

Cabinet – 3 February 2010

Bryntysilio Outdoor Education Centre

Portfolio: Leisure and Culture

Service: Sports and Leisure

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of report

- 1.1 To update Cabinet on the current position relating to Bryntysilio Outdoor Education Centre in Llangollen, North Wales, its operational costs and that of the Bryntysilio Camp Trust, and to outline the various options that are available to the Council.
- 1.2 Bryntysilio sits within Neighbourhood Services; Leisure & Culture; and is managed by the Sport & Leisure Service. The annual revenue costs of £0.431m are funded by Neighbourhood Services, with property maintenance costs of around £70k met by Property Services from within the Regeneration Directorate; a combined total of £0.501m pa.
- 1.3 Each year 1,400 children visit the centre as part of term-time outdoor education organised by their school, with a further 400 disadvantaged children attending during the school holidays as part of the Trust's work. Under the current lease, Walsall Council has full maintenance liability for the premises and meets all running costs; including those relating to hosting the school holiday activities by the Camp Trust. The Trust recently commissioned a condition survey that highlighted defects totalling £0.420m – which the Council may be liable for making good.
- 1.4 Community Services Scrutiny and Performance Panel undertook a significant piece of work in June 2009 including a visit to Bryntysilio to investigate what the centre did and what could be done in future to continue delivery of the service. At its meeting of 26 November 2009, Scrutiny accepted the Working Group's final report and recommendations. The Working Group's report contains twenty-three recommendations for future service provision at the Bryntysilio Outdoor Education Centre and Scrutiny subsequently recommended that the report be sent to Cabinet for consideration.
- 1.5 The Scrutiny Panel's recommendations need to be considered in the context of the value placed upon Bryntysilio by the people of Walsall; whilst recognising the ambitious nature of the recommendations and the level of risk to the Council of

these not being achieved. Subsequent to the Scrutiny Panel's recommendations Legal Services have advised that as a business lease, the recommendation to agree a one year rolling lease is not viable as the landlord may be entitled to compel the Council to a longer 6 year lease. This heightens the Council's exposure to financial risk; the cumulative cost of a further six years of operation is expected to be around £3m plus.

- 1.6 The Official Custodian (the Camp Trust) has responded to the Scrutiny report and is broadly supportive of most of the recommendations or considers them matters for the Council to decide. The exceptions are the recommendations to reduce the weeks allocated to the Trust and for the Council to no longer fund the operational costs of the Trust's weeks (recommendations number 14 & 15) – they are however willing to discuss these issues further. The Trust's full written response is presented as **Appendix A**.
- 1.7 There are now therefore three options available to Cabinet, these being:-
1. Approve the Scrutiny Panel's 23 recommendations (shown in section 3 of this report), acknowledging the significant financial risk of spending £0.100m on facility improvements to facilitate greater income later in the year,
 2. Approve the Scrutiny Panel's recommendations, with the exception of spending £0.100m on facility improvements, and receive an update report after 6 months (as per Scrutiny's recommendation). At this point officers will be able to assess the outcome of the Scrutiny recommendations and hence better understand the future financial risk, and have a clearer view of the Council's own budgetary situation for 2011/12 to provide context. A monitoring report would also be presented to Cabinet in June 2010.
 3. Given recent advice that continued operation of Bryntysilio may leave the Council compelled to agree a six-year tenancy, Members may wish to revisit the option of terminating the lease. Given the need to secure replacement provision for outdoor education for Walsall school children, the lease could be terminated from 31 March 2011.
- 1.8 Option 1 will necessitate the Council entering into a minimum six year lease. The Council has already automatically entered into a Periodic Tenancy with the Trust since the previous lease expired in December 2007.
- 1.9 The decision about Bryntysilio's future will also need to take into account the Council's own budgetary pressures year on year from 2011/12 onwards. The Trust would also like to increase the rental charge from £22k to £32k to cover their existing annual expenditure. There is no additional funding and so any increase in the rent will have to be funded from within the existing revenue budget.

2. Recommendations

Cabinet is asked to:-

- 2.1 indicate which option it would like officers to implement from the three listed within this report, and,
- 2.2 note that any decision made will have an impact on the draft revenue budget for 2010/11 onwards as no increase in resources or savings targets are included in the draft proposals.

3. Background information

- 3.1 Bryntysilio Outdoor Education Centre is used as Walsall's venue for residential outdoor education in Llangollen North Wales. The centre provides accommodation for thirty-six children plus visiting staff at a time. It has a complement of nineteen staff employed by the Council. Approximately 1,400 children make five-day curriculum visits to Bryntysilio per annum.
- 3.2 The Official Custodian of Charities; the Charity of the School Holiday Camp Fund of Walsall (the Camp Trust), has leased the centre to the Council since the 1980 Scheme of Management. In 2009/10 the lease was £22k. The Camp Trust uses the centre to provide free holidays to around 400 "underprivileged and disadvantaged" children during school holiday weeks. During their stay at Bryntysilio, children generally undertake activities including days out to the sea side and other activities that children might not otherwise experience.
- 3.3 The former Neighbourhoods Scrutiny and Performance Panel identified the Council's use of Bryntysilio Outdoor Education Centre as a potential service to investigate during the 2009/10 budget setting process. It recommended that this piece of work was to be completed during the forthcoming year. The two key concerns were that the centre could only offer outdoor education opportunities for fewer than 40% of Walsall Children and was costing the Council an annual subsidy of approximately £0.501m.
- 3.4 The work was allocated to the new Community Services Scrutiny and Performance Panel and the Panel appointed a Working Group to consider the issue at its meetings on 8 June 2009 and 17 June 2009.
- 3.5 The Working Group undertook a comprehensive assessment of the various options including a complete closure of the centre and also a thorough refurbishment. Members of the Panel also undertook a site visit to Bryntysilio, met the staff and made a tour of the various buildings and grounds.
- 3.6 The headline recommendation of the Working Group is that the Council should continue to use Bryntysilio to deliver residential outdoor education, though in a revised format. The Working Group's key suggestions were that the Council should continue to use Bryntysilio based on the implementation of a revised service model, with two principal alterations, these being;
 - i. move delivery to schools from a seven day to five day operation to better reflect current practices in residential outdoor education and to manage costs, and

- ii. increase capacity to accommodate up to two school groups simultaneously, thereby making the centre available to more children. It is anticipated that this will generate additional income to significantly reduce the subsidy required.
- 3.7 The proposal was to achieve this by investing approximately £0.100m from the 2010/11 Bryntysilio revenue budget in the early part of the 2010/11 financial year to increase the capacity and allow the accommodation of two simultaneous schools groups from September 2010. This would then provide the opportunity to recoup the £0.100m investment between September 2010 and March 2011. There would be no net saving in 2010/11 however this approach would make the required investment available to facilitate savings in future years. On this basis it is anticipated that the revised service plan could deliver a revenue saving of £0.218m from 2011/12 onwards.
- 3.8 Two alternative options were also considered by the Scrutiny Working Group but discarded. Firstly, to maintain the status quo; which members of the Scrutiny Working Group discarded as it was the financial weaknesses that led to the Scrutiny Panel's analysis of the centre in the first place. Secondly, to cease the existing service and replace it by the procurement of outdoor education services from elsewhere, potentially at no net cost to the council. This option was considered but it was felt that given the strong support for Bryntysilio, efforts should be made to first rectify the existing problems.
- 3.9 The Working Group did acknowledge that whilst the alternative provision that they looked at, such as that provided by Staffordshire County Council, was at no cost to the Council and was a credible alternative to Bryntysilio, there was a difference in the style and atmosphere of the centres. This made it very difficult for Bryntysilio to compete on a like-for-like basis. In the event that Council choose to terminate the lease and end the use of Bryntysilio, this is likely to be the option that Walsall would pursue to ensure continuity of residential outdoor education provision.
- 3.10 As a result of their study, the Community Services Scrutiny and Performance Working Group made twenty-three recommendations for the continued future operation of Bryntysilio. These are shown below, with a brief commentary against each regarding its implementation:-

Recommendation	Notes
1. the Council should continue to use Bryntysilio Hall to deliver residential outdoor education but not in its current format;	The overall recommendation of the Community Services Scrutiny and Performance Working Group to Cabinet.
2. the Council, Camp Trust and Centre Management re-establish positive and engaged attitudes and work together closely to ensure the long-term sustainability of the centre;	The operation of the centre needs to evolve to reflect modern practices in outdoor education and the reality of the present financial position.
3. the centre should develop a short, medium and long term business plan incorporating:	These are the key recommendations in terms of redesigning the service to deliver the desired outcomes of increased throughput and reduced
a. plans to increase capacity at	

the centre either through a new low-cost accommodation block or through adaptation of the staff house and top lodge;	<p>subsidy. If approved these recommendations will form the basis of a business plan for the centre that will deliver the changes.</p> <p>Significant changes to usage and any alterations to the asset will be subject to agreement of the Camp Trust as landlord.</p>
b. utilising visiting teaching staff to deliver further activities rather than employee further instructor staff;	
c. plans to move the centre to a standard Monday – Friday operation;	
d. plans to develop commercial weekend activities at the site;	
e. a comprehensive marketing strategy;	
f. plans to work with local partners;	
g. plans to work with Denbighshire County Council;	
h. plans to maximise sponsorship and external income;	
4. the employment of teaching staff delivering outdoor education should be formally reviewed in line with outdoor education practice elsewhere with the view to employing instructor staff;	It is proposed that an independent review of the use of teaching staff be commissioned which will inform future changes to terms & conditions to bring the centre into line with modern outdoor education practices.
5. Fees to schools for using the centre should rise each year;	Given the significant increase in 2009/10 (38%) and the revised service template (placing increased responsibility on visiting school staff) it is anticipated this rise will be in-line with inflation and market forces only.
6. there should be a minimum charge per group visit to the centre;	Schools will be charged for a minimum of 30 places per booking.
7. cancellation fees should be introduced at the centre;	A sliding scale will be implemented based on amount of notice given.
8. following the initial investment required to increase capacity at the centre further investment should only be provided if the centre is delivering on its income targets which should be negotiated by Cabinet;	
9. an eco-garden be developed at the centre;	Again subject to the agreement of the Camp Trust. Funding will need to be identified.
10. a new condition survey of the centre is carried out on the following terms:	Work will be procured through Property Services to an agreed specification and will produce a prioritised list of works.
a. the surveyor and remit is jointly agreed by the Council and Camp Trust;	

b. the survey includes an investigation into the possible need for further specialist surveys;	
11.no large scale repair work should take place at the centre until the new survey, and any additional surveys as required, have been completed;	Works will reflect the priorities from the condition survey.
12.local contractors to the centre are employed to complete any agreed repair work;	Any substantial repair work needs to be procured through Property Services.
13.the Council should sign a one-year rolling lease for the centre with the Camp Trust	Advice suggests we may not be in a position to do this – as a business tenancy the landlord may compel us to take on a longer-term lease (6 years).
14.the new lease should reduce the number of holiday weeks available to the Camp Trust;	These terms are a significant variation from those currently enjoyed by the Trust. The Trust have initially not agreed these recommendations, but have stated they would be willing to discuss further.
15.the operational costs of Camp Trust holiday weeks should no longer be funded by the Council;	
16.the Camp Trust should strengthen its definition of a 'disadvantaged child';	Officers can encourage and help facilitate this, but the Trust are an independent body over whom Walsall Council has limited direct influence.
17.the Camp Trust should work with local partners to identify disadvantaged children;	
18.the provision of free accommodation to the Head of Centre should be reviewed;	This will be covered by the independent review (see recommendation 4).
19.the current issues regarding the employment of a caretaker/premise supervisor need to be resolved as a matter of urgency;	This matter is proceeding in accordance with Walsall Council's Sickness Absence Management Policy.
20.Walsall Children's Services – Serco be approached regarding the possibility of corporate sponsorship at the centre;	Subsequent to the drafting of the report Serco have confirmed they are not in a position to provide sponsorship.
21.the centre should remain under the management of Sports and Leisure Services;	
22.the centre should not continue at any cost. If the centre cannot deliver a substantial income stream then the future of the centre should be seriously reconsidered;	It is suggested that the six monthly review will focus on progress in relation to recommendation 3 with key performance indicator being school bookings secured for the academic year 2010/11. This review can then be used to inform any further discussions regarding the centre's future.
23. The Community Services Scrutiny and Performance Panel re-establish a working group to review progress with the recommendations contained in this report six months after Cabinet have made their decision on the future of Bryntysilio.	

- 3.11 On the assumption that the Council opts to continue with the delivery of its residential outdoor education service from Bryntysilio, the Working Group developed recommendation 3a (to increase capacity at the centre) further in that Bryntysilio would:-

“invest approximately £100,000 from the 2010/11 Bryntysilio revenue budget in the early part of the next financial year to increase the capacity and allow the accommodation of two simultaneous schools groups from September 2010. This would then recoup the £100,000 investment in the second half of the year – so whilst there would be no net saving in 2010/11 we would deliver the required investment to facilitate savings in future years. On this basis it is anticipated that the revised service template should deliver a revenue saving of £218,000 from 2011/12 onwards.”

3.2 Options Appraisal

3.2.1 Option 1 – Implement all the recommendations and invest £0.100m

- 3.2.1.1 Option 1 of this report is the full implementation of the Working Group's recommendations. However, as outlined in the financial section below, the implementation of the Scrutiny recommendations involves some significant financial risk; most notably the investment of £0.100m revenue funding in capital improvements, plus the ambitious target of doubling occupancy and hence income.

- 3.2.1.2 The Scrutiny Working Group intended to limit this risk by recommending a rolling one-year lease term. However subsequent legal advice has indicated that under the 1954 Landlord / Tenant Act this is not enforceable and to the contrary, as a business lease the landlord may be entitled to compel a longer tenancy period, generally expected to be six years. This potentially compounds the above risk six-fold leaving the Council exposed to revenue and capital costs possibly in excess of £3m as well as still having to remedy the dilapidations of up to £0.420m, albeit it may be possible to spread this sum over the life of the lease.

- 3.2.1.3 Given the amplified level of risk associated with the Scrutiny recommendations, officers have considered two alternatives options that the Council has available to it.

3.2.2 Option 2 – delay investment and review progress after 6 months

- 3.2.2.1 Scrutiny recommendation number 23 is to review progress after six months; i.e to defer a decision on the long-term future of the centre and the £0.100m investment until after this six monthly review and bring an update report to Cabinet in September 2010. A monitoring report would also be presented to Cabinet in June 2010. During the six month period, limited improvements could be made to the premises including exploring the apprenticeship opportunities which may be available through the decoration / handyman type courses at Walsall College and Walsall Adult and Community College. This should facilitate a more modest 12 bed increase in capacity to 48 beds.

3.2.2.2 This would give Bryntysilio 6 months to trial the recommendations within the Scrutiny report and also test schools' appetite for the revised Business Plan and operating model (accommodating multiple schools in 5-day bookings with visiting schoolteachers taking responsibility for some session delivery).

3.2.2.3 This option reduces the financial risk to the Council by postponing the £0.100m revenue investment in capital improvements. It would also allow Cabinet to revisit options 1 and 3 (or indeed an alternate option may be identified) and make a more informed decision about the risks of accepting a 6 year lease based on market-testing of the revised service model.

3.2.2.4 Option 2 will also enable the Council to more fully understand the full financial impact of the expected national summer budget and its likely impact to all Council services from 2011 onwards.

3.2.3 Option 3 - termination of the lease

3.2.3.1 This would end the Council's usage of Bryntysilio although it would offer the opportunity to provide residential outdoor education to schools by other means. The Scrutiny Working Group identified alternative providers that could deliver residential outdoor education at no cost to Walsall Council – the costs of the service would be covered by the current recharges to the children attending, which would not need to rise from their present levels.

3.2.3.2 The Scrutiny Working Group seriously considered this option however felt that *"Bryntysilio should be given the opportunity to restructure its operations, increase its income streams and develop a business plan to drive the centre forward"*. However the Working Group also acknowledged: *"However, the centre should not continue at any cost. If the centre cannot deliver a substantial income stream then the working group recommend that the future of the centre should be seriously considered as Council finances cannot sustain current levels of funding."* The potential requirement for a 6 year lease means that if the centre cannot deliver the improved income streams recommended, there is a high risk that the centre would continue *"at any cost"* for up to 6 years.

3.2.3.3 By terminating the lease the Council would be liable for a claim for dilapidations. A schedule of dilapidations commissioned by the landlord suggests this would cost in the region of £0.421m – initial discussions with Property Services suggest this figure may be open to challenge and should be considered a worst case scenario. It should however be noted that the Council is liable to making good the dilapidations whichever option is chosen – although if the tenancy continues, this could be spread over the six years life of the lease. By ending the use of Bryntysilio the Council would be liable for redundancy costs estimated at £91k.

3.2.3.4 In order to ensure continuity of the residential outdoor education service it is likely that the earliest we could terminate the lease would be 31 March 2011 – to allow sufficient time to secure alternative provision.

4.0 Resource considerations

4.1 Financial:

- 4.1.1 The current cost of the centre is £0.431m pa from Neighbourhood Services to provide the service and c£70k pa via Property Services for building maintenance and repairs, shown in Table 1:-

Table 1 – Current full cost of Service

Area	£'000
Employees	377
Premises	45
Transport	18
Supplies & Services	85
Third Party (schools' transport)	20
Central Support Services	68
Total Expenditure	612
Income	182
Net operating costs	431
Property Costs	70
Total costs	501
No of users	1,400
Unit cost / person	£358

- 4.1.2 No saving has been taken from Bryntysilio for the 2010/11 financial year. The Camp Trust has indicated that they would like to increase the rent from £22k pa to £32k pa to meet their existing levels of expenditure. There is no additional funding for this and the difference would have to be met from within the centre's operational revenue budget. Estates have indicated that they view the existing rent of £22k to be a fair market rent; the additional £10k would be seen as an additional sum to cover the Trust's day-to-day costs.
- 4.1.3 The key financial implication within the Scrutiny Panel's proposal would be to invest approximately £0.100m from the 2010/11 Bryntysilio revenue budget as soon as possible in 2010/11 to increase the capacity and allow the accommodation of up to two schools on a simultaneous basis from September 2010. This should then create the opportunity to recoup the £0.100m investment in the second half of the year providing additional income is generated from the extra places generated. There would be no net saving in 2010/11 however it is anticipated that the investment could facilitate additional income of up to £0.218m in future years. This is subject to being able to start the modernisation works as early as possible in the new financial year, and being able to secure sufficient additional bookings from school groups.
- 4.1.4 Should the Council decide to terminate the lease or indeed decide to hand the site back to the Trust the Council would need to invest in the site to bring it back into a "good and substantial order". In June 2009 the Trust employed a local chartered quantity surveyor to undertake an initial condition assessment of the premises at Bryntysilio. The resultant report lists a schedule of dilapidations that the Trust expect the Council's Property Services section to undertake either a) on

the termination of the lease, or b) over a reasonable period of time i.e. the life of the lease. If the Council terminates its arrangement with the Official Custodian it may have to pay a one off payment estimated to be around £0.421m (breakdown detailed in table 2) or remedy the dilapidations.

Table 2 – Work identified within the surveyor's report (June 2009)

General summary	£
Toilet block	4,355
Bottom Lodge	19,391
Teaching block	3,478
Staff house	29,671
Main building	205,416
Preliminaries	48,985
Works total	311,296
Fees (15%)	46,695
VAT (now at 17.5%)	62,649
Potential liability	420,640

- 4.1.5 Tables 3, 4 and 5 indicate the annual costs and implications of the various options including a 6 year cost projection (based on the likely length of the new lease under option 1). The options detailed reflect option 1 with the doubling of income achieved, option 1 maintaining existing income levels and option 3. The costs of option 2 are dependent on the decision made after the 6 month trial period.

Table 3 – Costs of Options for 2010/11 (£'000)

Option	Option 1 (Scrutiny target achieved)	Option 1 (Current income maintained)	Option 3
<u>2010/11 Costs</u>			
Existing service –	431	431	431
NS	70	70	70
Property costs	0	0	0
Redundancy costs	0	0	0
Dilapidation costs	100	100	0
Improvements	(100)	(0)	0
Additional income	501	601	501
Total costs	501	501	501
Budget	0	100	0
(Surplus) / Deficit			

Table 4 – Costs of Options for 2011/12 (£'000)

Option	Option 1 (Scrutiny target achieved)	Option 1 (Current income maintained)	Option 3
<u>2011/12 Costs</u>			
Existing service –	431	431	0
NS	70	70	0
Property costs	0	0	91
Redundancy costs	0	0	420
Dilapidation costs	0	0	0
Improvements	(218)	(0)	0
Additional income	283	501	511
Total costs	501	501	501
Budget	(218)	0	10
(Surplus) / Deficit			
Cost of new provision			

Table 5 – 6 Year cost projection (£'000)

Option	Option 1 (Scrutiny target achieved)	Option 1 (Current income maintained)	Option 3
Yr 1	501	501	501
Yr 2	280	501	0
Yr 3	280	501	0
Yr 4	280	501	0
Yr 5	280	501	0
Yr 6	280	501	0
Redundancy	0	0	91
Dilapidations	420	420	420
Cost of new provision	n/a	n/a	0
6 yr cost	2.321m	3.426m	1.012m

Table 5 assumes the Scrutiny recommendations achieve their intended doubling of income. If this is not the case and income remains at current levels, the 6 year cost of option 1 would be £3.426m.

4.1.6 There are a number of financial risks inherent with the options outlined specifically:-

Option 1

- build works may be in excess of the £0.100m estimated,
- delays in the implementation of the revised structure leading to less time for income generation,
- Bryntysilio is unable to attract sufficient users to fill new accommodation and thereby achieve the ambitious (100% increase) income target - failing

to recoup the capital investment in-year. This would create an immediate overspend in 2010/11 (essentially the centre could run out of money as early as Christmas 2010) and an inability to generate the identified savings in future years.

- planning permission may need to be granted which could delay or halt the project,
- there is no capital allowance to address any liability for dilapidation under the terms of the previous full-repairing lease.
- As a business lease we cannot continue a rolling 12 month tenancy as proposed by the working group. If we continue the existing tenancy, the Council may be compelled to sign a longer-term lease (6-years) – this will either lock us into 6 more years of Bryntysilio operational costs of up to £3m, or the cost of “buying out” of the lease and incurring the £0.420m dilapidations cost.

Option 2

- There are no immediate financial risks directly associated with this option, although at the end of the 6 month trial we would need to pursue either option 1 or option 3 – albeit with a fuller understanding of the risks associated with each.

Option 3

- There is no capital allowance to address any liability for dilapidation under the terms of the previous full-repairing lease, plus any such liability would become payable upon lease termination – under option 1 they could be spread over the term of the new lease.
- There would be liability for redundancy costs estimated at £91k.

4.2 Legal: Scrutiny’s recommendation is that existing lease should be extended (initially as a one year rolling lease) and that the terms of the lease with the Charity of the School Holiday Camp Fund of Walsall (the Camp Trust) should be renegotiated. This would include any building alterations to the Top Lodge to increase the centre’s capacity. It is possible that such alterations may also require planning consent and/or need to meet building / fire regulations.

As this is deemed a business tenancy the recommendation from the Scrutiny Working Group report to continue on a one-year rolling lease may not be viable as the landlord may be able to compel a longer lease (6-years); which would essentially tie the Council into the service for the next 6 years or require the “buy out” of the lease if this proved unacceptable or unaffordable.

Cabinet should be aware that under the Trust deed, if the Trust ceased to exist, the land would revert to the Council and the Council would be able to sell off the land. These are clearly issues for additional work by Property Services who will want to undertake their own structural survey and condition assessment to ascertain a separate opinion on the condition of the premises at Bryntysilio. Once this work is complete the information would be used to negotiate an agreement.

A further issue may be the recommendation by the Community Services Scrutiny and Performance Panel that Cabinet negotiate a reduction in the number of weeks made available to the Camp Trust from eleven weeks to six per annum.

The Trust have initially disagreed with this recommendation, but have stated they are willing to discuss this further – potentially as part of any future lease negotiations.

- 4.3 Staffing:** Moving from a seven day to five day operation (options 1 & 2) will require a change to the staff working arrangements. Whilst every effort will be made to avoid redundancies this cannot be guaranteed. Changes to staff terms and conditions will need a notice period for any change(s) and may also include some “buyout” out of existing contracts. The working group has also recommending that the employment of qualified teachers on teaching terms and conditions be reviewed alongside the provision of free accommodation (the Bottom Lodge) for the Centre Manager.

Option 3 tabled in this report is to terminate the lease and stop direct provision of residential outdoor education from Bryntysilio. This would necessitate the redundancy of the 19 staff employed at the centre at an estimated cost of £91k. Due to the centre's location seventy-five miles away from Walsall, redeployment would not be an option for these staff. A 90 day consultation period with staff would be necessary if there are to be any changes to terms and conditions but also for redundancies.

5. Citizen impact

- 5.1 There should be no impact on the public as all options involve either continuation or replacement of the existing service.

6. Community safety

- 6.1 There are no direct community safety implications although there is anecdotal evidence that activities provided through outdoor education offer children an introduction into diversionary opportunities that may give them an interest and self belief that helps avoid anti-social behaviour.

7. Environmental impact

- 7.1 One of the working group's recommendations is to increase capacity at the centre which may include the construction of a new building on the site. The initial proposal however is to refurbish the Top Lodge building.

8. Performance and risk management issues

- 8.1 **Risk:** The risks associated with the three options are presented in section 4.
- 8.2 **Performance management:** Future performance of the centre will need to be robustly managed if the working group's recommendations are to be achieved. Key measurements will be school bookings secured (especially post September 2010) and the resultant income.

There is no direct impact on the Local Area Agreement or National Indicator Set.

9. Equality implications

- 9.1 The approved option will be subject to an equality impact assessment; however initial screening indicates that no negative impact is likely from any option.

10. Consultation

- 10.1 In producing their report the Scrutiny Working Group have consulted with the following:

- Staff at Bryntysilio Outdoor Education Centre
- The Charity of the School Holiday Camp Fund of Walsall
- Denbighshire County Council
- Children's Services - Serco
- Staffordshire County Council
- Walsall Schools
- Facebook Group Representatives
- Walsall Council:
 - Leisure & Culture
 - Sport and Leisure
 - Property Services
 - Development Control
 - Children's Services
 - Walsall Partnership

Background papers

Evidence submitted to the Bryntysilio Working Group

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Councillor M. Bird
Leader of the Council

26 January 2009

School Holiday Camp Fund of Walsall Charity's response to the Bryntysilio Scrutiny Working Group's recommendations

The Trustees of The School Holiday Camp Fund of Walsall Charity

Response to the Bryntysilio Working Group's 23 Recommendations to Cabinet for Consideration

Recommendations:-

That:

<p>1. the Council should continue to use Bryntysilio Hall to deliver residential outdoor education but not in its current format;</p>	<p>This will be Council's decision but the Trustees support the view that it would be in the best interests of Walsall children for the Council to continue to use Bryntysilio to deliver residential outside education.</p>
<p>2. the Council, Camp Trust and Centre Management re-establish positive and engaged attitudes and work together closely to ensure the long-term sustainability of the centre;</p>	<p>The Trustees fully support this.</p>
<p>3. the centre should develop a short, medium and long term business plan incorporating:</p>	

<p>a. plans to increase capacity at the centre either through a new low-cost accommodation block or through adaptation of the staff house and top lodge;</p>	<p>The Trustees agree and would support the Council in establishing a Business Plan for the management of the Centre; also proposals for increasing accommodation at the Centre but request that any adaptations/modifications to the buildings are carried out in consultation with the Charity.</p>
<p>b. utilising visiting teaching staff to deliver further activities rather than employee further instructor staff;</p>	<p>The Trustees consider this is a matter for Walsall Council/Leisure Services to decide.</p>
<p>c. plans to move the centre to a standard Monday – Friday operation;</p>	<p>The Trustees consider this is a matter for Walsall Council/Leisure Services to decide.</p>
<p>d. plans to develop commercial weekend activities at the site;</p>	<p>((((</p>
<p>e. a comprehensive marketing strategy;</p>	<p>((((</p>
<p>f. plans to work with local partners;</p>	<p>(The Trustees acknowledge the Council's need to generate additional income and to develop the external and commercial use of Bryntysilio. They consider however</p>

	that (any proposals must be in accordance with the terms of the (lease and not work against the aims of the Charity; also, that (appropriate insurance cover for any variation in the use of (the Centre is taken into account.
g. plans to work with Denbighshire County Council;	((((
h. plans to maximise sponsorship and external income;	((((
4. the employment of teaching staff delivering outdoor education should be formally reviewed in line with outdoor education practice elsewhere with the view to employing instructor staff;	The Trustees consider this is a matter for the Council/Leisure Services to decide.
5. fees to schools for using the centre should rise each year;	The Trustees consider this is a matter for the Council/Leisure Services to decide.
6. there should be a minimum charge per group visit to the centre;	The Trustees consider this is a matter for the Council/Leisure Services to decide.
7. cancellation fees should be introduced at the centre;	The Trustees consider this is a matter for the Council/Leisure Services to decide.

<p>8. following the initial investment required to increase capacity at the centre further investment should only be provided if the centre is delivering on its income targets which should be negotiated by Cabinet;</p>	<p>The Trustees consider this is a matter for the Council/Leisure Services to decide but wish to stress that the fabric of the buildings and grounds must be maintained to a satisfactory standard in accordance with the terms of the lease.</p>
<p>9. an eco-garden be developed at the centre;</p>	<p>The Trustees fully support this proposal.</p>
<p>10. a new condition survey of the centre is carried out on the following terms:</p>	<p>(The Trustees agree that the previous Condition Survey (commissioned by the Council was inaccurate and would support the Council in commissioning a further Condition Survey by an independent surveyor. The Trustees wish to point out, however, that a Condition Survey should not be confused with the Schedule of Dilapidations for the Centre (which, as landlord, the Trust commissioned and funded in June 2009.</p>
<p>a. the surveyor and remit is jointly agreed by the Council and Camp Trust;</p>	<p>((</p>
<p>b. the survey includes an investigation into the possible need for further specialist surveys;</p>	<p>The Trustees would not be against this but doubt that any further specialist surveys would be required.</p>
<p>11. no large scale repair work should take place at the centre until the new survey and any additional surveys as required, have been completed;</p>	<p>Whilst supporting the view that unnecessary work should not be undertaken the Trustees consider that any urgent work resulting from Health and Safety concerns must be carried out in accordance with the existing lease and to maintain the property in a satisfactory condition.</p>

<p>12. local contractors to the centre are employed to complete any agreed repair work;</p>	<p>The Trustees consider this is a matter for the Council to decide but would support the use of local contractors who in turn would support the local Llangollen economy and earn good 'PR' for Bryntysilio. The Trustees believe that to employ local contractors would also be cheaper and work would be completed more quickly.</p>
<p>13. the Council should sign a one-year rolling lease for the centre with the Camp Trust;</p>	<p>The Trustees acknowledge the Council's current financial difficulties and in the short term might be able to support this proposal with the proviso that the Council continue to meet its maintenance responsibilities and that a longer term lease be negotiated as soon as practically possible. The Trustees would also stress that a one-year rolling lease would make it very difficult for the Charity to make any long term plans or attract external funding and would also result in a substantial increased financial burden for the Charity relating to legal fees.</p>
<p>14. the new lease should reduce the number of holiday weeks available to the Camp Trust;</p>	<p>The Trustees cannot agree with this as they are concerned to see the Charity fulfil its object i.e. to provide free holidays for disadvantaged Walsall children. However, they acknowledge the Council's current financial difficulties and would be willing to discuss this matter further with the Council.</p>
<p>15. the operational costs of Camp Trust holiday weeks should no longer be funded by the Council;</p>	<p>The Trustees consider that any additional costs to the Charity need to be reflected in the terms of the lease as the Charity's only source of income is the lease payment. Further, the Trustees would need to be given some indication of what these costs might entail.</p>

16. the Camp Trust should strengthen its definition of a 'disadvantaged child';	The Trustees thank the Working Group for this suggestion and will consider this matter in due course.
17. the Camp Trust should work with local partners to identify disadvantaged children;	The Trustees would value any suggestions from the Council relating to local partners with whom they could establish links.
18. the provision of free accommodation to the Head of Centre should be reviewed;	The Trustees consider this is a matter for the Council/Leisure Services to decide but would ask that the future use of the Head Teacher's accommodation be discussed with the Charity before any action is taken.
19. the current issues regarding the employment of a caretaker/premise supervisor need to be resolved as a matter of urgency;	The Trustees consider this is a matter for the Council/Leisure Services to sort out.
20. Walsall Children's Services – Serco be approached regarding the possibility of corporate sponsorship at the centre;	The Trustees consider this is a matter for discussion between the Council and the Charity but Trustees would fully support the Council in any attempt to attract sponsorship from outside organisations.
21. the centre should remain under the management of Sports and Leisure Services;	The Trustees consider this is a matter for the Council to decide.

<p>22. the centre should not continue at any cost. If the centre cannot deliver a substantial income stream then the future of the centre should be seriously reconsidered;</p>	<p>The Trustees are mindful that the Council's continued use of the Centre will be a matter for the Council to decide. With regard to the future of the Centre, the Trustees wish to stress, however, that this would be a matter for the Charity, in consultation with the Charity Commission as the Official Custodian, to decide.</p>
<p>23. The Community Services Scrutiny and Performance Panel re-establish a working group to review progress with the recommendations contained in this report six months after Cabinet have made their decision on the future of Bryntysilio.</p>	<p>The Trustees consider that six months is inadequate and unrealistic for any Business Plan to succeed. They believe that any Plan needs to be given sufficient time to generate income and to see how the changes are working. In addition, regard would need to be taken of any projected income beyond the initial six months, as outlined in the Business Plan.</p>