

People Panel

Date: Thursday, 25 August 2022

Time: 10:08

Venue: Flensburg Room

Present: Councillor Mrs Christine Finlayson, Councillor Colin Glover, Councillor Mrs Ann McKerrell, Councillor Mrs Linda Mitchell, Councillor Miss Jeanette Whalen, Councillor Christopher Wills
Councillor James Bainbridge (for Councillor David Shepherd)

Also Present: Councillor Mallinson (J) - Leader
Councillors Mrs Mallinson - Communities, Health and Wellbeing
Portfolio Holder
Councillor Higgs - Culture, Heritage and Leisure Portfolio Holder

Officers: Deputy Chief Executive
Head of Health and Wellbeing
Policy and Scrutiny Officer

PEP.28/22 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor David Shepherd.

PEP.29/22 DECLARATIONS OF INTEREST

No declarations of interest were submitted.

PEP.30/22 PUBLIC AND PRESS

RESOLVED - That items in part A be dealt with in public and the items in private be dealt with in Part B.

PEP.31/22 MINUTES OF PREVIOUS MEETINGS

RESOLVED 1) The Chair signed the minutes of the meeting held on 9 June 2022.

2) That the minutes of the meeting held on 14 July 2022 be approved.

PEP.32/22 CALL-IN OF DECISIONS

There were no items which had been subject of call-in.

PEP.33/22 VICTORIAN AND TURKISH BATHS

The Head of health and Wellbeing submitted report CS.27/22 which set out the background and Council's current position in relation to the Turkish Baths (TBs).

In relation to the meeting of the former Health and Wellbeing Scrutiny Panel meeting in February 2022, the Chair noted that Panel had made a resolution which required Officers to work with The Friends of the Carlisle Victorian and Turkish Baths to explore the potential suitability of a Community Asset Transfer of the site: he asked whether work on that matter had commenced?

The Head of Health and Wellbeing understood that the work had commenced and was being undertaken by colleagues in Property Services.

The Chair welcomed Ms Minns and Ms Blackburn from The Friends of the Carlisle Victorian and Turkish Baths ('The Friends') to the meeting.

Ms Minns and Ms Blackmore gave a presentation covering: timeline and key dates in The Friends' programme plan; scope of the Viability Study commissioned by The Friends; Phase 1 outputs; Phase 2; next steps and recommendations.

The Friend's programme sought to maintain the TBs function and to enhance its facilities. The Viability Study was due to complete in October 2022 after which applications for further funding would be made to generate a detailed Business Plan which would set out future funding options. Only once the Development Study was complete would The Friends be in a position to be able to participate in a Community Asset Transfer.

The single biggest concern for The Friends and users of the TBs was the potential for the site to close in October 2022 when The Pools facility closed and GLL staff were no longer employed at the site. Members of The Friends had written to the Council twice on the matter, but had only received a response to the initial correspondence. Ms Minns considered the lack of response both unfair and disappointing as The Friends hoped in good faith to work with the Council on the future of the TBs. The City Council had voted to close The Pools but it had not voted to close the Turkish Baths, it was hoped that the Panel would assist in helping clarify the matter.

Were the TBs to be closed at the same time as The Pools, the cost of mothballing would need to be considered as it was a lengthy process which required the completion of an Investment Appraisal by a suitable expert, it was not known if the Council was aware of the need for this or whether it had commenced such work. In the event of the TBs being closed in October, to minimise damage to the TBs from it not being in operation, the Council was asked to consider a "Meanwhile Tenancy" for The Friend which would allow the group to continue to access the site and partially operate it through the provision of tours.

It was known that works in respect of the Borderlands Station Gateway project would commence early in 2023, it was then possible for the TBs to remain in operation up until that time. The Friends sought confirmation as to whether the TBs were included in the Shared Prosperity Fund Investment Plan, and if not would the Executive agree to a budget virement at its meeting of 31 August 2022 to allow the TBs to continue to operate until the end of December 2022? The Friends further hoped that the Panel would push for clarity on whether the TBs would close in October 2022.

An overview of the scope of The Friends' Viability Study was provided along with its funding and Phase 1 Outputs. The Study was being undertaken by 4th Street an organisation with a history

of working with local authorities to bring similar facilities into use. 4th Street had worked with Swindon Council on its Hydro centre and Turkish Baths which were estimated to bring £3.7M of economic benefits to the local area.

The Station Gateway Project had the potential to provide significant place making benefits for the TBs and the Baths would equally add to the setting of the southern entrance to the gateway preventing it from turning into an area of anti-social behaviour. It was important that this aspect was understood and The Friends' proposal were considered in the context of the developed Station Gateway and the Citadels project i.e. the locating of the University of Cumbria in the Citadels. The £400,000 Borderlands funding needed to be deployed in a way that would support the future use of the TBs, for example ensuring utilities supplies were able to support ongoing future use and a new accessible pedestrian access on the elevation adjacent to George Square.

The Turkish Baths themselves remained the core offer at the site, plans to provide additional facilities at the site would be considered would be developed through The Friends' work. The Friends' were a committed group of volunteers working at pace on the project, they were committed to securing funding and to renew the site and expect works would complete and the TBs to reopen in 2026.

The TBs operated in one tenth of The Pools site and due to changing room constraints were limited to 12 visitors at a time. Analysis by 4th Street indicated that 70% occupancy rate was good for a day spa, a level the TBs were already achieving 60% occupancy. It was anticipated that with expanded facilities visitor numbers would be between 44,000 to 49,000 per annum with a projected EBITDA of 30-40% subject to variation and maintenance costs for a heritage building.

In terms of a swimming offer at the TBs, The Friends' architect had advised that use of the 20m pool was cost prohibitive. As such the Design Brief would consider other options for the use of that space going forward. The University of Cumbria had expressed a strong interest in the training opportunities would its Institute of Health and wider student population by was unable to commit to becoming an operating partner for the facility, other potential operating partners had been contacted but an operating partner had for the facility had not been secured. A summary of the Phase 2 of The Friends' Viability Study was given along with, the next steps and measures to reduce the environmental impact of the facility.

The Friends suggested the following 6 recommendations to the Panel:

- 1) To confirm the cost of mothballing the Turkish Baths
- 2) To consider 'Meanwhile Tenancy'
- 3) To confirm if Baths is included in Shared Prosperity Fund Investment Plan and if not Executive to agree budget virement at meeting on 31 August for operation of Turkish Baths to end of December 2022.
- 4) The Executive to invite The Friends of the Carlisle Victorian and Turkish Baths to a meeting with the Cumberland Council Leader to discuss the future operation of the Turkish Baths
- 5) The Executive to support the allocation of the £400,000 Borderlands funding to future proof the stand alone operation of the Turkish Baths.
- 6) To confirm to The Friends of the Carlisle Victorian and Turkish Baths if the 10m pool should be reserved for a hydrotherapy pool.

The Chair thanked Ms Minns and Ms Blackburn for their presentation. He invited the Panel to put questions to The Friends:

In considering the presentation, Members raised the following questions and comments:

- A Member asked for further detail on plans to include a laundry at the TBs, and whether The Friends had approached the National Trust regarding it taking over the facility?

Ms Minns responded that the Business Plan would focus on the core offer of the facility which was the Turkish Baths. The Friends had been in discussions with a community laundry in Liverpool and considered that there was space within the site at Carlisle to provide a laundry, which may be run by a third party, for example a charity. The core offer of the TBs would be financially sustainable on its own, but The Friends felt it important that all space in the facility was used.

The Friends were not in a position to offer the TBs to the National Trust as they were not the owners of the building. Furthermore, it was understood that at the current time the National Trust was not seeking to expand its property portfolio.

The Chair commented that funding bodies required groups to own or lease the buildings for which they sought monies, he asked whether The Friends had a sense from the funding bodies they had approached that they were warm to the group's ideas but were unable to go forward due to The Friends not owning the building.

Ms Minns responded that this was the case and cited that the Architectural Heritage Fund would require a Community Asset Transfer to have taken place, or for the Council to confirm its commitment to such a transfer in order for the group to access some pots of funding.

- Did the organisations, approached by The Friends that had declined to become partners in the project, indicate why they did not wish to become involved?

Ms Minns clarified that the reference in the presentation had related only to not being able to find an operating partner for the 10m pool as a hydrotherapy pool. She gave an overview of the organisations which The Friends had approached, however, there were other potential providers who may be interested in the role.

The Member further asked what response had been received from the NHS on the matter.

Ms Minns advised that no response had been received from the NHS. Cumbria County Council's Health and Wellbeing Board had declined a presentation from The Friends, referring the group to Carlisle City Council as lead authority for health in Carlisle.

The Friends were focused on the core offer of the TBs, the 10m pool had the potential to be operated as a hydrotherapy pool. It was beyond the capacity of the group to deliver that facility alone, the Local Enterprise Partnership were supportive of the proposal and Ms Minns implored the Council to use its office to bring together the stakeholders needed to explore the idea.

Regarding The Friends request that the Executive indicate at its meeting on 31 August 2022, whether the 10m pool should be reserved for use as a hydrotherapy pool, the Chair advised that the People Panel was not able to add items to the Executive meeting agenda, he asked what the impact this was likely to have on The Friends' programme?

Ms Minns replied that it would have an impact on the work of the architect in developing uses for the space. The Friends did not wish to use up a design option that may not materialise due to viability, as such it would be useful to know now whether that proposed use was feasible. However, the architect may be instructed to draft uses that would not preclude the use of the pool in the future.

The Chair noted that the Council had undertaken similar conversations regarding the provision of a hydrotherapy pool as part of the Sands Centre Redevelopment.

The Deputy Chief Executive gave an overview of the discussion the Council had undertaken in relation to a hydrotherapy pool, noting that whilst other stakeholders were supportive of such a facility, issues relating to capacity and ongoing revenue costs had meant they were not in a position to commit to such a facility.

The Communities, Health and Wellbeing Portfolio Holder added that the NHS did not have budget for such a facility, nor was the matter on its agenda.

In relation to points in The Friends' presentation, that a request for a meeting with herself in September 2021 had been declined, the Communities, Health and Wellbeing Portfolio Holder stated that she had attended a session with The Friends. She was not aware of a request to meet in September 2021, however, the relevant Executive Member for the group was the Culture, Heritage and Leisure Portfolio Holder.

At the Council meeting of 19 July 2022, the Communities, Health and Wellbeing Portfolio Holder had agreed to set up a meeting with the relevant Portfolio Holder of the Cumberland Shadow Authority, which was currently being progressed. Additionally she had written to the Leader of the Shadow Authority on the matter, and was also looking to facilitate a meeting with The Friends and relevant parties at the Shadow Authority.

- A Member noted the presentation stated "Projected EBITDA 30 - 40% (subject to variation in maintenance and operation costs for heritage building)". A similar facility in Yorkshire had been subject of a sudden £220,000 maintenance cost, he asked whether the risk of such a circumstance occurring at the TBs had been fully considered? The Member further commented that the facility in Yorkshire had received government funding and felt that in light of such an event the government may be more circumspect in considering funding similar projects.

Ms Minns explained that maintenance costs for the TBs would be considered in detail at the Development Study stage. In relation to the facility in Yorkshire, The Friends understood that the sudden maintenance issue had arisen from a contractor handing over a building that was not fit for purpose.

Ms Minns did not consider there was a lack of appetite from government to invest in such projects as the TBs, reiterating the success of the facility at Swindon which demonstrated the potential to support health and wellbeing.

The Chair asked what plans The Friends had in relation to a Meanwhile Tenancy?

Ms Minns responded that it would enable the TB building to remain occupied thereby reducing the likelihood of vandalism if the site was closed in October 2022. A Meanwhile Tenancy would also allow for tours and events to go ahead in the building as well as maintenance work. However, The Friends' preference was for the TBs to remain open until the commencement of the Station Gateway project works.

The Leader commented that, following the Council meeting of 19 July 2022, he had sought to arrange a meeting with the Leader of the Shadow Authority to discuss the TBs, which would take place in September. Until the meeting had taken place, he was not in a position to go further, the outcome of the meeting would flavour the City Council's perspective on how to progress the issue of the TBs. He recognised that the timing of Local Government Reorganisation made The Friends' work more difficult and noted that the Leader of the Shadow

Authority had an extremely busy workload.

The Leader had spoken to residents in Harrogate which had a similar facility to the TBs and noted that whilst there was general support for it, the facility was seen as too expensive for some residents, with the lower entry price point costing over £20, he felt such a pricing structure would be difficult for Carlisle. He acknowledged that the number of visitors to the TBs had increased to around 150 per week, half of which were repeat visitors. The cost of a visit to the TBs was currently £7 to the user with the City Council paying around a £24 subsidy per visit, which was significantly greater than the subsidy the Council paid towards golf provision in the district.

Regarding the cost of mothballing the TBs, the Leader did not consider it would be immense, and noted the site had been closed during the lockdown restrictions imposed in relation to the Covid 19 pandemic. The TBs would close either in October 2022 or at the commencement of works for the Station Gateway Project in early 2023; the key aspect of which was the commencement of demolition works which were to be decided by Cumbria County Council as the Lead Authority for the project.

The Executive would decide whether the TBS would close in October 2022 or remain open until early 2023, that decision would be impacted by discussion with the Leader of the Shadow Authority, however, he would not be in a position to offer a cast iron guarantee for the future of the site.

The Leader concluded by stating that he was keen to support the Turkish Baths on the new Cumberland Council.

The Chair sought clarification from the Leader that closure of the TBs in October 2022 when GLL staff decanted from the existing pools site to the Sands Centre was not necessary and that the facility may remain open until the demolition works associated with the Station Gateway Project commenced.

The Leader stated that the Executive was to decide whether to ask GLL to continue to operate the TBs until the commencement of the Station Gateway works. He reiterated that the meeting with the Leader of the Shadow Authority would assist the Executive in coming to a view on the matter.

The Chair asked the Leader, if GLL were agreeable to continue to operate the TBs in the period between the closure of The Pools and the Station Gateway works beginning would budget be found to allow the continued operation of the TBs?

The Leader responded that he would not 'run the clock down' on the matter, a clear decision would be made. Were it decided that the TBs were to continue to operate from October 2022, the necessary funding would be secured through budget virements.

The Deputy Chief Executive added that any decision in respect of budget virements may be taken via a Portfolio Holder Decision.

The Chair asked what impact the proposed transfer of the site to Cumbria County Council was anticipated to have?

The Deputy Chief Executive explained that the proposed transfer was to assist the County Council in its role as Lead Authority for the Station Gateway and was temporary in nature, the process had not yet been completed but it was not expected to impact on the work of The Friends.

Regarding the £400,000 Borderlands funding, the Chair asked whether discussions had taken place on how it would be spent?

The Deputy Chief Executive stated that he had not been party to any such discussions. The monies were allocated to ensure heat and power supplies under ongoing use, it was not clear whether that would preclude mothballing, he undertook to clarify the situation, but noted that the matter would be for the Shadow Authority / Cumberland Council to decide.

The Chair invited the Panel to consider the recommendations suggested by The Friends in their presentation. Members discussed each proposed recommendation, and it was:

RESOLVED - 1) That the Deputy Chief Executive provide a written response to the Panel setting out the costs of mothballing the Turkish Baths and confirming the current operational costs.

2) That Scrutiny recommended the Council to consider a Meanwhile Tenancy.

3) That the Deputy Chief Executive provide a written response to the Panel setting out whether the Turkish Baths was included in the Council's UK Shared Prosperity Fund Investment Plan submission.

4) That the Executive were asked to convene a multi-disciplinary meeting of all parties, including the The Friends of the Carlisle Victorian and Turkish Baths to discuss the future operation of the Turkish Baths.

5) That the Panel ask the Executive to support the allocation of the £400,000 Borderlands funding to future proof the stand alone operation of the Turkish Baths.

6) That the Panel ask the Executive to liaise with the NHS to clarify its position with regard to the future use of the 10m as hydrotherapy pool, and advise The Friends of the Carlisle Victorian and Turkish Baths.

7) That the Democratic Services Officer circulate to the Panel the minutes of the meeting of the Health and Wellbeing Scrutiny Panel of 17 February 2022.

8) That a further site visit to the Turkish Baths be arranged for members of the People Panel and members of the Shadow Authority.

The meeting adjourned at 12:05pm and reconvened at 12:15pm.

PEP.34/22 ANNUAL EQUALITY REPORT 2021/22 AND ANNUAL EQUALITY ACTION PLAN 2022

The Policy and Scrutiny Officer submitted report PC.24/22 the Annual Equality Report 2021/22 and Annual Equality Action Plan.

The Public Sector Equality Duty stipulated a number of duties that local authorities were required to comply with the Annual Report demonstrated how those requirements had been met between April 2021 and March 2022. The Annual Equality Action Plan 2022 set out how the Council would work towards achieving the equality objectives and address any identified issues. Local Government Reorganisation in Cumbria would influence many policy decisions in

2022/23, the Council would continue in its commitment to promoting best practice. The relevant actions from the Local Government Reorganisation Programme Policy and Performance Workstream Delivery Plan were included in the Equality Action Plan 2022.

In considering the report and action plan, members raised the following questions and comments:

- A Member expressed concern at the increasing age profile of employees at the City Council and noted that it was an issue that was likely to transfer to the new Cumberland Council.

The Deputy Chief Executive responded that the matter was both a local authority sector and national issue. The matter had somewhat been exacerbated by changes to the employment market following the Covid 19 pandemic. In terms of the new Cumberland Council, it had determined not to place age restrictions on those accepted for apprenticeships at the organisation. The matter would be a key consideration for the new unitary authority.

- The Chair noted that the number of posts advertised in 2021/22 was higher than in 2020/21, he asked whether that was due to a catch up following the pandemic restrictions.

The Deputy Chief Executive considered the rise would be attributable to a number of factors including a catch up following the pandemic as well as the creation of new posts for example the Economic Development Programme Management Office.

The Chair noted that 92 posts had been advertised and 80 successfully filled: in relation to the unfilled posts were there any identifiable trends or significant shortages in particular areas?

The Deputy Chief Executive stated that he was not aware of any particular trends or shortages, he gave an overview of the recruitment process.

The Chair asked if the change to unitary authority may put people off from applying for advertised vacancies?

The Deputy Chief Executive explained that applicants were advised that posts at the City Council would be subject to Transfer of Undertakings (Protection of Employment) Regulations (TUPE) applied to the new Cumberland Council.

- Did the gender pay gap data on page 72 relate to men and women in the same posts or was it a comparison of role across the authority?

The Deputy Chief Executive stated that all roles had their salary determined by a job evaluation process.

The Policy and Scrutiny Officer added that figures contained in the report set out the mean and median average figures for the authority.

- The Council advertised jobs on its website, was there a facility for a person to submit a speculative CV?

The Deputy Chief Executive responded that the Council did not regularly receive or ask for CVs to be submitted.

- Did the Council offer job share, flexible working and part time working options.

The Deputy Chief Executive confirmed it was standard practice when application was submitted

which indicated a requirement for any of the conditions listed by the Member to include the applicant in the selection process. The implementation of such working practices was arranged by the manager, appointee and HR.

- Page 62 of the document pack covered Equality Impact Assessment, consultation and engagement, the Chair commented that the City Council was good at carrying out consultation and asked if there were any emergent themes?

The Deputy Chief Executive replied that it was not usually to get large quantities of responses to consultations, adding open ended questions were difficult to assess response to. The use of online consultations had been very useful, particularly during the pandemic.

The Chair agreed with the Officer's comments. In relation to the new Cumberland Council, it would determine its own equalities process, was there an opportunity for the Panel to act as a consultee on the matter?

The Deputy Chief Executive advised the consultation on the Cumberland Plan had commenced the preceding day and had already received a number of responses. Everyone in the new authority area was invited to participate and form a view of the Plan.

The Communities, Health and Wellbeing Portfolio Holder added that Portfolio Holders at the City Council were liaising with their counterparts at the Shadow Authority about their remits.

RESOLVED - 1) That Officers be thanked for their production of the report and work over the years to drive the equality agenda forward.

2) That all staff and partners be encouraged to participate in the consultation on the Cumberland Plan.

3) That an offer be made to the Shadow Authority for the People Panel to act as consultee in relation to the equalities processes for the new Cumberland Council.

PEP.35/22 QUARTER 1 PERFORMANCE REPORT 2022/23 AND UPDATE ON CARLISLE PLAN DELIVERY PROGRESS

The Deputy Chief Executive submitted the Quarter 1 Performance Report 2022/23 and Update on Carlisle Plan Delivery Progress (PC.21/22).

In considering the report Members raised the following questions and comments:

- What provision was being made to pay residents the £150 Council Tax rebate who did not pay their Council Tax by Direct Debit and who had not yet received their rebate?

The Communities, Health and Wellbeing Portfolio Holder responded that those who paid their Council Tax by Direct Debit had received their rebate in May. Of those who did not pay by Direct Debit, applications had been submitted and monies paid out. There were a small number of households who were levied a 0% Council Tax bill for whom the Council did not have bank details and so could not make a payment to. Efforts had been made to contact those households, where no response was received the monies would be credited to the relevant account so that it may be paid when contact was resumed as they remained eligible for the rebate.

- Did anyone who emailed the Council's Customer Services team receive an automated reply confirming their message had been received?

The Deputy Chief Executive understood that the system did generate an automated response.

- The target for processing new benefits claims was 19 days, given the cost of living crisis was it possible for that process to be accelerated?

The Deputy Chief Executive advised that there were ways to adapt the existing process for example by taking a risk based approach to checks as some other authorities used. It was possible that an action plan on the matter may be developed.

The Chair commented that it was important to strike a balance between processing the applications as quickly as possible so that residents may receive their monies at the earliest opportunity and not making staff workload unmanageable.

- Was the difficulty in delivering bathroom adaptations under the Disabled Facilities Grants (DFGs) a recent issue or a developing trend?

The implementation of such works had been hindered by the impact of the pandemic which had affected materials costs and supply chains as well as the viability of the works to smaller local contractors. It had been a challenge for Officers and whilst it was hoped that the trend would lessen a return to normal was not anticipated for some time. The new unitary authority being larger in scale than the city council may adopt a different procurement model

RESOLVED - 1) That the Quarter 1 Performance Report 2022/23 and update on Carlisle Plan delivery progress be noted.

2) That staff be thanked for meeting targets for processing new benefits claims and the disbursement of the Council Tax Rebate monies.

3) That Officers explore if it is possible to accelerate the process for paying new benefits claims given the cost of living crisis.

PEP.36/22 OVERVIEW REPORT

The Policy and Scrutiny Officer submitted report OS.20/22 which gave an overview of matters relating to the People Panel. The Panel had agreed to conduct a Task and Finish Group into the 'Cost of Living Crisis', invitations for an initial meeting in September would be circulated in the coming week.

Paragraph 4 of the report set out potential changes to the Scrutiny Panel remit in relation to housing: Homelessness (strategy, hostels and prevention); Housing - empty properties, standards and improvements; and, Housing advice and support move from the Place Panel remit to the People Panel remit. The respective Chairs had met and agreed the changes. The Policy and Scrutiny Officer advised that the next step was to formally write to the Monitoring Officer with the request that the Constitution be updated with the changes. The Panel indicated its assent.

RESOLVED - 1) That the Overview Report be noted (OS.20/22)

2) That the Policy and Scrutiny Officer write to the Monitoring Officer requesting that the Council's Constitution be amended by removing the following items from the Place Panel remit and adding them to the People Panel remit:

- Homelessness (strategy, hostels and prevention);

- Housing - empty properties, standards and improvements; and,
 - Housing advice and support
- 3) That the thanks be given to the Chair and members of the Place Panel for agreeing to the amended remits.

The Meeting ended at: 13:15