

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	30 January 2026
Decision Maker (Officer):	Kieran Charles – Head of Sport & Leisure
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39). The Corporate Director Lee Heley has delegated operational matters relating to the Personal Trainer Operating Agreement to the Head of Sport & Leisure.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Mick Barry
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	The execution of multiple Personal Trainer Operating Agreements is proposed for TDC leisure facilities, thereby authorising the use of Tendring District Council leisure venues. A maximum of five agreements may be established at Clacton Leisure Centre, and up to three each at Walton Lifestyles and Dovercourt Bay Lifestyles.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Previous decision: https://tdcdemocracy.tendringdc.gov.uk/ieDecisionDetails.aspx?id=13716&LLL=0 saw the implement Personal Trainer Operating Agreement for the use of Tendring District Council leisure facilities. This new agreement set out the terms under which approved personal trainers may operate, including requirements for insurance, risk

	assessments, permitted use, and adherence to health and safety protocols. This agreement is designed to ensure service quality, generate a new revenue stream, enhance the value proposition of the facilities, and support local employment and professional development in the fitness sector however, this decision lack clarity on the number of operational agreements being executed at one time at and across TDC facilities.
Highlight any associated risks/finance/legal/equality considerations:	A key risk associated with implementing the Personal Trainer Operating Agreement is the potential for operational disruption due to space and scheduling conflicts within leisure centres, as the agreement does not guarantee availability or priority for trainers. Additionally, there are legal and financial risks if trainers fail to maintain required insurance or comply with health and safety obligations, which could expose the Council to liability. Reputational risks may also arise if trainer conduct or service quality falls short of expectations, potentially impacting public perception of the Council's leisure services. As such an auditing approach by the general manager will be undertaken to ensure conduct or service quality doesn't fall short of expectations and that the insurance levels are maintained.
NEW : Details of Local Government Reorganisation and/or Devolution considerations	The implementation of clearly defined Personal Trainer Operating Agreements will support Local Government Reorganisation by establishing a consistent, transferable operating model across leisure facilities. By formalising standards for trainer eligibility, compliance, and operational capacity, this approach strengthens governance arrangements and reduces ambiguity during service integration or structural transition. The clarity around maximum numbers of agreements at each site also provides an operational baseline that can be scaled or adapted within any future LGR framework, ensuring continuity of service delivery, protection of income streams, and alignment with emerging countywide leisure strategies.
Details of any Alternative Options Considered and rejected (together with reasons):	The Council could opt not to introduce a formal Personal Trainer Operating Agreement. An ad hoc or informal arrangements could take place instead. This approach is rejected due to the associated risks around liability, inconsistent service standards, and missed revenue opportunities. The chosen agreement provides a structured, compliant, and revenue-generating framework that supports both operational control and community benefit.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	N/A

If relevant, a note of the dispensation granted by the Monitoring Officer:		
Reason Decision, or supporting Report, is not published: <i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	✓	Not applicable – Decision to be published.
	If Report is not to be published – tick one of the following boxes:	
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• Relates to an individual
		• Likely to reveal the identity of an individual
		• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings.
		• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment.
		• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<u>And</u> is exempt 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. Reasons:		

Officers

Signed: K. Charles

Title: Head of Sport & Leisure

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder for Leisure and Public Realm

Signed:

Signed:

Signed:

Section 151 Officer (if required)

Signed:

Monitoring Officer (if required)

Dated: