



Shareholders Committee

Tue 27 Feb
2024
6.30 pm

Council Chamber
Town Hall

REDDITCH BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact
Jess Bayley-Hill**

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If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

Meeting attendees are encouraged not to attend a Committee if they have any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

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Notes:

Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.



Shareholders Committee

Tuesday, 27th February, 2024

6.30 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Craig Warhurst (Chair)	Joe Baker
	Emma Marshall (Vice-Chair)	Sid Khan
	Imran Altaf	

1. Apologies for Absence and Named Substitutes
2. Declarations of Interest
3. Council Funding and Support Update (Pages 5 - 10)
4. Exclusion of the Press and Public

Should it be necessary, in the opinion of the Chief Executive, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act”.

These paragraphs are as follows:

Subject to the “public interest” test, information relating to:

- Para 1 – any individual;
- Para 3 – financial or business affairs;

and may need to be considered as ‘exempt’.

5. Minutes of the Previous Meeting (Pages 11 - 24)
6. Arrow Valley Lake (Pages 25 - 28)
7. Appointment of Directors
8. Quarter 3 Performance Monitoring Update Report 2023/24 (Pages 29 - 36)

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Redditch Borough Council**Shareholders Committee 27th February 2024****Council Funding and Support Update**

Relevant Portfolio Holder	Councillor Warhurst
Portfolio Holder Consulted	Yes
Relevant Head of Service	Pete Carpenter
Report Author	Job Title: Peter Carpenter – Director of Resources/Deputy Chief Executive Email: peter.carpenter@bromsgroveandredditch.gov.uk Contact Tel: 0152764252
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	All
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. SUMMARY

The Council set up Rubicon Leisure Limited in 2018 to deliver the Council's Leisure and Cultural activities. As part of the arrangements the Council provide ongoing support services to Rubicon. Rubicon have had concerns with the support they have been receiving from the Council. This report updates the Shareholders Committee on:

- Actions and their associated delivery following the Shareholders Committee Meeting on the 28th November 2023.
- Investment being made in Rubicon.
- The ongoing Council financial issues and how these impact Rubicon in relation to the closure of the 2022/23 Accounts.

2. RECOMMENDATIONS

Shareholders Committee are asked to Note and Comment on the:

- The ongoing approach for the financial support and the delivery of financial support services to Rubicon by the Council
- The investment being made in Rubicon operated facilities by the Council over the next three years as per the 2024/5 Medium Term Financial Plan.
- The delivery of improvements/savings facilitated by the £177k and £205k Grants from Sport England (DCMS).

Redditch Borough Council**Shareholders Committee 27th February 2024****3. KEY ISSUES****Outstanding Issues**

- 3.1 Following the meeting on the 28th November 2023, Members had a number of questions that they felt needed fuller explanation to ensure they had a full understanding of Rubicon and its operational and financial performance in order to properly discharge their duties.
- 3.2 The following questions were raised where further information was required:
- The quality of the road surface of the car park located closest to the lake in the Arrow Valley Park and the potential for capital funding to be used to undertake improvement works at the site.
 - The capital programme listed below invests in the Car Parks, additional funding will be required for this portion of the Park.
 - The extent to which progress had been made since the previous meeting of the Committee in terms of recruitment of a Company Secretary.
 - Shareholders will be updated as part of the Managing Director's report.
 - The extent to which it would be possible to designate the Arrow Valley Lake as suitable to use for outdoor bathing.
 - This is linked to the Sailing Club paper on today's agenda and the limited time that Rubicon have exclusive use of the lake.
 - The identities of the Directors appointed to Rubicon Board.
 - The Companies House registration sets these out as Julia Breakwell, Rebecca Delmore, Gregory Langston, Guy Revans. Sue Hanley was a director but has resigned now she is the Chief Executive and another Council employed Director is being sought.
 - The potential for Members of the Shareholders Committee to meet with Members of the Rubicon Board.
 - This is being set up but will be outside these Shareholders Meetings which have a specific function based on the Reserved Matters.
 - The extent to which VAT receipts had been updated.
 - We have paid up to Q3 2023/4 – based on the HMRC central assessment.
 - The extent to which heat supplied from Redditch Crematorium heated the swimming pool at the Abbey Stadium.
 - The capture of flue gas waste heat based on the current operation (250 operating days at 8 hours at the Crematorium) would give an estimated saving on the gas of £23,520 for 2024/25 based on current rate of 4.2p kWh.
 - The criticisms that were sometimes levelled at Redditch, in terms of the availability of things to do in the Borough. Members commented that action needed to be taken to promote the facilities, events and activities that were available in the town.
 - The Managing Director's report sets out the requirement for a Marketing and Events Manager. Final interviews for this will be in February.

Redditch Borough Council**Shareholders Committee 27th February 2024****Investment in Rubicon Facilities (Including the 2024/5 Medium Term Financial Plan Process)**

- 3.3 The 2024/5 – 2025/6 Medium Term Financial Plan had the following investment in Rubicon (pending approval by Council on the 26th February 2024):
- Continuation of the Revenue support at £777k a year (this includes £78k of repairs and maintenance of facilities, with the remainder being the management fee).
 - Capital Investment of
 - £12k to improve parking bays near the Arrow Valley Country Park Visitor Centre in 2024/5.
 - £95k to increase the Arrow Valley Country Park Car Park by 25 spaces in 2024/5.
 - £350k in 2024/5 and £100k in 2025/6 to improve the Arrow Valley Country Park Visitor Centre.
 - £61k of improvements to the original Pump Track at Arrow Valley Country Park in 2024/5.
- 3.4 The Council applied through Sport England, whose sponsor Department is the Department for Culture, Media and Sport (DCMS) for support in reducing running costs for the Swimming Pool at the Abbey Stadium Sports Centre. And has been successful in the award of two grants.
- 3.5 DCMS has allocated funding to support public sector leisure centres with swimming pools that face immediate cost pressures to limit closures and reduce running costs, specifically energy and chemical costs (the “Swimming Pool Support Fund”). Representatives from DCMS, Department for Levelling Up, Housing and Communities (“DLUHC”) and Sport England form a committee to determine jointly whether individual applications for funding are suitable and the amount of funding to be allocated. Sport England is the body designated to distribute the allocated funding to approved applicants and monitor the application of the funds.
- 3.6 The Council applied for a revenue grant from the fund, and this application was approved In October 2023 at a total of £177,311. This grant is to be used for expenditure relating to energy or chemical use for the Facilities. The Grant was awarded to Rubicon Leisure and has to be used within the next three years.
- 3.7 An addition DCMS grant for the installation of Photo Voltaic (PV) Panels at the Abbey Stadium Sports Centre for £205,000 has also been approved on the 31st January 2024.
- 3.8 As highlighted in the November report, all DCMS Grants have conditions attached which includes monitoring any improvements and a breakdown of facility usage.

Update on the Closure of Accounts

- 3.9 The Board at its meetings in July and November noted and commented on the issues that the delayed Audit of the Council’s 2020/21 Accounts, including the data take on

Redditch Borough Council**Shareholders Committee 27th February 2024**

balances was having on the closure of Rubicon's 2022/23 Accounts. This included the review and response of a letter received from the Rubicon Board of Directors on the quality of financial support being received by Rubicon from the Council and the fact that Rubicon needed to comply to the requirements of the Companies Act.

- 3.10 The Committee had noted that the Council are still to deliver their 2020/21 Accounts. There is a plan which is discussed at every Audit Committee for rectification however, until the Auditors sign off the opening balances at the time of transfer to the new financial system, draft accounts will not be able to be delivered. The backlog in 2020/21 cash receipting transactions that is the cause of the issues has been cleared and the Council has been able to produce draft 2020/21 Accounts. The Council has supplied its External Auditors with take on balance reconciliations and are awaiting approval of these amounts and any adjustments to submit these draft 2020/21 Accounts for Audit.
- 3.11 Rubicon's 2020/21 and 2021/22 Accounts have been delivered, the latter with very heavy qualifications. Rubicon has successfully applied for a 3 month extension in the delivery of their Statutory Accounts for 2022/23 because of these issues with a new due date of the 31st March 2024. Both the 2020/21 and 2021/22 Accounts had underspend positions and these amounts will be moved into an Earmarked Rubicon Reserve to mitigate any issues that might arise when the Councils accounts are finally closed for those years.
- 3.12 Rubicon's External Auditors were on site at the Town Hall on the 12th February to undertake compliance checking as part of the 2022/23 Audit process.
- 3.13 VAT returns have now been undertaken up to Q3 2023/4 – based on the HMRC central assessment.
- 3.14 Rubicon, with the change of their Managing Director, have engaged a financial review to assess issues within their business. The Council is working with Rubicon in delivering information for this review.

4. Legal Implications

- 4.1 No Legal implications have been identified.

5. Strategic Purpose Implications**Relevant Strategic Purpose**

- 5.1 The Strategic purposes are included in the Council's corporate plan and guides the Council's approach to budget making ensuring we focus on the issues and what are most important for the borough and our communities. Our Financial monitoring and strategies are integrated within all of our Strategic Purposes.

Climate Change Implications

- 5.2 The green thread runs through the Council plan. Every report has potential financial implications and these in term can have implications on climate change. These will be

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addressed and reviewed through individual reports when relevant by climate change officers will ensure the correct procedures have been followed to ensure any impacts on climate change are fully understood.

6. Other Implications**Customer / Equalities and Diversity Implications**

6.1 None as a direct result of this report.

Operational Implications

6.2 Managers meet with finance officers to consider the current financial position and to ensure actions are in place to mitigate any overspends.

7. RISK MANAGEMENT

7.1 The financial monitoring is included in the corporate risk register for the authority

8. APPENDENCES**AUTHOR OF REPORT**

Name: Pete Carpenter– Interim Director of Finance (S151)

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Shareholders Committee

Tuesday, 28th November,
2023

MINUTES

Present:

Councillor Craig Warhurst (Chair), Councillor Emma Marshall (Vice-Chair) and Councillors Imran Altaf, Joe Baker and Sid Khan

Also Present:

Ben Clawson-Chan (Managing Director, Rubicon Leisure Limited)

Officers:

Peter Carpenter and Claire Green

Principal Democratic Services Officer:

Jess Bayley-Hill

8. APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

There were no apologies for absence.

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. COUNCIL FUNDING AND SUPPORT UPDATE

The Interim Section 151 Officer presented an update in respect of Council funding for and the support the authority provided to Rubicon Leisure Limited. This report had been produced following Members' consideration at the previous meeting of a proposed response to correspondence that had been received from the company earlier in the year regarding the support services that the Council provided.

The Committee was advised that the Section 151 Officer had attended a meeting with the Rubicon Board six weeks prior to the latest Shareholders Committee meeting. During this meeting, consideration had been given to the challenges created by the Council's new finance system in respect of submitting company accounts. Unfortunately, there remained a need to resolve the

Chair

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suspense accounts for both the company and the Council and it was possible that this would mean that the company's accounts for 2022/23 would not be ready in time to submit to Companies House by 31st December 2023. A decision would be taken shortly as to whether to request an extension to the deadline for the submission of these accounts.

The Council had had a number of Service Level Agreements (SLAs) in place with Rubicon Leisure Limited when the company was first launched. By November 2023, Financial Services, including Payroll, Parks and ICT support continued to be provided to Rubicon Leisure Limited by the Council. However, HR support for the company had transferred from the authority to an external provider. The SLAs would be reviewed further in due course.

An application had been submitted for grant funding to cover some of the company's utilities costs. The second round of this grant funding process was currently taking place and a further application would be submitted. The Committee was advised that the process of applying for this grant funding could be quite onerous. The Council was aiming to fund the redevelopment of the changing rooms and toilets at the Abbey Stadium as a part of the capital programme.

As part of the Council's capital programme, there were plans to invest £600,000 in Rubicon Leisure Limited and the wider Arrow Valley Park over the following three year period. This capital funding would be invested in improvements to the play areas, improvements to the toilets in the Arrow Valley Park and countryside centre, the installation of kiosks in the Arrow Valley Park and improvements to the kitchen facilities at the site.

Following the presentation of the report, Members discussed a number of points in detail:

- The quality of the road surface of the car park located closest to the lake in the Arrow Valley Park and the potential for capital funding to be used to undertake improvement works at the site. Officers explained that no bid had been received from the Council's Leisure team for capital funding to address this issue, but the Interim Section 151 Officer undertook to discuss the matter further with relevant Officers.
- The £177,000 grant funding that had been provided through Sport England for Rubicon Leisure Limited and the extent to which this funding was ring fenced. The Committee was informed that the funding was ring fenced and there was a

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requirement to provide data to demonstrate that the funding had been used as intended.

- The extent to which progress had been made since the previous meeting of the Committee in terms of recruitment of a Company Secretary. Members were advised that no Company Secretary had yet been appointed but this would be discussed further if required.
- The extent to which it would be possible to designate the Arrow Valley Lake as suitable to use for outdoor bathing. Members were advised that there were barriers which meant that this option was not available moving forward.
- The identities of the Directors appointed to Rubicon Board. Members were advised that there was a mixture of Non-Executive Directors, appointed following a recruitment exercise, and Executive Directors, appointed from amongst senior officers of the Council.
- The potential for members of the Shareholders Committee to meet with members of the Rubicon Board. Members commented that they were keen to meet with members of the Rubicon Board, potentially at the Arrow Valley Countryside Centre, preferably prior to or at the following meeting of the Committee.
- The underspend recorded in the report and the company's current reserves. Members were advised that exact figures could not be provided in respect of this matter until the accounts were closed.
- The extent to which VAT receipts had been updated. Officers advised that by the end of that week, VAT receipts would have been updated up to the end of September 2023.

RESOLVED that

- 1) the ongoing approach for the delivery of support services to Rubicon by the Council be noted;**
- 2) the £650,000 investment being made in Rubicon operated facilities by the Council over the next three years as per the 2024/5 Medium Term Financial Plan be noted; and**
- 3) the implementation of improvements to plants facilitated by the £177,000 grant from Sport England be noted.**

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11. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that:

Under S100 A (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 of the said act, as amended.

- **Minute Item No. 12 – Minutes of the Previous Meeting**
- **Minute Item No. 13 – Quarter 2 Performance Monitoring Report**

12. MINUTES OF THE PREVIOUS MEETING

Members considered the minutes of the meeting of the Shareholders Committee held on 6th July 2023.

During consideration of this item, the following points were discussed:

- The correspondence received from the Rubicon Board prior to the previous Shareholders Committee meeting and whether this would be shared with Members. Officers confirmed that this had been included in a report that had been shared with all Members of the Committee, including substitute Members, in July 2023.
- As discussed at the previous meeting of the Committee, Members requested that the role of Company Secretary be included as an item on the agenda for the following meeting.
- Members requested that further clarification with respect to legal requirements in terms of the use of the Arrow Valley Lake be included as an item on the agenda for consideration at the following meeting of the Committee.
- It was noted that the minutes referred to invitations being sent to members of Rubicon Board to attend a meeting of the Shareholders Committee. Members commented that they wished for this proposal to be actioned in time for the following meeting of the Committee.

RESOLVED that

subject to the amendments detailed in the preamble above, the minutes of the meeting of the Shareholders Committee held on

Shareholders Committee

Tuesday, 28th November, 2023

6th July 2023 be approved as a true and correct record and signed by the Chair.

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which related to the financial and business affairs of any particular person (including the authority holding that information)).

13. QUARTER 2 PERFORMANCE MONITORING UPDATE REPORT 2023/24

The Managing Director of Rubicon Leisure Limited presented the Quarter 2 Performance Monitoring Update Report 2023/24 for the Committee's consideration.

During discussions in respect of this item, the following points were raised:

- There had been strong performance at the Abbey Stadium during the year.
- Rubicon Leisure Limited was working with the Public Health team on exercise classes for people with diabetes.
- The company was working with Redditch Borough Council on the refurbishment of the changing rooms at the stadium.
- The Palace Theatre was also performing well with the pantomime proving to be particularly popular.
- There was an enhanced coffee bar at Forge Mill Needle Museum and, as a consequence, Rubicon Leisure Limited could cater for events held at the venue.
- Seating had been installed on the mezzanine level at the Arrow Valley Countryside Centre and this could be used for conferences.
- Works were being undertaken in respect of the pontoon at the Arrow Valley Lake.
- A lot of work was being undertaken with respect to customer engagement, through updates to the company's website and other media profiles.
- Rubicon Leisure Limited had been working with Redditch District Collaborators on the co-location of services.
- The company was also working in partnership with the Redditch Health and Wellbeing Team on various projects.

After the report had been presented, Members discussed the following points in detail:

Shareholders Committee

Tuesday, 28th November, 2023

- The good performance that had been reported for the facilities managed by Rubicon Leisure Limited during the first two quarters of the 2023/24 financial year.
- The action that was being taken to market services and activities provided by Rubicon Leisure Limited.
- The work that had been delivered in respect of health and safety compliance and whether any areas of concern had been identified. Members were advised that no areas of concern had been identified to date, although staff remained vigilant.
- The role of Rubicon Leisure Limited in terms of managing the community centres situated in the Borough and how these were performing. Members were informed that the community centres were promoted by Rubicon Leisure Limited and the company was soon to launch a new booking system on which potential customers would be able to view the availability of particular centres for hire.
- The work that was being undertaken by the Council to review community assets to ensure compliance with legal requirements in respect of the energy efficiency of buildings and the extent to which the community centres were likely to achieve compliance by 2026. Officers explained that this formed part of a Council-wide review. The outcomes of this review would be reported to the Executive Committee in 2024.
- The interest that had been expressed by some amateur football groups to Members in terms of hiring space in which to hold matches and the difficulties that had been experienced in terms of making contact to enquire about bookings. Members were asked to refer these queries to the Managing Director of Rubicon Leisure Limited.
- The quick timescales in which problems observed at facilities managed by Rubicon Leisure Limited were resolved once they had been reported.
- The quality of the food and beverage offer available at Pitcheroak Golf Course, which Members complimented.
- The extent to which heat supplied from Redditch Crematorium heated the swimming pool at the Abbey Stadium.
- The criticisms that were sometimes levelled at Redditch, in terms of the availability of things to do in the Borough. Members commented that action needed to be taken to promote the facilities, events and activities that were available in the town.
- The Christmas Lights Event in Redditch in November 2023, which had been attended by the singer and television personality, Mr Peter Andre. Members commented that this had been a very successful event which had been attended by a lot of people.

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- The potential for the new Managing Director of Rubicon Leisure Limited to bring fresh ideas to the company based on his previous career experiences. Members were advised that the emphasis needed to be on improving, maximising and investing in the facilities managed by Rubicon Leisure Limited on behalf of the Council.
- The opportunities available to improve the food and beverage offer at the Arrow Valley Countryside Centre.
- The positive impact that the introduction of outdoor toilet facilities at the Arrow Valley Park would have at the site.
- The possibility of introducing more water sports at the Arrow Valley Lake, subject to the legal requirements in respect of use of this site.

RESOLVED that

the report be noted.

(During consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which related to the financial and business affairs of any particular person (including the authority holding that information)).

The Meeting commenced at 6.30 pm
and closed at 7.21 pm

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REDDITCH BOROUGH COUNCIL

Shareholders Committee

27th February 2024**Report on Arrow Valley Lake**

Relevant Portfolio Holder	Councillor Matt Dormer
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Ward(s) Affected	N/A
Ward Councillor(s) Consulted	N/A
This report contains exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. SUMMARY

The purpose of this report is to set out the background to the use of Arrow Valley Lake (the Lake) so that Rubicon Leisure can make informed decisions about future use of the Lake.

2. RECOMMENDATIONS

- 1) That Rubicon Leisure approach the Sailing Club to discuss its proposals for future use of the Lake,
- 2) That Rubicon Leisure consider asking the Sailing Club to enter into a Shared Use Agreement to sit alongside the current Lease once it has finalised its proposals for future use of the Lake.

3. BACKGROUND

- 3.1 Redditch Borough Council (RBC) entered into a 30 year lease with the Trustees of Redditch Sailing Club (the Sailing Club) in June 2006.
- 3.2 The terms of the Lease set out the arrangements for the use of the Lake.
- 3.3 Under the terms of the Lease there are certain times when the Sailing Club has “exclusive use” of the water. This does not prevent the use of the lake by fishermen, as long as they are active only within 5m of the bank.
- 3.4 By separate arrangement, the Sailing Club does not use the “Cove” area of the lake in front of the Arrow Valley Visitor Centre.
- 3.5 For ease of reference, the hours of exclusive use for the Sailing Club under the Lease are as follows:

Exclusive use hours: 10 hours per week all year round

REDDITCH BOROUGH COUNCIL

Shareholders Committee
April – September

27th February 2024

Sundays – up to 5 hours (ideally 09.00 to 14.00hrs)

Tuesday Eve – up to 3 hours (ideally 18.30 – 21.00)

Thursday Eve – up to 3 hours (ideally 18.30 – 21.00)

October – March

Sundays - up to 8 hours (ideally 09.00 to 17.00)

Tuesday and Thursday Evenings – total up to 2 hours

Also – by prior agreement:

Up to 5 Saturdays Open Meetings for 6 hours (normally 10.30 – 16.30)

- 3.6 In the past, the Club has been prepared to limit its exclusive area further by special request to enable a one-off water sports event to be held at the AVVC.
- 3.7 The hours of use by the Sailing Club set out in the Lease and highlighted above mean that there are limited hours of use outside of those times available for use by Rubicon Leisure. If Rubicon Leisure has proposals that require use beyond the times available to it, Rubicon may be advised to meet with the Sailing Club to discuss those proposals. A Shared Use Agreement could be entered into if necessary to document this.
- 3.8 The Council is happy to support Rubicon in this matter. Please contact the report author who will be happy to answer any queries relating to this.

Appendices

Appendix 1 – Exempt Information

AUTHOR OF REPORT

Name: Claire Green Principal Solicitor
E Mail: claire.green@bromsgroveandredditch.gov.uk

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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REDDITCH BOROUGH COUNCIL**SHAREHOLDERS COMMITTEE****27th February 2024****RUBICON LEISURE QUARTER 3 PERFORMANCE MONITORING REPORT 2023-24**

Relevant Portfolio Holder	Councillor Matt Dormer
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Ward(s) Affected	N/A
Ward Councillor(s) Consulted	N/A
This report contains exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. SUMMARY OF PROPOSALS

To update Shareholders on the operational performance of Rubicon Leisure Limited for the period April – December 2023.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that
the report be noted.

3. KEY ISSUES

- 3.1 The third quarter report is attached at Appendix 1 and details the work that has been undertaken by the company during this period.

4. Financial Implications

- 4.1 There are no specific financial implications detailed in this report.

5. Legal Implications

- 5.1 The Council must retain control over the company to ensure that the Company continues to benefit from the Teckal exemption. This allows the Council to contract with it for the delivery of leisure services without conducting an open procurement exercise.
- 5.2 The contractual documentation in place between the Council and the Company contains the necessary mechanisms, checks and balances to incentivise good performance and to ensure compliance with the Teckal exemption.

SHAREHOLDERS COMMITTEE**27th February 2024**

6. Customer / Equalities and Diversity Implications

- 6.1 As can be seen in the performance monitoring report, Rubicon Leisure Limited continues to provide opportunities across leisure and culture to help inspire the communities of Redditch to live healthier and happier lives. Using the measures dashboard, the Council will ensure that the community and local partners are supported by the leisure and cultural offer, and that Rubicon Leisure continues to deliver on the Council's Strategic Objectives.

7. RISK MANAGEMENT

- 7.1 Rubicon Leisure maintains risk registers in relation to both service delivery and Health and Safety compliance. These are regularly monitored, and any updates reported to the Board at each meeting.

8. APPENDICES

- 8.1 Appendix 1 - Quarter 3 Performance Monitoring Report (2023-24)

9. BACKGROUND PAPERS

- 9.1 Service Specification as reported to the Executive Committee and Council in September 2018.

AUTHOR OF REPORT

Name: Claire Felton, Head of Legal, Democratic and Property Services
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Tel: (01527) 881400

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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