

Notice of Meeting



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Special Executive

**Thursday 19 December 2019 at the rising
of the Special Executive Meeting**

in the Council Chamber, Council Offices,
Market Street, Newbury

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Date of despatch of Agenda: Monday 16 December 2019

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To:	Councillors Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Richard Somner and Howard Woollaston
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Agenda

Part I

- 1. Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
- 2. Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

Items as timetabled in the Forward Plan

	Pages
3. Leisure Centre Fees and Charges 2020 (EX3846) (CSP: PC1 & PC2) Purpose: To implement the contractual requirement for an annual price review for 2020 for the leisure contractor to come into effect on 1 st January 2020.	3 - 14

Sarah Clarke
Head of Legal and Strategic Support

West Berkshire Council Strategy Priorities

Council Strategy Priorities:

- PC1: Ensure our vulnerable children and adults achieve better outcomes**
- PC2: Support everyone to reach their full potential**
- OFB1: Support businesses to start, develop and thrive in West Berkshire**
- GP1: Develop local infrastructure to support and grow the local economy**
- GP2: Maintain a green district**
- SIT1: Ensure sustainable services through innovation and partnerships**

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



Leisure Centre Fees and Charges 2020

Committee considering report:	Special Executive on 19 December 2019
Portfolio Member:	Councillor Rick Jones
Date Portfolio Member agreed report:	7 November 2019
Report Author:	Jim Sweeting
Forward Plan Ref:	EX3846

1. Purpose of the Report

- 1.1 To implement the contractual requirement for an annual price review for 2020 for the leisure contractor to come into effect on January 1st 2020.

2. Recommendation

- 2.1 That the Executive approve the proposed increase in Fees and Charges as outlined in Appendix D for the leisure management contract.

3. Implications

- 3.1 **Financial:** There are no direct implications to the Council's own budgets from the contractor implementing any increase in Fees and Charges. Within the terms of the Leisure Contract, the contractor retains all income. An income share arrangement is specified within the contract should end of year surpluses be above a certain threshold.
- 3.2 **Policy:** The leisure contract was changed in 2010/11 to accommodate a review of Fees and Charges prior to January of the following and subsequent years. This now forms a condition of the contract between West Berkshire Council and Legacy Leisure.
- 3.3 **Personnel:** None
- 3.4 **Legal:** Agreement to any increase in the maximum core leisure Fees and Charges will be formally recorded through an exchange of letters and will be included in the Council's published schedule of Fees and Charges for 2020/21.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 The Fees and Charges for the Leisure Centres are set by the leisure contractor, the proposals outlined are those which have been presented by Legacy Leisure for the maximum fees for identified Core Activity, as part of their business plan for the West Berkshire Contract for 2020.
- 4.2 Consideration is given both to achieving standard tariffs across all centres and to the level of fees and charges set by local competitors in the industry and nearby Local Authority facilities in neighbouring districts and boroughs.

Executive Summary

5. Introduction / Background

- 5.1 In establishing their proposed maximum fees and charges for core activity at leisure centres in 2020 the contractor has outlined the standard (non-card holder) prices as outlined in Appendix D. Once discounts as set out in 5.2 are applied it results in an average increase of 2.6% in the charges applied to West Berkshire Card Holders, this is slightly lower than the benchmark level provided for the Retail Price Index at the end of the contract year (2.9% - June 2019) when rounded to the nearest 5p.
- 5.2 In 2015 it was agreed to move from a standard 10% differential in pricing to flat rates – for 2020 West Berkshire Card Holders will benefit from a discount of:
- (a) £1.00 for individual adult activity
 - (b) £0.50 for individual junior activity
 - (c) £5.00 for team sports.

It should be noted West Berkshire Cards are free to West Berkshire residents.

- 5.3 Benchmarking against other authorities indicates that the discounts applied for West Berkshire Card holders are in line with what other Local Authority Leisure Centres offer.

6. Proposal

- 6.1 The maximum Fees and Charges for 2020 for core activity at West Berkshire Leisure Centres are outlined in Appendix D.

7. Conclusion

- 7.1 When the proposed Fees and Charges are benchmarked against surrounding Local Authority owned facilities it is seen that charges in West Berkshire are at the lower end of the comparison, thus representing good value for money to West Berkshire residents.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – Proposed maximum core charges for leisure centres for 2020.

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Economy and Environment
Service:	Public Protection and Culture
Team:	Sport and Leisure Team
Lead Officer:	Jim Sweeting
Title of Project/System:	Leisure Centre Fees and Charges 2020
Date of Assessment:	08-10-2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	√
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	√
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	√
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	√
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	√
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	√
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	√

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:		To agree the Core Maximum Leisure Centre Fees and Charges for 2020	
Summary of relevant legislation:		n/a	
Does the proposed decision conflict with any of the Council's key strategy priorities?		No	
Name of assessor:		Jim Sweeting	
Date of assessment:		08-10-2019	
Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	No
Service	No		
1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?			
Aims:		To consider the Fees and Charges proposed by the leisure contractor for 2020.	
Objectives:		To agree the maximum core Fees and Charges with the leisure contractor for 2020.	
Outcomes:		Maximum Fees and Charges agreed and published prior to coming into effect on January 1 st 2020	
Benefits:		Consistent charging policy across facilities in West Berkshire.	
2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)			
Group Affected	What might be the effect?	Information to support this	
Age			
Disability			
Gender Reassignment			

Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		
None of the listed groups are impacted more positively or negatively than others by the proposed changes. For those on low incomes in which ever group access to a concessionary scheme is available which provides reduced admission during off peak times. Bespoke schemes are also commissioned by Public Health and the People's directorate to provide further support.		
3 Result		
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?		No
Please provide an explanation for your answer: Benchmarking suggests that the charges levied at West Berkshire's leisure centres compare very favourably with other similar types of facilities in the area. Access is by both pay and play and membership so participants can access the facility on a pay as you go basis rather than having to commit to a monthly membership or contract.		
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?		No
Please provide an explanation for your answer: Benchmarking suggests that the charges levied at West Berkshire's leisure centres compare very favourably with other similar types of facilities in the area. Access is by both pay and play and membership so participants can access the facility on a pay as you go basis rather than having to commit to a monthly membership or contract.		

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

Name: Jim Sweeting

Date: 08/10/2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

Leisure Centre Fees and Charges 2020 – Supporting Information

1. Introduction/Background

- 1.1 The leisure centre fees and charges are reviewed annually for implementation on the 1st January each year.
- 1.2 The Council's contractor is Parkwood Leisure Ltd with the management of the centres delivered by their charitable arm Legacy Leisure. The current contract runs through to the end of June 2022. The contractor sets the charges for each year based on its business plan and then submits them to West Berkshire Council as part of their business plan for the year.
- 1.3 For 2019 West Berkshire Council agreed an average increase in Fees and Charges of 2.9%
- 1.4 Within the terms of the Leisure Contract, the contractor retains all income raised. An income share arrangement is specified within the contract should end of year surpluses be above a certain threshold.

2. Supporting Information

- 2.1 In drawing up their proposed fees and charges for 2020 the contractor has reviewed their business plans for the West Berkshire Contract and bench marking of proposed fees and charges against Local Authority owned leisure facilities for the surrounding area demonstrates that the proposed Fees and Charges represent good value for money for West Berkshire residents.
- 2.2 The West Berkshire Card was introduced in 2009 in response to an Audit Commission inspection of Cultural Services which recommended that a methodology should be adopted to ensure that service providers knew who their customers were.
- 2.3 The West Berkshire Card is provided free of charge to West Berkshire residents with the ability to purchase the benefits at leisure centres available to non-residents. Card holders receive a discount of £1 per activity (adult); 50p per activity (child) and £5.00 per activity (team sports).
- 2.4 To date over 60,000 cards have been activated in leisure centres with almost 25,000 regarded as being active during 2019.

3. Options for Consideration

- 3.1 Within their business plans for each centre the contractor has considered a range of fees and charges which ensure the leisure centres remain competitive with other facilities within the district and those within neighbouring authorities also.

4. Proposals

- 4.1 For 2020 the contractor is looking at flexible competitive charges across the contract which particularly factor on the competition and market rates for West Berkshire Leisure Centres both against facilities within the district and those in neighbouring authorities. To accommodate this, Legacy Leisure are looking at flexible charges to respond to local markets with an average rise across the contract of 2.6% against the RPI rate of 2.9% for June 2019 – the benchmark position at the end of the previous contract year.
- 4.2 The proposed maximum ‘Core’ activity charges for the leisure centres would be as set out in Appendix D.

5. Conclusion

- 5.1 When the proposed Fees and Charges are benchmarked against surrounding Local Authority owned facilities it is seen that charges in West Berkshire are at the lower end of the comparison thus representing good value for money to West Berkshire residents.

6. Consultation and Engagement

- 6.1 Customer importance and satisfaction at prices charged forms part of the biennial user survey across leisure centres (in 2017 over 1,600 responses) where over 90% of respondents were satisfied with the charging regime deployed by the leisure contractor. (Since 2007 no above inflation increase has been employed at the leisure centres.)

Background Papers: Leisure Centre customer survey carried out in the autumn of 2017. (Note the 2019 is in place currently – results to be reported early in 2020).

Subject to Call-In:

Yes: No:

Delays in implementation could compromise the Council’s position

Wards affected: Data shows that users come from All Wards.

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- PC1: Ensure our vulnerable children and adults achieve better outcomes**
- PC2: Support everyone to reach their full potential**

Officer details:

Name: Jim Sweeting
Job Title: Sport and Leisure Manager
Tel No: 01635 519251
E-mail Address: jim.sweeting@westberks.gov.uk

Appendix D

Proposed Maximum Core Charges for Leisure Centre Users 2020

	2019		2020		
	WB Card price	Standard (Non WB Card price)	WB Card price	Standard (Non WB Card price)	
West Berkshire Card Resident	Free		Free		
West Berkshire Card - non resident	£20.00		£20.00		
Swimming					
Adult	£3.90	£4.90	£4.00	£5.00	
Junior	£2.60	£3.10	£2.70	£3.20	
Over 60's (non-concessionary times)	£2.60	£3.60	£2.70	£3.70	
Early Morning Swim					
Adult	£3.10	£4.10	£3.20	£4.20	
Junior	£1.80	£2.30	£1.90	£2.40	
Over 60's	£1.80	£2.80	£1.90	£2.90	
Gym and Fitness					
Casual User	£7.80	£8.80	£8.00	£9.00	
Casual User Induction	£16.00	£17.00	£16.00	£17.00	
Classes (1 hour duration)	£6.10	£7.10	£6.30	£7.30	
Activity for Health – GP Referral	£3.40	£4.40	£3.50	£4.50	
Hall Hire/Sports					
Full Sports Hall (4 courts) - adult	£46.00	£51.00	£47.00	£52.00	
Full Sports Hall (4 courts) - junior	£24.00	£29.00	£25.00	£30.00	
Badminton Court – adult (55 mins)	£9.50	£10.50	£9.70	£10.70	
Badminton - junior	£6.00	£6.50	£6.20	£6.70	
Squash Court - adult	£11.00	£12.00	£11.30	£12.30	
Squash Court - junior	£4.10	£4.60	£4.20	£4.70	
Membership					
Membership - Flexi (monthly)	£39.00	£44.00	£39.00	£44.00	
Membership - Fixed (monthly)	£35.00	£38.00	£35.00	£38.00	
Concession					
Gym	£3.70		£3.80		During concessionary periods
Swimming/Badminton/Squash/Table Tennis (as available)	£2.00		£2.00		During concessionary periods

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