

DRAFT C&C MINUTES OF 1ST OCTOBER 2020 – CALL IN OF CABINET DECISION – PE21: THE NEXT STEPS, DECISION 3

At its meeting on 9th September 2020, Cabinet received a report by the Deputy Chief Executive (Strategy) on PE21: The Next Steps. After debate, Cabinet made three decisions, which were set out in the Minutes and circulated to Members in the usual way. The Cabinet report and Minute (93) were appended to the report as Appendices A & B.

The Cabinet decision was:

- 3. That the Deputy Chief Executive (Strategy) be authorised to communicate to the Principal of Boston College that the Council is minded to enter into an agreement to lease and a lease for the Geoff Moulder Centre in order to facilitate the development of the College's Mayflower Centre project.**

In accordance with the established procedure, one of the executive decisions on the report was called in within the five-day time period and by the stipulated number of Members.

The reasons given for the call-in were:

- All Elected Members should have been consulted prior to the decision being made
- All information relating to the project should have been made available
- No presentation had been made to the Corporate and Community Committee
- There were no indication of costs in the 2020/21 Budget and MTFs

A copy of the call-in form was attached to the report at Appendix C.

The meeting had been arranged to enable the Committee to consider the called-in issue in accordance with the call-in protocol and decide whether the decision should be called-in (and referred to Cabinet or Council) or allowed to stand and take effect.

Invited to address the Committee, the Deputy Chief Executive (Strategy) explained that the Chief Executive had tasked him six weeks previously to deliver the PE21 project as part of the strategy for the regeneration of Boston. PE21 was especially significant because it was a critical component of the Town Fund bid, which was taking shape and would be presented to the Secretary of State that month. It was imperative to move forward with it.

Once fully up-to-date with the current the state of the scheme, the Deputy Chief Executive (Strategy) had made this report to Cabinet. However, a significant amount of work needed to be undertaken in a short amount of time in order to persuade the Secretary of State that the bid was one that was worthy of investment in order for it to succeed. In addition, if the bid was not successful, there would be a fallback plan to regenerate this important and prominent, under-used 10-acre site in the near future.

The specific decision that had been called-in related to the site of the Geoff Moulder Leisure Complex (GMLC). Deputy Chief Executive (Strategy) explained that this was not a decision as such; it simply indicated that the Council would contemplate the leasing of the site to Boston College in principle.

The provisional master plan referred to a project to be advanced by parts of the NHS for the re-siting and combination of three doctors' practices and the outpatients' service of Pilgrim Hospital. They wanted to bring these onto one site and co-locate them with a new leisure facility, creating a health and well-being centre focused on the town centre, thereby moving the town centre away from retail and increasing its footfall.

Health was not the only key driver for this project; improvement of skills was another. Boston College would provide a high level of skills facilities, so creating the Mayflower Centre. Boston College needed the confidence to start work and asked if the Council was prepared *in principle* to provide them with a site and Cabinet agreed that it was. This was not a decision; it simply indicated that the Council would contemplate it in principle. The matter was contingent on many things; for example, one factor was that Boston College would need to secure Town Fund monies.

The four Members who had called in the decision then they gave their reasons for doing so as follows, in summary.

Plans indicated that the GMLC needed a significant amount of investment, but did not show that the town centre health and well-being centre could replace its services. Specifically, there was no mention of a swimming pool, which would cost an enormous amount to replace.

Whilst not opposing the development, there was significant concern about the GMLC being under threat. If it was handed over, the public would want a better facility to be provided ready on site. The Council had invested considerably in the GMLC to bring it to full working order and they did not want to lose it.

The project had to be sustainable, yet the report did not indicate any certainty of funding going forward.

There had been a lack of consultation with other Members and members of the public when it involved a significant decision. There was particular dissatisfaction that the details relating to this decision had not been reported to Cabinet prior to the meeting and had simply been announced at the meeting itself.

Concern about the GMLC was compared to a previous Council decision to hand over the Peter Paine Sports Centre to Boston College for a peppercorn rent rather than to consider a deal from a private investor, which could have yielded significant sums.

The Town Board Member reported that he had been aware of this project for a short time, though not in detail. He had raised the points at Town Board meetings that this decision was a matter for Council, not Cabinet, and that the report did not outline a replacement pool, which must be provided before the demolition of the existing one. It appeared that the two projects, the Mayflower Centre and the health and well-

being centre, had to be linked. It was presumed that the Mayflower Centre would be provided first, but this was not outlined in the report. The project was exciting, but it was disappointing that Members had not been informed and it had been announced unexpectedly at the Cabinet meeting. The whole Council needed to take ownership of this project or the bid would not succeed.

Another signatory referred back to 2011 when the Council had undertaken a deal with Boston Swimming Club and the schools' federations to save the GMLC following an outcry. The Council had invested a significant amount in the GMLC, providing solar panels, biomass boilers and rear gardens. As recently as two weeks previously there had been an announcement about new gym equipment at the centre. Now it appeared that the Council was simply handing the property over to Boston College. The report was clear that the project was only an aspiration. The Town Deal document had made no mention of the pool. A replacement pool had to be built first.

In response, the Deputy Chief Executive (Strategy) agreed and confirmed that matters had proceeded no further than an agreement in principle because it was recognised that the Council would not countenance losing the GMLC until a higher quality facility was in place. The GMLC staff and the facility itself were impressive; they could not simply lose this. The Deputy Chief Executive (Strategy) stressed that he understood and accepted Members' views, but pointed out that a decision to demolish the GMLC had not been made.

There would be up to £25m funding for Boston through the process, for which there was a timeline. By 23rd September, a draft was needed that had to be signed off and they had to commission an architect to proceed with design work; therefore, they needed to know the Council would countenance leasing the GMLC site. Boston College was completely aware that this was not binding, as the lease would be contingent on a range of other things taking place, particularly the matter of securing funding for it.

In addition, the Deputy Chief Executive (Strategy) agreed that could have been more consultation, but it had been necessary to take the matter forward promptly in order to submit the Town Fund bid. It was essential to persuade all Members that this was the best plan, in order for it to be passed by Full Council. The pandemic had delayed matters so there was a lot still to do and steps that had to be put in place. Expert advice had been obtained from Alliance Leisure that the cost of a replacement pool would be around £11-£14 million.

It was confirmed that there was an error in the report and that the date on the master plan was correct, i.e. August 2019.

The Deputy Leader explained that the project had been a concept in August 2019 and that the Monitoring Officer and her team had worked very hard behind-the-scenes, working with partners and keeping him up-to-date. It had involved a considerable amount of time-consuming, detailed work. Then, the Deputy Chief Executive (Strategy) was asked to take the project forward and had reported to Cabinet on the next steps; this was an interim report and the matter would go back to Cabinet before it went forward.

The Deputy Chief Executive (Strategy) responded to an assertion that the proposals in the report were the same as those reported in August 2019 and that the 'clear specification' referred to was not attached. The NHS and Alliance Leisure had worked together and drafted a specification for designers to use; however, it was not yet fit for publication, though it could be provided for Members. The specification was work in progress, but it had been essential to draft it in order to cost the project properly.

It was queried why there had been reference to the demolition of the swimming pool at Cabinet, where it had been described as the "gateway" to PE21. The Deputy Chief Executive (Strategy) explained that the concept was evolving and required discussion and negotiation before it became reality. There was to be a Member briefing, which had been arranged at the earliest opportunity to update Members.

A Member suggested recording Member briefings so Members who could not attend could view them later and the benefits of this were recognised.

The Deputy Chief Executive (Strategy) then answered questions about the PE21 project in general and other specific aspects, such as the plans to relocate the bus station. There had been extensive consultation on the draft master plan: it had been published on the website and there had been significant participation by members of the public, partners and Councillors.

The Deputy Leader stressed there had been no decision on the GMLC. It was a Council asset and Full Council would decide its future. The Deputy Chief Executive (Strategy) had been asked purely to carry out discussions.

A Member pointed out that the Council had previously considered outsourcing the GMLC and it was understood that it needed significant further investment and had a short life.

In response, the Deputy Chief Executive (Strategy) confirmed that a contractor had provided a report with an estimate of £750-£800,000 as a one-off investment to put the GMLC in a state of good repair and £75,000 annual maintenance thereafter with additional costs. This was considered too low, but it gave an idea. The Assistant Director – Assets would be asked to provide a more robust estimate.

The Assistant Director – Assets confirmed that, taking into account the condition survey of 2018, this cost was an underestimation and, although this would bring the facility to good repair, it was not a refurbishment. It would take £2-2.5m to be remodelled and significantly upgraded. It had an aged fabric, which meant higher maintenance costs, and this would only extend its life in the medium term, extending its life to 7-10 years. Specialist advice would be needed regarding an estimate for a full refurbishment.

In response to a question, the Deputy Chief Executive (Strategy) confirmed that it was a working assumption that, if the site was leased, Boston College would pay the costs of clearing the site and making it good.

Further comments from Members included satisfaction with the positive reactions of other Members, indicating that they were all committed to taking the town forward; recognition of the need to act at speed now that the matter had rightly been scrutinised; satisfaction with the responses of the Deputy Chief Executive (Strategy) and the Deputy Leader and the clear undertaking that nothing was going to happen to the swimming pool without the agreement of full Council, which was essential, as it was a valued and important asset; and appreciation that the proposal was to have a high quality and modern facility in its place.

There was a query about the deadlines involved in securing funding, and whether any had been missed. It was noted that PE21 pre-existed the Town Fund and, therefore, they had to be drawn together.

In response, the Deputy Chief Executive (Strategy) set out the deadlines as follows:

- 5th October – Town Board meeting
- 16th October – Final Town Board meeting to approve the Town Fund bid
- 19th October – Member briefing
- 26th October – Report to Full Council
- 30th October – Submission of bid

The Principal of Boston College was a member of the Town Board and was well aware of Members' concerns. The Principal had proceeded to instruct their architects and communications continued.

Some Members expressed satisfaction that the deadlines could still be met. Some continued to stress that the GMLC must not be demolished until the development of the replacement pool was well advanced. Members also discussed the Town Fund bid in general and concerns about Boston's traffic infrastructure and the Into-Town bus service.

The Deputy Chief Executive (Strategy) explained that, as the full bid would not be submitted until 30th October, Full Council on 26th October would consider a report setting out what was an attractive package of fundable projects to secure Town Fund monies. There would be no decision regarding a commitment to the demolition of the GMLC; this was a separate decision contingent on money being available for a replacement pool. The Deputy Chief Executive (Strategy) stressed that he had no authority to make this decision and reiterated that no contract had been entered into. He added that Boston's traffic issues did not affect the PE21 project. The project was about making the most of the potential to access that part of town by public transport, foot or bicycle, as it was highly accessible by other means than cars.

A Member expressed satisfaction with the acknowledgement of the lack of consultation and felt assured that there would be consultation in future. Another expressed doubt and was concerned that the Council appeared to be handing over a significant asset when the Council's financial situation was poor, instead of securing planning permission for houses and selling the site to a developer.

The Deputy Chief Executive (Strategy) stated that if the bid succeeded, the project would be set out in detail for Members to challenge. Boston was an area of low skills

and educational attainment. Boston College and its position within the Town Fund bid was intended to address this. The link to the health and well-being centre would address the poor level of health in the area by providing facilities to improve it. It was necessary to recognise that the two projects were linked and that this was the only sensible site for the Mayflower Centre.

The Deputy Chief Executive (Strategy) accepted the criticism that consultation should have been carried out and assured Members that it would be in future. The Chairman objected to this, asserting that the fault lay with the political leadership, and would not allow the Deputy Chief Executive (Strategy) to take responsibility for what he described as the political failure of the leadership. Another Member voiced support for the Chairman's position.

It was then proposed and seconded that the decision before referred to full Council for debate.

It was also proposed and seconded that the matter had been satisfactorily scrutinised and that he did not need to go to Full Council.

The original proposal was put to the vote and it was:

RESOLVED that the called-in issue be referred to Full Council for debate.