

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: 2021/20/PH/AccLeisureInvest

BOX 1

DIRECTORATE: Adult Health & Well **DATE:** 20/07/21

being

Contact Name: Andrew Maddox **Tel. No.:** 01302 737377

Subject Matter: Accelerated Leisure Facility Capital Investment & Maintenance

BOX 2**DECISION TAKEN**

To provide Accelerated Leisure Facility Capital Investment & Maintenance to the value of £3.9m to undertake works to improve Doncaster Councils stock of leisure facilities.

BOX 3**REASON FOR THE DECISION**

Historically, budget pressures and competing priorities have led to significant underinvestment in DMBC's portfolio of leisure facilities, as funding availability has not been able to match that required to invest in and maintain the facilities to a reasonable and safe standard. Since 2011, Doncaster Culture & Leisure Trust (DCLT) have managed and operated the facilities on behalf of DMBC. The current agreement is set to end in March 2036.

In 2017/18 condition surveys completed by Pick Everard estimated that just over £30million (excluding inflation) would be required over the following 25 year period to ensure appropriate maintenance of the existing facilities. Of that £30million, it was estimated that approx. £16million would be required over the first 10 years. . Of that £16million, it was estimated that approx. £10.5million would be required over the first 5 years. In addition, there has been a requirement to invest in the facilities from a business development perspective to support the continued viability of DCLT.

Over recent years a number of solutions to the investment gap have been explored, including accelerated investment schemes to reduce the gap and rationalisation / closure of facilities – however none were 100% agreed and committed too.

This has resulted in political agreement that the facility stock would not be rationalised and (as of 2020) an annual capital investment be requested to match that required to maintain the facilities, focusing on;

- Elements identified within the condition surveys (including electrical, mechanical and building fabric elements to ensure facilities can continue to operate safely and effectively)
- Opportunities to use greener energy solutions
- Business development opportunities to facilitate income generation to support the viability of DCLT
- Any additional arising health and safety concerns

This resulted in provision of £1.75m 19 -20 financial year and additional £1.345m for 20-21, which was provided specifically to focus on Armthorpe and Askern Leisure Centres.

Despite the impact of covid pandemic the programme has enabled Armthorpe to be delivered on time and access an additional £1.7m of government PSDC fund monies to complement Doncaster council allocation and replace aging boilers and decarbonise Askern leisure centre;

It was agreed at cabinet in June 2021 that a further £3.9m would be allocated to accelerate improvements to our stock of leisure facilities (see table below) and provide support to rugby league capital works.

Work now needs to be carried out to survey the chosen centres (listed below) in detail as experience from undertaking works at Askern and planning for Thorne has shown the condition surveys are somewhat wide of the mark when costings works.

The £3.9m has been allocated as follows but these may need to change should survey works identify significant problems or priorities.

Venue	Proposed New Capital (£)
Askern Leisure Centre	650,000
Edlington Community Swimming Pool	1,500,000
Rossington Community Swimming Pool	350,000
Thorne Leisure Centre	1,000,000
RLWC capital	100,000
Sub Total	3,600,000
Contingency	300,000
Total	3,900,000

BOX 4**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

Option 1 – not to provide the £3.9m ‘capital allocation’ to facilitate the planned works across the leisure centres. This would prevent the planned works from being completed, meaning DCLT would be unable to address health & safety issues and/or opportunities to increase income generation. The facilities would likely continue to degrade and this could lead to full/part closure of facilities.

BOX 5**LEGAL IMPLICATIONS**

The Council may use its power under Section 1 of the Localism Act 2011, which provides the Council with the general power of competence, allowing them to do anything, which a person, may generally do.

S111 Local Government Act 1972 states that a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

In accordance with Section 19(1) of the Local Government (Miscellaneous Provisions) Act 1976 “A local authority may provide, inside or outside its area, such recreational facilities as it thinks fit....” Section 19(3) further provides that “A local authority may contribute— (a) by way of grant or loan towards the expenses incurred or to be incurred by any voluntary organisation in providing any recreational facilities which the authority has power to provide by virtue of subsection (1) of this section” In this statute “voluntary organisation” means any person carrying on or proposing to carry on an undertaking otherwise than for profit, which would include DCLT.

DCLT manage the Council’s leisure facilities in accordance with both the 2011 Concession Agreement and a number of leases of individual leisure facility buildings. The Council remains the freehold owner of the leisure sites. Performing capital maintenance & improvement works to the facilities is reasonable and fulfils both the Council’s health & safety duties as property owner and ensures that facilities will remain capable of providing leisure services to the public in accordance with the Council’s powers and duties and to ensure that the leisure business remains economically strong.

Name: Scott Fawcus **Signature:** S.R. Fawcus **Date:** 11.08.21

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6**FINANCIAL IMPLICATIONS:**

The approved 2021/22 Adults, Health & Wellbeing Capital Programme does not currently include this project.

Funding of £3.906m was approved by Cabinet in the 2020-21 Quarter 4 Finance and Performance Improvement Report on 9th June 2021, the report further approved to delegate the allocation of the Leisure fund to the Director of Public Health and Assistant Director of Finance (S151) in consultation with the Mayor.

The programme of works identified above is expected to span both 2021/22 circa £2.9m and 2022/23 £1m.

On approval of this report along with the CAP1 form being approved by the CAMP board this scheme will be added to the AHWB capital programme.

Name: Helen Rowlands Signature: emailed Date: 13/08/21

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

N/A

Name: _____ **Signature:** _____ **Date:** _____

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS:

Affordable and accessible sports and fitness facilities are important in increasing participation. Accessible facilities help promote increased physical activity levels in the general population, supporting a reduction in the rates of obesity and all associated indices. Being physically active is also an important contributing factor in individuals remaining healthier and independent for longer and supporting sustained reductions in health inequalities.

Greater opportunities will be afforded to residents through being physically active, leading to improvements in their quality of life. Children and young people will have the opportunity to engage in positive activities and the resulting benefits that regular activity provides

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

As already mentioned in 'Box 4', if we do not invest the capital allocation it will prevent the completion of key work that would result in the facilities degrading at a faster rate than can be maintained, affecting health & safety and income generation, that would be likely to eventually lead to full/part closure of facilities.

DCLT have a strong track record of managing complex, high value capital programmes and, accordingly, any financial risks to DCLT or Doncaster Council are considered unlikely. All programmes of work have been accurately costed, inclusive of project fees and catered for within budget allocations.
In addition, all projects will be closely monitored by DMBC Leisure Client Officers to ensure the works are carried out to full satisfaction and within approved capital allocations.

**BOX 10
CONSULTATION**

Consultation has been undertaken with relevant ward members and Portfolio Holder for Public Health, Leisure, Culture and Planning. Following the survey being undertaken for each center, further engagement will be undertaken with members and their communities to help shape the final designs.

**BOX 11
INFORMATION NOT FOR PUBLICATION**

None identified

Name: Claire Hewitt _____ Signature _____ Date: 17/08/2021

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES

Capital 1 form: Accelerated Leisure Facility Capital Investment & Maintenance

**BOX 13
AUTHORISATION**

Name: Rupert Suckling **Signature:**  **Date:** 17/08/2021

Director of Public Health

Does this decision require authorisation by the Chief Financial Officer or other Officer

NO

If yes please authorise below:

Name: _____ **Signature:** _____ **Date:** _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ **Signature:** _____ **Date:** _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.