

COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY 26 OCTOBER 2004 AT 10.00 AM

PRESENT: Councillor Boaden (Chairman), Councillors Aldersey (as substitute for Councillor N Farmer), Bowman C, Crookdake (as substitute for Councillor Parsons), Earp, Hendry, Rutherford K and Scarborough

ALSO PRESENT: Councillor Bloxham attended the meeting as the Environment, Infrastructure and Transport Portfolio Holder

COS.155/04 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors N Farmer and Parsons.

COS.156/04 DECLARATIONS OF INTEREST

Councillors Earp and Crookdake declared personal interests in accordance with the Council's Code of Conduct for Members in respect of the proposed transfer of Talkin Tarn from the County Council to the City Council. Their interests related to the fact that they are Executive Board members of the East Cumbria Countryside Project.

Councillor Aldersey declared a personal interest in accordance with the Council's Code of Conduct for Members in respect of the proposed transfer of Talkin Tarn. His interest related to the fact that he is a Member of Cumbria County Council.

Councillor Hendry declared a personal interest in accordance with Council's Code of Conduct for Members in respect of the proposed transfer of Talkin Tarn. His interest related to the fact that he is a Parish Councillor of Brampton Parish Council.

COS.157/04 PROPOSED TRANSFER OF TALKIN TARN FROM COUNTY COUNCIL TO CITY COUNCIL – CORPORATE BUSINESS CASE AND SUPPORTING INFORMATION

The Head of Property Services presented report PS.28/04 on the proposed transfer of ownership of the Talkin Tarn Estate from the County Council to the City Council. The report contained a business case which had been considered by the Executive in advance of making a decision about the transfer of the strategic assets. Appendices to the report provided information on the Corporate Business Case and Architects Drawings, a Risk Assessment, an Environmental Impact Statement, a Definition of Stages, a Condition Appraisal of Buildings by Hyde Harrington, a Lake Monitoring

Report by the Environmental Advice Centre, an arboricultural report on Woodland Management by Capita and a feasibility study by the Bowles Green Partnership.

Mr Atkinson outlined the contents of the Corporate Business Case which contained details of the following three suggested schemes based on the building project specification:

Scheme 1 - The replacement or refurbishment of existing facilities on the same footprint as that which currently stands at the Estate.

Scheme 2 - The renewal of existing facilities partly on a new footprint adjoining the café building to the rear and partly through existing refurbishment.

Scheme 3 - A reasonable increase in the capital budget to provide architectural freedom to express own vision and requirements.

The Executive on 11 October 2004 (EX.194/04) had stated that it would prefer to see Scheme 3 progressed given that there was little difference in capital costs over the other two suggested schemes. The matter had been referred to this Committee for consideration.

Mr Atkinson then showed enlarged architects drawings of the three different schemes focussing on Scheme 3 which was the preferred option of the Executive. He explained that the total cost of Scheme 3 would be £1.45 million with capital costs of Scheme 2 being £1.29 million. He provided a detailed breakdown on the improvements which would be carried out as part of Scheme 3.

In considering the report and the attached appendices Members commented on and raised the following issues:

(a) *Can the capital and revenue expenditure on Talkin Tarn be justified instead of spending the money on other areas or facilities just because the County Council has abdicated its responsibilities?*

Mr Atkinson responded that this was essentially a political matter and that Members would ultimately have to decide if it was worth spending the money or not. He explained that the City Council has a good track record in the management of assets and he would like to think that had the City Council owned the Tarn before this they would have been more proactive about maintenance. The Council currently employs a 70%/30% split with 70% spent on proactive maintenance and 30% on reactive maintenance. The District Auditor has commended the City Council on this approach.

(b) *Could provision of more boat storage be a potential income stream?*

Mr Atkinson advised that the Rowing Club have a separate storage facility and that the franchisee for the boats currently had a mobile shed during the summer season. Scheme 3 would provide an office for the franchisee to operate from and he would continue to remove the boats from the site in winter. Increased boat storage could lead to more intensive use of the Tarn and this could conflict with ecological issues.

(c) *Under Scheme 3 clarification was sought of the phrase “to provide architectural freedom to express own vision and requirements”.*

Mr Atkinson advised that Schemes 1 and 2 had been developed by the Council and then an architect had been asked to come up with something different for the 3rd Scheme. The architect had been aware that there were cost limitations but another perspective was thought to be desirable. The difference in capital costs between Schemes 2 and 3 were in the order of £150,000.

(d) *There is a potential conflict between increasing the number of activities at and visitors to the Tarn and the balancing of the ecology and the environment of the place. Talkin Tarn is a special place with an important ecology and a balance would need to be reached between attracting more visitors and maintaining this ecology. In the past this Committee had requested a comprehensive Business Plan which would set out outputs and outcomes for example how many more visitors would attend, what they will spend, car parking charges etc. Without these outputs it may be difficult to take coherent decisions and Members asked when these outputs would be available.*

Mr Atkinson responded that Members had in front of them all the information available including all the work currently done by Officers. The figures which had been provided were not really assuming any increases in visitor numbers as there is a conflict between ecological aspects and economic aspects. The proposal in relation to Talkin Tarn was not a commercial business proposition and it was not envisaged that it would run at a profit. The Council could manage the Estate including the ecological and environment aspects.

Mr Gray commented that Talkin Tarn has a capacity to absorb more visitors if footpaths and facilities including the tea room and the car park were all managed properly. One objective would be to encourage people who use the Tarn to spend some money whilst they are.

The ecology of the area had suffered through a lack of management in the past and Members and Officers alike recognised the importance of maintaining an ecological balance. Scheme 3 was not putting new buildings up but rather based on extensions and would also involve the better ecological maintenance of the Tarn. The other alternative would be for the City Council not to take on Talkin Tarn and this would be a shame for the people of Carlisle and people from other areas who regularly use the Tarn.

(e) The proposed workshop units would have to be in keeping with the feeling of the whole place e.g. local crafts.

Mr Atkinson advised that the workshops were merely an idea and that they could be left out if Members wished, although it was good to utilise this space on the ground floor. The idea would be only to let to businesses such as crafts and the like and not for large scale commercial operations as are found in the centre of Carlisle. Workshops may or may not be put in and it could be that they would provide facilities for example for smaller architectural practices based in the rural area. The Council has a rural strategy to support the economy in rural areas and the provision of such units would help with this strategy. The Committee stated that letting of the workshop units would have to be to people or done in keeping with the whole of the Tarn area.

(f) The provision of fire escapes in the new extension of the Scheme 3 was queried.

Mr Swindlehurst, Commercial and Technical Services, advised that the ramps at the side of the current café building would stay, although they were not the correct angle for the Disability Discrimination Act and therefore a lift access would be put into the new building. Access from the building would be via the current stairs and ramp. Better courtyard parking would also be available outside the building for disabled.

Mr Swindlehurst advised that Schemes 1, 2 and 3 would all have lifts incorporated, as any works which would be undertaken would attract the new Building Regulations in relation to disabled adaptations and facilities.

(g) The proposals to address the problem of blue green algae in the Tarn were costed in the report, but there was no guarantee that these measures would solve the problem. There was concern that the fundamental problem may not be addressed.

Mr Gray stated that the problem of blue green algae at Talkin Tarn had been a problem for years now and was also a problem in a number of water bodies in the UK and Europe. Blue green algae is not an easy problem to solve and no guarantees can ever be given that the problem will be eradicated. The aims would be to work at managing the problem and containing it. Officers had approached different experts regarding their opinions and an Ecological Consultants best suggestion was an aeration system at a capital cost of £60,000 to £80,000 with an annual cost of £5,000 per annum.

There were also additional methods which could be employed including the planting of pond plants at the edges of the Tarn and trying to contain the fall of leaves into the Tarn. However, whatever course this Council takes it would not solve the problem of blue green algae and part of the Council's approach would be to manage public awareness of the risk, which is mainly to pets.

(h) In the past the Committee had requested a detailed Environmental Impact Statement but there was concern that the one contained in the report

was not detailed enough and did not provide enough information on the balancing of costs and benefits of environmental aspects.

Mr Gray responded that he was not sure what information Members were wanting and he could provide more information e.g. on erosion of paths or the discharge of foul water from toilet blocks if this was what was wanted.

The Member commented that if the Council was wanting to increase visitor numbers then there would be further impacts on the environment and Members wanted an indication of how this would be managed so that the Council would not just be reacting to situations.

Mr Atkinson advised that, as part of the costs set out in the private report, the recommendations were to spend an immediate £85,000 on ecological works in an attempt to treat the blue green algae, £12,000 on work on trees and £15,000 on landscaping. The Council would also be seeking to employ a Warden and a Deputy Warden as part of the role in managing the environment and ecology of the area.

The Environment, Infrastructure and Transport Portfolio Holder advised that these concerns are shared by the Executive and that the first decision would be to take the Tarn on and the second is what the Council wants to do with it.

The Executive had recognised the need to balance visitor numbers and the ecological balance of the area. There were concerns about what would happen to Talkin Tarn if the City Council did not take it on.

(i) Would it be feasible to move East Cumbria Countryside Project from Warwick Bridge to be based at the proposed new facilities at Talkin Tarn.

Mr Gray advised that decisions of this type would be up to his Executive Board. Mr Atkinson advised that moving East Cumbria Countryside Project to Talkin Tarn could save the Council in the order of £10,000 a year in rent and may be more cost effective than having the workshop units let.

(j) Would the Caravan Park continue in its current form and had this been costed?

Mr Atkinson advised that no improvements had been suggested for the caravan and camping facilities and there would be a number of additional costs if the current facilities for caravans and camping were improved.

(k) What consultation would there be with local people in the Brampton area to ascertain their opinions.

Ms Mooney, Acting Town Clerk and Chief Executive, advised that consultations would be held with Brampton Parish Council and Farlam Parish Council. There would also be consultation with people in Carlisle further down the line. There had also been consultation with users' groups including rowing clubs, sailing clubs, anglers and the franchisee for the rowing boats.

Users were enthusiastic about proposals and willing to be involved as they had to date felt neglected and frustrated. Users were also keen to look at external funding sources and income streams but they also recognised the importance of the balance of increased visitor numbers and participation rates at The Tarn and the ecological and environmental aspects. User groups were keen to be involved in the development of a business plan and were positive about the future.

(l) Members would welcome the retention of the Farlam Boathouse with underpinning of foundations as necessary and welcomed the proposed use as a bird hide.

(m) Use of the reed beds for sewage systems could be examined, but there were concerns about the smell that this would generate.

The Environment, Infrastructure and Transport Portfolio Holder stated that the viability of things like reed beds could be looked at further once a decision is made on the transfer of The Tarn.

(n) The Chairman commented that throughout this discussion and those at previous meetings, the Committee had always expressed an in principle positive view about the possible transfer of the Tarn. However, the Committee did have an important role in scrutinising all future proposals for the Tarn.

(o) The need for a proper and vibrant business plan to be put in place was again emphasised and a Member commented that Talkin Tarn could be made into a vibrant venture.

Mr Atkinson stated that the visitor numbers at The Tarn speak for themselves about the popularity of what is there and people come from as far away as Newcastle to use the facilities. Improving facilities such as the café and having better car parking could mean that more people are prepared to spend money when they visit the Tarn.

(p) What was the evidence of demand for the workshops or for the use of the educational facility?

Mr Atkinson advised that the private report contained a letter on the commercial lettability of the units, commenting that a private operator would not consider them commercially viable. The workshop areas would utilise the ground floor area and were at this stage just an idea although they would be providing for the rural economy. They may generate £4,000 to £5,000 a year in income, but if East Cumbria Countryside Project did move in, then this could generate a saving of £10,000 a year. It was all about looking at ideas at this stage.

With regard to the use of the educational facility, Mr Gray stated that a number of schools continue to use the old portacabin at Talkin Tarn, but other schools have stopped using it because of its condition. An improved facility

would encourage schools who already use it to continue, but would also attract other schools. In the past initiatives had been undertaken in conjunction with Tullie House and over the summer holidays to attract school-age children to The Tarn and they had used the old portacabin facilities. New facilities would attract even more school children and provide an opportunity for them to learn about the ecology of The Tarn.

(q) What research had been undertaken into the potential to get grants towards the capital costs.

Mr Atkinson advised that it may be difficult to get grants as grant making bodies are more likely to support proposals which include further development to increase visitor numbers. A lot of the works being proposed were remedial works to do something which really should have been done in the past by the County Council. If the Council decides to proceed with this scheme, then there may be the potential for grants and officers will then investigate the matter, but the initial decision must be made before this could happen.

(r) Who would have responsibility for the approach road to the Talkin Tarn car park?

Mr Atkinson advised that it is a non-adopted rural highway so if the City Council took over ownership of Talkin Tarn Estate then the Council would be responsible. The budget which is set out includes patching up works but not full reinstatement of the road.

(s) Had officers used their experiences in tackling the problem of blue green algae at Hammonds Pond in making decisions on courses of action at Talkin Tarn. There was concern that, although substantial amounts of money had been spent on Hammonds Pond, the problem was not totally eradicated.

Mr Atkinson commented that Hammonds Pond had been drained and scraped out, but that logistically this would just not be possible at Talkin Tarn.

The Environment, Infrastructure and Transport Portfolio Holder advised that officers had learned from Hammonds Pond where possible, but emphasised that whatever course of action is undertaken in relation to blue green algae, there are no guarantees that it will succeed.

Mr Gray added that it was more about identifying and managing the problem and, in his view, it would be a lower intensity, but longer term management of the problem than the methods adopted was Hammonds Pond.

(t) The last public attitude survey in relation to Talkin Tarn was conducted in 2000. Had any thought been given to updating this?

Mr Atkinson advised that there had been a lot of research of generic public needs in relation to parks and countryside and also that the Bowles Green work had been used.

A Member commented on the importance of regularly and consistently finding out public attitudes, particularly in relation to assets which are so precious. It was recognised that this may be a political point.

(u) Members would like to see a more expansive risk assessment with a lot of detail.

Mr Atkinson advised that he would take these comments on board, as the risk assessment would be an important working document and could be used in monitoring of the project as it develops.

(v) The Chairman emphasised that this Committee should continue to have a involvement in the development of the business plan and in monitoring the project over the forthcoming months and years.

RESOLVED – (1) That the comments and concerns of the Committee in relation to the proposed transfer of Talkin Tarn Estate, as set out above, be forwarded to the Executive.

(2) That this Committee expresses its wish to have a continued scrutiny and monitoring role as the project develops.

(The meeting was adjourned at 11:20 am and was reconvened at 11:30 am)

COS.158/04 PUBLIC AND PRESS

RESOLVED - That in accordance with Section 100A(4) of the Local Government Act 1972, the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in the Paragraph Number (as indicated in brackets against each Minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

COS.159/04 PROPOSED TRANSFER OF TALKIN TARN FROM COUNTY COUNCIL TO CITY COUNCIL – SUPPORTING PRIVATE INFORMATION

(Public and press excluded by virtue of paragraph 7 and 9)

The Head of Property Services presented report PS.20b/04 which contained the private papers to be read in conjunction with the Corporate Business Case on the proposed Transfer of Talkin Tarn from the County Council to the City Council. The papers included: the Terms of Transfer and Plan; the Construction Capital Costs; the Current Capital Cost Projection and Influences; the Scheme Costs and Revenue Estimates; the report on Title; the District Valuer's Valuation; a Catering Report by A D Catering consultants; a Commercial Rents report by Hyde Harrington; and Café Accounts from the County Council.

In presenting the report, Mr Atkinson highlighted the Heads of Terms proposed by the County Council, emphasising that the hotel was not included

within the proposal, and the amount the County Council were offering to the City Council as a contribution to running costs.

With reference to the construction costs, he emphasised that when construction projects are undertaken there is always a risk.

In considering the private information surrounding the proposed transfer of Talkin Tarn from the County Council to the City Council, Members commented on and raised the following issues:-

(a) *In response to a question, clarification was given that the Water Quality System maintenance related to the Tarn water.*

The costs for the Water Quality System maintenance had been the result of expert advice and had been estimated by the consultant whose report was contained within the public report considered by Members.

(b) *Clarification was sought as to borrowing requirements of the capital investment costs if the scheme proceeds.*

Ms McGregor, Strategic Finance and Business Analyst, advised that if this was deemed a priority on the budgetary process, then the capital investment would be resourced from balances as there was sufficient in capital receipts.

(c) *What increase in Council tax would be required to meet the revenue costs.*

Ms McGregor responded that these proposals would be part of the overall budgetary process which includes potential savings from other areas and that it was not possible to attribute an exact Council tax increase to this individual scheme.

The Environment, Infrastructure and Transport Portfolio Holder emphasised that any decision on Talkin Tarn was part of the overall budgetary process, which included a number of other aspects. This Committee would be given an opportunity to scrutinise the budgetary papers.

(d) *The proposed transfer of Talkin Tarn Estate should be part of a long term strategic financial planning process which looks at other major corporate issues which may arise within the city, taking a long term approach about investment in facilities.*

(e) *A query was raised about the potential rental income for workshops and retail units as set out in the potential cost summary, as compared with the advice given by the property consultant.*

Mr Atkinson advised that the spreadsheets would need to be updated to take into account the advice from Hyde Harrington. He emphasised that the workshops and retail units were an initial idea. This discussion on the

potential viability of the workshop and retail units and on the supporting of the rural economy was helpful.

(f) Would the current electricity supply be adequate for the proposed scheme?

Mr Atkinson explained that Utility Companies would not give a definitive answer at this stage.

(g) There was a query as to whether Broadband was available at Talkin Tarn but Members and Officers were not sure of whether this would be available.

(h) In response to a question, clarification was given on a number of staff who would have the right to transfer under TUPE arrangements and on progress with discussions between the County and City Councils on the transfer of staff.

(i) Members were disappointed with the contribution which the County Council were willing to make towards running costs and sought clarification on the position regarding the hotel.

Mr Atkinson advised that the terms outlined in the paper were the terms of transfer proposed by the County Council and these did not include the hotel. This situation had been discussed extensively and the position was as set out in the report.

(j) A Member suggested that some of the Parish Councils may have access to grants from the North West Regional Assembly and this avenue could be explored.

The Environment, Infrastructure and Transport Portfolio Holder advised that he would welcome contributions from Parish Councils or any other Agencies.

The Chairman then thanked Officers and the Environment, Infrastructure and Transport Portfolio Holder for their input into the meeting. He stressed that the Committee would like to have continued involvement in working up the Business Plan and monitoring of the delivery of the Scheme. He emphasised the importance of looking at Talkin Tarn as a community asset. This Committee was not against the transfer of ownership in principle but did have a scrutiny responsibility to look at the details involved.

RESOLVED – (1) That the comments of the Committee as outlined above be forwarded to the Executive.

(2) That this Committee emphasises its wish to have continued involvement in working up the Business Plan and monitoring the delivery of the Scheme.

**COS.160/04 SPECIAL MEETING OF COMMUNITY OVERVIEW AND
SCRUTINY COMMITTEE**

The Overview and Scrutiny Manager advised that the budgetary papers would not be considered by Executive at the meeting on 8 November as previously scheduled but would be considered at a Special Executive Meeting on 15 November 2004. This would mean that the Special Meeting of the Community Overview and Scrutiny Committee previously scheduled for 15 November 2004 would now have to be re-scheduled.

RESOLVED – That the Special Meeting of the Community Overview and Scrutiny Committee which had been scheduled for 15 November 2004 be moved to Monday 29 November 2004 at 10.00 am. The Committee Clerk would write to all Members of the Committee to inform them of this change.

(The meeting ended at 12:10)