

**Decision type:** Decision Specifically Delegated to Officers  
**Decision date:** 6 March 2025  
**Decision maker:** Deputy Chief Executive - City & Citizen Services  
**Decision title:** Leisure Investment Programme

### Summary

<b>Decision being taken:</b>	The Deputy Chief Executive - City & Citizen Services in consultation with the Cabinet Member for A Healthy Oxford; the Deputy Leader (Statutory) - Finance and Asset Management; the Group Director Finance (Section 151 Officer) and the Director of Law, Governance and Strategy (Monitoring Officer) to agree the terms of the legal agreement with Serco Leisure ("More Leisure) and for the £3.041m investment into Oxford's leisure centres, to be repaid by Serco Leisure with interest via the leisure management fee, to improve our leisure centres.
<b>Key decision:</b>	Yes – see <a href="#">Forward Plan entry</a>
<b>Source of delegation:</b>	<p>Cabinet report minutes dated <a href="#">24<sup>th</sup> January 2024</a>. Minute 112 (see 2iv on page 4) which provides delegation to the Interim Executive Director (Communities and People), in consultation with the Head of Financial Services (Section 151 Officer), Head of Law and Governance (Monitoring Officer) and the Cabinet Member for Leisure and Parks to <b>(iv) establish necessary service and corporate staff arrangements for the effective commissioning, delivery and management of the leisure services contract.</b></p> <p>Cabinet report minutes dated <a href="#">10<sup>th</sup> July 2024</a>. Minute number 21, which delegates authority to the Executive Director (Communities and People) in consultation with the Cabinet Member for A Healthy Oxford; the Deputy Leader (Statutory) - Finance and Asset Management; the Head of Finance/Section 151 Officer and the Head of Law and Governance to agree the terms of the legal agreement with Serco Leisure ("More Leisure) to govern payment of the monies for the Leisure Investment Programme.</p>

*NB: From February 2025, The Deputy Chief Executive (City & Citizen Services) assumed responsibilities of the Executive Director (Communities and People).*

**Cabinet Member:** Cllr Chewe Munkonge, Cabinet Member for a Healthy Oxford

**Corporate Priority:** Thriving Communities

**Policy Framework:** None

The Deputy Chief Executive (City & Citizen Services) decides as follows:

1. **Approve** the deed of variation to the leisure operating contract dated 27th March 2024 to set out the arrangements in relation to payment of the monies for the leisure investment programme, including repayment of those monies by Serco Leisure to the Council.

## Introduction and background

1. On 24<sup>th</sup> January 2024, Cabinet approved the leisure services contract award. As part of this contract, provisions were made to allow for an investment loan.

## Reasons for the decision

2. During the procurement for the leisure operating contract the Council indicated a willingness to fund a capital allocation programme. In its tender, the successful tenderer Serco included proposals regarding the use of that capital allocation programme and proposals to repay the capital allocation.
3. The arrangements regarding the capital allocation programme were not documented in the original leisure operating contract. The purpose of the proposed deed of variation is to include the capital programme arrangements into the leisure operating contract.

## Alternative Options Considered

4. Options include not providing this loan, or providing less funding, but both would result in deterioration of the leisure centres, a poor customer experience and no financial return for the Council.

## Equalities Impact

1. An Equalities Impact Assessment is not necessary as all works resulting from this loan will consider impacts as part of the normal project planning cycle.

## Risks

2. Risks are low as the leisure operator is repaying the loan via the contractually binding management fee. Additionally, the deed of amendment puts legal ownership of items within the Council until the loan is fully repaid.

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## Carbon and Environmental Considerations

5. Carbon and environmental considerations will be considered as part of the normal project planning cycle once works are planned.

### Implications of making the decision

<b>Financial implications</b>	None	<b>Completed by:</b> Nigel Kennedy Group Finance Director (S151 Officer) <b>Date:</b> 21/01/25
<b>Legal implications</b>	None	<b>Completed by:</b> Emma Jackman Director of Law, Governance and Strategy (Monitoring Officer) <b>Date:</b> 24/01/25
<b>Other implications</b>	None	<b>Completed by:</b> James Baughan Leisure and Active Wellbeing Manager <b>Date:</b> 04/02/25
<b>Member declared interests</b>	None	<b>Completed by:</b> Emma Jackman Director of Law, Governance and Strategy (Monitoring Officer) <b>Date:</b> 24/01/2025

### Background Documents

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Please see [Leisure Services Contract Award](#), approved by January 2024 Cabinet.

<b>Report author</b>	James Baughan
Job title	Leisure and Active Wellbeing Manager
Service area or department	Active Communities
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### Consultee checklist

<b>Consultees</b>	<b>Name and job title</b>	<b>Date</b>
<b>Senior officer</b> e.g. the relevant service manager / Head of Service where the decision maker is the Chief Executive or an Executive Director.	Tom Hook Deputy Chief Executive - City & Citizen Services	21/01/25
<b>Head of Financial Services</b> Where required by the Constitution or conditions of the delegation	Nigel Kennedy S151 Officer	21/01/25
<b>Head of Law and Governance</b> Where required by the Constitution or conditions of the delegation	Emma Jackman Head of Law & Governance	24/01/25
<b>Cabinet Member(s)</b> Where required by the conditions of the delegation	Cllr Chewe Munkonge Cabinet Member for a Healthy Oxford	22/01/25
<b>Ward Members</b> Where required by the Constitution or conditions of the delegation	N/A	N/A

### Decision Maker Approval

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<b><i>Name and job title</i></b>	<b><i>Date</i></b>
Tom Hook Deputy Chief Executive - City & Citizen Services	06/03/25

This form must be completed and sent to Committee and Member Services **on the date that the decision maker signs it. This must be only done once all consultees have given their approval. The decision shall be effective from the date of publication; therefore, it is important that you send to Committee and Member Services as soon as it is completed and dated by the decision maker. Please note that it is not effective until it is published and the call in period has passed.**

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## NOTES

The law<sup>1</sup> requires the Council to record executive and non-executive decisions taken by officers under delegated powers and to publish them on the Council's website.

These requirements apply to decisions that would have been taken by Council or the Cabinet if delegated powers had not been given to an officer:

- under an express delegation granted at a meeting of Cabinet, Council or a Committee.
- in accordance with Part 4.4 of the Constitution as follows:
  - Awarding a contract where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
  - Acquiring or disposing of freeholds or leaseholds granting new leaseholds (excluding assignments and rent reviews) where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
  - Making a regulatory order which affects a number of people, for example a Public Space Protection Order or a Parking Place Order
  - Where the effect of a decision is to grant a licence or permission or it affects the rights of citizens
  - Discharging any other express delegation from Cabinet or a Cabinet Member a committee or Council.

These requirements **do not** apply to:

- planning and licencing matters where there are established arrangements for recording decisions: or
- decisions which are purely administrative or operational in nature

All other officer decisions should be recorded on an officer decision form but do not need to be published. They must though be stored so as to ensure that they are not lost should an officer leave the authority.

### Exempt or Confidential information

Information relating to a delegated officer or single member decision does not have to be made public if it is exempt or confidential. Summary information from this decision sheet (excluding all exempt or confidential information) will be published on the Council's website.

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<sup>1</sup> the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 (Regulation 13(4)) and The Openness of Local Government Bodies Regulations 2014/2095 (Regulation 7)

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## Key or Non Key Decision

A key decision is an executive decision which is likely to:

- Have a significant effect on people living or working in a least two wards or
- Involve spending, income, or saving a significant amount – whether an amount is significant depends on the Council’s total budget for the service involved. For this Council ‘significant’ in budgetary terms is:
  - Expenditure, income, or savings of £750,000 or greater in the context of the medium term financial strategy,
  - Acquiring or disposing of freeholds with a consideration over £500,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation
  - Acquiring or disposing of leaseholds where either the rental value is in excess of £250,000 per annum and/or the premium is £750,000 except for statutory lease renewals under Part 2 of the Landlord and Tenant Act 1954 and disposals pursuant to right to buy legislation and disposals pursuant to right to buy legislation.
  - Acquiring or disposing of easements with a value over £750,000 and/or rental value over £250,000 each year

A key decision can only be taken and recorded here if notice of it has been published on the Forward Plan for at least 28 clear days. Key decisions taken by officers may be “called in” by any four councillors or the Chair of the Scrutiny Committee within two days of the notice of decision being published.

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