

OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:
AHWB/090/2017 to
commission FMG
consultants

Box 1

DIRECTORATE: AH&WB

DATE: 19/6/17

Contact Name: Andy Maddox

Tel. No.:

Subject Matter: Leisure Facilities Review

Box 2

DECISION TAKEN:

To commit [redaction] + VAT to commission FMG consultants to prepare the business case for investment of monies to develop and refurbish DMBC owned leisure facilities under the management of DCLT using the Service Transformation Fund (STF 106).

Box 3

REASON FOR THE DECISION:

DMBC, with support from Sport England and Yorkshire Sport Foundation, previously commissioned FMG Consulting Ltd to undertake a strategic review of indoor leisure facilities across the borough focusing on sports hall, gyms and swimming pools. Following on from the strategic review, FMG delivered an outline business case for remodelling of the DMBC leisure facility stock and offer.

A full business case should now be developed to test the assumptions from the previous work. Sport England have provided guidance of the approach we will need to take via their strategic delivery model. To follow the strategic delivery model we will need to test the existing business case and assess impact of future investment to ensure best practice is delivered - FMG Consulting Ltd is approved under a Contract Procedure Rule Waiver to deliver the full business case for the Leisure Facilities Review and their fee is [redaction]

Box 4**OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:**

Option 1 - To undertake the full business case in-house.

DMBC does not have the skilled staff or capacity to undertake the work. Failing to follow the advised processes set out by Sport England will not enable us to apply for potential funding.

Option 2 - To appoint skilled and qualified consultants to test business case and undertake condition survey to enable appropriate business plan be developed to access potential funding and make improvements to the leisure facility stock.

Option 2 is recommended.

Box 5**LEGAL IMPLICATIONS:**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

In accordance with S19(1) Local Government (Miscellaneous Provisions) Act 1976, local authority may provide, such recreational facilities as it thinks fit.

The appointment of any consultants to provide this piece of work or the building surveys must be carried out in line with Contract Procedure Rules including the completion of a CPR Waiver if necessary.

Name: Scott Fawcus Signature: S.R. Fawcus Date: 17/7/17
Signature of Assistant Director of Legal and Democratic Services (or representative)

Box 6**FINANCIAL IMPLICATIONS:**

The cost of this decision is a fixed fee of [redaction] for the business case and it is intended that this is met from the corporate Service Transformation Fund.

The approval of the Chief Financial Officer & Assistant Director – Finance and Mayor is needed to allocate funding from the Service Transformation Fund.

Name: Paul Williams Date: 12/07/17
Signature of Assistant Director of Finance & Performance
(or representative)

Box 7**HUMAN RESOURCE IMPLICATIONS:**

There are no apparent HR Implications contained within this ODR.

Name: Kelly Wilks Date: 17th July 2017

Signature of Assistant Director of Human Resources and Communications (or representative)

Box 8**PROCUREMENT IMPLICATIONS:**

The commissioning and procurement of suitable consultants to carry out condition surveying services must be carried out in line with the Councils Contract procedure rules in obtaining 3 written quotations or through the use of suitable framework agreements.

Upon completion, a contract award notice must be returned to the SPT team.

[redaction]

Name: S Duffield Signature:

Date: 13/07/17

**Signature of Assistant Director of Finance & Performance
(or representative)**

Box 9**ICT IMPLICATIONS:**

There are no anticipated ICT implications in relation to this decision.

Name: Peter Ward (ICT Strategy Programme Manager)

Signature:

[redaction]

Date: 13/07/17

Signature of Assistant Director of Customers, Digital & ICT (or representative)

Box 10**ASSET IMPLICATIONS:**

There are no immediate implications arising from the recommendations of this report that impact on the use of DMBC assets.

Any future changes that impact on the Council's asset base as a result of the outcomes of the business case that is produced for investment of monies to develop and refurbish DMBC owned leisure facilities under the management of DCLT will require Assets & Property input and will be subject to separate consideration.

Name: Gillian Fairbrother (Assets Manager, Project Co-ordinator)

Signature: By email

Date: 13th July, 2017

**Signature of Assistant Director of Trading Services and Assets
(or representative)**

Box 11

RISK IMPLICATIONS:

To be completed by the report author

Not to commission relevant specialist to undertake the appropriate due diligence will place DMBC at risk of not ensuring that the development of our future leisure facility stock is appropriate and that the business plan is unachievable.

This would potentially place both DCLT and DMBC at risk of not meeting its obligations in relation to the proposed business plan.

(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)

Box 12**EQUALITY IMPLICATIONS:**

To be completed by the report author

Affordable and accessible sport and fitness facilities are important to increasing participation. A reduction in the rates of obesity and continued increases in activity levels in the general population is very important. More people will remain independent and healthier for longer and there will be a sustained reduction in health inequalities. Greater opportunities will be afforded to residents, leading to improvements in their quality of life. Children and young people will be healthier and have access to good advice and services to make appropriate lifestyle choices. Children and young people will have the opportunity to engage in positive activities and there will be more young people in employment and training.

Name: A.Maddox Signature: by email Date: 11-7-17
(Report author)

Box 13**CONSULTATION****Officers**

(In addition to Finance, Legal and Human Resource Implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)

Members

Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters

affecting their Wards.

Please list any comments from Members below:

Box 14

INFORMATION NOT FOR PUBLICATION:

In accordance with the Freedom of Information Act 2000 section 43 allows for commercially sensitive information to be redacted. The signatures will also be redacted.

Name: Gillian Parker_ Signature: _by email_ Date: 11/09/2017
Signature of FOI Lead Officer for service area where ODR originates

Box 15

Signed: _____ Date: 26/9/17
Director/Assistant Director OF PEOPLE DAMIAN ALLEN

Signed: _____ Date: 26/9/17
Additional Signature of Chief Financial Officer or nominated representative for Capital decisions. STEVE MAWSON

Signed: _____ Date: 26/9/17
Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required). MAYOR ROS JONES

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox

