

RECORD OF EXECUTIVE DECISION

Date	Decision Maker	Decision	Reason(s) for Decision	Alternative Options Considered	Conflicts of Interest Declared (and Dispensations granted by the Monitoring Officer)	Consultation with relevant Ward Member(s) Yes/No	Subject to Call-in? Yes/No
22 APRIL 2025	LEADER OF THE COUNCIL AND PORTFOLIO HOLDER FOR FINANCE AND GOVERNANCE & PORTFOLIO HOLDER FOR LEISURE AND PUBLIC REALM & DEPUTY LEADER AND PORTFOLIO HOLDER FOR ECONOMIC GROWTH, TOURISM AND REGENERATION	a) The Holder for Leisure Public Realm agrees the strategy set out in this report for addressing the boiler failure at Clacton Leisure Centre, following an action set out for delivery in the Council's Sport and Activity Strategy; b) on behalf of the Cabinet and using the special urgency powers, in accordance with Parts 3.X and 5.8, the Leader of the Council and Portfolio Holder for Finance and Governance, in consultation with	To ensure that the Clacton Leisure Centre Swimming Pool can maintain its operation and customer service, in the event of a boiler failure. Furthermore, to install a carbon efficient replacement boiler to contribute towards the Council's Climate Change Strategy and subsequent carbon reduction plan. This project will also future proof Clacton Leisure Centre and replace an old oil-fired boiler at the end of its lifespan, with a modern carbon efficient replacement. Following adoption of the Council's Sport and Activity Strategy, of the two boilers which serve the Clacton Leisure Centre swimming pool and	1). Making a decision not to accept the funding and finance the replacement boiler directly. This is likely to cost significantly more than achieving this through securing Salix Funding. 2). To not replace the boiler. This will result in a significant risk of closure and a loss of a vital customer service and accompanying	N/A	No	No

the Portfolio Holder for Leisure and Public Realm agree for the Council to accept Salix Funding to the value of £1,204,481 and enter into the Funding Agreement, as set out in Appendix A, for the purpose of purchasing and installing a new Boiler and associated plant for Clacton Leisure Centre; and c) subject to (a) and (b), the Portfolio Holder for Economic Growth, Tourism and Regeneration together with the Portfolio Holder for Leisure and Public Realm agree to allocate £164,248 from the Community Regeneration Partnership	associated changing rooms, one has failed. Following assessment from the Council's appointed mechanical contractor, confirmation has been received that the boiler is beyond economical repair. In addition, given the age of the remaining boiler, there is a significant risk that the this may fail in a similar manner. Although the second boiler is currently providing sufficient heat for the pool and changing facilities, if this fails there would be no back up in place to prevent water temperature decreasing and a closure of the facility might be imminent. As such, in order to prevent an interruption to the service it is essential that decisions are taken to agree the plan for an appropriate replacement to ensure the most efficient boiler is sourced, which	loss of income. 3). Not planning a contingency arrangement for a potential boiler failure – as Clacton Leisure Centre is currently heating the swimming pool and changing facilities on one boiler, it is considered inappropriate not to have a back up in place. Failure to do so might result in a closure of the swimming pool before the wider project is complete and its resulting impact on customers. Furthermore, there would be a financial
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	Funding, as the Council's contribution to the purchase of a new boiler at Clacton Leisure;	takes into account future plans for Clacton Leisure Centre and relevant financial implications.	implication and loss of income as a result of any closure.
	d) subject to (a) & (b) above, that the installation of a new boiler system for Clacton Leisure is added to the Capital Programme in 2025/26 with a total budget of £1,368,730 ;	In order to explore options for the longer-term replacement of the boiler and meet the Council's strategic aspirations, a decision was published on 14 November 2024 to commit £5,000 towards the ' <i>exploration of external funding opportunities</i> ' to replace the existing oil-fired boiler at Clacton Leisure Centre with a modern carbon efficient alternative. Professional services were subsequently engaged to complete a funding bid to ' <i>Salix Finance</i> ' on behalf of the Council and on 14 March 2025, the Council received confirmation that the funding application was successful and	
	e) that the Leader of the Council and Portfolio Holder for Finance and Governance agrees to carry forward £45,000 from the former Joint Use Sports Centre budget from the 2024/25 financial year into 2025/26, and allocates this towards a budget which can fund a temporary oil-fired boiler		

system for Clacton Leisure Centre at short notice, as an interim measure, in the event of a failure of the remaining boiler prior to the project being completed; f) subject to (d) above, that the Leader of the Council and Portfolio Holder for Finance and Governance agrees an exemption to procurement is agreed to allow the Council to appoint its term contractor, Lindsey Group, to provide the temporary boiler, associated plant and labour; g) following (f) it is noted that the Assistant Director Sport, Leisure and Health will	received an award offer of £1,204,481 towards a total project cost of £1,368,729. The Funding Agreement (as attached at Appendix A), is required to be signed by 25 April 2025, in order to secure the award. The decision to accept this grant and sign the Agreement, is to be made using special urgency powers delegated to the Leader of the Council, as set out in Part 3, Schedule 3 of the constitution, in consultation with the Section 151 and Monitoring Officers. All other decisions set out in the recommendations are taken outside of any urgency frameworks.	
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		develop the procurement strategy for the commissioning of contractors to deliver the installation of a new boiler system within the milestones, as required by the Funding Agreement.							
		h) It is understood that the decisions above are made in the context that the Council is bound by the Salix Funding agreement from the grant start date until 3 years after the project is completed.							
URGENT DECISIONS ONLY (if non-urgent go to "Agreement to Decision" below):-									
GENERAL EXCEPTION APPLIES? (Rule 14 Access to Information Procedure Rules)			NO		If yes, has at least 5 clear days notice been given to the Chairman of the relevant overview and scrutiny committee?				N/A
SPECIAL URGENCY APPLIES? (Rule 15 Access to Information Procedure Rules)			NO		If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?				N/A
EXEMPTION FROM CALL-IN APPLIES? (Rule 18i Overview and Scrutiny Procedure Rules)			NO		If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?				N/A
URGENT & OUTSIDE BUDGET OR POLICY FRAMEWORK? (Rule 6 Budget and Policy Framework Procedure Rules)			NO		If yes, why is it not practical to convene a quorate meeting of full Council?				
					If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?				N/A

Swimming Pool Salix bid

AGREEMENT TO DECISION:-

Signed:-

Leader of the Council and Portfolio Holder for Corporate
Finance & Governance



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Decision Maker

Portfolio Holder for Leisure and Public Realm

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Decision Maker

Deputy Leader of the Council and Portfolio Holder for
Economic Growth, Regeneration and Tourism

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Decision Maker

Date:-

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Delegated Power Reference (in Part 3 of the Constitution):-

... Para 6.3.5 (b) Part 5.4 of the Constitution

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**Original signed copy to be retained by Service.
Electronic copy to be sent to Ian Ford and Katie Sullivan (Committee Services) for publication.**