

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Leisure Park Board held, in committee, in the Board Room at Dundonald International Ice Bowl on Monday 21 May 2007 at 6.00 p.m.

PRESENT: Ms J Bunting (in the chair)

COUNCILLORS: J Beattie
M Long
J Spratt (Mayor) (from 6.20 p.m.)
J White (until 8.05 p.m.)

IN ATTENDANCE: Acting Director of Leisure & Marketing, General Manager Leisure & Marketing, Business Manager, Technical Manager and Assistant Members' Services Officer.

APOLOGIES: Apologies were received from Alderman Mrs G Rice and Councillors Henderson and Robinson.

LPB/2007/129: MINUTES OF LEISURE PARK BOARD MEETINGS

RESOLVED: - Members authorised that the minutes of the Leisure Park Board meeting held on 16 April 2007, and Special Leisure Park Board Meeting held on 26 April 2007 be accepted as a true and accurate record.

LPB/2007/130: LAST MEETING PRIOR TO AGM

The Chairman advised that as this would be the last meeting of the Leisure Park Board prior to the Annual General Meeting, she wished to record her thanks to Members and Officers for their dedication, commitment and assistance throughout, what had proven to be a very successful year for the Leisure Park.

Noted.

LPB/2007/131: MATTERS ARISING

There were several matters arising from the previous minutes, however, the Acting Director advised that these would be dealt with under staff in committee at the end of the meeting.

Noted.

LPB/2007/132: PRESENTATION BY TURKINGTON CONSTRUCTION

Before the representatives from Turkington were invited to join the meeting, the Acting Director provided Members with a brief background to the development of the cinema complex. She reminded Members that Turkington Construction were currently acquiring the land from the original developer and had confirmed their intention to start work on site within two to three months of the assignment being completed.

In order to assist with the transfer of the lease between the two developers it was necessary for the Council to draw up a Novation Agreement. The Acting Director advised that the developers would be responsible for the selection of tenants, and that the Council would be consulted, but would have no actual authority regarding this decision. The Acting Director raised concern, that as the land was zoned for leisure it would be possible for a gaming, betting or lottery establishment or adult shop to lease one of the units and obviously the Council would wish to avoid this, in keeping with the Leisure Park being a family orientated facility.

The Acting Director informed Members that there had been a clause within the original contract stipulating that the cinema remains as such for a ten-year period and the foodhall for a five-year period from the date, which the contract was signed. She continued, that obviously due to the delay in progressing this development almost 14 months had now passed. The Acting Director further added that the additional time for site development and construction would be at least another 14 months, thus resulting in a total delay of nearly 2.5 years. On this basis the Acting Director stated that she would be keen to address this issue as part of the novation agreement with the new developer. She felt that this clause should be reviewed so that both the cinema and foodhall remained as such from completion of build for at least ten years, or at least that the cinema remained as such for a minimum period of ten years from completion of build and the foodhall for a minimum of 5 years from completion of build

At this point Councillor Spratt entered the meeting.

At this stage in proceedings the Chairman welcomed Mr Jim McKeag (MD) and the project manager Mr J McBurney to the meeting.

The Acting Director provided the gentlemen with a brief overview of the discussion prior to them entering the meeting and specifically the Council's concerns.

Following a query, Mr McKeag confirmed that they would be using the existing planning application and designs, which consisted of the cinema and eight units in total. Mr McKeag detailed to the members that the two projects were intrinsically linked and therefore had to run in the same timeframes.

Mr McKeag advised that he saw no problem in any of the requests and asked the Acting Director to liaise with his legal team to progress these as soon as possible.

At this stage in proceedings the Chairman thanked the gentlemen and they left the meeting.

It was therefore

RESOLVED: - Members of the Board authorised that the Acting Director instruct the Council's Solicitors to ensure that as part of the Novation Agreement with the new developer

- (a) that the Novation Agreement be progressed so as to align the cinema and foodhall remaining as such for the specified periods, that is, the cinema and foodhall for 10 years from completion of build;
- (b) that in keeping with the Leisure Park being a family orientated facility, a restrictive covenant should be added in respect of the developer sub letting the units, to ensure that units could not be sublet for the purpose of running a Gaming, Betting or Lottery establishment or an Adult Sex Shop.

LPB/2007/133: 50 SWIMMING POOL

The Acting Director advised that there were four restrictive covenants in relation to David Lloyd Leisure; she specifically referred to the restrictive covenant prohibiting the Council building a conditioning suite. The Director advised that as part of the bid for the 50m pool it was a requirement that a conditioning suite would be made available to Swim Ulster. She continued that this usage should not be a problem, however, should the Council wish to sell membership or indeed offer this for use as a municipal facility that David Lloyd may object.

The Acting Director asked Members whether they wished to obtain a legal opinion in respect of this covenant.

Following discussion Members agreed that this would be appropriate.

It was therefore

RESOLVED: - Members of the Board requested that the Acting Director obtain a legal opinion in respect of restrictive covenants and specifically ascertain the following

- (a) Could a conditioning suite be run as a private club?
- (b) Could a conditioning suite be run as a municipal facility?

- (c) Could it be used solely by Swim Ulster?

LPB/2007/134: PRESS RELEASE (copy circulated at meeting)

The Acting Director drew Members' attention to a press release from Ireland's Saturday Night, dated 28 April 2007, regarding the 50m pool.

Noted.

LPB/2007/135: INTERVIEWS IN RESPECT OF 50M POOL

Councillor Spratt advised that he had been approached by the BBC, requesting that he partake in an interview regarding the funding application for the 50m swimming pool. He continued that he did not feel that it was appropriate, at present, to participate in any such an interview in light of the Council's application for funding.

Officers agreed and following discussion it was

RESOLVED: - Members of the Board agreed

- (a) That Members of the Leisure Park Board should not participate in any interview pertaining to the Council's application for funding for the 50 swimming pool;
- (b) That any further requests of this nature should be forwarded to the Chairman of the Leisure Park Board.

LPB/2007/136: TENDERS FOR APPOINTMENT OF CONSULTANTS FOR REFURBISHMENT OF DIIB

The General Manager informed Members that nine tenders had been received for the refurbishment of DIIB, and that these had yet to be opened. He stated that it might be necessary to call a special meeting of the Board in order to proceed with the appointment of consultants.

The Chairman advised that she would be on holiday, but indicated that she would be happy for the appointment of the consultants to proceed in her absence, she asked Officers to fully appraise her on return from holiday including furnishing her with copies of the submissions.

RESOLVED: - Members of the Board agreed that the General Manager should liaise with the Deputy Chairman and Mayor, in the absence of the Chairman, in respect of setting up a special meeting of the Board to appoint consultants for the refurbishment of DIIB.

REPORT FROM THE TECHNICAL MANAGER

LPB/2007/137: WASTE RECYCLING

The Technical Manager advised Members that he was investigating the current arrangements for disposal of waste at DIIB. He continued that he had met with Keelin Hamill to discuss the waste produced by the Ice Bowl and was currently awaiting a report with detailed proposals on this issue, which he would table at a future meeting of the Board.

RESOLVED: - Members of the Board requested that the Technical Manager investigate recycling receptacles suitable for use at the facility and bring a report to a future meeting of the Board.

LPB/2007/138: ICE BOWL ROOF

The Technical Manager circulated photographs that clearly detailed areas of rusting on the roof of the facility, he also advised that the roof was leaking and reported that the gullies at either side of the roof needed cleaned and repainted.

The Acting Director stated that she had concerns regarding the overall safety of the roof, however, suggested that it would be appropriate to defer consideration of any repair works until Consultants had been appointed and tenders received in relation to the proposed refurbishment of the facility/building.

RESOLVED: - Members of the Board deferred consideration of any maintenance works to the roof of the facility until the Consultants had been appointed and tenders received in relation to the proposed refurbishment of the facility/building.

REPORT FROM THE ACTING PR & MARKETING MANAGER (Presented by the General Manager of Marketing & Leisure)

LPB/2007/139: UPDATE

The General Manager updated Members on the following marketing promotions:

- Summer Scheme Mailer
- Tourist Mailers
- Stena Line
- River Rat Photocall.

Noted.

LPB/2007/140: BATTLEFIELD SPORTS – PRICING STRUCTURE FOR BIRTHDAY PARTIES

The Acting Director advised that Battlefield Sports was now open for business, and detailed the costs of a birthday package that had been agreed.

RESOLVED: - Members of the Board approved a birthday package of £9.00 per head, with £5.50 for the Ice Bowl and £3.50 for Battlefield Sports.

REPORT FROM THE ACTING DIRECTOR OF LEISURE

LPB/2007/141: REQUEST FOR FREE USE OF THE ICE RINK

The Acting Director drew Members' attention to correspondence requesting free use of the ice rink.

Members considered the request in detail but felt that it may set a precedent and under equality felt that it would not be appropriate to grant free usage.

RESOLVED: - Members of the Board requested that the Acting Director write back in response to the request for free use of the ice rink, advising that under equality it would not be appropriate to grant free use of the ice rink. The precedent and standard of achieving an 'Olympic passport' had been set as the benchmark.

LPB/2007/142: REVISED DEPARTMENTAL STRUCTURE

The Acting Director advised that the recent division of Finance and Leisure Services had resulted in the two services operating under two separate directorates. She continued, that prior to the division of the directorate the Area Manager for Leisure, and General Manager for Marketing & Leisure both reported directly to the Director of Finance & Leisure Services. With Leisure now operating as a sole Directorate it was necessary to rearrange the departmental structure and job descriptions. She drew Members' attention to the revised departmental structure and associated job descriptions. The Acting Director advised that the post holders had been consulted and were satisfied with the proposed changes. She added that this issue would need to be brought to each of the respective committees and Boards that Leisure as a service was accountable to.

RESOLVED: - Members of the Board approved the rearranged departmental structure for the Leisure Services Department.

LPB/2007/143: TEN PIN BOWLING QUALIFIER EVENT

The Acting Director reported that a request had been received from the NI Ten Pin Bowling Federation to host the qualifying event at DIIB later in the year. She continued, that the federation had asked for a more competitive

rate for the games played off at this location. She advised that they would qualify for the rate of £1.80 per game, however, it had been indicated that the Odyssey had quoted £1.50 per game.

Members considered the request for a further reduced fee for the NITPBF, but following consideration agreed that the rate of £1.80 should remain.

RESOLVED: - Members of the Board instructed the Acting Director to advise the NI Ten Pin Bowling Federation that the already reduced rate of £1.80 per game would remain.

LPB/2007/144: WRITE OFF EQUIPMENT

The Acting Director sought permission from the Board to formally write off chairs that were in use within Indianaland. At the time of refurbishment of Indianaland in May 2005, table and chair sets were purchased for use in that area. She advised that after a short period of time several chairs became unfit for use and an incident occurred where a chair collapsed whilst in use, and as a result she had removed the chairs and replaced them with the old heavy duty chairs used previously.

The Acting Director continued that numerous attempts had been made to redress this with the supplier, however, the supplier was adamant that at the time of order, it was indicated to the purchaser that these sets were not suitable for such use.

RESOLVED: - Members of the Board authorised that the Acting Director arrange for these chairs to be disposed of and formally written off.

LPB/2007/145: REQUEST FOR USE OF THE BOARD ROOM – N.I.I.S.A.

The Acting Director advised that the Chairman had approved this request and therefore she was requesting retrospective approval.

It was therefore

RESOLVED: - Members of the Board granted retrospective approval for the use of the Board Room, free of charge, by the Northern Ireland Ice Skating Association (N.I.I.S.A.) during the NI Skating Open Championships on Friday 11 – Sunday 13 May 2007.

LPB/2007/146: STAFFING MATTER – ANOMALIES REGARDING ANNUAL LEAVE

The Acting Director outlined in detail an anomaly regarding the allocation of annual leave and long service entitlement for DIIB staff.

Members recognized that there were certain inconsistencies and reminded Officers that this had been agreed to be looked at as part of the overall single status review within the Council.

Following consideration it was

RESOLVED: - Members of the Board

- (a) agreed that the anomalies in respect of the allocation of annual leave be rectified by the awarding of 2 additional days annual leave;
- (b) directed that the long service entitlement for DIIB staff be referred to the Single Status Working Group.

LPB/2007/147: STAFF MATTERS – RELIEF EVENTS CO-ORDINATOR

The Acting Director advised that at present when a member of the sales team was absent due to annual leave or sickness there was no provision to cover the vacancy with relief staff. She continued, that as bookings for the centre feed directly through these staff she felt it was important to ensure that there was always adequate cover, and as a result sought permission to advertise for a Relief Events Co-ordinator, Grade 3, point 14.

Councillor Bunting requested that the Human Resource Manager meet with Departmental Managers in order to facilitate the efficient running of Council facilities.

It was subsequently

RESOLVED: - Members of the Board

- (a) Approved the recruitment of a Relief Events Co-ordinator, Grade 3, point 14;
- (b) requested that either the Acting Director or General Manager attend the Finance & General Purposes Committee to help explain the anomaly associated with 'generic recruitment'.

LPB/2007/148: TUMBLE TOTS

The Acting Director advised Members that correspondence had been received from Tumble Tots, requesting a further reduced rate for use of the function suite. She reminded Members that Tumble Tots had previously been given a reduced rate of £120.00 per day, for a period of three months.

Following the recent correspondence in which they requested that the rate be reduced to £65.00 per day, she reported that she had approached the Company to confirm details of their breakeven figure and she reported that it was £85.00 per day, in terms of making the business viable.

The Officer advised that Tumble Tots had sourced and were now using a different venue, however, they had indicated that the Ice Bowl would be their preferred choice of venue. They had used the function suite for approximately 15 years and had proven to be a reliable customer. The Officer confirmed that there was no other demand for use of the room on a Friday morning and added that there was a spin off from customers attending Tumble Tots who stayed to use Indianaland etc.

Members considered this request in detail, with concern being expressed by several Members that such a reduction may set a precedent for other users. Discussion ensued following which it was agreed that a daily rate would be set for use of the function suite of £85.00 per day (for a period of no more than 8 hours).

It was therefore

RESOLVED: - Members of the Board granted use of the function suite to Tumble Tots at a reduced rate of £85.00 per day (for a period of no more than 8 hours), with the following stipulations:

- (a) The Acting Director must substantiate Tumble Tots claim in respect of the numbers attending their sessions, before processing the reduced rate;
- (b) This reduced rate would be subject to a quarterly review by the Acting Director.

ANY OTHER BUSINESS

LPB/2007/149: REQUEST FOR USE OF BOARD ROOM AND FUNCTION SUITE

The Acting Director advised that she had been contacted by Alderman Mrs I Robinson, regarding a request that she had received from Pat Herron who was seeking use of the board room and function suite (including use of the kitchen for food storage), for a religious gathering.

Members considered this request and it was

RESOLVED: - Members of the Board

- (a) authorised free use of the board room, however the Function Suite would be in accordance with the daily tariff policy, including use of the kitchen for food storage;
- (b) requested that a stipulation be added to the booking form stating that the Council would not accept any liability for food brought onto the premises.

At this stage in proceedings Councillor White left the meeting.

REPORT FROM THE BUSINESS MANAGER

**LPB/2007/150: TRADING ACCOUNTS FOR THE PERIOD 1 APRIL 2007 –
30 APRIL 2007**

Members welcomed the new layout for the trading accounts.

Noted.

At this stage in proceedings the Business Manager, Technical Manager and Assistant Members' Services Officer left the meeting.

STAFF IN COMMITTEE

There being no further business, the meeting ended at 8.20 p.m.

CHAIRMAN

CHIEF EXECUTIVE