

# Public Document Pack

## Officer Decisions

Friday, 8th March, 2019

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### AGENDA

- 1. Record of Decision - Assignment of Lease for Audley Sports and Leisure Centre**  
**RDA-Assignment of Lease for Audley Sports and Leisure Centre** **2 - 6**  
**EIA-Checklist**

Date Published: 8<sup>th</sup> March 2019  
Harry Catherall, Chief Executive

## RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE



<b>DELEGATED OFFICER</b>	<b>Director of Environment and Operations</b>
<b>DECISION TAKEN BY:</b>	<b>Operations</b>
<b>DELEGATED BY:</b>	Executive (24 November 2016)
<b>IN CONSULTATION WITH:</b>	Executive Member
<b>PORTFOLIO AREA:</b>	Leisure Culture and Young People

**SUBJECT: Assignment of the Lease for Audley Sports and Leisure Centre**

### 1. DECISION

To assign the lease for Audley Sports and Community Centre from Audley Centre Limited to Jamia Ghosia Mosque Association.

### 2. REASON FOR DECISION

Jamia Ghosia Association submitted the most economically advantageous tender to manage and operate Audley Sports and Community Centre. The panel of officers and elected members agreed unanimously to award the contract to Jamia Ghosia Association. Therefore the Lease should be assigned to Jamia Ghosia Association as they have requested.

### 3. BACKGROUND

The Council made a decision to asset transfer Audley Sports and Community Centre in order to deliver the 2016-17 budget savings approved at Finance Council on 29 February 2016.

A public meeting was held on 12 July 2016 at Audley Sports and Community Centre, over 100 people attended the meeting including members of the public, councillors and interested parties.

A two stage process was entered into to ensure that as many organisations as possible had an opportunity to be considered as the new operator for the Centre and to ensure that the process delivered the required outcomes for the Council and the local community.

#### Stage 1 – Informal Expression of Interest stage

Three organisations submitted an Expression of Interest form and also attended an interview with panel members consisting of Council officers and elected members

#### Stage 2 – Formal invitation to Tender

Bids were received from the same three organisations which had completed the Expression of Interest form. The bids were assessed by the panel and all three organisations were invited to attend a final interview.

The panel was unanimous in their decision to award the contract to manage and operate the centre to Jamia Ghosia Association (JGA).

On 24 November 2016, the Executive member for Leisure, Culture and Young People took a formal decision to award the contract for 'Managing the operations of Audley Sports and Community Centre in Blackburn as a Community Facility to the successful tenderer Jamia Ghosia Association.

The Executive member for Leisure, Culture and Young People delegated authority to the Director of Environment and Leisure and Director of HR, Legal and Corporate Services in consultation with the Executive Member to agree final terms of the formal legal agreements including the intended transfer of full responsibilities under the 25 year lease.

Accordingly, JGA operated the centre on a shadowing basis, working alongside council staff for a period of four weeks and then took over the management and operation of the centre under licence pending the issue of a lease.

Since 2017, the centre has been managed on a day to day basis on behalf of Jamia Ghosia Association by Audley Community Centre Limited which manages a team of volunteers and employs a small number of staff to ensure the centre operates for the benefit of the local community.

There were delays in issuing the lease as the new charity which was being established on behalf of JGA to take on the lease was taking longer to establish than expected. In June 2018, the Council received a written request from the operators of the Centre to issue the Lease to Audley Community Centre Limited.

On 19<sup>th</sup> June 2018, the Council duly issued the draft Lease to Audley Community Centre Limited for feedback and on 26 July 2018, the agreed version of the Lease was formally granted.

On 18<sup>th</sup> September 2018, committee members of JGA contacted the Council about the lease for the Centre. The committee had intended that the Lease should be granted to JGA and that JGA would have a management contract with Audley Community Centre Limited to operate Audley Sports and Community Centre on behalf of JGA.

A meeting was arranged with the committee members of JGA and the operators of the Centre and officers of the Council. At this meeting, the parties agreed that Audley Community Centre Limited would assign the Lease to Jamia Ghosia Association.

#### **4. OPTIONS CONSIDERED AND REJECTED**

The Council could not afford to continue operating Audley Sports and Leisure Centre 'in house' as the building required a subsidy of £249,200 in 2015/16. One option considered was to close the centre, however the centre well used and supported by the local community, therefore closure of the centre was rejected.

Rather than close the facility, the Council decided to advertise for an alternative operator to manage the facility. Jamia Ghosia Association submitted the most economically advantageous tender to manage and operate Audley Sports and Community Centre. The panel of officers and elected members agreed unanimously to award the contract to JGA. Therefore the Lease should be issued to this organisation.

#### **5. POLICY IMPLICATIONS**

None

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**6. FINANCIAL IMPLICATIONS**

None

**7. LEGAL IMPLICATIONS**

Although formal, this is a relatively standard transaction which will assign the lease to the Jamia Ghosia Mosque Association. Given the close timing with the original lease grant, this action is within the scope of the delegated authority. The Association has subsequent actions that it needs to attend to in respect of registration at the Land Registry and the Council should ensure that these are attended to by the Association.

**8. RESOURCE IMPLICATIONS**

Officer time in attending meetings to seek agreement to assign the lease and in drawing up Legal documents to enable the assignment of the Lease to take place

## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

Consultation taken place with Executive Member for Leisure, Culture and Young People who agrees that the lease should be assigned from Audley Community Centre Limited to Jamia Ghosia Association.

## 11. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Martin Eden</b>
<b>DATE:</b>	25 February 2019
<b>BACKGROUND DOCUMENTS:</b>	Executive Member Decision report, 24 November 2016, Asset transfer of Audley Sports and Community Centre

DIRECTORS - has legal and finance advice been considered ?

YES

NO

## EQUALITY IMPACT ASSESSMENT CHECKLIST

***This checklist is to be used when you are uncertain if your activity requires an EIA or not.***

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

<b>Service area &amp; dept.</b>	Leisure, Culture and Young People	<b>Date the activity will be implemented</b>	01/03/2019
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<b>Brief description of activity</b>	Officer decision taken under delegated authority to assign the lease for Audley Sports and Community Centre from Audley Centre Limited to Jamia Ghosia Association.
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	<b>Does this activity:</b> Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
<b>FOR = 0</b>	<b>TOTAL</b>	<b>AGAINST = 6</b>

**Will you now be completing an EIA?**

Yes

No

The EIA toolkit can be found [here](#)

<b>Assessment Lead Signature</b>	Martin Eden
<b>Checked by departmental E&amp;D Lead</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date</b>	25/02/2019