

To: Councillor Mark Stephenson, Leader and Portfolio Holder for Finance and Governance

From: Mike Carran, Assistant Director, Economic Growth, Culture and Leisure

Cc: Lisa Hastings, Assistant Director, Governance, Lee Heley, Corporate Director, Place and Economy, Kieran Charles, Sport and Leisure Operations Manager

Date: 28th August 2024

Dear Councillor Stephenson,

Swimming Pool Support Fund Grant

Following submission of an external funding application to Government's Swimming Pool Support Fund via Sport England and receipt of a subsequent offer letter, this note sets out details of the scheme, to establish whether you are happy to agree with my decision to enter into two separate agreements for the grant funding and secure the investment.

As set out in the report of the Portfolio Holder for Corporate Finance & Governance - A.2 - Financial Performance Report 2023/24 - General Update at the end of December 2023 considered at the Cabinet Meeting on 19 April 2024, Sport England awarded funding to the value of £136,150 for a Tendring wide bid submitted by the Council. It should be noted that although funding was open to all non private sector pools in the district, only the local authority was authorised to submit applications. As such, a bid that was completed by Brightlingsea Lido CIO was submitted by the Council, but without any input from Council Officers in its preparation.

The funding was allocated as follows:

Tendring District Council: Walton on the Naze Lifestyles

Upgrade of Building Management System: £35,000

Air Handling Unit: £59,500

Brightlingsea Lido CIO

Photo Voltaic (PV) panels: £41,650

The following decisions were taken by Cabinet following consideration of the report referred to above in relation to the funding:

- (i) *accepts the funding of £0.136m awarded to the Council along with noting the terms of the associated grant agreement that requests the Council to operate the facility for a period of three years from the date of the agreement unless otherwise agreed by Sport England;*
- (ii) *agrees that the approval of the necessary governance arrangements be delegated to the Corporate Director (Place and Economy), in consultation with the Leader of the Council and the Council's Monitoring Officer and Section 151 Officer, and that such arrangements aim to protect the Council as far as reasonably possible within the context of the responsibilities the Council may have in administering the grant funding along with any transfers of money to the independently operated Brightlingsea Lido.*

As Sport England have agreed to fund the Brightlingsea Lido projects in addition to those for the Council's facilities, the following two agreements are required:

- (i) **Capital Grant Agreement between Tendring District Council and Sport England.**

This is to form an agreement between Sport England and Tendring District Council as the responsible authority for the grant funding. It should be noted that once the respective works are complete, the funding will be paid in arrears to the Council. Once Brightlingsea Lido have completed their requirements, the funding allocated to their project can be released.

(ii) Grant Adherence Agreement between Tendring District Council, Sport England together with Brightlingsea Town Council and Brightlingsea Lido CIO (the latter two organisations as the lease holder and operator respectively of Brightlingsea Lido).

Officers have worked with Sport England, together with Brightlingsea Town Council and Brightlingsea Lido to finalise an agreement which ensures the responsibilities of each organisation are clearly set out and formalised. This agreement ensures that direct responsibility for the projects under the jurisdiction of Brightlingsea Lido are the accountability of the lease holder (Brightlingsea Town Council and operator (Brightlingsea Lido) respectively. Under this agree it is the responsibility of the Council to transfer the grant funding following receipt from Sport England to the operator, following completion of the works.

It should be noted that this decision will progress the project up to and including signing the respective agreements listed above and a separate executive decision will be published in consultation with the Council's Section 106 Officer prior to placing an order for works. This is to account for allocating an additional budget of £0.150m towards this project, as set out in the report titled 'OVERVIEW OF THE FINANCIAL OUTTURN 2023/24 AND PROPOSED ALLOCATION OF THE GENERAL FUND VARIANCE FOR THE YEAR AND OTHER IN-YEAR BUDGET ADJUSTMENTS 2024/25' considered by Cabinet at their meeting on 26 July 2024. Through that report, Cabinet agreed that this additional funding considered sufficient to deliver both projects should be agreed under a separate decision through a separate business case.

Kind regards,

Mike Carran

Assistant Director, Economic Growth, Culture and Leisure
Phone: 01255 686689
Email: mcarran@tendringdc.gov.uk

To: Mike Carran, Assistant Director, Economic Growth, Culture and Leisure

From: Councillor Mick Barry, Portfolio Holder for Leisure & Public Realm

Cc: Lee Heley, Corporate Director, Place and Economy and Kieran Charles, Sport and Leisure Operations Manager

Date: _____

Dear Mike,

Swimming Pool Support Fund Grant

Thank you for your memorandum dated 28th August 2024, relating to entering into both a grant funding agreement with Sport England and a Grant Adherence Agreement with Sport England, Brightlingsea Town Council and Brightlingsea Lido.

I agree / do not agree with the outlined process to enter into those agreements and progress the project up to and including a tender process for the upgrade of Building Management System and new Air Handling Unit for Walton on the Naze Lifestyles. No order for works will be raised until an executive decision has been published together with a business plan for the respective projects, to allocate additional funding as required.

Kind regards,

Cllr Mark Stephenson
Leader and Portfolio Holder for Finance and Governance