

# Chiltern District Council

## Cabinet Decision

Notice is given that the following decisions have been taken by Cabinet on Tuesday, 20 August 2019

### 7 **Inter Authority Agreement for Bucks County Council Legal Services**

#### **(a) DECISION:**

The Cabinet considered a report which sought authority for the Chiltern and South Bucks joint Legal Service to carry out legal work for Buckinghamshire County Council from 1 October 2019 to 31 March 2020 together with Wycombe District Council.

#### **RESOLVED**

- 1. That Chiltern District Council enters into an Inter Authority Agreement with South Bucks District Council and Wycombe District Council for the provision of legal services to Buckinghamshire County Council from 1 October 2019 to 31 March 2020.**
- 2. That the Head of Legal and Democratic Services be authorised to agree the final terms and conditions of the IAA.**

#### **(b) REASON FOR DECISION:**

This would facilitate the re-establishment of an in-house legal service for Buckinghamshire County Council following termination of their external legal services contract with HB Public Law on 30 September 2019 and minimise redundancies across all organisations during the transition to a unitary council.

#### **(c) ALTERNATIVE OPTIONS CONSIDERED:**

The Council could decide not to participate in the joint provision of legal services to BCC but this could increase the risk of redundancies arising in the future and be detrimental to re-establishing BCC's in-house legal service.

#### **(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None.

## 11 Chiltern Lifestyle Centre Business Case

### (a) DECISION:

Cabinet received a report which contained the final business case for the proposed Chiltern Lifestyle Centre.

### RESOLVED

1. That the current position be noted.
2. That Cabinet agree the final business case and proposals for the Chiltern Lifestyle Centre project.
3. That Cabinet agrees to utilise the £33m in capital programme for the construction of this project and allocate £500,000 from reserves to the project to cover the contingency sum.
4. To authorise the Head of Healthy Communities, in consultation with the Portfolio Holder and Director of Services, to conclude the delivery agreement between BAM and the Council for the construction phase.
5. That the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.
6. That the Head of Healthy Communities be authorised to negotiate and conclude any necessary agreements including with Sport England to allow the development to proceed through to completion.
7. That Cabinet note the loss in revenue income arising from the discontinuation of the Library car park from October 2019.
8. To note and agree the re-phasing of the pre-construction costs of this project from £1,750,000 to £2,421,381 to avoid future costs arising from a delay to the build programme.
9. To agree to set aside reserves to cover the three year initial revenue costs, these to be replenished during the 15 year contract period, ensuring the Chiltern Lifestyle Centre is delivered at no cost to the Council Tax payer.

### (b) REASON FOR DECISION:

There is a clear business case and need to invest in new community and leisure facilities in Amersham for the benefit of the whole district. The proposal will enable the Council to:

- Deliver a new highly energy efficient multi-purpose leisure and community facility at no cost to the Council Tax payer.
- Provide a net income over a 15 year contract period to the Council, following the repayment of borrowing costs and deliver the planned maintenance requirements at Chesham and Chalfont leisure centres, of £222k/annum
- Deliver a saving of £200k/annum on the current leisure costs.
- Release the current Chiltern Pools site to enable the opportunities for future

development which is valued at c£2.4m to £3m. That value increases if the wider public owned buildings are included. A One Public Estate application is being considered for the wider site.

- Act as a catalyst to support the local High Street economy and create new employment opportunities.
- Increase opportunities for greater participation in activities enabling a healthier population.

### **(c) ALTERNATIVE OPTIONS CONSIDERED:**

The options are:

- 1) Invest in the Chiltern Lifestyle Centre enabling average net income of c£200k/year to the Council following the repayment of a £34.5M loan over a 40year period and providing community facilities designed to meet community needs. This enables the Council to deliver savings of £200k/year against the current expenditure on leisure.
- 2) Deferring the decision to develop the new centre will require the Council to:
  - Consider the impact on the Leisure operator contract requiring the variant bid for the continued operation of the Chiltern Pools to be accepted resulting in additional revenue cost to the council.
  - Determine the extent of urgent repairs and maintenance at the current Chiltern Pools previously estimated at £4m.
  - Consider permanent closure of the facility.

### **(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None.

## **12 Appointment of Leisure Operator**

### **(a) DECISION:**

Cabinet considered a report which detailed the outcome of the procurement exercise to appoint a leisure operator to operate the proposed Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim operation of the Chiltern Pools.

### **RESOLVED**

- 1. That Cabinet notes the current position regarding the procurement of the Chiltern leisure operator contract.**
- 2. That Cabinet agrees that the leisure operator contract for the operation of the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and interim**

operation of the Chiltern Pools can be awarded to the most economically advantageous tender.

3. That Cabinet agrees to enter in to leases with the leisure operator to occupy the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres and the Chiltern Pools.
4. That delegated authority is given to the Head of Healthy Communities to agree the final terms of the leisure operator contract and leases.

**And RESOLVED to recommend to Council**

That a sum to be agreed be added to the capital programme to enable capital investment in the Chiltern Lifestyle Centre, Chesham and Chalfont leisure centres to be made by the leisure operator.

**(b) REASON FOR DECISION:**

The current contract with the existing leisure operator for the Councils three current leisure centres comes to an end 31st March 2020. A new contract will need to be put in place. The appointment of the future leisure operator must be in accordance with the Public Contracts Regulations 2015.

**(c) ALTERNATIVE OPTIONS CONSIDERED:**

To accept or reject the most economically advantageous tender for the Mandatory Solution bid.

**(d) CONFLICTS OF INTERESTS/DISPENSATIONS:**

None.

<b>Date Published:</b>	13 September 2019	<b>Call in Deadline: (Midnight on)</b>	23 September 2019
<b>Date to be implemented: 24 September 2019</b>			
*recommendations to Full Council are not subject the call in procedure			