

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

29 JULY 2020

Present:

Councillor Nigel Robbins - Chair
Councillor Dilys Neill - Vice-Chair

Councillors -

Stephen Andrews	Stephen Hirst
Julian Beale	Roly Hughes
Claire Bloomer	Sue Jepson
Tony Berry	Julia Judd
Ray Brassington	Richard Keeling
Patrick Coleman	Juliet Layton
Rachel Coxcoon	Nick Maunder
Andrew Doherty	Richard Morgan
Mike Every	Richard Norris
Jenny Forde	Gary Selwyn
Joe Harris	Lisa Spivey
Mark Harris	Ray Theodoulou
Nikki Ind	Steve Trotter
	Clive Webster

CL.27 APOLOGIES

Apologies were received from Councillors Mark Annett, Gina Blomefield, Tony Dale, Robin Hughes and Andrew Maclean

CL.28 DECLARATIONS OF INTEREST

Councillor Tony Berry indicated that he was a member on the Committee of the Friends of the Museum.

Councillor Stephen Andrews indicated that he was a regular user and a member of Cotswold Leisure Centre.

There were no declarations of interest by Officers.

CL.29 REOPENING OF LEISURE FACILITIES

The Cabinet Member for Health and Wellbeing introduced the report explaining that the Leisure Centre and Museum were forced to close on 20 March 2020 due to the Covid-19 Pandemic. Work to start to re-open the Leisure Centre and Museum had been ongoing and getting residents to return to these facilities was a priority. She was recommending Option 3 of the report to Members.

Councillor Every seconded the proposal. He highlighted that a word in recommendation (e) of the report should be changed from 'and' to 'or' to read 'or the Cabinet Member for Health and Wellbeing'.

Speaking to the proposal he explained that when the pandemic first started himself and financial officers agreed to waive the management fee for the first few months and highlighted the report in relation to Government funding. He understood that the financial position is difficult but wanted to reassure Members that the costs have been scrutinised by officers and are robust. He reiterated that he would be supporting the recommendation of Option 3 in the report.

Councillor Theodoulou proposed an amendment which was seconded by Councillor Andrews.

Speaking to the amendment he highlighted that it should be a loan that is given to SLM, rather than a grant. The reason for this was that he had looked at the accounts of SLM and concluded that it was a wealthy company, with sales amounting to £270m, which was a successful company and paid a dividend to the shareholders of £10m and Director's salaries of £656,000 plus pension contributions. As such, a grant would not be appropriate, and urged members to provide a loan which would be paid back. By providing a grant the Council would never receive anything in return.

Amendment set out below:

- a) That the phased re-opening of the District's Leisure centres as outlined in the report (Annex A. Option 3) be approved;
- b) That the re-opening of the Corinium Museum in Cirencester as outlined in the report (Annex A. Option 3) be approved;
- c) That the financial support package for SLM for August-October, at an estimated cost of £222,140, be approved as a loan to SLM;
- d) That the requirement for SLM to pay the Council a £8,773 monthly management fee for the period 1st April 2020 to 31st October 2020 (~~total lost income to the Council of £61,411~~) be ~~waived~~ included within the loan to SLM;
- e) That authority to finalise and sign an agreement with SLM confirming the terms upon which this financial package is based, including the consideration of a more detailed analysis of when the "breakpoint" of moving into a neutral or profitable position might be on the basis of a shared (CDC/SLM) business recovery plan, in order to determine what level of support might be judged equitable, shall be delegated to the Interim Chief Executive in consultation with the Deputy Leader of the

Council or in his absence with the Leader of the Council and the Cabinet Member for Health and Wellbeing.

- f) That the lost income referred to in (d) above be part-funded from the Government Grant promised to compensate the Council for income lost as a direct result of the impact of Covid-19;
- g) That the financial impact of the lost income from SLM which will not be funded through Government grant, and the impact of the SLM support package be included in the revised Budget for 2020/21, which is due to be considered by Council in September 2020;
- h) That Council note that the 2020/21 Budget report to its meeting in September will include all Covid-19 costs and income pressures together with expected Government funding for the year, and will recommend how the overall funding gap will be financed.
- i) That although Tetbury and Fairford leisure centres are no longer the direct responsibility of CDC, the health and wellbeing of all Cotswold residents is the responsibility of CDC. As a result, CDC will contact relevant parties in Tetbury and Fairford and ask if we can offer any assistance.

Councillor Neill highlighted that a Task and Finish Group had been set up to look at the Tetbury and Fairford Leisure facilities.

The amendment had been given to Members just before the Council meeting. If a loan were to be offered to SLM it was unlikely that the centres would open.

Councillor Morgan believed that questions should be clarified for the public and understood that there were no immediate plans to open the Tetbury and Fairford Sports centres.

Private gyms were beginning to open and the sports hall in Tetbury remained closed and requested help to open the sports hall.

Concern was expressed and clarification was given on the question of SLM being a successful company and requesting a grant to open the centres. This was a private company limited by shares with subsidiaries, of which Everyone Active is a wholly owned subsidiary which is a charitable trust.

Councillor Every spoke to the amendment and highlighted that if Members had concerns about the status they should have raised it earlier, as the Council has been working with SLM Everyone Active since 2013. Officers had waived management fees and undertaken negotiations with the trust. The arrangements are negotiated between now and the end of October. He urged Members to reject the amendment.

A review had been undertaken by the Overview and Scrutiny Committee, looking at the contract break point. The principal company was SLM with a subsidiary of Everyone Active which was a charitable trust.

Councillor Theodoulou again reiterated that the company was Sports and Leisure Management Limited which was a substantial organisation with

substantial dividends to shareholders it was not a charitable organisation. The subsidiary which was a charitable organisation did not disperse money and was not registered with the charities commission. He was horrified to hear that the proposal had already been agreed with SLM, and questioned whether due diligence had been carried out. He recommended the amendment to all Members.

The amendment was put to the vote:

Record of Voting - for 12, against 16, abstentions 0, absent 5.

The amendment was lost.

The meeting adjourned at 8.10pm to discuss these issues and recommenced at 8.35pm.

The Cabinet Member for Health and Wellbeing spoke to the proposal recommending option 3, reiterating that it was imperative that the leisure centres and Museum should be opened. Keeping them closed would lose market share, a review can take place at a date in the future.

She thanked Councillor Theodoulou for raising these issues, but explained that the leisure centres and Museum must re-open.

RESOLVED that:

- (a) the phased re-opening of the District's Leisure Centres as outlined in the report (Annex A. Option 3) be approved;**
- (b) the re-opening of the Corinium Museum in Cirencester as outlined in the report (Annex A. Option 3) be approved;**
- (c) the financial support package for SLM for August-October, at an estimated cost of £222,140, be approved;**
- (d) the requirement for SLM to pay the Council a £8,773 monthly management fee for the period 1st April 2020 to 31st October 2020 (total lost income to the Council of £61,411) be waived;**
- (e) the authority to finalise and sign an agreement with SLM confirming the terms upon which this financial package is based, be delegated to the Interim Chief Executive in consultation with the Deputy Leader of the Council or in his absence with the Leader of the Council or the Cabinet Member for Health and Wellbeing;**
- (f) the lost income referred to in (d) above be part-funded from the Government Grant promised to compensate the Council for income lost as a direct result of the impact of Covid-19;**
- (g) the financial impact of the lost income from SLM which will not be funded through Government grant, and the impact of the SLM support package be included in the revised Budget for 2020/21, which is due to be considered by Council in September 2020;**
- (h) Council note that the 2020/21 Budget report to its meeting in**

September will include all Covid-19 costs and income pressures together with expected Government funding for the year, and will recommend how the overall funding gap will be financed.

Record of Voting - for 28, against 0, abstentions 1, absent 5.

CL.30 SCHEME OF DELEGATION

The Leader introduced this report highlighting that under the Constitution it was required to ask Council for these changes.

The Interim Chief Executive responded to a question relating to the Monitoring Officer explaining the Council would employ the Monitoring Officer.

Council was being asked to give delegated authority to the Monitoring Officer to make the following amendments:

- (a) All references to the Head of Paid Service be deleted and replaced with Interim Chief Executive;
- (b) The scheme of delegation makes it clear that the positions of Returning Officer and Electoral Registration Officer are held by Jan Britton;
- (c) All references to the Group Manager for Legal Services are deleted and replaced with Interim Head of Legal.

RESOLVED that Delegated authority is given to the Monitoring Officer to make the required changes to scheme of delegation.

Record of Voting - for 29, against 0, abstentions 0, absent 5.

CL.31 EXCLUSION OF THE PUBLIC AND PRESS

Proposed by Councillor Joe Harris and Seconded by Councillor Mike Every.

RESOLVE that under Section 100A(4) of the Local Government Act 1972 the public and Press be excluded from the Meeting for the following item of business on the grounds that it involves likely disclosure of exempt information as defined in paragraph (1) of Part I of Schedule 12A to the said Act (Information relating to the financial or business affairs of any particular person (including the authority holding that information)). and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned.

Record of Voting - for 29, against 0, abstentions 0, absent 5.

CL.32 MEETING HOMELESSNESS NEEDS

The Cabinet Member for Housing and Homelessness introduced the report and explained that she was proposing this as she would never want people to be put in a hotel or bed and breakfast and in taking on the lease of the property the Council was being proactive and having control of where people are housed. The Council has a statutory duty to house the homeless and the property would benefit the residents most in need. The effects of Coronavirus had highlighted the need for this type of housing.

Councillor Every seconded the proposal, supporting the report and explained that this would be something positive that had come out of the pandemic and a way in which the Council could provide a home for the residents most in need. Financially it made sense and was right to make these investments. The finances were explained in the report with a comparison of what it would cost us to provide bed and breakfast accommodation. He recommended this to the Council.

An amendment was put forward by the opposition group, but was withdrawn after advice from the Monitoring Officer.

RESOLVED that the Council:

- (a) agrees to enter into a lease as set out in the report to be used for housing homeless persons from Cotswold District, with agreement for Heads of Terms delegated to the Interim Chief Executive in consultation with the Head of Legal Services and Monitoring Officer, Deputy Leader of the Council and Cabinet Member for Finance and the Cabinet Member for Housing and Homelessness;**
- (b) offers any spare capacity within this accommodation, recharging all costs, to other Councils;**
- (c) notes the principles on securing homeless accommodation to meet local needs and embed these principles in a wider Affordable Housing Strategy;**
- (d) notes that budgetary provision will be included in the updated budget and Medium Term Financial Strategy to be considered in September 2020.**

Record of Voting - for 23, against 1, abstentions 5, absent 5.

The Meeting commenced at 7.00pm, adjourned between 8.10pm and 8.35pm, and closed at 9.30pm.

Chair

(END)