



Friday, 12 January 2024

Dear Sir/Madam

A meeting of the Advisory Shareholder Sub Committee will be held on Monday, 22 January 2024 in the Council Chamber, Council Offices, Foster Avenue, Beeston, NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: R S Falvey (Chair)
R Bullock
B C Carr

G S Hills
S Webb

Quorum for this meeting is 3 Councillors.

A G E N D A

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

2. DECLARATIONS OF INTEREST

(Pages 3 - 10)

Members to declare any interest as appropriate in respect of items to be considered at this meeting.

3. MINUTES

(Pages 11 - 12)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 16 October 2023.

4. EAST MIDLANDS DEVELOPMENT COMPANY LIMITED UPDATE (Pages 13 - 16)

To update the Committee on activities of EMDevco Ltd since the last meeting.

5. LIBERTY LEISURE LTD PERFORMANCE REPORT 2023-24 QUARTER TWO (Pages 17 - 30)

To provide the Advisory Shareholder Sub-Committee with Liberty Leisure Limited's performance data with updated supporting information to the end of quarter two of the financial year 2023/24.

6. WORK PROGRAMME (Pages 31 - 32)

The Advisory Shareholder Sub Committee is asked to approve its Work Programme and to consider items for consideration at future meetings.

Report of the Monitoring Officer

DECLARATIONS OF INTEREST

1. Purpose of Report

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda. The following information is extracted from the Code of Conduct, in addition to advice from the Monitoring Officer which will assist Members to consider any declarations of interest.

Part 2 – Member Code of Conduct

General Obligations:

10. Interest

10.1 You will register and disclose your interests in accordance with the provisions set out in Appendix A.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as defined in Appendix A of the Code of Conduct, is a criminal offence under the Localism Act 2011.

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

1. Consider whether you have any form of interest to declare as set out in the Code of Conduct.
2. Consider whether you have a declaration of any bias or predetermination to make as set out at the end of this document
3. Update Democratic Services and the Monitoring Officer and or Deputy Monitoring Officers of any declarations you have to make ahead of the meeting and take advice as required.
4. Use the Member Interest flowchart to consider whether you have an interest to declare and what action to take.
5. Update the Chair at the meeting of any interest declarations as follows:

‘I have an interest in Item xx of the agenda’

‘The nature of my interest is therefore the type of interest is
DPI/OR/NRI/BIAS/PREDETERMINATION
‘The action I will take is...’

This will help Officer record a more accurate record of the interest being declared and the actions taken. You will also be able to consider whether it is necessary to send a substitute Members in your place and to provide Democratic Services with notice of your substitute Members name.

Note: If at the meeting you recognise one of the speakers and only then become aware of an interest you should declare your interest and take any necessary action

6. Update your Member Interest Register of any registerable interests within 28days of becoming aware of the Interest.

Ask yourself do you have any of the following interest to declare?

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land, Licences, Tenancies and Securities.

2. OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) anybody directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of general control or management.

3. NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

A matter “directly relates” to one of your interests where the matter is directly about that interest. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you has a financial interest.

A matter “affects” your interest where the matter is not directly about that interest but would still have clear implications for the interest. For example, the matter concerns a neighbouring property.

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2. OTHER REGISTERABLE INTERESTS (ORIs)

2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:

- **you must disclose** the interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote** on the matter, but may speak on the matter only if members of the public are also allowed to speak at the meeting
- **you must withdraw from the room** unless you have been granted a Dispensation.

3. NON-REGISTRABLE INTERESTS (NRIs)

3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:

- **you must** disclose the interest; if it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
 - **you must not take part in any discussion or vote**, but may speak on the matter only if members of the public are also allowed to speak at the meeting; and
 - **you must withdraw** from the room unless you have been granted a Dispensation.
-

Dispensation and Sensitive Interests

A “Dispensation” is agreement that you may continue to participate in the decision-making process notwithstanding your interest as detailed at section 12 of the Code of the Conduct and the Appendix.

A “Sensitive Interest” is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation. In any case where this Code of Conduct requires to you to disclose an interest (subject to the agreement of the Monitoring Officer in accordance with paragraph 2.4 of this Appendix regarding registration of interests), you do not have to disclose the nature of the interest, if it is a Sensitive Interest in such circumstances you just have to disclose that you have a Sensitive Interest under S32(2) of the Localism Act 2011. You must update the Monitoring Officer when the interest is no longer sensitive, so that the interest can be recorded, made available for inspection and published.

BIAS and PREDETERMINATION

The following are not explicitly covered in the code of conduct but are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests.

The risk in both cases is that the decision maker does not approach the decision with an objective, open mind.

This makes the local authority’s decision challengeable (and may also be a breach of the Code of Conduct by the Councillor).

Please seek advice from the Monitoring Officer or Deputy Monitoring Officers, if you need assistance ahead of the meeting.

BIAS

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be bias in your judgement of the public interest:

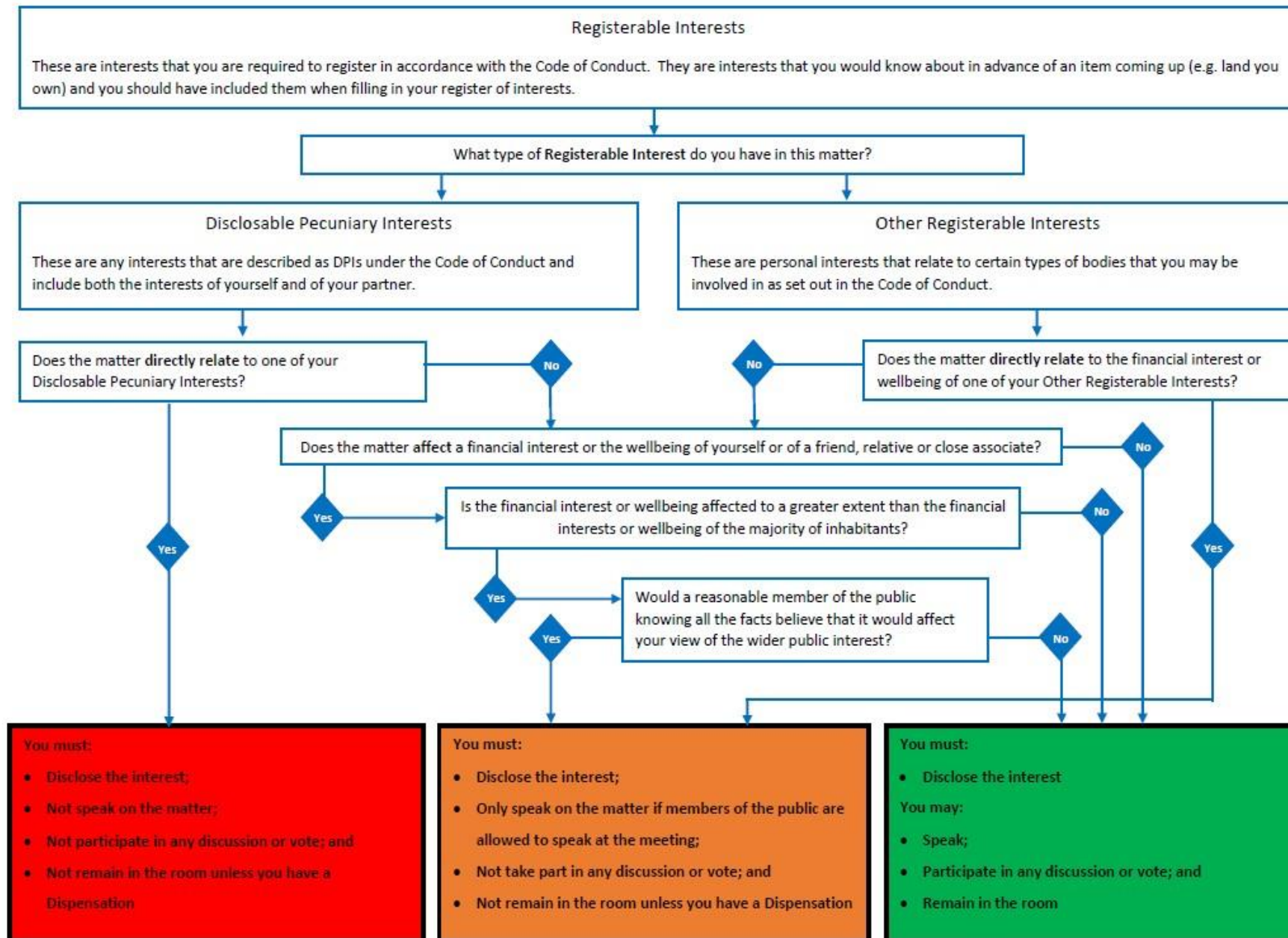
- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

PREDETERMINATION

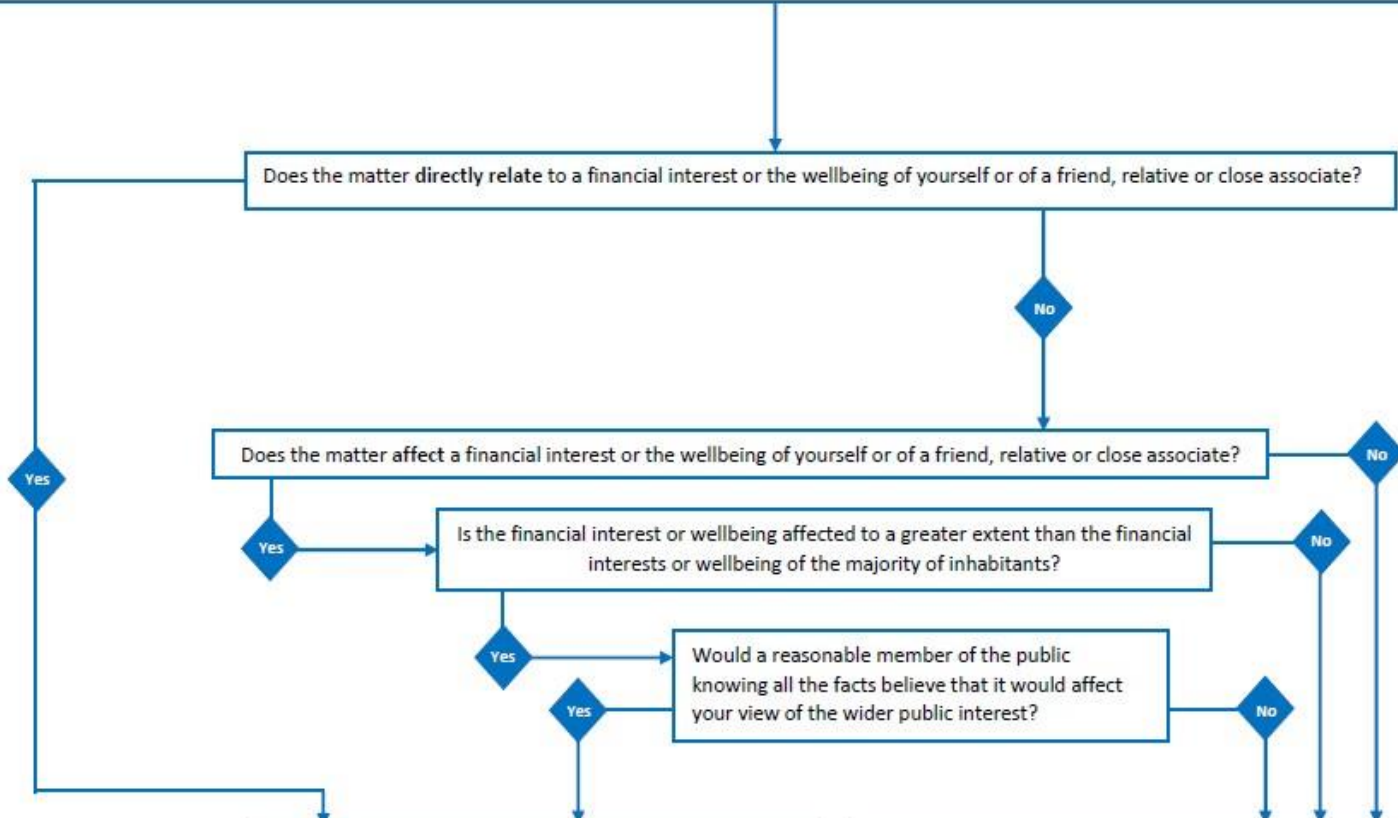
Where a decision maker has completely made up his/her mind before the decision is taken or that the public are likely to perceive you to be predetermined due to comments or statements you have made:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

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Non-Registerable Interests
These are interests that you are not required to register but may become relevant when a particular item arises. These are usually interests that relate to other people you are connected with (e.g. friends, relatives or close associates) but can include your own interests where you would not have been expected to register them.



You must:

- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

- Disclose the interest

You may:

- Speak;
- Participate in any discussion or vote; and
- Remain in the room

ADVISORY SHAREHOLDER SUB COMMITTEE

MONDAY, 16 OCTOBER 2023

Present: Councillor R S Falvey

Councillors: R Bullock
S Webb

In attendance: G Marshall
M Radulovic MBE

Apologies for absence were received from Councillors G S Hills and D K Watts.

25 DECLARATIONS OF INTEREST

There were no declarations of interest.

26 MINUTES

The minutes of the meeting held on 10 July 2023 were confirmed and signed as a correct record.

27 LIBERTY LEISURE LTD PERFORMANCE REPORT 2023-24 QUARTER ONE

The Advisory Shareholder Sub-Committee were provided an update with regard to Liberty Leisure Limited's performance data with updated supporting information for the first quarter of the financial year 2023-24.

Each year the Company agree an annual business plan with its Board of Directors and the Council. The business plan details actions and performance data for the subsequent financial year. The Company's performance is measured against the approved business plan and then reported to the Board of Directors and the Council's Shareholder Committee at regular intervals.

28 LIBERTY LEISURE LTD GOVERNANCE AND RISK MANAGEMENT

The Advisory Shareholder Sub-Committee received an updated with regard to the overview of how Liberty Leisure Limited manages its governance and risk.

Liberty Leisure Ltd have had governance procedures that have evolved since first being implemented when the company began operating the Council's leisure services in October 2016.

The governance of the company includes Directors through the Board having an overview of strategic risk, including Health and Safety, finance and policy approval. The management team work to proactively manage the day to day operational risks to

ensure that the company runs the council's leisure service in a safe and effective manner.

29 WORK PROGRAMME

The Sub-Committee considered the Work Programme.

RESOLVED that the Work Programme be approved.

30 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

31 EM DEVCO LTD UPDATE

RESOLVED, to delegate to the Chief Executive and Leader of the Council, to form an appropriate recommendation regarding the EM Devco to be submitted to Cabinet.

Report of the Chief Executive

EAST MIDLANDS DEVELOPMENT COMPANY LIMITED UPDATE

1. Purpose of Report

To update the Committee on activities of EMDevco Ltd since the last meeting.

2. Recommendation

The Committee is asked to NOTE the report.

3. Detail

Station Growth Strategy

At the last Committee, work of EMDevco Ltd in producing station growth strategies for areas including Toton was highlighted. The Rail Minister, Huw Merriman, has confirmed Department for Transport support for completing the work on an East Midlands Stations Growth Strategy (having re-positioned the work following the cancellation of HS2 East). The Department will provide grant funding of £750k to EMDevco Ltd to complete the work. Whilst this is less than the amount requested (£1m), EMDevco Ltd is confident that by complementing and aligning with other work underway, the Company can deliver a strategy for station growth opportunities that will maximise the region's potential.

Further details from departmental officials regarding the grant are awaited. Once these have been received, a fuller update can be given including the plans for commencing the second year of the work early in the new year. The established working arrangements including the Strategic Directors' meeting, Commissioning Group, and Transport Working Group as a means of facilitating the Company's continued joint working including with the emerging East Midlands County Combined Authority (EMCCA) and Midlands Connect teams on associated work will be used to engage with all interested stakeholders.

Previous Work Completed by EMDevco Ltd

The Areli visioning work has been completed. However, there is no further funding available to continue with community engagement to build on this work. What has been done already however is consistent with the SPD for Toton, which the EMDevco helped to create, and the emerging Toton and Chetwynd Neighbourhood plan. The draft design code, which the EMDevco also helped create through the grant of £125,000 which it successfully obtained from the government to develop a pilot scheme, has the capability to be turned into a document which can apply to the whole of our area, and the new levelling up legislation requires design coding work across local authority areas, so this work has been helpful.

Funding of EMDevco Ltd

This Council and other founder shareholder members agreed to fund the EM Devco Ltd for three years, and no further funding commitment has been given.

Changing landscape for Business and Investment in Nottinghamshire and Derbyshire

The advent of the new East Midlands County Combined Authority from May 2024 will change the landscape, as from that date the D2N2 Local Enterprise Partnership will be folded into the new combined authority, which will be led by a newly elected Mayor. Another factor in the changing landscape is the introduction of an East Midlands Investment zone covering Derbyshire and Nottinghamshire. This will focus on clean and green new technology business growth. It is likely that the governance mechanism for this will be the new EMCCA. The Freeport overlaps with the EMDevco Ltd focus of interest, as does the new concept of the Investment zone.

The possibility of EMDevco Ltd being used as an interim delivery capability for the work required to progress the vision for the Bassetlaw STEP project and other investment projects associated with the EMCCA is being considered. However, no decisions have been made at the time of writing this report.

Options for the future

Options for the future for EMDevco Ltd are threefold

- a) It becomes a Mayoral Development Corporation
- b) It becomes a new style Urban Development corporation under the new Levelling up legislation
- c) It remains in existence until July, after the setting up of the EMCCA and if no funding is available from the EMCCA, the government or elsewhere, if the EMCCA does not agree to option a), and if funding is not available to help the company pursue option b), it is dissolved.

At the moment option c) is being pursued.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

The Council's involvement in the East Midlands Development Corporation was considered by the Policy and Performance Committee on 2 December 2020 and recommended onto the Finance and Resources Committee and full Council where the resolution was duly approved. The financial contribution of £500,000, spread equally over three financial years from 2021/22 to 2023/24, was financed from General Fund reserves. The annual contributions of £166,000 were recognised within the approved revenue budget and the Council has committed

its agreed investment for the current financial year (final year). No further funding commitment has been given at this stage.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

If EMDevco Ltd is dissolved, there will be some redundancy implications for employees of the company

7. Union Comments

The Union comments were as follows:
Not Applicable

8. Climate Change Implications

The climate change implications are contained within the report.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

Not Applicable.

11. Background Papers

Nil.

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Report of the Managing Director of Liberty Leisure Ltd

LIBERTY LEISURE LTD PERFORMANCE REPORT 2023/24 QUARTER TWO1. Purpose of Report

To provide the Advisory Shareholder Sub-Committee with Liberty Leisure Limited's performance data with updated supporting information to the end of quarter two of the financial year 2023/24.

2. Recommendation

The Committee is asked to NOTE the report.

3. Detail

Liberty Leisure Ltd have operated the Council's leisure services since October 2016.

Each year the Company agree an annual business plan with its Board of Directors and the Council. The business plan details actions and performance data for the subsequent financial year. The Company's performance is measured against the approved business plan and then reported to the Board of Directors and the Council's Shareholder Committee at regular intervals. Financial Information can be found at **APPENDIX 1. APPENDIX 2** contains Performance Management.

4. Financial Implications

The comments from the Head of Finance were as follows:

The financial implications are detailed in the appendices to this report.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

There are no direct legal implications arising from this report.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

No comment.

7. Union Comments

No Union comments required.

8. Climate Change Implications

There were no comments for the Climate Change Implications

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

No changes to policy.

11. Background Papers

Nil

APPENDIX 1

LIBERTY LEISURE LTD UPATE QUARTER 2

SALES AND ATTENDANCES

1. FITNESS MEMBERSHIPS

| Achieved 2022/23 | Target 2023/24 | End Q2 2023/24 | Comments |
|------------------|----------------|----------------|---|
| 4263 | 4700 | 4520 | Quarter 2 sales have increased with memberships standing at 4,377 at the end of August Q1 - 4280 |

ACTIONS TO GROW MEMBERSHIPS

1. Continue with planned marketing activities to encourage new people to join at one of the leisure centre sites
2. Implement a membership contract option to increase the average length of stay per member
3. Review and improve the digital journey to increase the number of members accessing health improvement programmes
4. Grow Exercise Referral through direct marketing being undertaken by General Practices
5. Implement online waiting list notifications through the Liberty Leisure App
6. Grow the recently started corporate health checks to encourage more take up of corporate memberships
7. Continue to deliver member workshops to improve member retention by adding value to the membership
8. Review the Gym Sales prospecting module against alternative prospecting systems

2. SWIM SCHOOL MEMBERSHIPS

| Achieved 2022/23 | Target 2023/24 | End Q2 2023/24 | Comments |
|---------------------|-------------------|-------------------|---|
| 3,150 | 3,400 | 3,498 | At the end of August, the Swim School had 3,475 members. Q1 - 3448 |

ACTIONS TO GROW MEMBERSHIPS

1. Continue to recruit and support volunteers to enable them to become swim teacher to increase the number of available swim teachers to deliver the programme
2. Review the swim programme and trial small group swim sessions to try and improve retention
3. Review the number of cancelled lessons, the cost of the cancellations and work with Kimberley School.
4. Review occupancy levels across individual swim lessons to identify opportunities to increase enrolled numbers
5. Understand the effects of price and cost of living on retention of swimmers
6. Move from a site based programme co-ordination to a central co-ordination to bring greater consistency in programme management and content delivery and reduce operating costs

3. MEMBERSHIP TOTALS

| Achieved 2022/23 | Target 2023/24 | End Q2 2023/24 | Comments |
|------------------|----------------|----------------|--|
| 7413 | 8,100 | 8018 | Figures are the combined totals for Fitness and Swim School Memberships Q1 – 7728 |

4. ATTENDANCES

| Achieved 2022/23 | Target 2023/24 | End Q2 2023/24 | Target Q2 | Comments |
|------------------|----------------|----------------|-----------|--|
| 974,368 | 890,000 | 437,783 | 450,000 | Reduction due to cultural services moving in to the council and reduced services offered at KSG. Slightly down on target, largely due to KSG turnstile issue. |

5. FINANCE 2023/24

| | Achieved 2022/23 | Actual Q2 | Q2 Pro Rata Target | Budget Forecast 2023/24 | Original Annual Budget | Comments |
|-------------------------|------------------|-----------|--------------------|-------------------------|------------------------|--|
| Operating Income | £3.071m | £ 1.597M | £1.625M | £3.177m | £3.235m | Income is increasing month on month through growing membership and exercise referral sales |
| Operating Expenditure | £3.886m | £1.565M | £1.877M | £3.750m | £3.841m | Generally, costs are continuing to increase. The company is managing its expenditures through the implementation of further efficiency measures. Q2 increase primarily leisure management system annual fees |
| Management Fee Received | £700k | £0 | £259.5k | £519k | £519k | The company expects to make its first management fee request to the council towards the end of October 2023 in advance of its bank balance falling below £250k |
| Balance | £115k Deficit | | | £54k deficit | £87k deficit | The latest budget revision forecast a £43k improvement on the original budget for 2023/24. It should be noted that the closure of Kimberley Gym and Swim may have an adverse effect on the final financial outturn for 2023-24 The Q1 position was a £67k Deficit |

SUMMARY OF THE FACTORS INFLUENCING INCOME AND EXPENDITURE FOR 2023/24

1. The company is working on a range of efficiencies including a staffing restructure, review of licenses, banking costs, introducing membership contracts and planning ahead a pricing strategy. The purpose of the improving efficiencies is to mitigate continued rising costs and to try and reduce the costs to the Council.
2. Significantly increasing utility and insurance costs
3. VAT increased with increasing general expenditures
4. The expected 2023/24 annual pay award will be more than the 5% increase included in the staffing budget
5. Operating income is broadly derived from three areas. Gym and Swim School Direct Debits are the most significant of these with income from general sports hire being spread over a range of activities

6. TRANSFER FROM BALANCES

No money was transferred from balances during 2022/23. Operating loss of £115k in 2022/23

7. RESERVES

Maximum reserve is set at £500,000 agreed with the council and the Board of Directors. Operating loss of £115k reduced the reserve to £486,899.

Bank Balance:

End Q1: £582,300

End Q2: £465,513

8. SUMMARY OF ADDITIONAL WORK AND DEVELOPMENTS DURING Q2 2023/24

Wise Moves - Liberty Leisure Limited continues to develop opportunities to target different groups of people in the community. Recently the company received £15k from Sport England to deliver Wise Moves (postural stability courses) in conjunction with the Primary Care Network. There will be 3 classes per week taking place during 2023/24 across Eastwood, Stapleford and Beeston with a total of 45 places being available across the 3 classes at any one time. Participants will have their postural stability continuously assessed and once they have completed the course they will be offered to move onto the Exercise Referral Scheme for continued support. The classes began on the 12 September with 40 people having signed up.

The company continues to work with the Council and a range of partners to deliver the exciting pavilion project at Hickings Lane, Stapleford while contributing towards developing plans for a new leisure centre at the Bramcote Site. Work continues with Kimberley School to deliver the new arrangements at the leisure site to deliver the best outcomes for the community.

APPENDIX 2

PERFORMANCE MANAGEMENT – LIBERTY LEISURE LIMITED

1. Background - Corporate Plan

The Broxtowe Borough Council Corporate Plan for 2020-2024 was approved by Council on 4 March 2020. It has been developed setting out the Council's priorities to achieve its vision to make "A greener, safer, healthier Broxtowe where everyone prospers." Over the next few years, the Council will focus on the priorities of Housing, Business Growth, Community Safety, Health and Environment.

The Council's Local Authority Trading Company, Liberty Leisure Limited, is guided by the Service Agreement and its company strategies. These documents align the work of Liberty Leisure Limited with other local, regional and national plans to ensure the company's work contributes to wider objectives. These include the Council's Corporate Plan that prioritises local community needs and resources are directed toward the things they think are most important. These needs are aligned to ensure the ambitions set out in the Council's Corporate Plan are realistic and achievable.

2. Business Plans

The Liberty Leisure Limited Business Plan is reviewed annually. The Business Plan 2023/24 was approved by the Liberty Leisure Limited Board in January 2023. The Liberty Leisure Limited Business Plan 2023/24 was noted at Full Council on 4 March 2023.

The Liberty Leisure Limited Business Plan links to the Council's corporate priority of Health that was approved by Council on 4 March 2020. The Council's priority for Health is to 'Support people to live well'. Its objectives are to:

- Promote active and healthy lifestyles in every area of Broxtowe (He1)
- Come up with plans to renew our leisure facilities in Broxtowe (He2)
- Support people to live well with dementia and support those who are lonely or have mental health issues in Broxtowe (He3)

The Liberty Leisure Limited Business Plan details the projects and activities undertaken in support of the Corporate Plan 2020-2024 for each the Council's Health priority areas.






3. Performance Management

This report provides a summary of the progress made to date on key tasks and priorities for improvement in 2023/24 (as extracted from the Pentana performance management system). It also provides the latest data relating to Key Performance Indicators (KPIs).






The Council and Liberty Leisure Limited monitor performance using the Pentana Risk performance management system. Members have been provided with access to the system via a generic user name and password, enabling them to interrogate the system on a 'view only' basis. Members will be aware of the red, amber and green traffic light symbols that are utilised to provide an indication of performance at a particular point in time.

The key to the symbols used in the performance reports is as follows:








Action Status Key



| Icon | Status | Description |
|---|-------------|---|
|  | Completed | Action/task has been completed |
|  | In Progress | Action/task is in progress and is currently expected to meet the due date |
|  | Warning | Action/task is approaching its due date (and/or one or more milestones is approaching or has passed its due date) |
|  | Overdue | Action/task has passed its due date |
|  | Cancelled | Action/task has been cancelled or postponed |

Performance Indicator Key




| Icon | Performance Indicator Status |
|---|------------------------------|
|  | Alert |
|  | Warning |
|  | Satisfactory |
|  | Unknown |
|  | Data Only |







Liberty Leisure Limited- Performance Indicators 2022/23


| Status | Code / Indicator | Frequency | 2021/22 Achieved | 2022/23 Achieved | 2023/24 Q2 Value | 2023/24 Q2 Target | Notes |
|---|--|-----------|------------------|------------------|------------------|-------------------|--|
| Data Only  | LLData_G05 Management Fee from the Council to Liberty Leisure Limited | Annually | £0.845m | £0.845m | £0 | £0.260m | The company manage its finances through a monthly cash flow review. The management fee is requested when the company's balance falls below £250k. To the end of quarter 2 the company has not requested any management fee. The first request will be made in quarter 3. |
| Amber  | LLLocal_G02 TOTAL Attendance - Liberty Leisure Limited (ALL) | Monthly | 913,122 | 974,368 | 437,783 | 450,000 | Attendance target is adjusted to reflect the reporting is now leisure centres and Get Active only. |
| Green  | LLLocal_G04 Operating Expenditure - Liberty Leisure Limited (Including central charges) | Monthly | £3.466m | £3.886m | £1.565m | £1.877m | Actual expenditure excludes outstanding items such as VAT; Council Service Charge and the latest Utilities. Outstanding expenditures and the overall company balances are monitored through monthly cash flow monitoring. |
| Green  | LLLocal_G05 TOTAL Income (excluding Management Fee) - Liberty Leisure Limited | Monthly | £3.350m | £ 3.771m | £1.597m | £1.625m | Income is improving month on month following a number of cancellations at the start of April 2023 following price increases. |
| Amber  | LLLocal_G06 DD Total Number of Annual Direct Debits collected | Monthly | 69,199 | 81,571 | 42,754 | 47,000 | DD collections are below the 2023/24 target but above the figure achieved in 2022/23. Price rises in April resulted in a number of member cancellations, however the yield per member is increased and incomes are gradually catching up with the original target. |
| Red  | LLLocal_G07 Subsidy per Visit - all service areas | Annually | £ 0.497 | £ 0.481 | - | £ 0.99 | Data will be reported at the end of the financial year. |
| Green  | LLLocal_G12 Total number of members (Fitness and Swim School) | Monthly | 7,149 | 7,214 | 7,615 | 8,170 | Implementing initiatives to improve sales and retention such as increased contacts with new customers and online joining linked to specific promotions are supporting the growth in total members. |

| Status | Code / Indicator | Frequency | 2021/22 Achieved | 2022/23 Achieved | 2023/24 Q2 Value | 2023/24 Q2 Target | Notes |
|---|--|-----------|------------------|------------------|------------------|-------------------|--|
| Amber  | LLLocal_G13 Percentage of Direct Debits collected | Annually | 98.1% | 96.79% | -% | 98.40% | Data will be reported at the end of the financial year |
| Not known  | LLLocal_G14 Subsidy per visit - Leisure Centres | Annually | - | - | - | £0.44 | Data will be reported at the end of the financial year |



Liberty Leisure Limited – Actions 2023/24 – Current Business

| Status | Code and Action | Action Description | Progress | Due Date | Comments |
|---|--|---|----------|----------|--|
| Complete  Page 28 | LL2023_G02 Implement a first aid training programme | Extend the training opportunities that the company is able to sell to external companies. Increase income through the additional sales | 100% | May-2023 | First aid courses are being delivered to LLL and Broxtowe staff. Additional staff are being identified to be trained in first aid teaching. Marketing plans are to be implemented to increase the sales of first aid places. |
| Complete  | LL2023_G08 Continue to implement the Exercise Referral Scheme | Contribute to the delivery of the Get Active strategy reducing inactivity levels in the Borough An initial estimate of 125 annual referral would provide additional £18,000 of income per year | 100% | Aug-2023 | LLL now employ 3 members of staff who work full time hours between them delivering the Exercise Referral programme. Over 370 people are current members on the Exercise Referral programme. |
| In Progress  | LL2225_G01 Support Broxtowe Borough Council in the development of the Leisure Facilities Strategy | Liberty Leisure Limited provide operational expertise to the council to ensure that any new facilities have an achievable business plan, that design and layout will meet customer expectation and enable efficiencies to be achieved | 10% | Ongoing | The company have provided feedback on the proposed facility mix along with financial data for a proposed new building. Data is checked by the council's finance consultant for accuracy at the time of completion. |

| Status | Code and Action | Action Description | Progress | Due Date | Comments |
|--|---|--|-------------|------------|--|
| In Progress  | LL2225_K01 Operate alternative leisure provision from the existing Kimberley Leisure Centre site | Continue to provide fitness and swim facilities for community use during the day and evenings | 91% | Mar-2025 | Negotiations with regard to the continued operation from April 2024 – March 2025 expected to be completed by the end of November 2023. |
| In Progress  | LL2225_S01 Review the existing Get Active Strategy to ensure relevance following the pandemic | Provide opportunities for inactive people and those experiencing health or social inequalities to be more active. | 62% | April-2024 | Consultation with stakeholders, staff changes and a focus on Exercise Referral have resulted in significant changes to the plan being required. Due date to be extended from July 2023 in line with further consultation once date has been agreed. |
| In Progress  | LL2326_G01a Grow fitness memberships | To continue to recover income lost during the lockdowns by increasing direct debit collections from fitness and gym school membership | 85% | Aug-2024 | Fitness memberships reduced when the price change was introduced. Memberships have recovered with memberships at the end of quarter 1 being more than at the end of 2022/23. |
| In Progress  Page 29 | LL2326_G01b Grow Swim School memberships | Complete a review with the aim of increasing the total number of people learning to swim and to improve the efficiencies in delivering the Swim School programme | 88% | Aug-2024 | Swim memberships reduced when the price change was introduced. Memberships have been recovering during quarter 1 with memberships at the end of quarter 1 being more than at the end of 2022/23. Due date extended from March 2024 to align with fitness memberships. |
| Complete  | LL2326_G02 Implement Price Changes | Increase the overall operational income to mitigate against expenditure increases resulting from the cost of living crisis | 100% | Mar-2024 | Price changes were introduced in April 2023. |
| In Progress  | LL2326_G03 Implement Direct Debit Bureau | To increase the total income surplus created by the company's operations | 26% | Mar-2026 | Costs and processes have been identified to further inform the planning. Work is underway with Barclays Bank and the company's Leisure Management system providers to work through the completion of background processes. Working through different delivery options to determine the most efficient way to proceed. |

| Status | Code and Action | Action Description | Progress | Due Date | Comments |
|---|--|---|----------|----------|---|
| In Progress  | LL2326_G04 With external support review a range of potential operating efficiencies | To identify achievable operating efficiencies to be implemented | 52% | Mar-2024 | Implementation of a range of operating efficiencies is underway. Areas being reviewed and implemented includes, Staff deployment, changes to operating licenses, opening hour at Chilwell Olympia and the use of a new Swim School accreditation provider. LLL Board of Directors updated on progress at the meeting held in October 2023. |

Liberty Leisure Limited – Actions – For Broxtowe Borough Council

| Status | Code and Action | Action Description | Progress | Due Date | Comments |
|--|---|--|----------|-----------|--|
| In Progress  Page 30 | BBC2022a Review the existing Management Agreement between Broxtowe Borough Council and Liberty Leisure Limited | To have an updated agreement that accurately details the roles and responsibilities of Broxtowe Borough Council and Liberty Leisure Limited in the provision of leisure in Broxtowe | 20% | Sept-2023 | Work on specific priorities has been completed: <ul style="list-style-type: none"> • Review payment schedules • Agree a reserve policy • Explore corporation tax liabilities • Repairs and renewals governance agreed at meetings with Head of Asset Management every six months. The overall management agreement still requires a review with this best being completed once different potential leisure facility developments have been completed |
| In Progress  | BBC2022c Replacement Gym Equipment | Provide a scope of the equipment required, digital capabilities, meet with suppliers, site visits, support with scoping the details of a procurement. Redesign available gym space and work with the contractor to ensure installation is to specification and on time | 42% | Mar-2025 | The implementation has been delayed until 2024/25. A range of options have been explored to provide the most efficient way to implement a change of gym equipment to account for the development at Hickings Lane and future changes within the existing leisure facility stock. Capital submission submitted 27 October 2023. |

Report of the Chief Executive

WORK PROGRAMME

1. Purpose of Report

The Advisory Shareholder Sub Committee is asked to approve its Work Programme and to consider items for consideration at future meetings.

2. Recommendation

The Advisory Shareholder Sub Committee is asked to CONSIDER the Work Programme and RESOLVE accordingly.

3. Detail

| | |
|---------------|---|
| 15 April 2024 | <ul style="list-style-type: none">• Liberty Leisure Performance Update (Finance/Attendances/Developments)• Liberty Leisure Health and Safety• Liberty Leisure New Business Plan• EM DEVCO Ltd update• Complaints/Service requests and compliments |
|---------------|---|

4. Legal Implications

The terms of reference are set out in the Council's constitution. It is good practice to include a work programme to help the Council manage the portfolios.

5. Background Papers

Nil.

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