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Our reference:
Your reference:
Date: 23 December 2010

To all Members of the Council

Dear Councillor

A meeting of the CABINET will be held on Tuesday 11 January 2011 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Head of Corporate Services

AGENDA

1. Apologies for absence
2. Declarations of Interest
3. Minutes of the Meeting held on Tuesday 7 December 2010 (previously circulated).
4. Future Use of Park Lodge, Bridgford Road, West Bridgford

The report of the Head of Revenues & ICT Services is attached (pages 1- 4).
5. Nottinghamshire County Council West Bridgford Library Project

The report of the Head of Revenues & ICT Services is attached (pages 5 - 7).
6. Joint Use Leisure Centres – Future Funding Arrangements

The report of the Head of Partnerships and Performance is attached (pages 8 - 10).

Membership

Chairman: Councillor J N Clarke
Vice-Chairman: Councillor J A Cranswick
Councillors D G Bell, J E Fearon, R Hetherington and Mrs D J Mason

Meeting Room Guidance

Fire Alarm - Evacuation - in the event of an alarm sounding you should evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble in the Nottingham Forest car park adjacent to the main gates.

Toilets - Facilities, including those for the disabled, are located opposite Committee Room 2.

Mobile Phones – For the benefit of other users please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones - When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 7 DECEMBER 2010**

Held At 7.00pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors J N Clarke, J A Cranswick, J E Fearon, R Hetherington

ALSO IN ATTENDANCE:

Councillors S J Boote, Mrs D Boote, C J Evans, R M Jones, Mrs B Venes

OFFICERS PRESENT:

C Bullett	Deputy Chief Executive (CB)
A Graham	Chief Executive
S Griffiths	Deputy Chief Executive (SG)
N Morton	Head of Financial Services
P Randle	Deputy Chief Executive (PR)
L Reid-Jones	Democratic Services Manager
D Swaine	Head of Corporate Services

APOLOGIES FOR ABSENCE:

Councillors D G Bell, Mrs D J Mason

40. **Declarations of Interest**

There were none declared.

41. **Minutes**

The minutes of the meeting held on Tuesday 9 November 2010 were approved as a correct record and signed by the Chairman.

42. **Leader's Announcement**

Councillor Clarke announced to Cabinet that he had been informed by the Chief Executive the previous night that Bodill Construction, the main contractor building the new joint customer services centre at West Bridgford Police Centre, had gone into administration. As a result work had ceased on the project while discussions took place. Councillor Clarke was not able to say how long the project would be delayed but would be informed by the Chief Executive as soon as possible. Councillor Clarke was confident that the contract would be completed to the same specification with a new contractor.

43. **Constitution Review Member Panel Report and Recommendations**

Councillor Clarke presented the report of the Performance Management Board (PMB) setting out the recommendations of the Constitution Review Member Panel, for consideration by Cabinet prior to submission to Council. The report

indicated that the Member Panel had met on four occasions to undertake the review and at each meeting it had considered areas for revision and amendment under the headings of:

- Inclusion of new legal duties and revisions in line with further guidance
- Practical aspects that have caused difficulties in the past, clarity of wording and legal anomalies

In summary the report stated that the key areas that the review had focused upon were:

- Revisions to the Council procedure rules including clarity regarding scope of questions and motions and submission deadlines
- The possible introduction of public questions at full Council meetings
- Revisions to the scrutiny call-in procedure
- The future role of the Employment Appeals Committee
- The need for a review of the Scheme of Delegation with this being presented to a future meeting of Cabinet and Council for agreement
- The format and content of the Forward Plan and Cabinet reports

Councillor Clarke explained that the report provided further details of the substantial areas of review and revision considered by the Panel and recommended to Cabinet by the Performance Management Board.

Councillor Cranswick welcomed the report and thanked officers, in particular the Head of Corporate Services, for their tremendous effort in getting the review to this position. He recognised that this had been a difficult and complicated task particular in ensuring that consequential amendments had been addressed. Councillor Cranswick also thanked the Member Panel for their work and their valuable input into the review process. He went on to state that Cabinet agreed with recommendations (A), (C), and (D), of the report however the potential introduction of a 'public questions' facility had exercised the minds of the Member Panel and the Performance Management Board. He stressed that the Member Panel had not reached an agreed view on the matter and therefore there was not a definite conclusion that such a facility would add any value to the way the Council worked.

Commenting further Councillor Cranswick stated that Cabinet believed that having a 'public questions' facility at Council meetings served no useful purpose and that there were numerous other well used ways in which the public could ask questions, for example talking to Councillors directly, writing letters, by telephone or email. The public could also ask a Councillor to ask a question on their behalf at a Council meeting if this was necessary.

By referring to the report Councillor Cranswick drew on the evidence from other Nottinghamshire authorities regarding 'public questions' which had been compiled at the request of the Member Panel. He stated that he believed this clearly demonstrated very little use of the public question facility at other Councils and as such he questioned its value. On this basis Cabinet were of the view that such a facility would add no value to the well used and understood processes already in place. Therefore having considered the recommendation Cabinet did not support the proposal to introduce a 'public

questions' facility on the basis that it did not believe it would assist in securing continuous improvement in the way the Council's functions were exercised.

In conclusion Councillor Cranswick moved that Cabinet support recommendations (A), (C) and (D) of the report and request that these recommendations be submitted to Full Council for approval.

Councillor Hetherington thanked the Performance Management Board (PMB) for their recommendations and went on to draw Members' attention to the transfer of responsibility for overseeing the operation and review of the Constitution to the Corporate Governance Group. He stated that he believed this was consistent with the Group's terms of reference and would help to ensure a clear process was in place for any future reviews of the Constitution. He added that the revisions would also enable the Monitoring Officer, in consultation with the Chief Executive to make minor amendments to the Constitution, within some specific guidelines and this would help to ensure that much of the basic information remained accurate.

Drawing Cabinet's consideration of the report to a close Councillor Clarke stated that he believed there were ample opportunities in existence for the public to ask questions, either through local Councillors or direct to the Council and as such the introduction of a formal facility was not necessary.

RESOLVED that Cabinet recommends to Council:-

- a) the amendments to the Council's Constitution as set out at appendices 1, 2, 3 and 4 of the report:
Part 1 - Summary and explanation
Part 2 - Articles 1, 2, 3, 4, 5, 6, 9, 13, 14 and 15
Part 4 – Rules of Procedure – Council Procedure Rules
Part 4 – Rules of Procedure – Overview and Scrutiny Procedure Rules (from Paragraph 16 (Call-in) onwards only);
- b) the Head of Corporate Services be requested to review (i) the terms of reference for the Employment Appeals Committee and the Officer Employment Procedure Rules, Part 4 – Rules of Procedure and (ii) Part 3 – Responsibility for functions and Article 12 – Officers; and report the findings of these reviews to the necessary Council Committees;
- c) the Member Development Group be asked to consider the Member Panel's report in order to determine areas where training and development would assist in increasing awareness and understanding of the revised Constitution and its operation.

44. **Energy Procurement**

Councillor Cranswick presented a report of the Head of Financial Services updating Members on energy procurement. The Council had engaged services of Buying Solutions as a Central Purchasing Body to purchase energy on the Council's behalf from 1 April 2011. This followed the decision of Nottinghamshire County Council to stop procuring energy on behalf of other local authorities. Work had now been undertaken to evaluate the most appropriate contractual arrangements for procuring the energy as advised by

Buying Solutions. Councillor Cranswick outlined the two options available through Buying Solutions, these being a 'fixed flexible' arrangement or a 'variable flexible' arrangement. The 'fixed flexible' allowed the authority to agree a price to buy energy needs in advance, while the 'variable flexible' had a greater risk, especially in times when prices were volatile. The report indicated that the 'fixed flexible' option gave the most certainty based on the experience of other local authorities. This could show a reduction of between 16% and 35% compared to this year's prices, which equated to a saving of between £35,000 and £78,000 per annum, based on the Council's current energy costs.

In response to a question from Councillor Fearon, Councillor Cranswick confirmed that Buying Solutions was a government sponsored, non profit making organisation.

RESOLVED that:-

- a) the Council enters into a three year arrangement with Buying Solutions with the first energy procurement commencing on 1 April 2011 for a 6 month period, and
- b) on 1 October 2011 the Council enters into a three year fixed flexible arrangement with Buying Solutions with the prices being fixed for 12 month periods.

45. Capital Budget Monitoring October 2010

Councillor Cranswick presented the report of the Head of Financial Services detailing the Capital Budget Monitoring as at October 2010. The report indicated that the position was such that after seven months of the financial year, the difference between the gross Capital Budget and the expected final spend for the year equated to an under-spend of £741,466.

By referring to the table at paragraph two of the report Councillor Cranswick highlighted the schemes for which significant variance was anticipated. He explained that with regard to the Customer Contact Centre this was showing a potential saving of £96,000, however in view of the Leader's earlier announcement regarding the contractor, this position could change. He went onto to state that it was proposed that the £450,000 projected underspend on the Community Contact Centre Spokes would be re-phased into 2011/12. With regard to the West Bridgford Environmental Improvements Scheme Councillor Cranswick stated that provision would be accelerated from 2011/12 for the projected over-spend and in respect of the vehicle replacement under-spend of £198,490 this would be re-phased to 2011/12.

In conclusion Councillor Fearon commented on the recent highways work being undertaken in West Bridgford and the impact of this on the environmental improvements previously undertaken there. Councillor Clarke stressed that it was important that any necessary remedial work was undertaken by the contractor to ensure the area was returned to how it was before the highways works. In response to these comments the Deputy Chief Executive (PR) indicated that he understood the works to be emergency electrical repairs under the responsibility of the County Council. He added that

in view of Cabinet's comments he would make arrangements to monitor the remedial work to be undertaken by the contractor upon completion of the emergency works.

RESOLVED that the Capital Budget Monitoring position as at October 2010 be noted.

46. **Revenue Budget Monitoring October 2010**

Councillor Cranswick presented the report of the Head of Financial Services on the Revenue Budget Monitoring which showed an overall under-spend as at the end of October of £359,814. This included interest income which showed a favourable variance of £40,897 and a current under-spend for services of £318,917. By referring to the table at paragraph three of the report Councillor Cranswick explained the savings and other variances anticipated by the end of the financial year and stated that in the case of Land Charges income the government had concluded that personal searches related to Environmental information and as such should be provided free. He added that it was anticipated that the variance with regard to Refuse would be adjusted within budget by the end of the year.

With regard to the significant loss of Land Charges income the Chief Executive explained that the Local Government Association (LGA) had been making representations to government on this issue. These representations had set out the impact of the reduction of income to local Councils and called upon government to redress this through the grant settlement process. However at this stage it was not clear if the LGA's lobbying had been successful. Councillor Clarke referred to the valuable lobbying undertaken by the District Councils' network which had been making representation to government in respect of enabling authorities to set their own planning fees and he stated that he hoped that the LGA's work would be successful in respect of Land Charges income.

RESOLVED that the action being taken with regards to the Revenue Budget Monitoring be endorsed.

47. **Member Learning and Development Policy**

In the absence of Councillor Mrs D Mason, Councillor Fearon introduced the report of the Head of Corporate Services detailing the revised Member Learning and Development Policy. He stated that the first Member Learning and Development Policy had been adopted by Council in November 2008, however it had been recognised that the Policy needed to be refreshed in order to reflect the changes within local government.

Councillor Fearon stated that the Member Development Group had considered the revised Policy on two occasions and had made a number of comments which had been incorporated into the revised Policy. He added that the Group had welcomed the revised Policy and he believed that Councillors were now taking greater responsibility for their own development, primarily through the activities delivered as part of the Nottinghamshire Member Development Programme.

Councillor Fearon thanked those involved in the regional programme and also Rushcliffe Councillors for their commitment, participation and continued involvement. Referring to the report he said that the Member Development Group had also asked that the induction programme be extended to include a session on what the Council did and what its strategic priorities were. In conclusion Councillor Fearon stated that Cabinet believed the Policy was the cornerstone to Member Development and that it would assist in achieving the Member Charter accreditation which was due to take place in March 2011.

Councillor Cranswick commented that he had recently attended a number of the events on the Nottinghamshire programme and that there had been a considerable improvement from previous events he had attended. He believed these events targeted the needs of Councillors effectively and helped to support them in their roles as community leaders.

Councillor Clarke noted Rushcliffe Councillors attendance at events within the Nottinghamshire programme far outweighed that of Councillors from other local authorities evidencing the Council's commitment to development and effective community leadership and the value of the sessions delivered.

AGREED that Members recommend the Member Learning and Development Strategy to Council for approval.

48. **Sutton Bonington Conservation Area Review**

In the absence of Councillor Bell, Councillor Hetherington presented a report of the Head of Planning and Place Shaping outlining the review of the Sutton Bonington Conservation Area. The report stated that the Conservation Area had been appraised and its boundary reviewed as part of a programme to review all the Conservation Areas within the Borough.

Commenting further Councillor Hetherington explained that the review proposed changes to the boundaries as set out in the plans at Appendix 2 of the report. He explained that the Appendix detailed the new areas to be included in the boundaries and clarified the proposed boundary changes.

RESOLVED that pursuant to Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, changes to the boundary of the Sutton Bonington Conservation Area be designated as shown on the plans included in the report and notice be given in accordance with the statutory requirements.

The meeting closed at 7.30 p.m.

CHAIRMAN

REPORT OF THE HEAD OF REVENUES AND ICT SERVICES

CABINET PORTFOLIO HOLDER – COUNCILLOR J A CRANSWICK

Summary

This report considers the future use of Park Lodge, Bridgford Road following Rushcliffe Community and Voluntary Service (RCVS) relocating to the Civic Centre. The option of renting the property should be considered. However, if the premises are considered to be surplus to our operational requirements then, in accordance with the Council's disposal policy, it could be sold or demolished. A plan showing the curtilage of the premises is attached as an appendix.

Recommendation

It is RECOMMENDED that Cabinet considers the options for the future use of Park Lodge and determines a resolution.

Details

1. It is intended that RCVS will vacate Park Lodge towards the end of the financial year 2010/11, which will leave the building empty.
2. Park Lodge is situated on the edge of Bridgford Park, adjacent to the public toilets and is within the curtilage of a listed building (The Hall).
3. The property requires upgrading and the following works should be investigated: partial underpinning; replacement of drains; some thermal insulation improvements; replacement of the suspended timber ground floor; electrical upgrade; and replacement windows. The estimated cost of these works is in the region of £40,000 plus fees.
4. Once vacant, the Council will become liable for empty business rates, which will be circa £2,500 per annum after an initial three month period of exemption.
5. Consideration has been given to various uses for the building and planning comments are given below.

Options Appraisal

6. The property has a number of limitations: the internal accommodation is very small (683 sq ft over two floors) and has a poor layout and access to the first floor; significant building works are required, the location is outside of the retail area and there are restrictions to changes that could be made to the external

structure. All of these factors significantly limit the use of the building and therefore the value.

7. Park Lodge could be retained by the Council with a change of use, or disposed of on the open market at Market Value. If the property were to be sold, it could have a market value in the region of £150,000, although this depends upon the full extent of the condition of the property, the planning restrictions and the point at which it might be sold. Market conditions are very flat, and disposals are to be resisted if not necessary. However, it is a unique property and may withstand the market conditions. Any delay in the disposal of the building should be considered against the cost of 'mothballing' a property; the likelihood for vandalism and the general deterioration suffered by unoccupied properties.
8. Alternatively, the Council could retain the premises and let them for a variety of uses:
 - The estimated level of rent would vary from £4,000 to £8,000 dependant on the type of use.
 - A2 (financial and professional services) and B1a (offices) and D1 (non-residential institutions) could generate an income in the region of £4,000 per annum. The property would lend itself to this use on the ground floor only and it is unlikely to be able to generate a rent from the first floor due to the difficult access.
 - A3 (restaurants and cafe) use could generate the highest rent return in the region of £8,000 per annum. The property lends itself to this use as it is outside the town centre envelope in planning terms, but is strategically located between the main car park and the shops and as the entrance to the park.
 - C3 (residential) use could generate a rent in the region of £6,000 per annum, although significant improvements would be required, likely to be in excess of the £40,000 detailed above. Furthermore, the Council would need to let the premises through a letting agent to protect itself from a Right To Buy claim, so there would be a further management cost for this option.
 - All of the above options will require a significant period of rent free to be offered in order for any tenant to upgrade the property and fit it out for their specific use.

Planning

9. The property is outside of the town centre designation where the current policy would limit the number of A2 to A5 (financial and professional services and eating/drinking establishments) uses to 35%. Therefore, there may be greater flexibility in terms of the potential uses for the building. However, the size of the building may limit what would be commercially viable and the fact that it is a curtilage listed structure to The Hall would impose constraints on physical alterations or provision of, for example, fume extraction equipment.

10. The question of demolishing the property has been explored with the Conservation Officer, who is of the opinion that the building occupies a prominent position in the street scene and should be valued as a heritage asset which contributes positively to the townscape of West Bridgford and therefore would very strongly object to its demolition.

Conclusions

11. If the Council retains the property, the payback period for the capital investment may be in excess of ten years. However, the Council retains the control of the asset and its future use.
12. The asset could be a liability to the Council and disposal of it can remove this risk.
13. It is expected that The Hall will revert back to the Council within the next two years, but it is not considered that any benefit will be derived from packaging the two buildings together, as it would be expected that they will attract different types of interested parties.

Financial Comments

There is £23,000 in the capital programme allocated to improvements to Park Lodge. The work to upgrade the building can be financed through this allocation within the capital programme and the use of £17,000 from the capital contingency. If the building is to be used for residential purposes, further allocations from capital contingency will be required to undertake the required improvements.

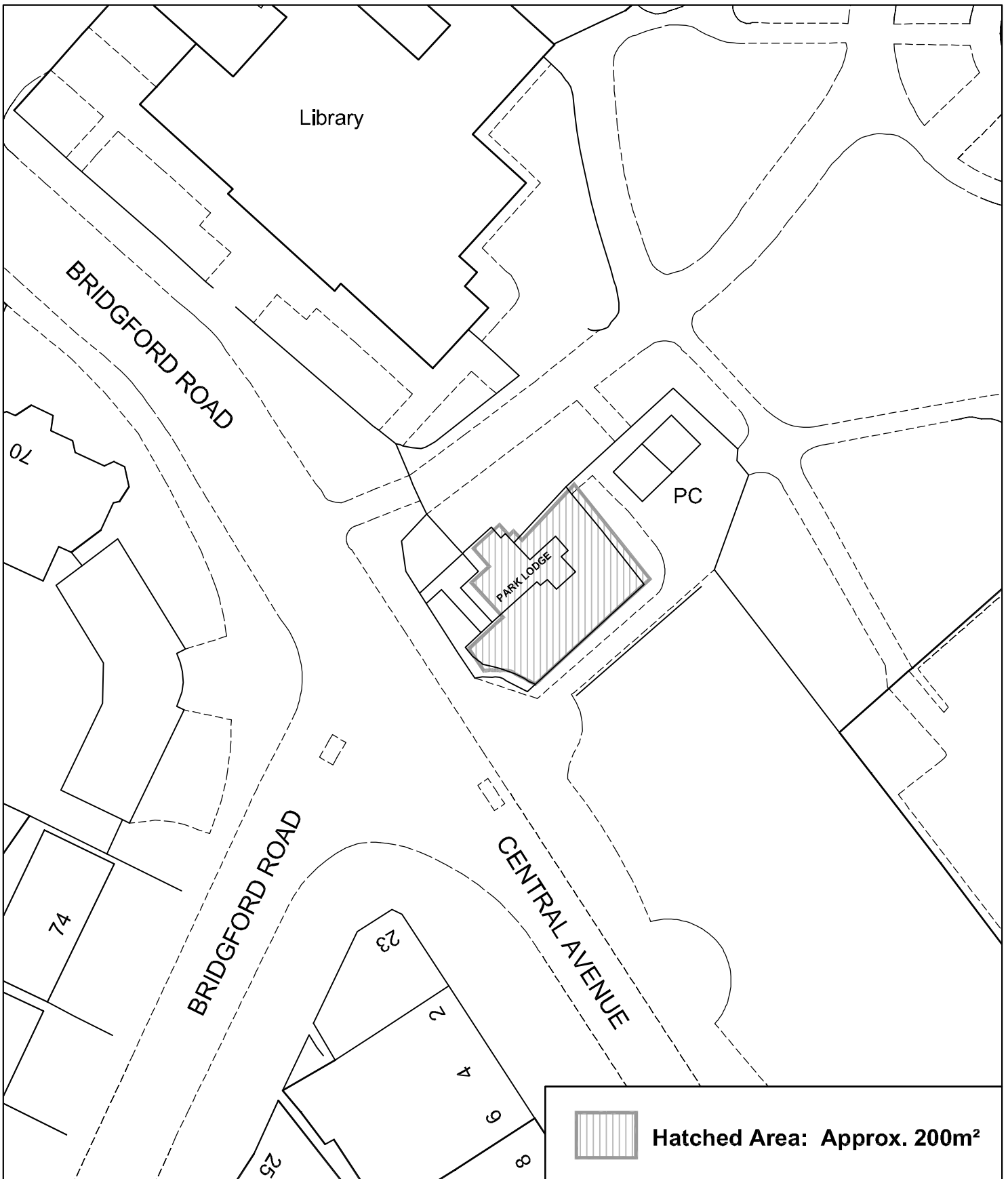
Section 17 Crime and Disorder Act

Section 17 implications may come into play if the property was left empty and became subjected to vandalism.

Diversity

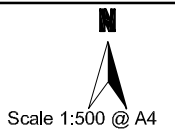
There are no known diversity issues arising from this report

Background Papers Available for Inspection: Nil



PARK LODGE, BRIDGFORD ROAD, WEST BRIDGFORD

December 2010



Property Department (Estates)
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CABINET

11 JANUARY 2011

**NOTTINGHAMSHIRE COUNTY COUNCIL
WEST BRIDGFORD LIBRARY PROJECT**

5

REPORT OF THE HEAD OF REVENUES AND ICT SERVICES

CABINET PORTFOLIO HOLDER – COUNCILLOR J A CRANSWICK

Summary

This report outlines the Nottinghamshire County Council West Bridgford Library project and the impact upon the Council's land.

Recommendation

It is RECOMMENDED that Cabinet considers the proposal and approves the land transfer with Nottinghamshire County Council and the occupation of Borough Council owned land during the construction period of the new library.

Details

1. The County Council intends to build a new library in West Bridgford, starting on site in May 2011, with a completion date of March 2013, and a proposed opening date before May 2013.
2. In order to facilitate the build, negotiations have been undertaken to transfer land between the Borough Council and the County Council for nil consideration as the areas and land values are broadly equivalent, as shown on the plan in the **Appendix**.
3. The land being transferred to the County Council includes the buildings currently occupied by Shopmobility and the Spiritualist Church.
4. As part of the arrangement, the County Council will have to provide replacement premises at their own cost for Shopmobility. It is their intention to provide temporary accommodation during the construction period and space will be made available for Shopmobility in the new Library for the future, at a peppercorn rent.
5. Agreement has been reached with the County Council that they will remain in occupation of The Hall and pay the full existing rent of £45,000 per annum until the practical completion of the new library at the earliest.

Proposed Agreement

6. During the construction period, the County Council requires use of part of the Council's car park. The space required during the whole construction period equates to 10 parking spaces. These will be recharged at the maximum parking charge of £20 per day, raising an estimated £130,000. 50% of this charge will be payable at the commencement of the contract, with the remainder payable half way through the contract period. An additional eight spaces will be required on an ad hoc basis and charged at the same rate, to be payable upon practical completion of the project.
7. The Council has requested a copy of the Health and Safety Plan and Method Statement for the use of the car park during the construction period, to ensure construction traffic is kept separate from members of the public.
8. Access to the park store (the Stable Block) will have to be via the park and not the car park during the construction period.
9. The County Council requires a 2m access strip around their land during construction for access purposes; where this impacts on Council land (e.g. the car park access and sensory garden) the County Council is responsible for all measures to ensure the impact on Council land is minimal and to make good any damage caused within one month of practical completion of the project.

Conclusion

10. In order for the County Council to deliver a new library, it requires a land exchange with the Council, which has been negotiated at no consideration for either party. The County Council requires space on the Council's car park for its site compound and access over Council land during the construction period, for which compensation for loss of income will be paid by the County Council to Rushcliffe Borough Council. Furthermore, any damage caused by the County Council will be made good following practical completion of the library.

Financial Comments

The land transfer will be at no additional cost to the authority. The compensation received for the loss of the car park spaces will supplement the car park income, which will suffer a loss during the period of the works so there should be no detrimental effect on the Council's budget.

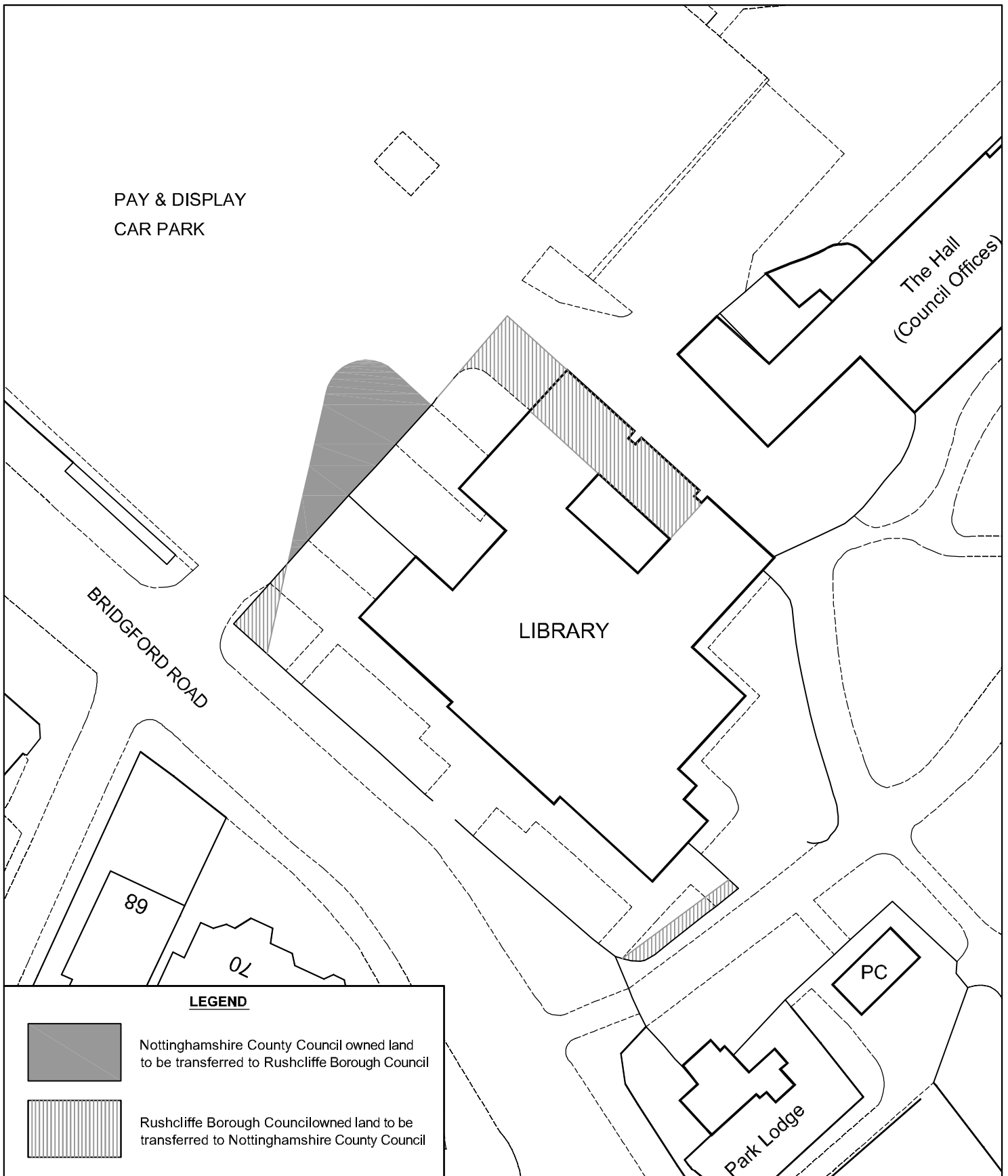
Section 17 Crime and Disorder Act

There are no Section 17 implications.

Diversity

There are no diversity issues

Background Papers Available for Inspection: Nil



LEGEND



Nottinghamshire County Council owned land to be transferred to Rushcliffe Borough Council



Rushcliffe Borough Council owned land to be transferred to Nottinghamshire County Council

Site:
WEST BRIDGFORD LIBRARY, BRIDGFORD ROAD, WEST BRIDGFORD

Date:
December 2010

Drawing:
TRANSFER OF LAND BETWEEN RBC and NCC

N

Scale 1:500 @ A4



Rushcliffe
Borough Council

Property Department (Estates)
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CABINET

11 JANUARY 2011

**JOINT USE LEISURE CENTRES – FUTURE
FUNDING ARRANGEMENTS**

6

REPORT OF THE HEAD OF PARTNERSHIPS AND PERFORMANCE

CABINET PORTFOLIO HOLDER – COUNCILLOR J E FEARON

Summary

The formalised arrangements for joint use leisure centres have been in place since 2003 and are due to terminate in 2013. The Nottinghamshire County Council (NCC) is proposing changes to these arrangements from, at the latest, April 2011. The changes being proposed have been brought about by the introduction of 'Foundation' status for schools and by NCC's desire to fund all schools by the same mechanisms.

The new arrangements reflect NCC's diminished role in the operation of Foundation schools with only the school and Borough Council being proposed as signatories to the new agreement. All joint use schools in Rushcliffe either are or plan to become Foundation status schools by April 2011.

The proposal from NCC moves the funding stream from the current dedicated NCC Joint Use budget to the Local Management of Schools (LMS) budget. This budget is based on a formula funding for floor area and is index linked. Compared to the existing funding arrangement, the proposed LMS funding would provide an additional £30,341 to the Borough Council in the current year.

This proposal relates only to the Rushcliffe and Bingham Leisure Centre sites. Keyworth Leisure Centre will be subject to a similarly worded agreement for the 'dry side' facilities however, the school will take responsibility for all repair and maintenance costs. Parkwood Leisure will pay for the utilities used and make an annual contribution to the school's 'sinking fund' for the replacement of the artificial turf pitch at the site. The swimming pool building at Keyworth is a stand alone site and is subject to negotiations with the NCC to put a lease in place for continued community and primary school swimming.

Recommendation

It is **RECOMMENDED** that Cabinet support the introduction of LMS funding arrangements for the management of joint use leisure facilities being proposed by Nottinghamshire County Council.

Details

1. The formalised joint use arrangements have been in place since 2003 and are due to terminate in 2013. These arrangements required all parties, NCC, RBC and the schools, to be signatories to the agreement. NCC put these agreements in place following decisions to reduce their funding for joint use sites across the county. This arrangement has seen NCC retain the building maintenance budget rather than pass it onto the Borough and make a 'contribution' to community leisure on a diminishing scale over the period of the agreement from a starting figure of £421,610 to £78,428 in 2011/12 and 2012/13.
2. The advent of 'Foundation' schools was a significant event in that it removed schools from the direct control of NCC and transferred assets to the school's governors. When a joint use school achieves Foundation status it is deemed to be a termination event within the joint use arrangements. This therefore required a new joint use arrangement to be formulated to reflect this change. Revised documents have been received and considered by officers and are recommended for acceptance.
3. The new agreement being put forward by NCC to all districts with joint use leisure centres broadly mirrors the existing agreement with the following changes:
 - To move the funding from a discrete joint use leisure centres budget to the mainstream LMS budget
 - The joint use budget is cash limited and reducing whereas the LMS budget is increased each year
 - The LMS budget allocation for Rushcliffe is already more than the Council currently receives from the joint use budget for 'community leisure'
 - The proposal from NCC suggests that 50% of the funding is allocated to a 'devolved maintenance budget' for works to be mutually agreed between the Borough and school on an annual basis. This amount could potentially fund a significant portion of the Council's client repairs responsibilities
 - NCC will still be required to fund major capital items of building repair. The down side of this however, is that in general the school building stock is increasingly ageing and 'tired' and with the cancellation of the Building Schools for the Future programme will create even more pressure on budgets
 - The agreement strengthens areas around child protection with increased CRB checking requirements – CRB checks are currently carried out for all Parkwood staff however, there is a greater requirement for contractors working on site to have CRB checks
 - There will be no set term to the new agreement however, the termination clauses remain the same i.e. two years notification by either party
 - Other clauses around termination remain as per the original agreement with the Borough entitled to a net capital receipt under previously prescribed conditions (sale of a school site which has a joint use leisure centre)

- Seeks to maintain current practice with regard to operational matters i.e. setting out of school exam desks etc, and these will be featured in each individual site agreement
 - There may be opportunities for closer working with schools and opportunities to deliver an increased range of services from these sites
4. The table below shows the level of funding which would be received under the LMS formula compared to that which is currently received via the joint use budget.

	2009/10	2010/11	2011/12	2012/13
NCC Revenue Contribution	105,729	79,236	78,428	78,428
Planned Maintenance	149,246	149,246	149,246	149,246
Total (Joint Use)	254,975	228,482	227,674	227,674
LMS Formula Funding	258,823	258,823	258,823	258,823
Net Gain (before indexation)	3,848	30,341	31,149	31,149

5. Future arrangements for the Keyworth Leisure Centre swimming pool building are being addressed by establishing a lease arrangement between the borough council and NCC. It is anticipated that NCC will make a revenue contribution of £30,000 per annum, which balances the current costs, to support the continuation of Primary school swimming at the site.
6. The Keyworth Leisure Centre dry side facilities - sports hall, gym and artificial turf pitch - are the subject of what will be a similarly worded agreement between the school and Borough Council. This agreement will have no direct contribution from NCC, however, the school will pay for repairs and maintenance: Parkwood Leisure will pay for utilities used during community leisure time and make an agreed annual contribution to the school's sinking fund for the eventual replacement of the artificial turf pitch.

Financial Comments

The proposed arrangement will provide an additional income of £30,341 in the current year and will be adjusted in future years to take account of index linking.

Section 17 Crime and Disorder Act

There are no Section 17 implications arising from this report

Diversity

There are no diversity implications arising from this report

Background Papers Available for Inspection: Nil