

(B) QUESTIONS FROM MEMBERS OF THE PUBLIC

1. Roger Lightfoot to ask the Lead Councillor for Culture, Sport and Consumer Services: Arthur Hill Swimming Pool

It is now one year since Labour Councillors voted to close Arthur Hill swimming pool. Although the Council has promised to make alternative swimming provision in the area, nothing yet seems to have happened to take this promise forward. What concrete actions have been taken by the Council towards building a new swimming pool in East Reading ?

REPLY by Councillor Hacker Lead Councillor for Culture, Sport and Consumer Services.

Thank you for your question Mr Lightfoot. As set out in the report to Council last year, the closure of Arthur Hill Pool was a difficult decision taken in the context of a very challenging budget position and a need to make significant levels of savings. As a result of that decision the Council will make a saving of £120,000 in the current financial year as well as avoiding the need to spend over £700,000 to address the poor condition of the pool.

As you also know the decision was taken in the context of the Council's approach to modernising its leisure facilities and in principle approval for the development of a new 25m 6 lane pool at Palmer Park Stadium linked to the existing leisure facilities, as well as replacing Central Pool with a new competition standard pool.

As previously reported a procurement of this scale is inherently complex and to be compliant with procurement regulations requires a great deal of work to be carried out in advance of formally seeking tenders. Whilst I accept that it might not be visible to the public, significant progress has been made in completing this necessary work and the Council will be formally issuing tender documentation in the near future. In addition, and a very 'concrete' action that has been progressed in parallel as part of the Council's plans to modernise leisure facilities, a new demountable pool is being developed at Rivermead and will open in January.

2. Peter Burt to ask the Lead Councillor for Culture, Sport and Consumer Services: Arthur Hill Swimming Pool

At the Council meeting on 17 October 2016 when Labour Councillors voted to close Arthur Hill swimming pool, the former Lead Councillor for Culture, Sport, and Consumer Services told Mr Lightfoot in response to a question that the Council did not then have an estimate of the value of the Arthur Hill site.

Does the Council now have a valuation for the Arthur Hill site, and if so, what is it ?

REPLY by Councillor Hacker Lead Councillor for Culture, Sport and Consumer Services.

No the Council does not have a valuation for the site.

As you are aware Arthur Hill Pool is a small constrained site and the building has been locally listed which makes it very difficult to assess a potential range of development opportunities and their respective values. In these circumstances there is little to be gained by trying to assess the value of the site in advance of going to the market as ultimately the market will determine the potential uses and value upon which any future decision by Policy Committee will be based. As reported to full Council in October of last year, whatever the eventual realised value of the site an equivalent sum will be invested in new replacement swimming facilities.

3. Jeff Jones to ask the Leader of the Council:

Central Club

The Central Club and the black history mural future continue to have popular support not only from the diaspora but the wider Reading community as well. The CAG's legal entity 'Aspire' was incorporated to acquire the sites and buildings of the Central Club from RBC via a closed Third Sector bidding process. RBC suddenly and unilaterally decided to abandon this process seven months after the bidding process had closed in favour of starting a new open market bidding process.

What work did the Council carry out to discharge its duty under the Equality Act 2010 Section 149 before the Policy Committee unilaterally abandon the closed bid process for the Central Club site & buildings?

In the Report to Policy Committee dated 18 July 2016, Appendix A [RVA's update to policy Committee] Option 3 - Raising loan finance to develop the site under a community property organisation. Aspire (Reading) Community Interest Company (CIC) has raised £10M to finance and develop the site as envisaged under option 3. Why does RBC believe that the Black Community's money is not good enough?

RBC's Third Sector Draft Statement allows for Third Sector Organisations to Bid for the leasehold interest rather than the freehold of any RBC premises declared surplus. How does the decision of the Policy Committee to act *Ultra Vires* by abandoning the current Bid process and rejecting all Third sector bids because of RBC's need for a cash receipt fit with this policy?

Where does RBC decision leave the wider community and stakeholders who continue to show a need and enthusiasm for the spiritual home of the diaspora; particularly a community group like the CAG who have independently raised the funding required to develop the Central Club site and buildings for their own purposes?

REPLY by Councillor Lovelock Leader of the Council.

In July 2016 the Council offered voluntary and community organisations a five-month window to bid for the building. Commercial developers or 'for profit' organisations were not permitted to bid at this stage. The Council also insisted the iconic mural was retained as part of any proposal.

In July this year, the Council took the decision not to proceed with any of the third sector bids received and instead invite bids from both third sector and private bidders. The bids received were all assessed in accordance with the scoring criteria which formed part of the bidding process and which all bidders were aware of these included:

- (i) Financial accountability - in demonstrating sound financial management but also setting out the business reason for seeking a less than market value interest;
- (ii) Quality service delivery - how the organisation complies with or enhances the Council's strategic aims and policies whilst showing value for money;
- (iii) Constitutional ability - the organisation is a properly constituted accountable legal entity able to deliver its organisational and business related obligations;
- (iv) Efficient property management - experience or evidence of expertise in all aspects of property management.

The decision was made not to proceed with any bid on the basis that the Council feels strongly that we owe it to all council tax payers to understand the full value of the property what people are willing to pay for it. The Council feels strongly that we owe it to all council tax payers to understand the full value of the property, what people are willing to pay for it and to then evaluate all bids against a set of criteria that balance and take into account both financial return and potential community benefit. This is in accordance with the Council's third sector lettings policy.

As has been made clear a number of times, the full detail of Aspire's original bid remains confidential and Aspire has said it will report the Council to the Information Commissioner if we make full details public. That confidentiality means the Council is not permitted to respond in detail to questions on the financing aspects of Aspire's bid. What we can say however - and what we have said on a number of occasions now - is that no cash sum was offered by Aspire to buy the property as part of its original bid. Whilst I am prevented from providing detail because of Aspire's insistence on confidentiality, I can also say that in addition to a lack of any cash offer there were a number of additional concerns and risks associated with the bid in respect of conditionality clauses and a lack of certainty with regard to their proposals for the building and associated funding. As I explain below, Aspire have an opportunity to address these shortcomings in the next bidding process should they choose to do so.

Once again, the Council is completely clear that all bidders - including Aspire or indeed any other community group - can either carry forward existing bids, or submit a fresh offer for the former Central Club building. No organisation is precluded from bidding. All offers will be fully evaluated and this process will take account of any community value, as well as the financial offer itself. The Council is also completely clear that it expects any offers received in the next round to include proposals to secure the future of the mural.

The timetable for the bidding process will be announced once we have the results of the survey on the mural.

4. Keith Kerr to ask the Leader of the Council: Central Club

The services that Aspire will deliver to children and adult groups are of incalculable value to the Reading Taxpayer over the coming decades:

Why then does RBC believe that a commercial developer will be able to deliver greater value than Aspire's compliant, compelling, fully funded £10 million investment with delivery of strategic Council services to Reading's Council Taxpayers [*Aspire's offer includes, a cash offer of £371,000 as the fair market value and the delivery of RBC strategic services*] ?

REPLY by Councillor Lovelock Leader of the Council.

At no point has the Council said that a commercial developer would offer greater value than a bid from Aspire or any third sector organisation. Those are Mr Kerr's words, not the Council's.

What the Council has said - and what it continues to make clear - is that every offer received as part of the latest bidding process will be fully evaluated. We have also said that this evaluation process will take account of any community value, as well as the financial offer itself.

To repeat, while full detail of Aspire's original bid remains confidential - at the insistence of Aspire itself and under threat of reporting the Council to the Information Commissioner - the

Council is very clear that no cash sum was offered by Aspire to buy the property as part of its original bid. I can also say that in addition to a lack of any cash offer there were a number of additional concerns and risks associated with the bid in respect of conditionality clauses and a lack of certainty with regard to their proposals for the building and associated funding. Aspire have an opportunity to address these shortcomings in the next bidding process should they choose to do so.

In this context I note your question, Mr Kerr, refers to a 'cash offer of £371,000'. This was included in a letter to the Chief Executive on 6th October. This did not form part of the original bid made by Aspire. If it is a new offer I would suggest it is submitted as part of the latest bidding process in order for it to be fully considered alongside any other bids received. I would also advise Mr Kerr that the bid makes clear on what basis this new cash offer is being made. All bids will be assessed based on best value and community benefit.

The timetable for the bidding process will be announced once we have the results of the survey of the mural.

5. Keith Kerr to ask the Leader of the Council:
Central Club

The services that Aspire will deliver to children and adult groups are of incalculable value to the Reading Taxpayer over the coming decades:

Why does this Council resist *partnering* with its Local Community to protect them from the ravages of austerity ?

REPLY by Councillor Lovelock Leader of the Council.

The Council is completely clear that it will consider all offers as part of the latest bidding process, and that all offers will be fully evaluated and take account of any community value, as well as the financial offer itself. As such, I am unclear why Mr Kerr thinks the Council is resisting any partnership at this stage.

The Council is completely clear that all bidders - including Aspire or indeed any other community group - can either carry forward existing bids, or submit a fresh offer for the building. No organisation is precluded from bidding.

I am pleased Mr Kerr, that in your question, you appear to acknowledge the huge financial pressure this Council, and every other local authority, is under as a result of the huge underfunding of public services by this and the coalition Government. In Reading, Government funding for local services is being cut by a total of £57.5 million between 2010 and 2020. Government Grant has fallen to just £10 million in 2017/18 and it will be cut to less than £2 million by 2019/20. This is happening at a time when demand for key statutory services we provide - like caring for older people and vulnerable children - is increasing significantly.

It is in against this backdrop that this Council has had to make a number of difficult decisions over a number of years, and it is in this context that Council owe it to all council tax payers to understand the full value of the former Central Club building, what people are willing to pay for it and to then compare those bids with ones which make offers to keep elements for community use.

6. Keith Kerr to ask the Leader of the Council:
Central Club

The services that Aspire will deliver to children and adult groups are of incalculable value to the Reading Taxpayer over the coming decades:

Why does the Council believe that the diaspora should be made to pay disproportionately to fill RBC budget gap ?

REPLY by Councillor Lovelock Leader of the Council.

The Council has made clear on a number of occasions - and is happy to make clear again - that the decision to invite bids from both third sector and private bidders has been made to provide us with a full range of options upon which to make a decision based on best value including community benefit. It is only by going through this process that we are able to make an informed decision, as the public would rightly expect us to.

The Council is also clear it is inviting offers from all bidders. Aspire, or indeed any other community group, can either carry forward existing bids, or submit a fresh offer for the building as part of the process. All offers will then be considered. The Council cannot and will not pre-empt the final decision of a bidding process which has not yet begun. The Council completely rejects any suggestion that any specific community has somehow been targeted as a result of the Council's need to make an informed decision, which will be based on assessing best value including taking into account any community benefit for each bid received.

As we have said previously, this Council has a long track record of supporting and working with all the diverse communities in the town, including our black community. We are all proud to live in a multi-cultural town and to celebrate and mark the distinct heritage of people from diverse backgrounds.

In 2009 Reading Borough Council backed a bid by the African and Caribbean Community Group to bring the former Central Club building back into community use. Despite a tremendous effort on their part - and a time extension granted by the Council - they were unfortunately unable to raise the necessary funds. The building has been empty and unused since 2006, which I think we all agree needs to be addressed.

The timetable for the bidding process will be announced once we have the results of the survey of the mural.

7. Mary Genis to ask the Leader of the Council:
Black History Mural

"The mural was painted which tells a story from the early days to the present and describes the struggles that Black people have faced. This mural continues to have a strong spiritual significance for the community today. Central Reading Youth Provision symbolises for many in the community their own struggles to find a place of belonging and continues to be a significant focal point for sections of the Black Community in Reading." *This is a quote from RBC Policy Committee Report 18 July 2016.*

Will RBC write into the developer's brief for bidders in the next round for the Central Club site and buildings, listed since August as an 'Asset of Community Value and still awaiting approval, that they must preserve the 'Black History Mural' in its original state and position

and not be able to digitise it to increase capital receipt for the site or 'accidentally' knock it down after purchase ?

REPLY by Councillor Lovelock Leader of the Council.

The Council is clear that it remains fully committed to securing the mural's future. It remains of huge importance to the black community, the wider community and the Council as it represents Reading's long history of celebrating different cultures and promoting tolerance.

You will have heard this evening - and on a number of occasions previously - that the Council expects any offers received in the next round to include plans to secure the mural's future. We have also contacted the mural artist to discuss its future treatment and preservation.

To that end, last week work began to professionally clean and survey the mural, which dates back to 1990 and is showing signs of deterioration. This work is being carried out by Arte Conservation Ltd, who specialise in the treatment of painted structures and whose clients include English Heritage and the National Trust.

This professional cleaning will allow for a detailed survey of the mural to take place and a detailed assessment of the condition of the structure and the mural itself. The Council has commissioned this work directly and there is no parallel developer offer to 'digitise'.

The survey work will mean the Council will be in a much better position to identify the best way of securing the mural for future generations, including any conditions when the building is sold. The current work being undertaken by Arte will also enable bidders to have more information about the integrity of the mural and its structural stability and how it might best be protected in the event that building work is undertaken within the building.

When bids are sought bidders will specifically be asked how they intend to secure the Mural's future and this will form part of the evaluation process.

With regard to the other elements of your question, The Asset of Community Value application has been made and the request is that the building and wall be listed. An Asset of Community Value gives community groups the right to bid for an asset when an owner decides to sell, although it does not limit the extent to which other bidders can come forward or tie the owner to disposing to a community group.

Having considered the criteria for listing Assets of Community Value and taking into account that the building has not had a community use for some 11 years the building itself cannot be listed. However, I would invite the applicant to reapply to seek to list the mural and the wall the mural is attached to as an ACV.

It is the Council's intention to ensure that the legal agreement with any purchaser and developer requires the long term future of the mural to be secured.

8. James Pyle to ask the Leader of the Council:

Central Club

The Report to the Policy Committee recommends 'Option 3: Disposal via Agents'. It is clear this option turns its face away from the black community's Bid and the long cherished desire to return to their spiritual home and youth provision and to own a place of their own.

In light of the diaspora passion for the site; why did RBC decide not to include any element of community use even using CIL (S106) requirements. Is RBC trying to erase Black history and presence from Reading Town Centre?

RBC have now confirmed that they intend knocking down the Black History Mural and replacing it with a facsimile as there would be no obligation to retain the actual Mural in situ. Why?

The government recently produced audit data highlighting the injustices Black Communities, and especially Black Youth, suffer at the hand of public institutions and local government. Is RBC by its actions part of the problem or the solution?

REPLY by Councillor Lovelock Leader of the Council

I would completely disagree that Option 3 translates into 'turning its face away from' any bid, including the black community's bid.

To re-iterate, the Council is completely clear that all bidders - including Aspire or indeed any other community group - can either carry forward existing bids, or submit a fresh offer for the building. No organisation is precluded from bidding. All offers will be fully evaluated and this process will take account of any community benefit, as well as the financial offer itself.

The Council has limited resources including those secured through new developments such as S106 and CIL and a Capital Programme that depends on these funds for delivery. The development of the site with the retention of the mural should not need public funds.

In your question you state that the Council has confirmed it intends 'to knock down the mural and replace it with a facsimile.' This statement is completely false. At the risk of repeating myself, I do not think the Council can be any more clear that it remains fully committed to preserving the mural. The mural remains of huge importance to the black community, the wider community and the Council as it represents Reading's long history of celebrating different cultures and promoting tolerance.

The Council expects any offers received in the next round to include plans to secure the mural's future. We have also contacted the mural artist to discuss its future treatment and preservation.

Last week work began to professionally clean and survey the mural, which dates back to 1990 and is showing signs of deterioration. This work is being carried out by Arte Conservation Ltd, who specialise in the treatment of painted structures. This professional cleaning will allow for a detailed survey of the mural to take place and a detailed assessment of the condition of the structure and the mural itself. The survey work will mean the Council will be in a much better position to identify the best way of securing the mural for future generations. The current work being undertaken will also enable bidders to have more information about the integrity of the mural and its structural stability and how it might best be protected in the event that building work is undertaken within the building.

When bids are sought bidders will specifically be asked how they intend to preserve the mural and this will form an important part of the evaluation process.

Reading Borough Council has a long track record of supporting and working with all the diverse communities in the town, including our black community. We are all proud to live in a multi-cultural town and to celebrate and mark the distinct heritage of people from diverse backgrounds.

The timetable for the bidding process will be announced once we have the results of the survey on the mural.

9. James Pyle to ask the Leader of the Council:
Central Club Mural

Reading Borough Council have speedily chosen Arte Conservation to start to clean, survey and digitise the Black History Mural. Mr Alan Howard the artist has copyright to the image and a contractual obligation to be consulted and given first refusal to any work to be carried out on the Mural.

Has he been consulted on the commissioning of Arte Conservation to carry out the work?

Did he approve the process and methodology for the cleaning, survey and digitisation of the image?

What will be the total cost to RBC's hard pressed local taxpayers?

What provisions have RBC put in place to ensure the Mural is not irreparably damaged during the process?

REPLY by Councillor Lovelock Leader of the Council

Work began to professionally clean and survey the mural, which dates back to 1990 and is showing signs of deterioration. This work is being carried out by Arte Conservation Ltd, who specialise in the treatment of painted structures and applied decoration on plaster, stone, wood, canvas and mosaics. Clients include English Heritage, the National Trust, cathedrals, churches, museums and public and private owners of historic buildings. Projects have included the conservation of works of art dating from the 6th to the 21st century. I hope that serves as some sort of reassurance.

The professional work by Arte Conservation is a 'light' conservation clean to help with and enable a detailed survey of the mural to take place and a detailed assessment of the condition of the structure and the mural itself. The survey work will mean the Council will be in a much better position to identify the next steps and to establish the best way of securing the mural for future generations. The total cost of this work is under £5k and will be met from the Council's existing property maintenance budgets,

There is no requirement for the Council to seek the artist's permission to maintain and look after the mural. However, the Council has, in any case, already contacted the mural artist to discuss its future treatment and preservation. Given the concerns expressed about the perceived potential loss of the mural I would have thought that the Council's efforts and commitment to look after it properly would be welcomed.