	<b>REPORT TO CABINET TO BE HELD ON 16 JULY 2019</b>
	<b>Key Decision: No</b>  <b>Forward Plan Ref</b> <b>N/A</b> <b>No</b>
<b>Corporate Priority People and Place</b>	<b>Cabinet Portfolio</b> <b>Cllr Liz Colling</b> <b>Holder</b> <b>Portfolio Holder</b>

**REPORT OF: DIRECTOR (RB) – 19/118**

**WARDS AFFECTED: EASTFIELD, SEAMER, CAYTON**

**SUBJECT: PINDAR LEISURE CENTRE: JOINT USE AGREEMENT  
WITH HOPE LEARNING TRUST**

**RECOMMENDATION (S):**

It is recommended that:

- a) The Council enters into an agreement relating to the management of Pindar Leisure Centre with Hope Learning Trust, which updates the previous agreement entered into with George Pindar Community Sports College.
- b) That the Council notes the updated arrangements regarding sinking fund contributions in relation to the newly refurbished 3G pitch at Pindar Leisure Centre.

**REASON FOR RECOMMENDATION (S):**

To update existing approvals to enter into contracts in respect of Pindar Leisure Centre following the conversion to academy status the school becoming part of the Hope Learning Trust.

## **HIGHLIGHTED RISKS:**

Without entering into this agreement there will be no clarity about the arrangements and responsibilities in respect of Pindar Leisure Centre and the operation of the 3G pitch. This could cause confusion and have financial implications for the Council as the agreement forms part of the Leisure Operating Contract with Everyone Active.

Entering this agreement would reduce financial liabilities for the Council as it includes new provisions requiring Hope Learning Trust to contribute towards the sinking fund for the 3G pitch.

### **1. INTRODUCTION**

- 1.1 This report sets out proposals to enter into an updated agreement with Hope Learning Trust in respect of Pindar Leisure Centre.

### **2. CORPORATE AIMS**

- 2.1 The Plan supports the Safe and Healthy aim of the Sustainable Community Strategy and the People theme of the Corporate Plan.

### **3. BACKGROUND AND ISSUES**

- 3.1 Pindar Leisure Centre, including the 3G pitch is situated within the grounds of George Pindar School. The Council provided funding in 1994/5 for the provision of the facilities, in addition to grant funding from sport England. Since 1995 there has been an agreement between the school and the Council for the provision of community use of the sports facilities outside of core school hours.
- 3.2 In 2008 the management of the facilities was transferred to the school, who managed the facility during the community use hours. In 2012 the management of the facility returned back to the Council and since 2015 has been managed on the Council's behalf by Everyone Active as part of the wider leisure operating contract.
- 3.3 Various operating agreements have applied during this period. However, these require updating. In particular from 1 March 2019 the school has become an Academy, managed by Hope Learning Trust.
- 3.4 In Summer 2018 the all-weather pitch at the site was refurbished at a cost of £239,000, funded by the Council, including a £50,000 s.106 contribution.

### **4. CONSULTATION**

- 4.1 Consultation has been undertaken with Hope Learning Trust to agree the proposed terms of the updated agreement.

- 4.2 Consultation has been undertaken with Everyone Active, who currently manage the facility during community use hours on behalf of the Council. Everyone Active are happy with the terms and the updated agreement forms part of the overall leisure operating contract.

## **5. ASSESSMENT**

- 5.1 This proposal will provide an up to date agreement with Hope Learning Trust relating to the management of the facility (attached as Appendix one)
- 5.2 The terms of the agreement are broadly similar to the existing agreement. Maintenance and operating costs for the leisure centre are split with the school contributing 40% and the Council 60%.
- 5.3 Under the previous agreement, the Council was responsible for 100% of the costs of maintaining and operating the all-weather pitch and to provide a sinking fund for future replacement.
- 5.4 Under the revised agreement, the Council remain responsible for maintenance and operating costs but Hope Learning Trust have agreed to contribute towards a sinking fund for future pitch replacement to a value of £8000 per annum for a period of ten years, with the Council contributing £12,000 per annum. This will generate a sinking fund of £200,000 after the ten year period towards replacement costs. Provision for the sinking fund has been made within the financial strategy.
- 5.5 Everyone Active are responsible for the maintenance of the new pitch under the terms of the leisure operating contract and fulfil this requirement on behalf of the Council.

## **6. IMPLICATIONS**

### **6.1 Policy**

No direct policy implications.

### **6.2 Legal**

This agreement will set out the terms for the operation of Pindar Leisure Centre, including the 3G pitch. This agreement will form part of the Leisure Operating Contract (LOC) with Everyone Active who will discharge the Council's obligations in relation to the operation and management of the facilities.

### **6.3 Financial**

This report has a beneficial financial impact for the Council as it secures additional sinking fund contribution from Hope Learning Trust of £8,000 per annum for a 10 year period.

#### **6.4 Equalities and Diversity**

No specific implications.

#### **6.5 Staffing Implications**

No specific implications

#### **6.6 Planning Implications**

No specific implications

#### **6.7 Crime and Disorder Implications**

No specific implications

#### **6.8 Health and Safety Implications**

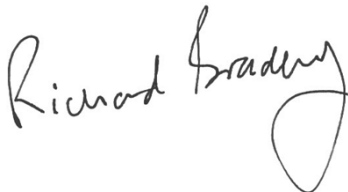
Everyone Active are required to comply with all health and safety legislation under the terms of the Leisure Operating Contract for the operation of the facility.

#### **6.9 Environmental Implications**

No specific implications.

### **7. ACTION PLAN**

- 7.1 Following approvals arrangements will be made to sign the agreement without further delay.



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**Commercial Director**

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#### **Background Papers:**

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Jo Ireland ON 01723 384315, e-mail [jo.ireland@scarborough.gov.uk](mailto:jo.ireland@scarborough.gov.uk)

## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/Responsible Officer</b>	<b>Action Plan</b>
1	07/19	Not entering into this agreement	No clarity about arrangements and responsibilities in respect of Pindar leisure centre. Potential financial implications for the Council as the agreement forms part of the LOC with Everyone Active.	Enter into the agreement	B3	A2	JJ/CR	