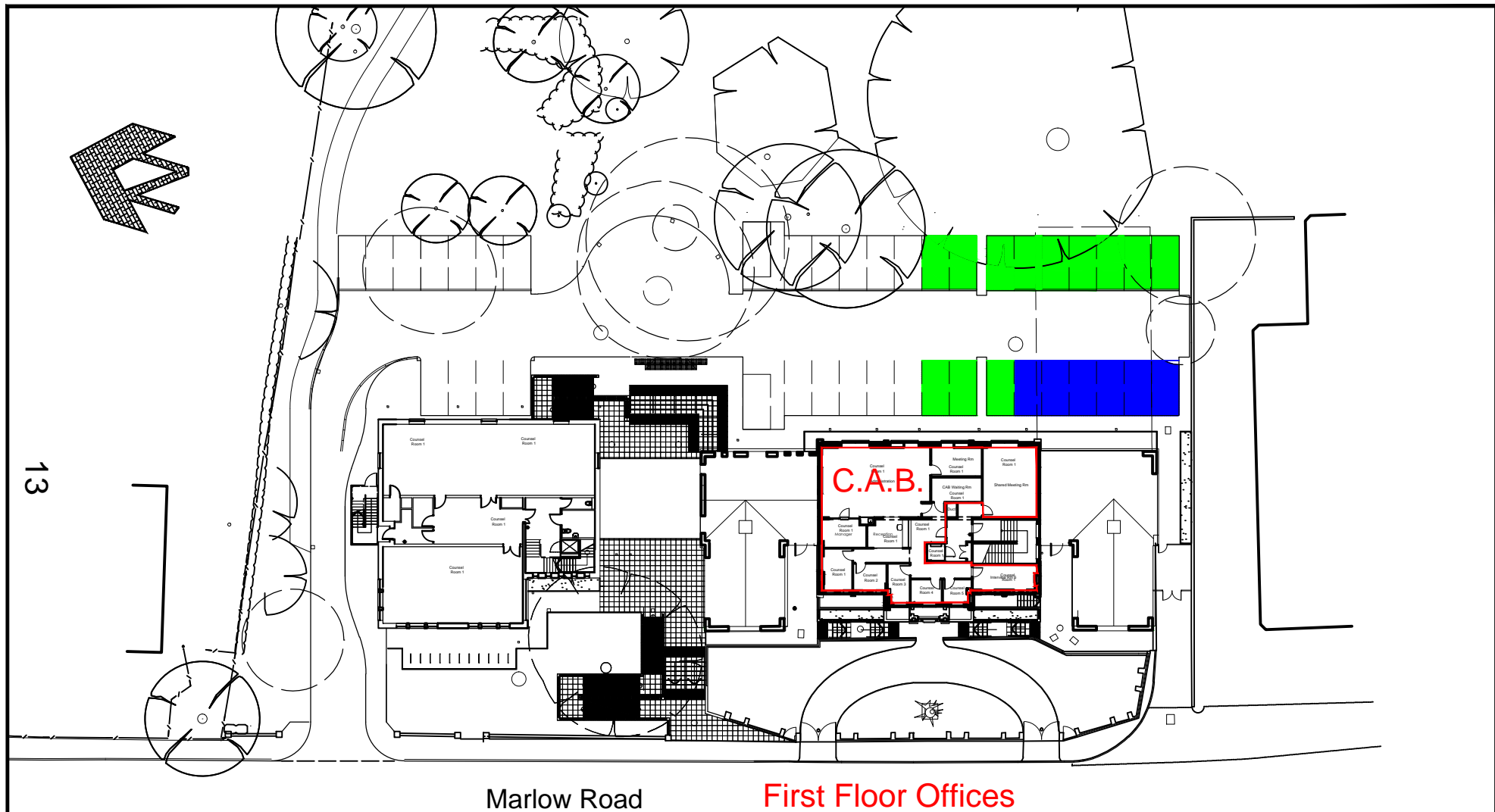
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Proposed Lease Plan for C.A.B. offices at  
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