

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

INQUIRY - ALVECHURCH MULTI USE GAMES AREA

Relevant Portfolio Holder for Overview and Scrutiny	Councillor G. N. Denaro – Deputy Leader of the Council and Portfolio Holder for Finance and Resources
Relevant Head of Service	Mrs. Angie Heighway – Head of Community Services
Head of Service for Overview and Scrutiny	Mrs. Claire Felton – Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 Members are requested to review the written and oral evidence presented to Members of the Inquiry, both for and against the demolition of the Multi-Use Games Area (MUGA) at Swans Length Open Space, identify any further evidence required and to consider the options for draft conclusions and recommendations to the Cabinet.

2. RECOMMENDATIONS

- 2.1 Members of the Joint Overview and Scrutiny Board are asked to:
- a) review the written evidence received,
 - b) review the oral evidence received
 - c) identify any further evidence required
 - d) consider the options for the future of the MUGA.

3. BACKGROUND

- 3.1 Petitions for and against the demolition of the MUGA at Swans Length Open Space, Alvechurch were submitted and received by the Monitoring Officer on 2nd June 2010 and in accordance with Article 2, 6.8 of the Council Constitution were referred for consideration by the Joint Overview and Scrutiny Board (JOSB).

- 3.2 On 15th June 2010 the JOSB resolved to hold an Inquiry into the future of the MUGA facility. The terms of reference agreed for the Inquiry were:

“Aim:

To investigate the perceived crime and disorder issues and the future options for the Multi Use Games Area facility at Swans Length, Alvechurch.

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

Objectives:

1. To investigate the crime and disorder issues around the MUGA
2. To consider the value of the MUGA to local residents
3. To identify the possible options and associated costs and benefits for the MUGA.”

Written Evidence

3.3 From the beginning of the MUGA Inquiry, a public invitation was made to receive written evidence from all interested parties by 2nd August 2010. Written statements, letters and e mails have been received from various parties and these have been compiled and considered by Members of the Inquiry. Key written evidence has included:

- a - Alvechurch Youthink – Consultation 10th October 2007
- b - Alvechurch Consultation – Multi Use Games Area and Risky Play Proposal, April 2008.
- c - Site comparisons in Alvechurch, Memo from PC Stan Baker, 10th January 2008.
- d - Risk Assessment Swanns Length, Alvechurch – West Mercia Police, 26th October 2009.
- e - Open Public Forum – Alvechurch ASB, 19th November 2009
- f - Anti-Social Behaviour in Alvechurch Village, Update July 2010. Bromsgrove Community Safety Partnership
- g - Comparisons in Reported ASB between Alvechurch and other MUGA Sites in Bromsgrove.
- h - Planning proposal (old school site)
- i - Alvechurch Parish Council Minutes of the meeting held 12th July 2010
- j - ACT – Statement for Scrutiny Committee – Alvechurch MUGA
- k - Extract from Village News magazine July / August 2010
- l - Transcript of Petitioner One (Mrs Sarah Morgan) presentation to the Joint Overview and Scrutiny Board 15th June 2010, submitted by Mrs Sarah Morgan.
- m - Correspondence on the MUGA received 1st June -2nd August 2010
- n - A report by the Head of Community Services 15th June 2010.

3.4 Copies of the above written evidence considered by this Inquiry will be available upon request when data protection issues have been addressed.

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

Oral Evidence

3.5 Oral evidence has been received from key witnesses. Oral evidence from 22nd July 2010 is attached to the minutes of the JOSB meeting.

Site Visits

3.6 Members of the Inquiry undertook a site visit to the Alvechurch MUGA and the King Edward MUGA. Further to this Members are asked to highlight any specific features that may be relevant as evidence to corroborate the conclusions and recommendations.

Further Evidence

3.7 Members are asked to consider if there is any further evidence that is required in order to arrive at the final conclusions and recommendations to Cabinet. This may include specific evidence that is required to corroborate the draft conclusions and recommendations now being considered.

Options for the MUGA

3.8 Members are requested to consider the viable options for future of the MUGA facility. These may include:

- leaving the MUGA facilities in situ with appropriate re-landscaping of the physical environment to minimise opportunities for ASB and maximise surveillance of the area, subject to a 6 - 12 month review
- removal of the MUGA facilities.

4. KEY ISSUES

4.1 N/A

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report. There will however be financial implications associated with either of the possible options referred to in 3.8 above.

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

6. LEGAL IMPLICATIONS

- 6.1 Consideration of the MUGA Inquiry contributes to meeting the requirements of Section 17, Crime and Disorder Act 1998 (and amendments). See paragraph 16 of this report below.
- 6.2 The Local Government Act 2000 requires Councils operating Executive Arrangements to include one or more Overview and Scrutiny Committees within their Constitution, which may be composed of any councillors who are not on the Executive Committee of the Council.
- 6.3 Executive arrangements by a local authority must ensure that their overview and scrutiny committee has power (or their overview and scrutiny committees have power between them) to:
- a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
 - b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
 - c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
 - d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,
 - e) to make reports or recommendations to the authority or the executive on matters which affect the authority's areas or the inhabitants of that area.

7. POLICY IMPLICATIONS

- 7.1 There are no policy implications arising from this report.

8. COUNCIL OBJECTIVES

- 8.1 Overview and Scrutiny links to Council Objective Three: One Community.

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 The concerns of residents need to be addressed through the Inquiry and/or by the local authority as the local authority has a legal duty under section 17 of the Crime and Disorder Act 1998.

10. CUSTOMER IMPLICATIONS

- 10.1 Overview and Scrutiny aids transparency and accountability of local services and service users, council tax payers and other local residents through elected councillors.

- 10.2 The levels of anti-social behaviour experienced by local residents of Bromsgrove District directly effects their wellbeing and quality of life. The MUGA provides play and leisure facilities to young people and families in the area. The Inquiry into the impact of having a MUGA facility at Swanslength may address the levels of ASB experienced by those residents who live nearest to the facility balanced against the utility provides to young people and families through the MUGA. .

11. EQUALITIES AND DIVERSITY IMPLICATIONS

- 11.1 Key factors that the Inquiry considers are the impact of crime, disorder and anti-social behaviour experienced by residents versus the right for young people to access play facilities.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

- 12.1 There are no value for money implications arising from this report.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

- 13.1 There are no climate change and carbon implications arising from this report.

14. HUMAN RESOURCES IMPLICATIONS

- 14.1 There are no human resources implications arising from this report.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

15.1 There are no governance/performance implications arising from this report.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 The MUGA Inquiry will enable consideration of a possible crime and disorder issue. This Inquiry is directly linked to section 17 of the Crime and Disorder Act 1998 as previous decisions to install the MUGA have influenced the levels of crime, disorder and anti-social behaviour and any subsequent decisions from this report could also impact on the future levels of crime, disorder and anti-social behaviour.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 A decision to remove the MUGA facility will reduce the access to play equipment for young people which reduces the opportunity for young people to access physical recreation.

18. LESSONS LEARNT

18.1 N/A

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 The MUGA Inquiry will contribute to engagement with the local community and key stakeholders.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	NO
Chief Executive	NO
Executive Director (S151 Officer)	NO
Executive Director – Leisure, Cultural, Environmental and Community Services	NO
Executive Director – Planning & Regeneration, Regulatory and Housing Services	NO
Director of Policy, Performance and	NO

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW AND SCRUTINY BOARD

31st August 2010

Partnerships	
Head of Service (Community Services)	YES
Head of Resources	NO
Head of Legal, Equalities & Democratic Services	YES
Corporate Procurement Team	No

21. WARDS AFFECTED

Alvechurch

22. APPENDICES

None

23. BACKGROUND PAPERS

None

24. KEY

None

AUTHOR OF REPORT

Name: Michael Carr
E Mail: m.carr@bromsgrove.gov.uk
Tel: 01527 881407