

RECORD OF EXECUTIVE DECISION

Tuesday, 14 July 2020

Decision No: (CAB 20/21 28112)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Finance and Income Regeneration
SUBJECT:	COVID-19: Leisure Contracts: Financial and Commercial Impact
AUTHOR:	Paul Paskins

THE DECISION

- (i) Delegate authority to the Executive Director Finance and Commercialisation, following consultation with the Cabinet Member for Finance and Income Generation, to reach financial settlement of claims from Places for People Leisure Management Ltd within the parameters detailed in the confidential Appendix 1 of this report and to finalise, following consultation with the Service Director Legal and Governance, the associated deed of variation relating to the service in the future.
- (ii) Delegate authority to the Head of Supplier Management to agree and finalise, following consultation with the Service Director, Legal and Governance a contract with Solent University ("SU") to operate the building currently known St Mary's Leisure Centre ("the Centre") as a community hub until 31 December 2021.

REASONS FOR THE DECISION

1. Service delivery contracts allocate risk between the Council and its suppliers and the recommendation (i) of this report ensures that the Council honours its contractual commitments in relation to its main leisure contract.
2. The contract with SU will ensure that the Centre can re-open as a "community hub" facility in a speedy and safe manner to support the local community and residents as the easing of the COVID-19-related restrictions allow.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Not following recommendation (i) would put the Council in breach of its financial obligations contained in the leisure contract. This would almost certainly mean a lengthy delay to the re-opening of leisure facilities with the attendant impact on affordable leisure opportunities in the City and the associated impacts on the physical and mental health of users of these facilities. Furthermore, it is likely that

legal proceedings against the Council would ultimately result.

2. The Council could seek to sell the freehold for the Centre, seek to procure an alternative operator or “mothball” the building. All of these options are likely to lead to lengthy delays in the Centre re-opening and would not result in the community-related outcomes sought by the Council.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 14th July, 2020

Decision Maker:
The Cabinet

Proper Officer:
Claire Heather

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council’s Scrutiny “Call-In” provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in (<i>if applicable</i>)