

Standing Order 42

Consultation with Appropriate Chairman and Vice-Chairman for Urgent Action to be Taken Under Standing Order 42

To (Chair & Vice Chair):	Cllr Tom Gracey, Chairman of Corporate Management Committee & Cllr Chris Howorth, and Cllr Stephen Walsh, Chair and Vice-Chair of Community Services Committee
Relevant Committee:	
Date:	13.04.2023
Report Author:	Chris Swatridge
Report Title:	<u>Runnymede Pleasure Grounds Paddling Pool</u>
SO42 Proforma Number:	1108 1018

1. Synopsis of report

Runnymede Pleasure Ground comprises a land holding held in trust by the Council for the benefit of the public. The Community Services Committee exercise the Council's powers as Trustee of this land in the interests of social welfare with the object of improving the conditions of life for the surrounding residents.

A recent report (updated in March 2023) highlighted that the paddling pool surface and pool plant equipment at Runnymede Pleasure Grounds (RPG) is in need of urgent upgrading. This has been raised previously with Members when discussing capital funding bids for the replacement of water play facilities across the borough.

- Specifically at Runnymede Pleasure Grounds, there is a requirement to undertake the following actions in order for the facility to be reopened:
- A repair to the current surfacing by applying a resin overlay and then supplying and installing a new wet pour overlay
- Maintenance/repair and part replacement of existing plant equipment
- Completion of Pool Plant Operators training with the provision of pool safety operating procedures that are to be included in the renewed lease with the coffee shop owner on site

The reopening of this water play facility, albeit identified as being a temporary resolution until such time as a replacement facility is procured and implemented, is seen as beneficial to the borough and its residents, at a time when at least one other Water Play facility operated by the Council will not be reopened in 2023.

This proposed way forward has been considered, working with the Councils Corporate Assets team, who as part of the opening of the paddling pool have negotiated the renewal of the lease of the Coffee Shop/Café at Runnymede Pleasure Grounds. Heads of Terms are attached and Members are asked to approve these so that the legal documentation can be implemented and the tenant will undertake the day to day operation of the paddling pool. Discussions with the tenant to date have highlighted concerns regarding the water play not being open and this has resulted in a negative impact on the business. Therefore, for the best interests of the tenant and for landlord it is important that the lease is put in situ.

The proposed lease arrangements will include the Café taking the day-to-day operational responsibility for the paddling pool subject to RBC officers being content with the appropriate legislative regime for managing paddling pools and having the necessary insurances in situ. It should be further noted that this is a risk and needs to be addressed and mitigated subject to appropriate risk assessments being in place once documentation is received. Assets and Community Services have agreed with the tenant that such an arrangement could continue as an interim measure until such time an appropriate improvement is found for the paddling pool subject to monies being available (e.g. splash pad), providing that appropriate training is completed, and that the café are able to comply with the pool safety operating procedures that are proposed to be written by a third-party contractor. These procedures will be included as an appendix within the new lease agreement.

Given the above, it is important to note that should the Café not be willing to agree to the new requirements, this may jeopardise its reopening given the need to consider other operational arrangements which could result in a sizeable revenue cost to the Council.

The training can be carried out at the earliest in May 2023 which does not leave much time before opening the paddling pool for the June target date. Therefore, it is imperative that the pool control room equipment upgrade, and new pool surface are procured immediately to get the pool open as soon as its practically possible. As a result, a SO42 is presented for consideration.

Finally, it is proposed that we engage a company who are expert in pool maintenance to undertake weekly visits, whilst the pool is open. Whilst arrangements will be put in place with the Café owner via the newly agreed lease, weekly visits will provide assurance that processes etc. are being followed and that plant equipment etc. is working as required. Whilst costed for 20 weekly visits per annum for the next two years, this may be reduced to monthly at an appropriate time when there is a level of confidence that all processes are being followed. The cost of this is £7000. In addition to this the plant servicing the paddling pool will need to have regular maintenance and comply with legislation and there will need to be an increase in the budget for this to allow the paddling pool to remain open during the summer. The current budget provision held by Assets and Regeneration for maintenance for the whole of the pleasure ground is insufficient at £1200 for maintenance and this sum is held for the whole of the Runnymede Pleasure Ground not just the paddling pool along with the water consumption which will increase significantly. At present the budget proposed is in the region of £7500 but with a regime of draining the paddling

pool on a regular basis this could have a significant impact on this cost and the estimated cost has been increased to £10,000. Legionella regime will also need to increase to comply with legislation during the period of opening.

If approved, the above work will cost an estimated £45,500 plus VAT this would be funded via the ringfenced budget relating to the Runnymede Pleasure Grounds Trust.

2. Reasons why this matter cannot wait for a Committee Decision.
(Please state if agreement of Chairman and Vice-Chairman required within 24 hours, and why)

Delaying the decision until the next meeting of Community Services Committee (next meeting June 23), where members of the committee sit as trustees for the Runnymede Pleasure Grounds Trust and associated budget, could result in the training and purchase of the new equipment not being undertaken/installed in a timely manner for reopening of the paddling pool in June 2023. Equally, a further delay could jeopardise the renewal of the lease with the existing tenant of the café which would not allow the paddling pool to re-open in a timely manner.

Aware of this situation, following the March 2023 Community Services Committee meeting, an informal briefing of Members of Community Services Committee was undertaken, to advise them of this workstream and the potential requirement for completion of an SO42.

In the event of approval being given by Chair/Vice Chair, it would be intended to communicate with members of the Committee to inform them of next steps and to provide a copy of this SO42 for information.

3. Recommendation(s)

That the approval is given to undertake the works required at the cost of £45,500 plus VAT to deliver necessary training and pay for the creation of pool operating procedures for Runnymede Pleasure Grounds, working in partnership with Assets and Regeneration and Environmental Services.

That a waiver from the requirements of Contract Standing Orders be sought to enable the placement of the necessary orders to secure the works and services required to enable the paddling pool to be opened.

4. Context of report

- Please see synopsis section

5. **Report and, where applicable, options considered**

Three options are proposed:

1. **Give approval for immediate purchase orders to be created for the pool equipment, training and surfacing.**

This option is seen as the most viable way of having a water play facility reopened at Runnymede Pleasure Grounds in 2023. Whilst this is subject to the agreement of a new lease with the café owner, it is felt that if achievable places the Council in a much stronger position relating to the management of the facility.

In agreeing to this preferred option, approval is sought for a waiver of contract standing orders for the items detailed within the finance section of this document.

2. **That approval for immediate procurement is not given or a requirement to attend Committee with a report is mandated.**

This would result in there being no water play facility at Runnymede Pleasure Grounds in 2023, and potentially give reason as to why the lease with the café owner is not extended.

In the event of being required to present to committee in order to obtain approval, a request within the report would be made for a waiver of contract standing orders for the items detailed within the finance section of this document.

3. **Do Nothing**

As opposed to option 2, where committee approval is required, the option of doing nothing effectively closes this as a work piece, with an acceptance that the Paddling Pool will not be repaired nor reopened. This could potentially impact the agreement of a lease with the café owner and is likely to cause reputational harm to the Council. Given that all works will be funded by the RPG budget and not require financial growth from the General Fund, the cost of works required this option has been discounted.

6. **Policy framework implications**

The Community Services Service Plan gives the objective to implement a play space improvement programme, modernising our play space offer to local children across the borough. The modernising of the paddling pool at RPG contributes towards this objective.

The Health and Wellbeing Strategy Objective 2 - Healthy Communities has the action "for all residents to be able to engage and participate in their community, access services, facilities, amenities, leisure, and recreational opportunities locally". Therefore, having a safe, attractive and well-used paddling pool at a flagship site such as RPG will go a long way to realising this objective.

7. Financial and Resource implications (where practicable)

Resource implications of suggested course of action:-

Item	Cost
Resurfacing work of Paddling Pool	£6,000
Maintenance/Repair/Upgrade of Plant Equipment	£10,000
Increased Water and Energy cost (estimated only)	£20,000
Pool Training Course	£2,500
Weekly inspection and water testing visits (20 weeks per year for up to 2 years)	£7,000
Total:	£45,500
Total (inc VAT)	£54,600

The refurbishment and reopening of the paddling pool, has the potential to retain and realise additional income for the Runnymede Pleasure Grounds Trust via potential increased income through car parking fees.

This will only be achievable via the signing of a new lease as per the Heads of Terms attached to this document and via additional attendance at the pleasure grounds.

Monitoring of these additional costs will be undertaken during the summer and an updated budget monitoring report will be presented to a future meeting of the Community Service Committee after the peak summer season has ended.

8. Legal implications

Ensuring that the paddling pool is repaired to an appropriate standard and that the required training and instruction is provided to the Café, who will oversee the paddling pool on a day-to-day basis will address the majority of the health and safety risks (there are always risks associated with children and water play). Taking such an approach will therefore reduce the likelihood of civil claims being brought against the council for injury etc.

By having a contractor in addition overseeing the quality of water etc. through monthly testing, will reduce risk and potential legal implications as a result.

The new lease to the café operator will ensure continuity and efficient running of the leisure facilities at the Pleasure Ground.

9. Equality implications

There are no equality implications associated with this decision.

10. Other implications (Environmental/Biodiversity/Sustainability must be addressed)

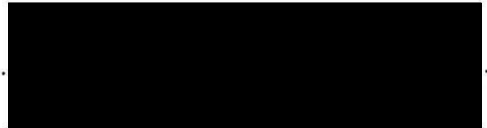
Whilst it is recognised that water play facilities across the borough need to be enhanced to provide better recreational facilities, doing so is necessary to also improve the environmental impact of facilities. However, when considering the four sites currently in the borough, the paddling pool at Runnymede Pleasure Grounds is the least impactful on the environment by virtue of the fact it does not require daily filling and emptying.

11. Background papers

None

12. **Chief Officer(s) Decision**

Signature of authorised officer



I have been consulted and am in agreement with the above

Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or authorised representatives

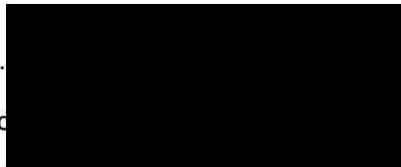


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NB: this must include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

13. **Chief Executive's Decision**

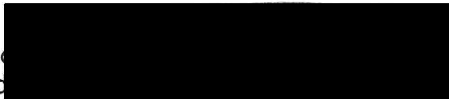
Signature of Chief Executive



I have been consulted and am in agreement with the above

14. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision



Signed

Date

19/04/23

Signed



Date

20/04/23

I have the following further comments:

The completed copy is to be returned by the Councillors to the Corporate Head of Law and Governance (Democratic Services) who will send a copy to the Chief Officer and report to the relevant Committee for information.