

NOTICE

Reasons for Urgency – KEY DECISION

BRAINTREE DISTRICT COUNCIL (“the Council”)

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”)

The Council intends to hold a public meeting of the Cabinet on 31st July 2020 at 14:00, at which a Part 1 and Part 2 urgent item will be considered in respect of Fusion, in particular the consideration of the further monetary support provided to Fusion in support of the remobilisation of the leisure services following the lifting of the restrictions applicable to the leisure industry during Covid-19.

1. This meeting is deemed to be a relevant “decision-making body” under the Regulations.
2. In these Regulations a “key decision” means an executive decision, which is likely:
 - (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
3. Under Regulation 9, the Council is required to give notice of its intention to make a Key Decision, at least 28 clear days before the date of this meeting and publish this on its website.
4. Where publication of the intention to make a Key Decision under Regulation 9 is impracticable, then under Regulation 10 that decision may only be made:
 - (a) where the proper officer has informed the Chairman of the Performance Management Board or, if there is no such person, each member of the relevant Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the proper officer has made available at the offices of the relevant Council for inspection by the public and published on the relevant local authority’s website, a copy of the notice given pursuant to sub-paragraph (a); and

- (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).
5. As soon as reasonably practicable after complying with point 4 above, the Council must publish a notice setting out the reasons why compliance with Regulation 9 is impracticable.

STATEMENT OF REASONS

On 20 March 2020 following the Government's decision to shut leisure centres as part of its actions to slow the spread of Covid-19, all Fusion operated Leisure Centres in the Braintree District closed. The result of the lockdown has significantly impacted the whole leisure industry.

Since that period, the Council agreed on 4 May 2020 and 13 July 2020 to provide monetary relief to Fusion at a rate of £55.8k per month between April – June 2020.

Since those decisions were made the Government have announced that indoor gyms and swimming pools will be allowed to reopen from 25th July 2020 so long as they adhere to strict safety procedures.

The Council has been working with Fusion since that announcement to support them in the remobilisation of the Leisure Service across the Braintree District. In order to enable the leisure centres to reopen as quickly as possible the Council is required to consider providing further financial support to assist Fusion with the costs associated with the remobilisation of the service. The associated costs have only recently been made available to the Council. Accordingly it is not possible to meet the requirements for notification to the forward plan. This item cannot be delayed to the next meeting of Cabinet as this will delay the reopening of the leisure service in the District.

Signed: Kim Cole

Head of Governance and Monitoring Officer

Proper Officer of the Council

23 July 2020