

DARTFORD BOROUGH COUNCIL

SCRUTINY COMMITTEE

MINUTES of the meeting of the Scrutiny Committee held on Tuesday 12 July 2022 at 7.00 pm.

PRESENT: Councillor Laura Edie (Chairman)
Councillor Danny Nicklen (Vice-Chairman)
Councillor Mrs Anita Barham
Councillor Sue Butterfill
Councillor Paul Cutler
Councillor Brian Garden
Councillor Alina Gaskin
Councillor George Holt
Councillor Victoria Oguntope
Councillor Avtar Sandhu MBE
Councillor Mrs Rebecca F Storey

ABSENT: Councillor Emma Ben Moussa
Councillor John Burrell
Councillor Rosanna M Currans
Councillor Maria B Kelly
Councillor Adrian Oakley-Dow
Councillor Ellenor E Palmer
Councillor Denzil J Reynolds

Dartford Borough Council Officers:-

Peter Dosad – Director of Housing & Public Protection
Stephen Jefferson – Communities Officer

PRESENT TO RESPOND TO ISSUES RAISED BY THE SCRUTINY COMMITTEE:

Lorna Strawson – Orchard Theatre Director, Trafalgar Theatres
Tal Rosen – Orchard Theatre General Manager, Trafalgar Theatres

CABINET MEMBERS: Councillor Jeremy Kite MBE, Leader of the Council,
Cllr. Patsy Thurlow, Portfolio Holder for Arts & Culture

1. APOLOGIES FOR ABSENCE

As previously advised to Members, prior to the election of a Committee Chairman that evening [Min. No. 3 refers], the Vice-Chairman Councillor

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Nicklen, opened the meeting and welcomed Members, Officers and guests to the proceedings.

Apologies for absence were noted for Councillors: Ben Moussa, Burrell, Currans, Kelly, Oakley-Dow, Palmer and Reynolds.

The Leader of the Council was in attendance in his role as Cabinet Chairman, and the Cabinet Portfolio Holder for Arts & Culture for consideration of Item 8 – Orchard Theatre Annual Report and Accounts for 2021-22 [marked as ‘To-Follow’ in the published agenda papers].

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ELECTION OF CHAIRMAN FOR 2022-23 MUNICIPAL YEAR

The Vice-Chairman, Cllr. Nicklen, asked for nominations for the role of Chairman for the current 2022-23 municipal cycle, on behalf of non-Administration Councillors on the Committee [Annual Council Min. No. 21 refers].

Councillor Laurie H K Edie was formally nominated and seconded for the role, and in the absence of any other nominations, was unanimously elected Chairman of the Committee for the remainder of the 2022-23 municipal cycle, and assumed the chairmanship for the remainder of the proceedings.

She thanked Members for electing her as Chairman, and said that going forward, she wished all voices to be heard at Scrutiny proceedings. She expressed the hope that the scope of the Committee’s work could be expanded, to include scrutiny of Dartford’s air quality, with particular regard to the increased emissions caused by vehicles ‘idling’ in traffic. A review of the current street cleaning services was another personal target.

The Committee Co-ordinator advised that both topics proposed by the Chairman were currently scrutinised by the Policy Overview Committee (POC) which he also clerked, and were considered on an annual basis by the POC as set out in that Committee’s rolling Work Plan (WP).

He advised that the primary function of the Scrutiny Committee, as set out in detail in its Protocol, was to hold the Cabinet to account and scrutinise its decisions as published in the extant Forward Plan [Regulation 9 Notice], either prior to or following implementation by Cabinet. The Committee also scrutinised the performance of Council provided services and was required to draw up an annual Work Plan to schedule its activities [Min. No. 10 refers]. In addition, Members of all political groups represented on the Committee could draw-down items for consideration on an *ad-hoc* basis, in accordance with the terms set out in the Committee’s Protocol.

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Consideration of matters of policy [rather than performance], including the provision of services from outside bodies such as the NHS (and calling those external bodies to account and appear before Members), was the role of the POC as set out in detail its own separate Protocol. All matters concerning crime, disorder and anti-social behaviour (ASB), fell within the purview of the Crime and Disorder (Overview & Scrutiny) Committee to consider, under the terms of its Protocol and Memorandum of Understanding (MoU) with the Dartford Community Safety Partnership (DCSP). The separate and distinct Protocols for each of the Council's three principal scrutiny committees (as outlined above), were specifically designed to ensure that Members and Officers did *not* duplicate time and effort scrutinising the same areas of policy and performance.

4. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 20 APRIL 2022

RESOLVED:

That the minutes of the Committee meeting held on 20 April 2022 be confirmed as an accurate record of those proceedings.

5. URGENT ITEMS

The Chairman announced that there were no urgent items for consideration.

6. TO CONSIDER REFERENCES FROM OTHER COMMITTEES (IF ANY)

There were no references from other committees.

7. REGULATION 9 NOTICE (FORWARD PLAN)

RESOLVED:

That the contents of the Forward Plan for the period 17 June 2022 to 31 October 2022 be noted.

8. ORCHARD THEATRE ANNUAL REPORT AND ACCOUNTS YEAR ENDING 31 MARCH 2021

The papers had been marked as 'To-Follow' in the published agenda and were considered by Members on a tabled basis.

The covering report from the Leisure & Communities Officer informed Members that in March 2021 The Orchard Theatre's parent management company HQ Theatres & Hospitality Ltd, had joined forces with Trafalgar Entertainment (TE) and now operated under the Trafalgar Theatres' name. The Council's contract with HQ [now TE] was in its eleventh year of a twenty year arrangement, under which the management company was obliged to present an annual report and accounts to the Committee [attached as Appendices B, C and D to the covering report respectively].

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Attached as Appendix A to the covering report was the Council's Monitoring Schedule, which set out how the Authority would monitor the provision of Services as specified in the Specification Schedule between the Council and the commercial operator. The targets identified in the Monitoring Schedule [Appendix A] were not rigidly applied, but used as reference points against which to measure whether, overall, the services being provided by the management company were as envisaged by the Council.

The Chairman renewed the Committee's welcome to the guests from Trafalgar Theatres, and given the late tabling of the papers, asked The Orchard Theatre Director and General Manager to summarise the 2021/22 annual report and appendices for Members.

Lorna Strawson advised Members that she had been the Orchard Theatre Director for some 4 and a half years and that Mr Tal Rosen had been General Manager of the Orchard since 2019 and represented continuity of management for the Theatre, both from pre-COVID Pandemic times, and subsequently from March 2021, following the subsequent amalgamation between HQ Theatres & Hospitality and the Trafalgar Theatres group.

Drawing on the contents of her 2021/22 annual report [Appendix B] and the 2021/22 Orchard Theatre Programme [Appendix C], the Theatre Director and General Manager highlighted the following key points for Members:

- The Trafalgar Theatre Group was well established in the industry with its own production company and flag-ship venues at Trafalgar Square in London and in Sydney Australia, and management of The Orchard by TE represented an opportunity to develop the Theatre;
- The senior management team had returned to The Orchard from flex-furlough in November 2020 following closure of the Theatre at the height of the Pandemic with 40% redundancies, to begin advance planning and tentative re-opening following the relaxation of Government guidelines;
- Following a gradual staff remobilisation exercise from March 2021 and despite some staff attrition given the extended closure period, the Orchard had resumed operating with 90% of its previous workforce intact, including the current management team, casual workforce and volunteers, with the Theatre's first post-COVID production, the 'Rocky Horror Show' presented in September 2021 to great public acclaim;
- The Orchard Theatre remained the Borough's leading cultural asset, and #1 destination on TripAdvisor for both Dartford residents and across the district;
- During the Government enforced closure, HQ Theatres had taken the opportunity to enhance The Orchard's facilities by expanding the main auditorium and wheelchair access and several front of house hospitality improvements, including 10 new credit card terminals from Zonal and 5 iPad roaming tills for customers;

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- A gardening club had also been initiated with volunteers during the closure, initially tending the Theatre's street planters then expanding its activities to other street gardening activities;
- The Theatre's restaurant had been re-mobilised in September 2021 with a new Head Chef starting in December with increased food covers (250+) and a new Tapas menu, with the restaurant being awarded a 100% Perfect Venue Score together with a 5 star Food Safety Rating in March 2022;
- Meat, fish and vegetable suppliers had been changed and reduced, to comply with sustainability targets for vehicle emissions, and plastic waste reduced with the introduction of Perspex wine cups and returnable/reusable plastic cups in the auditorium;
- Theatre management were undertaking a comprehensive re-survey of the Theatre's customer base with some 85,000 brochures being despatched to ascertain who wanted to watch what when, in the knowledge that 61% of all Orchard Theatre tickets were bought by Dartford residents;
- Management judged the Theatre's 2021/22 Programme to be equal in quality to pre-Pandemic times, and had attained 85% of pre-Pandemic attendance levels. Some 20,000 tickets had been sold for the Panto featuring Christopher Biggins as Jack in Jack and the Beanstalk, although overall numbers were down at 67% of pre-Pandemic sales;
- Looking forward, management hoped to grow the potential and use of the Theatre through more fashion shows with local retailers again donating costumes, and more Council functions building on the recent hosting of the Elder's Forum and Gay Pride events.

In response to a specific question from a Member concerning the Council's share of Orchard Theatre profits [Appendix D refers], the Theatre Director advised that the details were not yet to hand for the 2021-22 F.Y.

The Leader of the Council advised the Committee that Trafalgar Theatres, as a commercial operation were entitled to make a profit from which the Council as owner of the theatre accrued a share, which benefited both parties, and was a marked improvement on previous arrangements, when The Orchard had been both largely unsuccessful as a venue and a financial burden on the Council.

The Chairman thanked her guests for summarising their 2021/22 report following the re-opening of The Orchard Theatre in March 2021 and the strong post-Pandemic performance in the period under review.

The Cabinet Portfolio Holder for Arts & Culture supported the Chairman in her views and added her own congratulations to the Theatre Management on an exceptional post-Pandemic effort, sentiments echoed by the Leader of the Council, the Mayor and several other Members.

The successful holding of the Council's Elder's Forum and Gay Pride events at the Orchard was highlighted by several Members, and the Leader advised

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that going forward, the Council intended to increase the use of The Orchard to hold further Council events.

RESOLVED:

1. That Members note the contents of the 2021/22 annual report and accounts from Trafalgar Theatres for the operation of The Orchard Theatre, Dartford as set out in Appendices B, C and D to the covering report;
2. That Members note the terms of the Council's Monitoring Schedule attached as Appendix A to the covering report.

9. COMMITTEE ANNUAL REPORT FOR THE PRECEDING 2021-22 MUNICIPAL CYCLE

The Chairman and Members thanked the Clerk for his comprehensive report and Appendices, and his continued support of the Committee throughout the period under review.

RESOLVED:

1. That the Committee's Annual Report for the 2021-22 municipal cycle be approved as presented and submitted to the General Assembly of the Council.

10. COMMITTEE WORK PLAN 2022-23 - UPDATE

The Committee considered a report and updated Work Plan (WP) document [attached as Appendix A to the report].

The Chairman repeated her hope [Min. No. 3 refers], that the focus of the Committee's work [as presently detailed in Appendix A to the report], could be expanded going forward, to include new topics and areas of Council service provision. She proposed a study of the Council's current parking provisions and litter services, in addition to the standard annual update reports submitted by The Orchard Theatre Management, Dartford Football Club for Princes Park, Dartford Cricket Club in Hesketh Park and for the first time, Dartford Rugby Club following completion of the 2021-22 season [report para 3.5 first bullet point refers].

The Committee Clerk undertook to report back to the Chairman on her proposal that a study of the Council's current parking provisions be received by the Committee. His initial advice was that such a report would fall within the remit of the Policy Overview Committee, but he would confirm his initial advice with the relevant Director.

Post Meeting Note

Local Impact Report (LIR) on the London Resort development [report para 3.5 second bullet point refers]: post proceedings, the Head of Planning Services

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has advised that this proposal has been overtaken, following the withdrawal of the application by the London Resort consortium on 28 March 2022 prior to consideration by the Secretary of State. A claim from the Council for costs, remains before the Planning Inspectorate for decision.

The meeting closed at 7.55 pm

Councillor L H K Edie
CHAIRMAN