

**Decisions to be considered by  
Chief Executive under Delegated  
Authority due to Emergency Powers**

Decisions of the meeting of the Cabinet held  
at 9.30 am on Tuesday, 28th July, 2020 at  
the Virtual Meeting Via Teams

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Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs B S Fortune		D A Webster
	Mrs I Sanderson		

Also in Attendance

Councillor	P Atkin	Councillor	D Hugill
	P Bardon		R Kirk
	M A Barningham		J Noone
	D B Elders		B Phillips
	B Griffiths		G Ramsden
	K G Hardisty		M G Taylor

CA.65 **Thirsk and Sowerby Leisure Centre Improvement Project**  
Sowerby and Topcliffe Ward; Thirsk Ward

**The subject of the decision:**

Within the Council Plan, 2019-23, 'Thirsk and Sowerby Leisure Centre Improvements' were identified as a key project. This project was part of the Council's strategy to invest in leisure facilities across the district. This report sought approval for delivery of a scheme of improvements at Thirsk and Sowerby Leisure Centre, and the submission of a planning application at the relevant time.

**Alternative options considered:**

The options considered were set out in the report.

**The reason for the decision:**

Cabinet was satisfied that preferred option to refurbish and extend the Thirsk and Sowerby Leisure Centre would provide an improved community facility in line with the Council's priority Enhancing Health and Wellbeing.

**The Decision:**

That Cabinet approves and recommends to Council:-

- (1) that the preferred option to refurbish and extend the centre be approved as described in paragraph 1.11 of the report;
- (2) the preferred option is funded as described in section 4.0 of the report;
- (3) the financing of the scheme is delegated to the Director of Finance and Commercial (S151 Officer) as detailed in paragraph 4.6 of the report;
- (4) Alliance Leisure Services Ltd is commissioned to deliver this project including the undertaking of a exercise to determine the cost certainty before commencement;
- (5) subject to the limits of flexibility set out in paragraph 1.14 of the report, the Chief Executive in consultation with the Leader is authorised to approve the project following the cost certainty exercise;
- (6) monitoring and review of project delivery is undertaken by Management Team, with regular update reports provided to Council Members; and
- (7) a planning application is submitted.

#### **Declarations of Interest**

Councillor M S Robson declared a personal interest as Chairman of the Thirsk and Sowerby Flatts Preservation Trust and also as Chairman of the Thirsk and Sowerby Swimming Baths Charity. Councillor Robson left the meeting at 9.58am prior to any discussion or voting on the above item.

Councillor P R Wilkinson in the chair.

Councillor D B Elders (in attendance) declared a non-pecuniary interest as a member of the Thirsk and Sowerby Flatts Preservation Trust during discussion of the above item.

Councillor M S Robson returned to the meeting at 10.18am prior to any discussion and voting on the following item.

Councillor M S Robson in the chair.

#### **CA.66 Exclusion of the Public and Press**

##### **The Decision:**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no CA.67 on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.67 **VAT - Partial Exemption**

All Wards

**The subject of the decision:**

This report provided information on the Value Added Tax (VAT) partial exemption position and the implication on the Council's financial position.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied with the potential solution for the Council's future partial exemption position as outlined in the report.

**The Decision:**

That Cabinet approves and recommends to Council that:-

- (1) a 'vehicle' is set up as detailed in paragraphs 2.8 – 2.11 of the report;
- (2) the detailed operation of the "vehicle" be determined following an assessment of the strategic, legal and operational arrangements;
- (3) stakeholder and community consultation take place on the operation of a "vehicle" and its broader potential;
- (4) the Chief Executive is appointed as the Director of the 'vehicle' and that the Deputy Chief Executive manages the relationship from the Council's perspective; and
- (5) an application be made for "admitted body status" to the North Yorkshire Pension Fund for the new 'vehicle'.

The meeting closed at 10.30 am

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Leader of the Council