

## MANAGEMENT TEAM

17th October 2023

### REPORT OF ASSISTANT DIRECTOR, PARTNERSHIPS

#### Award Agreement- Active Ageing Gym, York Road, Holland on Sea

#### PART 1 – KEY INFORMATION

(Report prepared by Jeanette Thomasson)

##### PURPOSE OF THE REPORT

To seek approval to accept funding of £70,000 from Sport England for the provision of an Active Ageing Gym, based on land adjacent to the car park in York Road, Holland on Sea CO15 5JD

##### EXECUTIVE SUMMARY

In 2021, following a successful bid to Sport England through the Local Delivery Pilot (LDP), £70,000 was awarded for the provision of the Active Ageing Gym to go on land adjacent to York Road Car Park, Holland on Sea.

The process to pass funding from Sport England through Active Essex to Tendring District Council for a Capital project, was through a complex agreement with Essex County Council. At the beginning of the year, and after consulting with colleagues in legal and the Active Essex team, it was agreed that the terms and conditions within this agreement, were not suitable for this project. A new agreement via an award letter from Sport England, has now been received.

The gym is designed to build strength and improve balance in those who have had a fall, are at risk of a fall, or require rehabilitation. The total cost of the project is £75,000.

Activation will be through encouragement of local groups such as physiotherapists, social prescribers and rehabilitation, alongside use on an individual basis.

The area around the gym will still be available as an open space for residents to enjoy.

Once in situ, the gym will require maintenance as set out in the manufacturer's guidelines, and the site will need to be maintained by the Open Spaces team.

The gym will also be provided with a name which better reflects it's suitability for all ages.



## RECOMMENDATION(S)

It is recommended that Management Team:

- a) Notes the contents of this report.
- b) Following Management Team, agreement will be sought from the Portfolio Holder for Partnerships, Portfolio Holder for Leisure and Public Realm and the Assistant Director, Partnerships to publish an Officer Decision to accept the £70,000 funding from Sport England.
- c) The award letter from Sport England will be signed.

Once the above approvals are in place, the project will commence.

## REASON(S) FOR THE RECOMMENDATION(S)

The gym will add a unique outdoor facility in an area where there is an ageing population. It will encourage physical activity, and build confidence for those who may be at risk of falling, have previously had a fall, or are struggling with rehabilitation. Fear of falling, or repeated falls can result in isolation, due to lack of confidence to leave the home.

## ALTERNATIVE OPTIONS CONSIDERED

To decline the offer of funding and maintain the area as it is, without an opportunity for an Active Ageing Gym.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The gym will help deliver the priorities in relation to health and wellbeing for effective services and improved public health.

The gym will address health inequalities, and meet the priorities of Sport England and the LDP by increasing physical activity.

The gym will link into the emerging Corporate Plan by:

Creating pride in our area and services to residents, a new free facility for all to use

Raising aspirations and creating opportunities by encouraging supportive physical activity to improve mobility and confidence, reducing isolation.

Working with partners to improve quality of life by engagement with health partners and groups to provide supportive physical activity.

### OUTCOME OF CONSULTATION AND ENGAGEMENT

When the scheme was originally envisaged, contact was made with Sport for Confidence who were consulted with regards to how to create a suitable area, including how to factor in design for those with Dementia.

Tendring Stroke Services were consulted, and indicated a keenness to use the facility.

### LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation	No	If Yes, indicate which by which criteria it is	<input type="checkbox"/> Significant effect on two or more wards
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a Key Decision (see the criteria stated here)		a Key Decision	<input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	

The procurement of delivery of an outdoor gym is within the Council's powers if the correct governance is undertaken, which will include seeking Partnerships Portfolio Holder & the Portfolio Holder for Leisure and Public Realm concurrence, and undertaking an officer decision.

When this gym was originally considered the concurrence of the then Portfolio Holder for Partnerships and the Portfolio Holder for Environment & Public Space was obtained.

☐ **The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:**

The Council's Financial Procedure Rules as contained within Part 5 of the Constitution state at 16.3, that

*"Any application for external funding to finance or contribute to the financing of a function, investment or activity for which the Council is either the sole provider or is the accountable body must be approved by Management Team following consultation with the Chief Financial Officer to ensure the external funding being sought is in accordance with the Council's priorities and not an additional impact on resources. Such approval will be recorded with an Officer Decision."*

It is noted that this report, is the Report to Management Team in October, and it is assumed is being relied upon now to support the Office Decision. The MT notes for 17.10.23 record the report was agreed.

The Funding Award letter sets out the Terms and Conditions of Award with some specific conditions about how your monies will be paid and obligations on performance throughout the term. The Service must ensure they are aware of these they are complied with and monitored accordingly.

#### **FINANCE AND OTHER RESOURCE IMPLICATIONS**

Within the initial application for Sport England funding, the costs were laid out, and are set out in the Award Letter as below:

##### Sport England Contribution

Gym Equipment and installation	£65,000
Towards yearly maintenance costs	£ 3,000
Activation of the gym	£ 2,000

Total Sport England funding	£70,000
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##### TDC contribution

Landscaping and site preparation £ 5,000

Total cost £75,000

The Open Spaces Team support this proposal and estimate that the annual cost to inspect the equipment, will be circa £620.

An estimate of the life span of this type of equipment is fifteen years, and it is recommended that as the equipment ages, 2% of the equipment cost be set aside for wear and tear. This equates to £1,300 per annum.

☐ **The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

#### **USE OF RESOURCES AND VALUE FOR MONEY**

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The scheme is predominantly funded by Sport England with a small amount of match funding from the Council. The funding from Sport England also provides for some ongoing maintenance.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Prior to any work being undertaken concurrence from the Portfolio Holder for Partnerships and the Portfolio Holder for Leisure and Public Realm will be obtained, and an officer decision undertaken
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Active Ageing Gym will provide extra facilities and opportunity for residents to undertake activity appropriate to them, to improve their health and well-being, and is predominantly funded by Sport England.

#### **MILESTONES AND DELIVERY**

The milestones for this project, which will be subject to approvals and governance being in place, are currently proposed as follows,

October – Return of award letter and cost and project plan to Sport England

November- out to tender for 4 weeks.

December- award of contract

February 2024 depending on lead time. (The car park at York Road is less busy at this time, which will help facilitate vehicle access to site.)

Launch April ready for Spring.

This would also achieve Sport England's interest in the funding being spent or committed by 31<sup>st</sup> March 2024. Colleagues from Open Spaces have confirmed that the above timeline is also appropriate for them.

#### **ASSOCIATED RISKS AND MITIGATION**

Risk- The cost of the project exceeds the award of funding

Mitigation- When assessing tenders during procurement, there will be an allowance for some contingency. The gym can be appropriately scaled to within budget.

Risk- The cost of continued maintenance beyond the warranty period.

Mitigation - Based on the award of £3000 in relation to maintenance, that will contribute towards maintenance costs for two years. Value will be awarded to contractors who include a period of free maintenance within the tender process.

Risk- Damage to equipment, resulting in negative press and additional costs

Mitigation- Equipment will be selected to minimise the potential for intentional damage.

#### **EQUALITY IMPLICATIONS**

The gym has the potential to enhance the lives of those who may be living with or at risk of frailty. It will help those who require rehabilitation to build strength. The area around the gym will be maintained, and be available as an open space.

#### **SOCIAL VALUE CONSIDERATIONS**

Wellbeing - The delivery of the contract will support physical and mental health. This gym will target those for whom exercise feels unachievable or who want to prevent themselves from falling. It will encourage participants to build confidence which is often lost when strength or balance decline.

#### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030**

No direct implications. Consideration for the use of sustainable, yet hardwearing materials, will be given during the tender process.

#### **OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS**

**Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.**

<b>Crime and Disorder</b>	No direct implications although the more an area is used, the more likely people will feel safe to be in that area.
<b>Health Inequalities</b>	The gym will encourage use for those at risk of health decline.
<b>Area or Ward affected</b>	St Bartholomew Ward, although also available for anyone else across the district

### **PART 3 – SUPPORTING INFORMATION**

## BACKGROUND

Following discussion with our health colleagues and identifying that there is a high incidence of falls and associated ill-health in the Holland on Sea area, and also speaking to organisations such as Sport For Confidence, it was proposed that it would be a good location for an Active Ageing Gym. The location is near to Clacton, which is a high priority area for the Local Delivery Pilot.

A report detailing the gym was submitted to Management Team on 22<sup>nd</sup> June 2021 as part of a wider LDP project update. Following this, an officer decision to accept the award of funding was completed, together with concurrence from the Portfolio Holder.

We were advised by Sport England, that as the Gym would be the first capital bid project through the Local Delivery Pilot funding, Sport England would need to draw up a contract, which would be passed through Essex County Council (ECC).

In December 2021, we received the contract with ECC. After reviewing and consulting with colleagues in the Legal Team, there were some concerns regarding the contract. Most notably, some sections were referred to, but missing, the clawback period went long beyond the start date of the project, and some clauses appeared to contradict others in the contract. A meeting was held with Sport England to discuss our concerns, and it was by mutual agreement that it was decided that an award letter direct from Sport England, would be the best approach.

In June 2023, the award agreement was received. After reading through the document, and noting no concerns, it was shared with the Legal Team, who advised that if we had no concerns we are able to make the decision to proceed.

## PREVIOUS RELEVANT DECISIONS

Letter of concurrence signed 2<sup>nd</sup> March 2021

Officer Decision to accept award of funding 3<sup>rd</sup> March 2021

## BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

## APPENDICES

1. Award Agreement- Sport England

## REPORT CONTACT OFFICER(S)

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