

Shareholders Committee

Thursday, 9th September,
2021

MINUTES

Present:

Councillor David Thain (Chair), and Councillors Imran Altaf, Andrew Fry and Lucy Harrison

Also Present:

Simon Ingyon (Managing Director, Rubicon Leisure Limited)

Officers:

Claire Felton and James Howse

Senior Democratic Services Officer:

Jess Bayley-Hill

9. APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Joanne Beecham.

10. DECLARATIONS OF INTEREST

There were no declarations of interest.

11. MINUTES OF THE PREVIOUS MEETING

RESOLVED that

the minutes of the meeting of the Shareholders Committee held on 5th July 2021 be approved as a true and correct record and signed by the Chair.

12. EXCLUSION OF THE PRESS AND PUBLIC

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

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involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12 of the said act, as amended.

Minute Item No. 5 – Quarter 1 Performance Monitoring Report

Minute Item No. 6 - To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Property Services prior to the commencement of the meeting and which the Chair, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting:

- **Rubicon Board Members' Terms of Office**

13. QUARTER 1 PERFORMANCE MONITORING REPORT

The Managing Director of Rubicon Leisure Limited presented the Performance Monitoring Report for Quarter 1 of the 2021/22 municipal year.

A lot had happened during this period, including the reopening of many leisure facilities at the end of the third national lockdown. As with many leisure service providers, Rubicon Leisure Limited opened leisure facilities in accordance with national guidance in respect of social distancing and other measures designed to reduce the risk of Covid-19 transmission. The postponement of the end of the roadmap out of lockdown had meant that the reopening of the Palace Theatre had been delayed to July 2021.

There was due to be a meeting of the Committee on 17th November 2021, when the quarter 2 performance monitoring report would be discussed and a subsequent meeting of the Committee on 14th December 2021 when the company's accounts would be considered.

RESOLVED that

the report be noted.

(During the 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)).

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14. **TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIR, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING**

The Head of Legal, Democratic and Property Services presented a report proposing that the terms of office for non-Executive and Executive Directors on Rubicon Board should be extended where appropriate. Members were advised that the extension to the terms of office for members of the Board would help to minimise the potential for disruption at a challenging time during the Covid-19 pandemic.

During consideration of this item, Members expressed disappointment that the report for this item had been issued after the publication of the main agenda and that the report had had to be considered as urgent business. Members commented that greater notice would be appreciated in future years on items for discussion, wherever possible.

RESOLVED that

the terms of office for both Executive and Non-Executive Directors be extended, where appropriate, by a further 36 months.

(This report had been accepted as a matter of Urgent Business, with the approval of the Chair, and in accordance with the Council's constitutional rules and powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree matters of urgency being discussed by reason of special circumstances.

In this case the special circumstances were that a debate and decision on this item was required to be considered at the present meeting, rather than the following meeting, to ensure that all of the Non-Executive and Executive Directors could continue to serve on the Rubicon Board without any interruption as a result of the expiration of their terms of office.

During the 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

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which related to the financial and business affairs of any particular person (including the authority holding that information) and which related to consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or Minister of the Crown and employees of, or office holders under, the authority.)

The Meeting commenced at 6.30 pm
and closed at 6.58 pm