

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

27th April 2009

**PRESENT:-****Representatives of South Derbyshire District Council**Conservative Group

Councillors Lemmon (Vice-Chairman) and Mrs. Patten.

Labour Group

Councillors Pabla and Shepherd.

Independent Member

Councillor Mrs. Brown.

Officers

M. Alflat (Director of Community Services), S. Batchelor (Head of Leisure and Community Development), C. Mason (Leisure Services Manager), S. Wright (Leisure Centre Manager) and D. Townsend (Democratic Services).

**Representatives of Etwall John Port School**Governors

C. Clemens and B. Whyman, M.B.E. (Chairman).

Officers

F. Briggs and P. Kennerdell.

**Representatives of Derbyshire County Council**

Councillors Bambrick and Hood.

**Community Group Representatives**

Mrs. K. Bussell and Mrs. A. Wedgbury.

EL/33. **MINUTES**

The Open and Exempt Minutes of the Meetings held on 26th January and 23rd March 2009 were noted, subject to an amendment as follows:-

Minute No. EL/16 – be amended to ‘the school did not have all of the funding to cover these costs’.

It was also requested that a further report be considered by the Joint Management Committee at the next Meeting, as per Minute No. EL/20.

**MATTERS DELEGATED TO COMMITTEE**EL/34. **NAMING THE NEW CENTRE**

(Mrs. K. Bussell and Mrs. A. Wedgebury withdrew from the Meeting during the consideration and determination of this item).

A report was submitted with suggestions for names for the new Leisure Centre. These were suggested following meetings of the Joint Management Committee on 26th January and 23rd March 2009, and following further consultation with local residents. An elimination vote was carried out, and the successful name following a unanimous vote, was Etwall Leisure Centre.

Councillor Hood requested that a report be brought to the next Meeting of the Joint Management Committee to consider the naming of various rooms of the Leisure Centre.

**RESOLVED:-**

- (1) That the name for the new Leisure Centre be Etwall Leisure Centre.***
- (2) That a further report be considered at the next Meeting, with regard the consideration of names for various rooms within the Leisure Centre.***

EL/35. **PROPOSED FEES AND CHARGES, NEW LEISURE CENTRE**

A report was submitted detailing fees and charges for Members consideration.

The proposed fees and charges had been produced from a variety of sources. Some were based on rates charged at the current facility, others on rates charged by neighbouring centres, and, particularly in the area of health and fitness, some were based on specialist consultant advice. The other factor that had impacted on fees and charges was where, as part of receiving a capital grant, we had made a commitment to charge hire fees below the normal peak rate.

It was requested that concessions be offered on gym use for unemployed, older people and young people. In addition, concern was raised that the spectator charge had risen by 100%. The Leisure Services Manager confirmed that he would look into both of these items, including the suggested rate of spectator charges being reduced to 60p and circulate a further full version of fees and charges to all Members of the Joint Management Committee.

It was also requested that a further list of opening hours be circulated to Members of the Joint Management Committee.

**RESOLVED:-**

***That the proposed fees and charges for the new Leisure Centre be approved, subject to further consideration being given to concessions in the gym and spectator charges.***

B. WHYMAN, M.B.E.

CHAIRMAN

The meeting terminated at 5.30 p.m.

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (SPECIAL)

22nd June 2009

**PRESENT:-**

**Representatives of South Derbyshire District Council**

Conservative Group

Councillors Lemmon and Mrs. Patten.

Labour Group

Councillor Shepherd.

Independent Member

Councillor Mrs. Brown.

Officers

S. Batchelor (Head of Leisure and Community Development), C. Mason (Leisure Services Manager), S. Wright (Leisure Centre Manager) and D. Townsend (Democratic Services).

**Representatives of Etwall John Port School**

Governors

C. Clemens and B. Whyman, M.B.E.

Officers

F. Briggs and P. Kennerdell.

**Representatives of Derbyshire County Council**

Councillors Ford and Murray.

**Community Group Representatives**

Mrs. K. Bussell and Mrs. A. Wedgbury.

EL/1. **APPOINTMENT OF CHAIRMAN**

**RESOLVED:-**

*That Councillor Lemmon be appointed Chairman of the Joint Management Committee for the ensuing year.*

EL/2. **APOLOGY**

An apology for absence from the Meeting was received from District Councillor Pabla.

EL/3. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED:-

*That B. Whyman, M.B.E. be appointed Vice-Chairman of the Joint Management Committee for the ensuing year.*

EL/4. DECLARATIONS OF INTEREST

Councillor Lemmon and B. Whyman declared a prejudicial interest in Minute No. EL/5, Recognising the Contribution of Individuals in the Delivery of the New Leisure Centre, as their names had previously been associated with this item.

MATTERS DELEGATED TO COMMITTEE

EL/5. RECOGNISING THE CONTRIBUTIONS OF INDIVIDUALS IN THE DELIVERY OF THE NEW LEISURE CENTRE

It was agreed that for this item only, the Meeting continue without a Chairman, as both the Chairman and Vice-Chairman had declared a prejudicial interest, and left the Meeting.

At a previous meeting of this Committee, it was resolved that consideration would be given to recognising the contribution made by individuals in bringing to fruition the construction of the new leisure centre. Specific mention was made of the roles played by the Chair of the School Governors, Barrie Whyman, M.B.E. and District Councillor John Lemmon.

This item was discussed in full, and a suggestion from the Community Group, that they provide a Roll of Honour to be located in the main thoroughfare of the building, which would recognise all main contributors to the facility, was deemed a suitable suggestion.

RESOLVED:-

*(1) That the contributions made by B. Whyman, M.B.E. and Councillor Lemmon be recognised on a Roll of Honour to be contributed by the Community Group, to be located in the main thoroughfare of the building. This would also recognise other main contributors to the facility and would be completed following the opening of the leisure centre.*

*(2) That 'Hilton' be incorporated in the name of the swimming pool.*

(Councillor Lemmon and B. Whyman, M.B.E. declared a prejudicial interest in this item, and left the Meeting for the consideration thereof.)

EL/6. FORMAL OPENING OF THE NEW LEISURE CENTRE

It was confirmed that following discussions between the District Council and the School, the formal opening ceremony was planned for 17th July 2009. An outline programme for the day was attached as an annexe to the report. It was

confirmed that to support the formal opening and generate greater media interest, approaches had been made to the swimming and badminton governing bodies to ascertain if a number of their Olympic athletes were available.

Due to the space available, and the desire to have activities on show in the main venues, the numbers of invited guests had been restricted to 60. A draft list of guests to be invited was circulated at the meeting. Frank Briggs confirmed that the School would like further input into the opening arrangements, and that they might require additional attendees for the opening ceremony. He added that they may be able to provide seating for up to 100 guests, although the Leisure Services Manager responded that he felt that 60 was a reasonable number, and that a fire/risk assessment had yet to be done, which may impact upon maximum numbers. It was suggested that representatives of both the School and the District Council meet as soon as possible to finalise any outstanding arrangements and the invitation list.

As the opening of the new leisure centre approached, Members also discussed the constitutional arrangements for the new Joint Management Committee. B. Whyman pointed out that he felt there were no constitutional arrangements covering the JMC presently, as he understood that Derbyshire County Council was withdrawing its funding, and therefore should not be represented on the Committee. It was asked if a draft constitution would be available for the next meeting. Officers confirmed that this was very complex and probably wouldn't be available for the next meeting. It was questioned whether Derbyshire County Council had the right to vote on issues affecting the future management of the leisure centre, as they were withdrawing their funding.

C. Clemens pointed out that with the imminent opening of the Leisure Centre, he understood that fees and charges had not been agreed by the Joint Management Committee. The Leisure Services Manager believed these had been approved, subject to further consideration being given to concessions in the gym and spectator charges.

B. Whyman stated that the School did not feel involved in the important issues that needed to be addressed by the Joint Management Committee, and stressed that all parties must work together. He also felt that the current structure of the JMC was constitutionally unsound when voting on items, which affected the future running of the Leisure Centre. The Leisure Services Manager pointed out that the existing Joint Management Committee had resolved to manage the transition to the new Centre and draft 'heads of terms' had also been agreed at a previous meeting.

The Chairman asked that an item on the future management structure of the new Leisure Centre should be on the agenda for the next Meeting.

EL/7. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

***That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of***

*the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.*

**STAFFING ARRANGEMENTS – NEW LEISURE CENTRE (Paragraph 4)**

*An update was provided to Members on the staffing arrangements for the new Leisure Centre.*

J. LEMMON

CHAIRMAN

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

20th July 2009

**PRESENT:-**

**Representatives of South Derbyshire District Council**

Conservative Group

Councillor Lemmon (Chairman) and Councillor Roberts (substitute for Councillor Mrs. Patten).

Labour Group

Councillor Richards (substitute for vacancy) and Councillor Shepherd.

Independent Member

Councillor Mrs. Brown.

Officers

M. Alflat (Director of Community Services), (K. Stackhouse (Head of Finance and Property Services), C. Mason (Leisure Services Manager), S. Wright (Leisure Centre Manager) and D. Townsend (Democratic Services Officer).

**Representatives of Etwall John Port School**

Governors

C. Clemens and B. Whyman, M.B.E. (Vice-Chairman).

**Representatives of Derbyshire County Council**

Councillor Mrs. Farrington (substitute for Councillor Murray) and Councillor Ford.

**Community Group Representatives**

Mrs. K. Bussell and Mrs. A. Wedgbury.

EL/9. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Mrs. Patten (South Derbyshire District Council), Councillor Murray (Derbyshire County Council), F. Briggs, R. Jackson and P. Kennerdell (representatives of Etwall John Port School).

EL/10. **MINUTES**

The Open Minutes of the Meeting held on 27th April 2009 were noted, subject to the amendment of the last paragraph and the second part of the Resolution of Minute No. EL/34 as follows:

Councillor Hood requested that a report be brought to the next Meeting of the Joint Management Committee with regard to the consideration of the names of B.

Whyman and Councillor J. Lemmon, to be used for the swimming pool and sports hall.

**RESOLUTION**

- (2) *That a further report be brought to the next Meeting of the Joint Management Committee with regard to the consideration of the names of B. Whyman and Councillor J. Lemmon, to be used for the swimming pool and the sports hall.*

The Open and Exempt Minutes of the Meeting held on 22nd June 2009 were noted. However, it was felt by certain Members that Minute No. EL/5 was constitutionally unsound.

**MATTERS DELEGATED TO COMMITTEE**

EL/11. **STATEMENT OF ACCOUNTS 2008/09**

A report was submitted advising the Committee of the Leisure Centre's final accounts for 2008/09, including the formal financial statement presented for audit. Questions were asked with regard to Derbyshire County Council's financial contribution, and the current position with regards to the management agreement. The Chairman reminded those present that until a new management agreement was approved by all parties, the existing agreement continued. He added that he was aware that Derbyshire County Council had expressed a desire to re-examine the existing arrangements and any arrangement going forward. The Director of Community Services confirmed that he would arrange a Meeting between the School, the District Council and Derbyshire County Council to discuss this matter further.

It was requested that thanks be recorded to the Leisure Centre Manager and his staff for their work and commitment.

**RESOLVED:-**

*That the final accounts for 2008/09 be approved, subject to the necessary audit.*

EL/12. **FEES AND CHARGES**

A report was submitted relating to the level of fees to be charged to spectators, and a request to consider including a concessionary rate for the use of the health and fitness suite.

In line with Members suggestions, the level of fees for spectators had been amended to 60p at the new Leisure Centre. From the perspective of business planning and projections, the impact of this reduction would be relatively low.

It was reported that offering a concessionary rate for the health and fitness provision was more problematical. In terms of income generation, for both stakeholders, revenue from the health and fitness suite was a key component in delivering projected targets. The peak time for usage would be between 1800



hrs and 2000 hrs on a week day evening, and it was important that people using the facility during this time could have access to the equipment, and were paying full price for membership. If a concessionary rate for health and fitness was implemented without any conditions, there would be no control over what time customers took advantage of this rate, which could have a significant impact on access to the equipment during peak times and also on income.

If Members were keen to offer a concessionary rate to those using the health and fitness suite, it was proposed that access be limited to between 0900 hrs and 1700 hrs week days and anytime during the weekend. Qualification for the concessionary rate for the health and fitness suite would be inline with similar schemes at the Centre.

**RESOLVED:-**

***That a concessionary rate for the health and fitness provision be implemented on a 12 month trial basis and reviewed along with other fees and charges at the anniversary of the public opening of the facility. Concessionary rates to be as follows:***

- ***Concessionary casual rate - £2.50***
- ***Full casual access rate - £5.00***
- ***Concessionary yearly membership - £220.00***
- ***Full yearly membership - £340.00***

***Access to the Health and Fitness Suite on a concessionary rate to be limited to between 0900 hrs to 1700 hrs week days and anytime during the weekend***

J. LEMMON

CHAIRMAN

The Meeting terminated at 6.00 p.m.

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

18th January 2010

**PRESENT:-**

**Representatives of South Derbyshire District Council**

Conservative Group

Councillor Lemmon (Chairman), and Councillors Bale and Roberts.

Labour Group

Councillor Shepherd.

Independent Member

Councillor Pabla.

Officers

M. Alflat (Director of Community Services), S. Batchelor (Head of Leisure and Community Development), C. Mason (Leisure Services Manager), A. McCaskie (Head of Legal and Democratic Services), K. Stackhouse (Head of Finance and Property Services), D. Townsend (Democratic Services Officer) and S. Wright (Leisure Centre Manager).

**Representatives of Etwall John Port School**

Governors

B. Whyman, M.B.E. (Vice-Chairman).

Officers

P. Kennerdell and W. Sharp.

**Representatives of Derbyshire County Council**

Councillors Ford and Mrs. Patten.

**In Attendance**

B. Morrow.

**APOLOGIES**

Apologies for absence from the Meeting were received from Mrs. K. Bussell and Mrs. A. Wedgebury (Community Group Representatives).

EL/12. **MINUTES**

The Open Minutes of the Meeting held on 20th July 2009 were noted.

EL/13. **DECLARATIONS OF INTEREST**

Councillor Lemmon declared a personal interest in Minute No. EL/16, 'Recognising the Contribution of Individuals in the Delivery of the New Centre', as his name appeared within the report.

**MATTERS DELEGATED TO COMMITTEE**

**EL/14. UPDATED FINANCIAL POSITION – INCOME AND EXPENDITURE 2009/10 AND 2010/11**

A report was submitted detailing the Leisure Centre's financial position following its opening in July 2009.

Leading up to the opening of the new Centre, initial costings were prepared to estimate the income and expenditure of the new facility. This initially indicated a net expenditure of around £300,000 per year, compared with £270,000 for running the old Centre. More detailed work was then undertaken, based upon a number of assumptions regarding the membership and fitness suite and running costs etc. The net expenditure was then estimated at approximately £323,000 for a full year. The latest position for 2009/10 showed estimated net expenditure of approximately £383,000, which was around £60,000 higher. The main reasons for this were given, and included:-

- An increase in the amount estimated for NNDR.
- A one-off redundancy payment.
- Higher than anticipated staff costs when the Centre was opened initially.
- Projected targets for gym membership being met from day one, rather than over a longer period.
- The longer than anticipated delay in moving from the old Centre to the new one.

It was also noted that the cost of electricity, other utilities and business rates were still to be fully determined.

The base budget for 2010/11 anticipated a much-improved position, as it was expected that income levels would eventually rise to those originally anticipated. In addition, greater knowledge had now been gained regarding running costs. Overall, net revenue expenditure was estimated at approximately £317,000 for 2010/11. This was still to be fully determined. Under an agreement, the old facility was funded on a 60:26:14 basis between South Derbyshire District Council, John Port School and Derbyshire County Council respectively. It had been assumed at this stage that the net expenditure would be shared between the District Council and John Port School on the basis as set out in an Appendix to the report. County Council contributions were still to be determined. Further details were provided within the report on formulating the 2010/11 base budget, and an Appendix provided a schedule of proposed fees and charges that would operate from 1st April 2010, together with a comparison to the existing charge.

It was also confirmed that pool income generated during the day was nominal and any income split had yet to be properly apportioned.

B. Whyman, M.B.E. commented that overall the new Leisure Centre had had a successful year. However, he requested that it be noted that Members of the Joint Management Committee should not criticise the Leisure Centre in public and should address any concerns through the proper channels.

**RESOLVED:-**

- (1) That the projected out-turn for 2009/10 and the proposed estimates of income and expenditure for 2010/11 be approved.***
- (2) That the proposed fees and charges for 2010/11 be approved.***

EL/15. **USAGE INFORMATION**

A report was submitted advising Members of the detailed usage of the facilities.

It was confirmed that the replacement pool was opened to the public on 5th August 2009. Casual usage of the pool for the period 5th August to 31st December 2009 had increased by 7,623 users compared to the same period at the old pool in 2008. This trend was expected to continue for the foreseeable future, due mainly to the Free Swim Offer and Burton Meadowside being closed from October 2009 for approximately 9 months.

The number of pupils that now received regular swimming lessons in the Learn To Swim programme had increased by over 50 to 600. This was expected to increase again at the start of the next course of lessons.

The Amateur Swimming Association Level 1 Teaching Course was being staged during February half term, and a Level 2 Teaching Course would follow during the Easter Holiday period.

Last year's annual Swimathon event at Etwall Leisure Centre raised £6,587 for the Marie Curie Cancer Care and The Swimathon Foundation. The next event would be held between the 16th and 18th April.

Details were given on the South Derbyshire 2009 Annual Sports Awards and a special award was given to Etwall Leisure Centre Community Group for their campaign to provide improved leisure facilities for the area.

Further details were given on the Annual Triathlon event, and the current established user groups of the sports hall.

Usage of the Health and Fitness Suite was provided, and it was confirmed that the squash courts had reopened in August after being closed due to flooding.

Officers gave further information on participation in badminton at the Leisure Centre, which was successfully increasing due to ongoing work with Badminton England.

It was reported that that the development of the Leisure Centre under the Centre Manager had been very successful, and thanks should be recorded for Steve Wright, and his team. Steve Wright agreed to relay this back to all staff at the Leisure Centre.

**RESOLVED:-**

***That the report be noted.***

EL/16. **RECOGNISING THE CONTRIBUTION OF INDIVIDUALS IN THE DELIVERY OF THE NEW CENTRE**

A report was submitted confirming that neither Councillor John Lemmon nor Barrie Whyman, M.B.E. wished their names to be recognised in the manner proposed. However, it was requested that it be recorded that Members of the Joint Management Committee appreciated and recognised the input of both Councillor Lemmon and B. Whyman, M.B.E.

B. Whyman, M.B.E. requested that it be recorded that the process had been politicised, and that he did not now want his name associated with the Leisure Centre in the way proposed. He also stated that, having taken legal advice, the School would not get involved in any future policy or strategy items, only day to day running issues until the new constitution was in place.

**RESOLVED:-**

*That no further action be taken with regards to recognising the contributions of B. Whyman, M.B.E. and Councillor Lemmon.*

EL/17. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

*That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.*

**FUTURE MANAGEMENT ARRANGEMENTS FOR THE CENTRE (Paragraph 4)**

*The approach as set out in the report for the establishment of long-term management arrangements at the Centre, was approved.*

**CATERING PROVISION – NEW LEISURE CENTRE (Paragraph 3)**

*The catering arrangements at the Centre, as identified in the report, were approved.*

J. LEMMON

CHAIRMAN

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

21st June 2010

**PRESENT:-**

**Representatives of South Derbyshire District Council**

Conservative Group

Councillors Lemmon and Roberts.

Labour Group

Councillor Shepherd.

Independent Member

Councillor Pabla.

Officers

S. Batchelor (Head of Leisure and Community Development), K. Stackhouse (Head of Finance and Property Services), S. Wright (Leisure Centre Manager) and D. Townsend (Democratic Services).

**Representatives of Etwall John Port School**

Governors

C. Clemens and B. Whyman, M.B.E.

Officers

G. Golding and W. Sharp.

**Representatives of Derbyshire County Council**

Councillors Mrs. Patten (substitute for Councillor Ford) and Mrs. Farrington.

**Community Group Representative**

Mrs. A. Wedgebury.

**APPOINTMENT OF CHAIRMAN**

**RESOLVED:-**

***That B. Whyman, M.B.E. be appointed Chairman of the Joint Management Committee for the ensuing year.***

**APOLOGIES**

Apologies for absence from the Meeting were received from County Councillor Ford and Mrs. K. Bussell.

**APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED:-**

***That Councillor Lemmon be appointed Vice-Chairman of the Joint Management Committee for the ensuing year.***

EL/1. **MINUTES**

The Open and Exempt Minutes of the Meeting held on 18th January 2010 were noted, subject to the amendment of EL/16 as follows:-

B. Whyman, M.B.E. requested that it be recorded that the process had been politicised and that he did not want his name associated in any way with the Leisure Centre in the way proposed.

**MATTER DELEGATED TO COMMITTEE**

EL/2. **STATEMENT OF ACCOUNTS 2009/10**

A report was submitted advising the Committee of the Leisure Centre's final accounts for 2009/10, which included the formal Financial Statement presented for audit. It also set out an Annual Governance Statement, which was a new requirement for audited bodies with a turnover of less than £1m.

A question was asked in regard to the whereabouts of the £34,000 contributed by the County Council. The Head of Finance and Property Services confirmed that this was in a holding account, and its final distribution would depend on how the future agreement between all parties was determined.

**RESOLVED:-**

- (1) That the Statement of Accounts (subject to audit) for 2009/10 be approved for signing by the Treasurer to the Joint Management Committee.***
- (2) That the Chairman and Clerk to the Committee be authorised to sign the Annual Governance Statement for 2009/10.***

B. WHYMAN, M.B.E.

CHAIRMAN

The Meeting terminated at 5.05 p.m.