

Hambleton District Council

Report To: Cabinet

Date: 13 April 2021

Subject: **Thirsk & Sowerby Leisure Centre Management Agreement**

Portfolio Holder: Leisure
Councillor Mrs B S Fortune

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 This report seeks approval from Cabinet and Council for the adoption of a 10 year Management Agreement with the Thirsk & Sowerby Swimming Baths Charity (T&SSBC) for the operation of the Thirsk & Sowerby Leisure Centre (T&SLC) by the District Council. There has been a long-held intention to replace the existing arrangement, which is reviewed on an annual basis, with a longer-term agreement in order to provide surety and certainty of arrangement to both parties. This is particularly appropriate in light of the Council's present £4m investment scheme at the facility.
- 1.2 The leisure centre buildings are owned by the T&SSBC and the land surrounding the buildings is owned by the Thirsk and Sowerby Flatts Preservation Trust. The T&SSBC usually meets on two occasions a year to enact its business, which is administered by the Council.
- 1.3 The Council manages the T&SLC on behalf of the T&SSBC. An agreement is in place between the two parties for this arrangement. This is usually renewed on an annual basis. Due to the onset of the Covid-19 pandemic the meeting scheduled for March 2020 was not held and therefore the existing arrangements from the previous year were held over. Under the arrangements, the Council is responsible for the operational costs and day to day management of the centre. The only costs that sit with the T&SSBC are the NNDR rates. In return, the T&SSBC pays income received from the fees and charges to the Council. The Council is the funder of first and last resort, meeting the financial and operational obligations of the centre. As with the Council's other leisure centres the inhouse operator runs the facility.
- 1.4 The Management Agreement including its associated specification and appendices are attached to this report at Annex 1.
- 1.5 At its meeting of 23 March 2021 the T&SSBC gave its approval to enter into a 10 year contract with the Council.

2.0 Link to Council Priorities

2.1 The continued operation of the Thirsk & Sowerby Leisure Centre directly underpins the Council's priority of Enhancing Health and Wellbeing.

3.0 Risk Assessment

3.1 There are no significant risks in approving the recommendations.

4.0 Financial Implications

4.1 There is no change to the financial responsibilities presently vested with the Council.

5.0 Legal Implications

5.1 The T&SSBC obtained legal advice which concluded that the Charity is not a "contracting body" for the purposes of the Public Contract Regulations 2015 and therefore does not have to undertake a formal procurement before entering an agreement for the management arrangements of the Leisure Centre with the Council.

5.2 There are no significant legal implications for the Council in entering into a longer-term agreement for the management arrangements of the Leisure Centre.

6.0 Equality/Diversity Issues

6.1 Equality and diversity issues have been considered; the provision and operation of the leisure centre by the Council provides access to all members of the community.

7.0 Recommendation

7.1 It is proposed that Cabinet agrees and recommends to Council that the District Council enters into the agreement with the Thirsk & Sowerby Swimming Baths Charity referred to in this report and included within Annex 1.

Steven Lister
Director of Leisure & Communities

Background papers: None

Author ref: SL
Contact: Steven Lister
Director of Leisure & Communities
01609 767033