

Member Decision Record

Decision Title
Support to the Council's Leisure Operator in light of the Coronavirus Situation
Decision Details
<p>The decision approves an emergency financial support package for Everyone Active to ensure that their staff remain employed and that our leisure partner remains operational in the current Covid 19 crisis.</p> <p>The Cabinet Member for Community Services approved the recommendations following consultation with the Strategic Director/Head of Community Services set out in the report:</p> <ol style="list-style-type: none"> 1. Approve the financial support package as set out in paragraph 3 of the report. 2. Authorise the Head of Community Services in consultation with the S151 officer to implement the support package following a monthly review. 3. Authorise the Director of Place to vary the contract with Everyone Active to enable the financial support package to be provided. <p>The report was considered and the consequences of not supporting our leisure partner as set out in paragraph 1.5 in that if "Everyone Active does fail as a business then there will be considerable financial ramifications to the council. An alternative leisure partner would need to be procured at a significant cost or the service would have to be delivered in-house with all staff requiring a TUPE transfer back to the council. In addition, the building of the new Coalville Leisure Centre may be put in jeopardy or, at best, it will be significantly delayed."</p>
Reason for Decision
<p>The decision ensures that the employees, who transferred from the council on 1st May 2019, will continue to be paid during the Corona Virus. Measures have been put in place to ensure that through the government's Coronavirus Job Retention Scheme Everyone Active will make a claim for 80% of their salary costs which if successful will be reimbursed to the Council.</p> <p>The Labour Group sought the following assurances on the report which were considered as part of the decision and agreed as correct and covered by the decision and agreements that will be put in place.</p> <ul style="list-style-type: none"> • The 80% salary payment from Government will be backdated to the start of the furlough period. • Claims for this money from an employer are not invalidated by voluntary work being carried out for the employer's client. • That the redirection of EA staff on furlough is genuinely on a voluntary basis and no sanctions will be made against those workers choosing to opt out, for whatever reason. • Where claims from the Government are met, the Council are able to reclaim the 20% of salary overpaid to the contractor. • That the Council will take full responsibility for staff working on a voluntary basis, with respect to training, health & safety, injury / sickness, protective work gear and insurance. • The Council and / or the Leisure Operator carry out due diligence to ensure correct payments for National Insurance and pension contributions are made. <p>The Cabinet Member for Community Services consulted the Cabinet Member for Finance as part of making the decision.</p>
Source of Delegation

At a meeting with the Chief Executive on Thursday 19 March 2020, the Leader of the Council made a decision to postpone scheduled committee meetings and he delegated his executive decision powers to his Cabinet members.

A record of the decision by the Leader can be found [here](#).

Type of Decision

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Key Decision

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Non-Key Decision

List of Background Papers

The background papers and the main report are all commercially confidential

What alternative options were considered when making the decision?

Not to support the decision.

If the council did not support our leisure partner in this way the staff would suffer significant disruption to their salary payments going forwards in this crisis. Everyone Active would also be put at risk as an operator due to the closure of the centres.

What conflicts of interest were declared by any executive members consulted which relates to the decision?

None declared.

Decision Made By

Councillor Andrew Woodman – Portfolio Holder for Community Services

Signature.....

Officer consulted prior to making the decision

James Arnold – Strategic Director of Place

Signature.....

Date Decision Made

31 March 2020

Date Decision Published

02 April 2020