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SPECIAL COUNCIL

Minutes of a Special Council Meeting held on Thursday 1 December 2016 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT Councillor Andrew Shirley - In the Chair

Councillors Jason Atkin, Deborah Botham, Richard Bright, Martin Burfoot, Sue Burfoot, Tom Donnelly, Ann Elliott, Steve Flitter, Helen Froggatt, Alyson Hill, Neil Horton, Angus Jenkins, Tony Morley, Joyce Pawley, Irene Ratcliffe, Mike Ratcliffe, Lewis Rose, OBE, Mark Salt, Peter Slack, Andrew Statham, Jacquie Stevens, Colin Swindell, John Tibenham and Joanne Wild.

Dorcas Bunton (Chief Executive), Paul Wilson (Corporate Director), Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Karen Henriksen (Head of Resources), Ashley Watts (Head of Community Development), Jim Fearn (Communications and Marketing Manager), Ian Brailsford (Business Transformation Assistant) and Jackie Cullen (Committee Assistant).

14 members of the public.
2 Members of the Press

APOLOGIES

Apologies for absence were received from Councillors Jennifer Bower, Susan Bull, Albert Catt, David Chapman, Richard FitzHerbert, Chris Furness, Susan Hobson, Tony Millward BEM, Jean Monks, Garry Purdy and Philippa Tilbrook.

290/16 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation, the following members of the public made statements on the Leisure Service Review:

Mr Nick Hodgson – representing the Anthony Gell School Foundation
Mr Malcolm Kelley – Headmaster at Anthony Gell School
Mr John Thompson – Chairman of Wirksworth Leisure Centre Sports Group
Mr Chris Whittall – representing Wirksworth Town Council
Mr Allan Morrison – representing Wirksworth Leisure Centre Users Group
Dr Bob Davies – Wirksworth Face Wall user

291/16 – INTERESTS

Councillor Irene Ratcliffe declared a personal interest in item 4 on the Agenda (Leisure Service Review – Final Report) in her capacity as Member of Derbyshire County Council as the Council had provided a financial contribution towards the facilities at Wirksworth Leisure Centre, and their legal services department had provided support to Anthony Gell School.

292/16 – LEISURE SERVICE REVIEW – FINAL REPORT

The Head of Community Development gave a short presentation on the Leisure Service Review alongside the report considered by Council that looked at the options available for the future provision of the Council's leisure services and recommended a way forward that protected the services and secured the Council's ability to continue to deliver a quality leisure service whilst also making a significant contribution to help secure the Council's financial sustainability.

The first phase of the Leisure Review had identified operational improvements and efficiencies and the second phase had considered the longer term management and delivery arrangements. A report on the outcomes of the first stage of the review was considered by the Community Committee on 10th July 2014 and savings amounting to £111,500 were identified; these savings had now been delivered.

The second phase of the review was detailed in the report, together with the conclusions drawn, and after a successful tendering process FMG Consulting Limited was appointed and commissioned to provide a detailed Business Options Appraisal, outlining the financial implications and feasibility of the alternative management options currently available. The final Options Appraisal report had been completed and provided in October last year highlighting five possible options, as tabled below:

Options	Leisure Centre	Sports Development
One	In-house	In-house
Two	Outsourced	In-house
Three	Outsourced	Outsourced
Four	New Not for Profit Distributing Organisation	New Not for Profit Distributing Organisation
Five	Retain: Arc & Ashbourne Community Asset Transfer: Bakewell & Wirksworth	In-house

It was subsequently agreed that Options 2 and 5 were the most appropriate options, and that further information should be gathered and presented on the viability of these two models.

The Business Options Appraisal (attached as Appendix One to the report) identified three options (Options A, B and C) as detailed in the report and following soft market testing and consultation with local parties, the following points were identified:

- a) There was strong interest in Option A from six out of the seven major leisure operators, with some interest in Option C ('A' being the preferred option).
- b) There was interest from The Swimming Pool Trust, Anthony Gell School, School Foundation and the local Health Centre in being part of a new community organisation, taking on the responsibility of Wirksworth Leisure (but not Bakewell Swimming Pool).
- c) There was no community organisation identified for the transfer of Bakewell Swimming Pool; however it was believed that there was enough social capital to deliver this.

It was noted that as part of the consultation, a proposal had been put forward by representatives of the School Foundation, Anthony Gell School and Swimming Pool Trust as a sub-option. However, FMG had stated 'in reality it is almost exactly how we envisage Option B would work if a new community trust was formed'. Thus, having considered all options, Option A was clearly identified as the preferred model for the reasons listed in the report. Options B and C were discounted as viable options both in terms of delivering savings and improving the service. Projected financial savings identified under each option were tabled in the report.

It was noted that the Council would retain some of the liability associated with the repair and maintenance of the facilities; nevertheless the overall saving identified in Option A was both greater and more stable than the other options, as outlined in Section 6 of the Business Options Appraisal (Risk Analysis). In order to implement Option A, a clear and thorough specification would need to be developed, outlining the Council's service delivery requirement as well as the completion of a competitive tendering exercise through OJEU which would take approximately 16 months to complete. It was also recommended that a working group be established to develop the specification, led by the Head of Service with support from colleagues from the Corporate Leadership Team and leisure staff. In addition, it was recommended that a period of consultation should take place with all relevant partners and staff to help shape the specification of the contract. The indicative timescale for the work involved was set out in the report, as follows:-

Consultation with Members to define broad principles of specification	December 2016 – January 2017
Consultation with interested stakeholders and public	January 2017 – March 2017
Complete tender and report back to Members.	March 2017 – May 2017
Competitive tendering process	May 2017 – February 2018
Evaluation	February 2018 – April 2018
Report to Council	May 2018

It was recommended that a specification was developed and advertised as part of a competitive tendering process not later than 31st May 2017. This timeframe would enable the relevant Officers to consult with relevant stakeholders and interested parties and prepare a detailed specification. A further 12 months would be required to allow operators to tender for the contract and for Officers to assess the bids before reporting back to Council for final decision, no later than 31st May 2018.

With regard to the Sports Development Team, it was recommended that this service remained in-house to support the Council to continue to deliver its objectives set out in the Health and Wellbeing Strategy and to continue its work with schools, underprivileged

sections of our communities and those who cannot and/or struggle to access our leisure facilities.

It was moved by Councillor Lewis Rose OBE seconded by Councillor Joanne Wild and

RESOLVED
(unanimously)

1. That Option A (contracting out the District Council's Leisure Centres to specialist leisure management contractor, whilst retaining the Sports Development team in-house) is approved as the most suitable option for the future management of the Leisure service
2. That a period of consultation with key stakeholders is approved to help define the specification of the contract
3. That the specification is put out to tender by 31st May 2017
4. That a report is presented to Council no later than 31st May 2018 outlining the findings of the tendering exercise and the financial impact on the Council, before a final decision is made
5. That the Community and Environment Committee be delegated authority to prepare a specification for Council's approval following the consultation as outlined in the report.

MEETING CLOSED 7.37PM

CHAIRMAN