

TONBRIDGE & MALLING BOROUGH COUNCIL

LEISURE and ARTS ADVISORY BOARD

9 December 2013

**Report of the Director of Street Scene and Leisure and the
Director of Finance and Transformation**

Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken
by the Cabinet Member)**

1 LEISURE FACILITIES – ESTABLISHMENT OF NEW TRUST

Summary

This report updates Members on the successful transfer of the management of the Council's main leisure facilities to a new Trust, and brings forward a review of the core charges for each facility.

1.1 Background

- 1.1.1 At the last meeting of this Board in September, Members approved the final draft Agreements relating to the transfer of the management of the Council's main leisure facilities to a new Trust and agreed that the transfer be progressed by 1 November 2013.
- 1.1.2 At the same meeting Members were advised that the Trust had successfully recruited its Board of Trustees, and the new service delivery arrangements will generate a saving in year one of circa £405,000 rising to a mature saving over the initial five year period of circa £430,000.

1.2 Transfer

- 1.2.1 I am pleased to report that the transfer was successfully completed on 1 November 2013 and, since that date, the Trust has been acting independently of the Council in the delivery of services.
- 1.2.2 Whilst it is clearly early days with regard to the new management arrangements, no significant problems have arisen and from a customer perspective it has been very much "business as usual" at each of the facilities.
- 1.2.3 The Trust will be managing the facilities in accordance with its Business Plan, approved at the last meeting of this Board, and the Council will be monitoring performance against the agreed outcomes. Regular update reports on performance will be reported to this Board.

- 1.2.4 The Trust's Board has elected Alan Nicholl as its first Chairman. Alan is well known to Members of the Council through his other role as Chairman of Tonbridge Sports Association and will bring a great deal of experience and knowledge to the new position.
- 1.2.5 Prior to the transfer taking place, final confirmation was received from the Kent County Council Local Government Pension Scheme regarding the admission agreement for the Trust. This resulted in the provisional contribution rate for the Trust reducing from 15% to 12%. If confirmed, in due course, the new service delivery arrangements will generate a saving in year one of circa £455,000.

1.3 Charges Review

- 1.3.1 Within the Management Agreement the Trust is required to comply with the charges for the leisure facilities set out in the Core Pricing Schedule. It is agreed that the charges can be reviewed annually for implementation from 1 April each year. The Trust is entitled to increase the core prices provided that the average increase is not greater than CPI, and for any increases in core prices in excess of CPI the Trust requires the Council's consent. In determining fees and charges the Trust is required to have regard to:
- the Trust's charitable objectives
 - the needs of the local community
 - developing a balanced programme
 - the Council's key priorities
 - the Council's policy for pitch hire charges
 - the viability of the Trust
 - the prevailing market conditions
 - pricing of other leisure facilities in the area
- 1.3.2 Attached at **[Annex 1]** is a schedule of the existing core charges, together with the Trust's proposals for 2014/15. The proposed charges are felt to be acceptable and are in accordance with the criteria set out in the Management Agreement. Key issues arising from the proposal include:
- at Larkfield Leisure Centre no increases are proposed for non-member day entrance or the crèche
 - at Larkfield Leisure Centre a minimal increase of 10 pence is proposed for a swim

- at the Angel Centre and Tonbridge Swimming Pool minimal increases have been applied
- at Poult Wood Golf Centre no increases have been applied as the Trust is currently considering the introduction of a membership option. A report on the Poult Wood charges will, therefore, be considered at the next meeting of this Board.

1.4 Legal Implications

- 1.4.1 The legal implications relating to the establishment of the new Trust were considered in the report to the December 2012 meeting of this Board.

1.5 Financial and Value for Money Considerations

- 1.5.1 The transfer to the Leisure Trust will make a significant contribution to the Council achieving its savings target.

1.6 Risk Assessment

- 1.6.1 Risk assessment issues related to the establishment of the new Trust were considered in the report to the December 2012 meeting of this Board.

1.7 Equality Impact Assessment

- 1.7.1 A full Equality Impact Assessment has been undertaken with the assistance of the West Kent Equalities Officer and was approved at the December 2012 meeting of this Board.

1.8 Policy Considerations

- 1.8.1 Asset Management, Community, Healthy Lifestyles, Human Resources, Procurement, Young People

1.9 Recommendations

- 1.9.1 It is **RECOMMENDED TO CABINET** that:
- 1) the successful transfer of the management of the Council's main leisure facilities to a new Trust be noted;
 - 2) the proposed core charges outlined in **[Annex 1]** to this report be approved and be implemented from 1 April 2014, and
 - 3) a report on the charges for Poult Wood Golf Centre be considered at the next meeting of this Board.

The Director of Street Scene and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Robert Styles

Nil

Robert Styles
Director of Street Scene & Leisure

Sharon Shelton
Director of Finance & Transformation

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	See sub-section 1.7.1. The needs of different groups in the community are protected within the core charges.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	See above.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable.

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.