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CHILTERN
District Council



Services Overview Committee (CDC)

Tuesday, 28th November, 2017 at 6.30 pm

**Large & Small Committee Room, King George V House, King George V Road,
Amersham**

A G E N D A

- 1 Evacuation Procedures
- 2 Minutes (*Pages 3 - 8*)
To sign the Minutes of the meeting held on 5 September 2017.
- 3 Apologies for Absence
- 4 Declarations of Interest
- 5 28 Day Notice (*Pages 9 - 10*)

Appendix: CDC Cabinet 28 Day Notice (Pages 11 - 16)

- 6 Energy Awareness Update Presentation by Chiltern CAB
To receive a presentation on energy awareness from Jennifer Allott, Manager, and Kate Hallatt, Energy Project Worker from the Chiltern Citizens Advice Bureau.
- 7 Chiltern Pools Update (*Pages 17 - 22*)

8 Exclusion of the Public (if required)

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Note: All Reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Services Overview Committee (CDC)

Councillors: J A Burton (Chairman)
N I Varley (Vice-Chairman)
D J Bray
E A Culverhouse
M Flys
M Harker
P J Hudson
C J Jackson
P M Jones
S A Patel
C J Rouse
J J Rush
L M Smith
M W Titterington
J Cook

Date of next meeting – Wednesday, 31 January 2018

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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
SERVICES OVERVIEW COMMITTEE (CDC)
held on **5 SEPTEMBER 2017**

PRESENT: Councillor J A Burton - Chairman
" N I Varley - Vice Chairman

Councillors: D J Bray
E A Culverhouse
M Flys
C J Jackson
P M Jones
S A Patel
J J Rush
L M Smith

APOLOGIES FOR ABSENCE were received from Councillors M Harker, P J Hudson, C J Rouse, M W Titterington and J Cook

ALSO IN ATTENDANCE: Councillors I A Darby and E A Walsh

13 MINUTES

The Minutes of the meeting held on 14 June 2017 were agreed as a correct record and were signed by the Chairman.

14 DECLARATIONS OF INTEREST

There were no declarations of interest.

15 28 DAY NOTICE

The Committee considered the 28 day forward plan and decided that there were no additional items to be added at this time.

RESOLVED

To note the 28 day Notice for Cabinet.

16 ANNUAL REPORT ON THE PERFORMANCE OF THE LEISURE PROVIDER

A report from Lynn Britten of Greenwich Leisure Limited (GLL)

The committee were given an overview of the achievements and challenges of the leisure provider since commencing the contract in 2005. GLL manage Chiltern's 3 leisure centres (Chalfont, Chesham and Chiltern Pools). It was reported that attendance had increased at these centres and gym memberships had increased. Overall a surplus of £442,000 had been generated in 2016 and 66% of this had been reinvested. This included the Chalfont refurbishment of £270,000, the new spin studio at Chiltern Pools (approx. £0.5 million) and an investment in lighting to reduce energy usage.

Chalfont Leisure Centre with its recent refurbishment had been most successful including the gym. At Chesham there was an increase in gym membership and use of dry sports but there was difficulty in recruiting swim instructors. At Chiltern Pools, there was a drop in swim school and it was acknowledged that the ageing plant, water temperature problems and changing facilities created extra challenges. It was suggested that there may be a trend for less casual swimming and a need for more organised or specialist activities.

The outreach community development work had increased to include walking football, Nordic walking, table tennis clubs and GP referral schemes. The outreach scheme aimed to reach isolated and hard to reach residents. The 2016 Active Bucks promotion had offered first sessions free to get more people involved.

With regard to customer satisfaction, it was reported that they were using a "Listen 360" customer response scheme. This allowed any issues to be addressed quickly and for customers to be contacted if necessary.

Noting the difficulties in recruiting swimming staff, Members asked whether the pay scales were attractive enough. It was advised that there was already an additional London weighting allowance offered but there was still a problem with being located near to London.

The Committee discussed the options for other facilities at Chiltern Pools as the new project develops. The cleaning challenges at the old facility were noted.

The Chairman thanked Lynn Britten for her report.

RESOLVED

That the Performance of the Chiltern's Leisure Contract with GLL – BETTER from January to December 2016 be noted and the comments of the Services Overview Committee be passed to Cabinet.

17 PERFORMANCE REPORT QUARTER 1 2017/18

The performance of Council services as measured against performance indicators (PI's) during Quarter 1 was discussed by the Committee. Quarter 1 referred to April, May and June 2017. It was noted that there were two PI's not yet available in the Community Safety category as the statistics from the Thames Valley Police were not yet available.

With regard to Priority indicators not met, the Committee discussed three main areas of concern:

Long-term sickness. It was noted that this related to 9 employees and the situation was being dealt with by HR in consultation with the Occupational Health provider.

Homelessness Bed & Breakfast provision for over 6 weeks, This related to one family with rent arrears which reduced the options available.

Waste: missed containers. A separate report had recently been received, and it was reported that extreme temperatures had affected round completions. Following the action plan, the service had been improving since July.

The meeting was advised by the Leader that the Cabinet consider missed bin collections at every meeting and were aware that the statistics were below acceptable levels. Members were asked to pass any information from residents to the Waste Manager by email. For households with Friday collections, it was considered if this caused difficulty with reporting because there was no-one available until Monday. With regard to the bins being scattered after emptying, the staff were about to undergo further training.

It was asked if there could be more publicity for Environmental Health work where a prosecution had been successfully made. It was noted that there were not many of these as most premises were broadly compliant but they were featured in the local press when they occurred.

RESOLVED

To note the Performance Report for Quarter 1 2017/18.

18 NEW CIVIL PENALTIES IN RELATION TO HOUSING ENFORCEMENT

The Housing and Planning Act 2016 introduced a range of new civil powers and sanctions against poor landlords in the private sector. This can now include financial penalties, referral to tribunal for payment and banning orders.

Members asked whether there were many prosecutions in our area and it was advised that most comply when directed to do so. There was concern that poorer landlords might not be able to do the necessary work to maintain safety standards. It was advised that if necessary, the Council could do the work and put a charge on the property.

The Councillors were assured that all private sector rental properties were inspected and assessed for smoke detectors and safety standards.

RESOLVED

To note the new provisions of the Housing and Planning Act 2016 and

RECOMMEND

- 1. That Cabinet agree to give delegated authority to the Head of Healthy Communities to enforce the provisions of the Act and the Scheme of Delegations be amended accordingly and**
- 2. That Cabinet authorises the Head of Healthy Communities to agree the final Housing Enforcement Policy in consultation with the Portfolio Holder, having regard to Members comments and the regulations in respect of Banning Orders once published.**

19 COMMUNITY GRANT AID AWARDS 2017/18

The scheme had attracted 33 applications requesting funding and all of these forms had been kept in the Members Room for comment and support from Councillors. They were a diverse range of grant applications, for large and small amounts and in the number of people benefiting.

Members debated if applicants should also be assessed on the number of beneficiaries from their project. It was proposed that future applications insert a summary explanation as to how participants actually benefit from the scheme.

RECOMMENDED

That Cabinet agree the allocation of awards from the 2017/18 Community grant Aid Scheme as detailed in Appendix 1.

20 AFFORDABLE WARMTH STRATEGY

The report sets out the proposed updates to the Buckinghamshire Affordable Warmth Strategy. Chiltern District Council leads the Bucks-wide network of 4 district councils, the county council and National Energy Foundation. Its principal aim was to create an action plan to target fuel poverty. The focus has been on low income groups and those with health conditions to improve insulation in the home, install new boilers and other practical solutions.

It was noted that areas of fuel poverty in the Chiltern District were often isolated, rural areas without access to the mains gas. Councillors were concerned about the spike in deaths during the 2015 winter season and discussed the link with lack of home heating and possible reasons.

RESOLVED

To note the draft strategy and

RECOMMENDED

That Cabinet delegates authority to the Head of Healthy Communities to adopt the final updated Buckinghamshire Affordable Warmth Strategy, in consultation with the Portfolio Holder.

The meeting ended at 7.40 pm

SUBJECT:	<i>28 Day Notice</i>
REPORT OF:	<i>Cabinet Portfolio Holder for Support Services (Deputy Leader)</i>
RESPONSIBLE OFFICER	<i>Head of Legal & Democratic Services</i>
REPORT AUTHOR	<i>Leslie Ashton, 01895 837227, lashton@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Report

The Access to Information Regulations 2012 place a requirement on Councils to publish a notice 28 days before every executive or joint executive meeting detailing all Key Decisions and Private Reports to be considered. The [28 Day Notice](#) is published on the Council's website.

RECOMMENDATION:

To note the 28 Day Notice for the meetings of the Cabinet on 12 December 2017 and 6 February 2018.

Background	None
Papers:	

**Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012**

This is a Notice of an intention to make a Key Decision on behalf of the Local authority (Regulation 9) and an intention to meet in private to consider those items marked as 'Private Reports' (Regulation 5).

A further Notice (the 'Agenda') will be published no less than 5 working-days before the date of the Cabinet meeting and will be available at www.chiltern.gov.uk/democracy

Leader (Councillor Isobel Darby)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
No	Service Plan Summaries 2018-19 To receive the service plan summaries for 2018-19	Services 31 Jan 18 Resources 23 Jan 18	Cabinet 06 Feb 18	No	Aniqah Sultan ASultan@chiltern.gov.uk
No	Performance Report Quarter 2 2017-18 To receive the Performance Report for Quarter 2 2017-18	Services 31 Jan 18 Resources 23 Jan 18	Cabinet 06 Feb 18	No	Aniqah Sultan ASultan@chiltern.gov.uk

Support Services - Deputy Leader (Councillor Mike Stannard)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
Yes	Budget Report 2018/19: to consider the draft revenue budgets for 2018/19	Resources 5 Dec 17	Cabinet 12 Dec 17	No	Rodney Fincham rfincham@chiltern.gov.uk
No	Treasury Management Quarter 2 2017/18: to note the treasury management activity in quarter 2 2017/18		Cabinet 12 Dec 17	No	Helen O'Keefe hokeefe@chiltern.gov.uk

Customer Services (Councillor – Fred Wilson)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵

Sustainable Development (Councillor Peter Martin)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
Yes	HS2 Update Report: to provide an up to date position on the HS2 project including current position on Service Level Agreement, Forward Plan Work and Resourcing		Cabinet 12 Dec 17	Yes (Para 3)	Ifath Nawaz INawaz@chiltern.gov.uk

Environment (Councillor Mike Smith)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
No	London Road Access Systems: to note that further works to the barrier security system has been authorised by officers in accordance with delegated authority		Cabinet 12 Dec 17	No	Jeffrey Tapping jtapping@chiltern.gov.uk
Yes	New Grounds Maintenance Contract: To notify Members about the procurement process for the new CDC & SBDC grounds maintenance contract and to request approval for delegated authority to procure the new contract to start in 2018		Cabinet 12 Dec 17	Yes (Paragraph 3)	Chris Marchant cmarchant@chiltern.gov.uk

Healthy Communities (Councillor Liz Walsh)					
Key Decision (Y/N) ¹	Report Title & Summary ²	Consultation ³	Decision Maker & Date	Private Report (Y/N) and Reason Private ⁴	Lead Officer ⁵
No	Exemption to Contracts Procedure Rules - Leisure Consultants: to note that leisure consultants have been appointed		Cabinet 12 Dec 17	No	Paul Nanji pnanji@chiltern.gov.uk
Yes	Private Sector Leasing Scheme: To seek approval to enter into a Service Level Agreement for the delivery of a Private Sector Leasing Scheme		Cabinet 12 Dec 17	No	Michael Veryard Email: Mveryard@chiltern.gov.uk
No	Housing Options and Allocations - IT provisions Notification of decisions to exempt from contract procedures		Cabinet: 12 Dec 17	Yes (Para. 3)	Michael Veryard Email: Mveryard@chiltern.gov.uk
Yes	Leisure Centre Operator Procurement Tender: to receive a report on the procurement process	Services 31 Jan 18	Cabinet 6 Feb 18	Yes (Para. 3)	Paul Nanji pnanji@chiltern.gov.uk
Yes	Chiltern Pools Update To update members on the progress of Chilterns Pools	Services 31 Jan 18	Cabinet 6 Feb 18	No	Martin Holt mholt@chiltern.gov.uk
No	Green House Gas Report: to update members as to the progress to determine the Green House Gas arrangements in Chiltern and South Bucks		Cabinet 6 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
No	Air Quality Update: to update members as to the progress to determine the air quality arrangements in Chiltern		Cabinet 6 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
No	Affordable Housing Contributions Update To provide an update on the level of Affordable Housing contributions received from planning agreements and allocations made to support affordable housing projects	Services 31 Jan 18	Cabinet 6 Feb 18	No	Michael Veryard mveryard@chiltern.gov.uk

Yes	Review of Bucks Home Choice Scheme Allocations Policy: to consider a report reviewing the policy		Cabinet 6 Feb 18	No	Appendix Michael Veryard mveryard@chiltern.gov.uk
Yes	Sustainability and Carbon Reduction Strategy: The development and implementation of an updated joint strategy for South Bucks DC and Chiltern DC, building on existing activities and opportunities		Cabinet 6 Feb 18	No	Ben Coakley bcoakley@chiltern.gov.uk
Yes	Changes to House in Multiple Occupation Licensing: to review the implications of changes to legislative requirements		Cabinet 6 Feb 18	No	Louise Quinn lquinn@chiltern.gov.uk

1 The Council's Constitution defines a 'Key' Decision as any decision taken in relation to a function that is the responsibility of the Cabinet and which is likely to:-

- result in expenditure (or the making of savings) over £50,000 and / or
- have a significant impact on the community in two (or more) district wards.

and

- relates to the development and approval of the Budget; or
- relates to the development, approval and review of the Policy Framework, or
- is otherwise outside the Budget and Policy Framework.

As a matter of good practice, this Notice also includes other items – in addition to Key Decisions – that are to be considered by the Cabinet. This additional information is provided to inform local residents of all matters being considered.

2 Each item considered will have a report; appendices will be included (as appropriate). Regulation 9(1g) allows that other documents relevant to the item may be submitted to the decision-maker. Subject to prohibition or restriction on their disclosure, this information will be published on the Council website – www.chiltern.gov.uk/democracy – usually 5 working-days before the date of the meeting. Paper copies may be requested (charges will apply) using the contact details below.

3 In order to support the work of the Cabinet and to enhance decision-making, reports are often presented to other meetings for comment before going to the Cabinet. As such, this Notice also includes information on which meeting (if any) will also consider the report, and on what date.

4 The public can be excluded for an item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972. The relevant paragraph numbers and descriptions are as follows:

Paragraph 1	Information relating to any individual
Paragraph 2	Information which is likely to reveal the identity of an individual
Paragraph 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Paragraph 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Paragraph 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Paragraph 6	<p style="text-align: right;">Appendix</p> <p>Information which reveals that the authority proposes:</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment</p>
Paragraph 7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

Part II of Schedule 12A of the Local Government Act 1972 requires that information falling into paragraphs 1-7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Nothing in the Regulations authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information.

Should you wish to make any representations in relation to any of the items being considered in private, you can do so – in writing – using the contact details below. Any representations received, together with any response from the Council, will be published on the Notice (the 'Agenda') issued no less than 5 working-days before the meeting. This will be available on the Council website – www.chiltern.gov.uk/democracy

Contact: Democratic Services, Chiltern District Council, King George V House, King George V Road, Amersham, HP6 5AW; email: democraticservices@chiltern.gov.uk; tel: 01494 732143

- 5 The lead officer is usually the report author, and their contact details are provided in this column. The officer's email address is a standard format: first initial followed by their surname e.g. Bob Smith = bsmith@chiltern.gov.uk

SUBJECT:	<i>Chiltern Pools Update Report</i>
REPORT OF:	<i>Director of Services – Steve Bambrick</i>
RESPONSIBLE OFFICER	<i>Head of Healthy Communities - Martin Holt</i>
REPORT AUTHOR	<i>Principal Leisure & Wellbeing Manager - Paul Nanji Tel: 01494 732110</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

- 1.1 To report to Services Overview Committee an update of progress regarding the Chiltern Pools re-development project.

RECOMMENDATION

1. To note progress to date regarding the appointment of the project manager, design team and land swap public consultation.
2. To delegate authority to the Director of Services, in consultation with the relevant Portfolio Holder, the procurement and appointment of a specialist leisure consultant to advise on the new leisure operator contract.

2. Reasons for Recommendation

Members are fully briefed of progress to date regarding Chiltern Pools redevelopment project.

3. Content of report.

- 3.1 This report updates Cabinet on the proposals to replace the ageing Chiltern Pools and associated community buildings. The Options Appraisal and Feasibility study determined that there was a viable business case to develop a new multi-purpose leisure centre/community facility which could deliver a good return on the investment required enabling the facility to be delivered at no additional cost to the council tax payer. Over 80% of respondents to the consultation considered it appropriate for the Council to prioritise investment in the development of new leisure and community facilities.
- 3.2 On June 27th 2017, Cabinet approved the progression of the Chiltern Pools redevelopment project, agreeing a range of actions to take the project forward. These included

- undertaking public consultation together with Amersham Town Council in relation to the proposed disposal of land at Woodside Close to the Town Council and the acquisition of part of King George V Playing Fields from the Town Council in exchange to support the redevelopment of the facility
- the selection, through an appropriate procurement Framework of a Project Manager and design team (Quantity Surveyor, Structural Engineer, Architect) to develop more detailed plans in order to take the project forward to pre planning application

3.3 This report details progress to date on these actions and also outlines the importance of commencing the process of appointing a new leisure centre operator through an open tendering process by appointing a specialist leisure consultant.

4 Progress to date

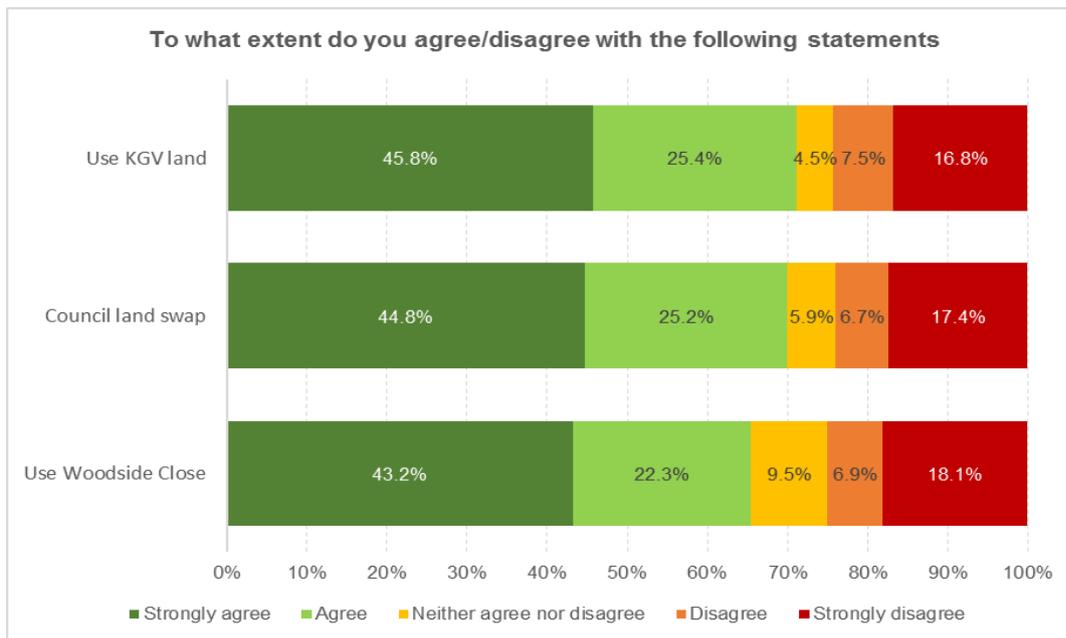
4.1 Public Consultation undertaken in January 2017 revealed overwhelming public support to develop a new replacement facility for Chiltern Pools. The consultation also revealed a range of issues including levels of parking, disruption to existing site users during construction and proximity of residential properties new building plans. To mitigate these concerns, new plans were developed, siting the new centre along King George V Avenue on the existing library site extending to where the play area, outside exercise zone and skate area are located. (See Map 1)

Map 1 – Proposed Chiltern Pools Site



The key focus of the second round of consultation was to gauge Amersham resident's views on a land swap between Amersham Town Council and Chiltern District Council. This involves a portion of the King George V playing field being developed but in return Chiltern District Council would protect in perpetuity the green area in the middle of Woodside Close and develop more green space adjacent to the historic barn buildings. The green in Woodside Close would be transferred to Amersham Town Council through Fields in Trust, a charity which protects open spaces by having a veto over future development on that land.

Table 1 - Land Swap Consultation Results



- 4.2 A total of 507 on-line replies were received of which a sizeable majority were from the Amersham area due to the targeted publicity. As detailed in table 1 overall there was positive support expressed in relation to the use of the KGV fields and Council land swap with 70% of respondents supporting the proposals. The major concern raised from residents was the lack of clarity regarding the future use of the existing Chiltern pools site.
- 4.3 Officers are now liaising with Amersham Town Council and the Fields in Trust to progress this land swap to enable the possible development to proceed.
- 4.4 Appointment of Project Manager - Utilising the Bloom procurement management framework the Council appointed Appleyard and Trew in October 2017 to project manage the scheme up through a series of checkpoints to enable Cabinet to review progress and decide on future action. The next check point being the pre-planning application stage.
- 4.5 The Design Team appointments are being led by Appleyard and Trew through the Bloom Framework to include; architect, structural, mechanical &

electrical and specialist pool services with the final interview date scheduled for December 1st 2017.

- 4.6 Operator Contract - Whilst there is still significant work to be undertaken in developing the new replacement facility for Chiltern Pools, it is also important to commence with the appointment the new leisure operator as soon as possible. The current contract with the existing operator GLL comes to an end 31st March 2020. A new contract will have to be place as there is no legal scope to extend the current contract further.
- 4.7 The options available to the Council to appoint a leisure provider are detailed in Table 2. To support the Council to consider the options a consultant will be appointed to review the various options and recommend the future approach to the Council.

Table 2 – Leisure Operator Contract Options

Leisure Operator Contract Options	Advantages	Disadvantages
Short term contract extension to the existing operator	The existing contract has good knowledge of existing Chiltern Pools facility	Risk of a legal challenge Risk of existing operator reducing service quality if they lose out in the tender process to operate the new centre
Long term new contract commencing April 2020	Legally compliant with CDC procurement rules New contract operator would provide invaluable support into the interior design and layout of the new facility. A fresh impetus to establishing a long term customer focused culture to drive the business	Risk of existing operator reducing service quality if they lose out in the tender process to operate the new centre

5. Corporate Implications

- 5.1 Financial – The estimated costs of professional fees for a development of the size and scale of the proposed leisure and community facility are £2.4M with costs to deliver the scheme to the key decision stage of a planning application estimated at £1.5M.
- 5.2 The evolving feasibility study and business case identifies a net financial return of £1.2M/annum to the Council together with wider range of activities meeting the requirements of the Chiltern Indoor Sports and Leisure Facilities Strategy, delivering a purpose built centre with more efficient operational costs. At the current fixed rate cost of borrowing the income would sustain a loan amount of £30M over a 40 year period thereby delivering a new facility.
- 5.3 Legal – The Council has a legal duty to be compliant with public procurement rules and regulations. The tender for a specialist leisure consultant to advise the Council on the future procurement route will enable a robust evaluation of the Council's options prior to any future decision.

6. Links to Council Policy Objectives

- 6.1 Safe, Healthy and Active communities - Council has a duty to consider the health and wellbeing of its community, enabling leisure opportunities to support a healthier and active community would assist the Council in supporting this objective. Enabling the delivery of fit for purpose leisure facilities would support the councils objectives to reduce crime and disorder, address carbon management in relation to the use of fossil fuels used in the operation of the leisure centres, strengthen partnership working with Public Health, CCG, community groups and sports clubs and improve opportunities for greater community cohesion.

7. Next Steps

- 7.1 Finalise the appointment of the design team to progress the design plans and refine the business costs
- 7.2 Begin the process of appointing a leisure consultant to advice on tendering for the new leisure operator.

Background Papers:	None
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