

ED2. EXECUTIVE DECISIONS BY A CABINET MEMBER OR AN OFFICER

A. Report Title: Free Swimming for those aged 60 and over and those aged 16 and under	
B. Report Author(s): Grant Greatrex	Tel: 01375 413968 E-mail: ggreatrex@thurrock.gov.uk
C. Decision Maker: Cllr T Hipsey	
D. Position held: Leader of the council	
E. Key decision: YES/NO	F. Delegation ref:
G. Is the decision urgent? YES	
H. If yes, state why. I. A response to the Department of Culture media and Sport is required by Sept 15 2008 to accept the funding being offered.	
I. DECISION (strike out whichever does not apply) : 1. I agree the recommendations in the attached report for the reasons given in the report;	
Signed: by <i>CLLR T HIPSEY, LEADER OF THE COUNCIL</i> Date: 12/9/08	
Democratic Services will arrange for the completion of the following:	
J. I confirm that in my opinion a decision on this matter is urgent and cannot reasonably be delayed:	
Signed: <i>STEVEN JONES – DEMOCRATIC SERVICES MANAGER</i> <i>LYNNE MEADOWS – DEPUTY HEAD OF LEGAL SERVICES</i> 11/9/08	
Date decision received by Dem. Services: 10/9/08	Date decision published: 12/9/08
Implementation date: 12/9/08	
Relevant O & S Committee: HEALTH AND WELL-BEING OVERVIEW AND SCRUTINY COMMITTEE, Signed by Cllr Wendy Herd, Chair on 12/9/08	

15th September 2008	
<u>Urgent</u> Delegated Decision by the Leader of the Council	
FREE SWIMMING FOR THOSE AGED 60 AND OVER AND THOSE AGED 16 AND UNDER	
Portfolio Holder: Cllr Joy Redsell, Community, Cultural and Leisure	
Report Author: Grant Greatrex, Sport and Leisure and Policy Development Manager	
Accountable Head of Service: Simon Black, Head of Communities, Libraries & Cultural Services	
Accountable Director: Lorna Payne, Corporate Director, Community Well-being	
Purpose: To confirm the Council's response to The Department of Culture Media and Sport regarding free swimming programmes for those aged 60 and over and those aged 16 and under.	
Wards affected: All	Key decision: Yes
This report is Public	

1. RECOMMENDATIONS:

- 1.1 To accept the Government's funding offer to provide a contribution to free swimming for those aged 60 and over during years 2009/2010 and 2010/2011 and to make budgetary provision to cover the shortfall.
- 1.2 To express an interest in providing free swimming for those 16 and under during years 2009/10 and 2010/2011 subject to a more detailed cost assessment and due diligence.

2. INTRODUCTION:

The Government is offering funding to Local Authorities to offer free swimming in 2009/2010 and 2010/11 for those aged 60 or over and those aged 16 or under. There is also a capital grant which may also be available should authorities take up this offer. A detail of the letter is attached as Appendix 1.

Thurrock must respond to the DCMS by 15th September confirming if it will take part in the 60 and over programme and expressing an interest in the 16 and under one.

BACKGROUND

Thurrock Council has three leisure centres with swimming pools at Belhus Park, Corringham and Blackshots. These are operated by Impulse Leisure Charitable Trust who receive an annual grant of £600,000 from the council to help offset the operating deficit.

Impulse Leisure is suffering quite severe financial pressure brought on by the significant rising utility cost associated with heating and treating swimming pools. They have stated that there are not able to absorb any additional cost.

Impulse leisure have therefore been asked to calculate the financial impact of introducing these schemes taking into account loss of income from admissions/membership and the increased operating costs e.g. staffing, pool chemicals etc.

The estimates provided by Impulse Leisure will of course need to be justified and subject to careful scrutiny and negotiation.

Similarly, the Communities, Libraries and Cultural Services budgets do not have the capacity to absorb these costs and although other sources of funding will be explored, should these be unsuccessful, then growth would need to be built into future budgets or service cuts made.

Thurrock PCT has said that they would be interested in considering contributing funding to such a proposal due to its potential health benefits, but give no guarantees that it will be approved.

4. **60' and over**

4.1 The yearly funding available to Thurrock from the government for the over 60s programme is £37,141. Impulse Leisure estimate that they would need approximately £30,000 additional funding to fill the gap.

5. **16's and under**

5.1 These funding levels will be dependant upon the number of authorities whom express an interest and will be allocated by 30th Sept. Authorities with then have until 15th October to confirm if they will be taking part. A more informed decision can therefore be made then and may be influenced by the capital allocation in 6 below.

5.2 Impulse Leisure has suggested that the funding gap could be as high as £500,000.

6. Capital

6.1 Those authorities that commit to both schemes will receive a pro rata share of £10 million 2008/2009 and may submit bids from a pot of £50 million 2009/2010 onwards.

7. IMPACT ON CORPORATE PRIORITIES:

7.1 Introducing such schemes will positively and inclusively affect the health and well being of the area and contribute to the corporate priorities of children's, young people and lifelong learning and including people.

8. OVERVIEW AND SCRUTINY:

8.1 The Chair of the Health and Well Being Overview and Scrutiny Committee has agreed that this decision is delegated and urgent and therefore no subject to call-in.

RELEVANT POLICIES

Thurrock Local Area Agreement

FINANCIAL IMPLICATIONS

(Prepared by: Tim Madden 01375 652010)

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The financial implications are contained within the body of the report. This identifies a funding gap of £30,000 over and above the government grant of £37,141 which will need to be identified. At present, there is no revenue provision for this amount.

LEGAL IMPLICATIONS

(Prepared by: Lyn Meadows 01375 652822)

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The Council has the power to provide leisure and recreational facilities under the Local Government (Miscellaneous Provisions) Act 1976. This power enables the Council to provide facilities free of charge or for such fees and charges as it thinks fit.

The Council also has the power to make grants and payments to Impulse Leisure for the provision of leisure facilities, as Impulse Leisure is a voluntary organisation. This would enable the Council to provide additional funding to meet any shortfall in income which resulted from the adoption of the "Free Swimming" scheme, subject to the availability of finance and funding priorities.

DIVERSITY & EQUALITY IMPLICATIONS

(Prepared by: Helen Choudhury 01375 652472)

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The Council has a statutory duty under the Equality Act 2006, Race Relations Act 2000 (Amendment), the Disability Discrimination Act 2005 and Sex Discrimination Act 1975 (Amendment) to promote equality of opportunity in the provision of services and employment. This means that due regard should be given by the Council to the equality implication of any strategy, policy or function of the Council. The Council must also ensure that all policies and local strategies promote the inclusion of all groups and equality of opportunity.

Where appropriate an Equality Impact Assessment (EIA) should be conducted. This will ensure that any negative impact is identified and revised as appropriate. This is a statutory requirement and obligation placed on the Council.

OTHER IMPLICATIONS

BACKGROUND PAPERS

Letter from dcms ref No CMS 99869/MK

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CMS 99869/MK

Interim Managing Director
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GRAYS
RM17 6SL



department
for **cuLture,**
media and
sport

29 July
2008

Dear
Colleague
FREE SWIMMING PROGRAMME

SUMMARY AND BACKGROUND

1. This circular sets out details in respect of the Government's free swimming programme, in particular the purpose and payment arrangements. The grants will be made pursuant to the powers in section 31 of the Local Government Act 2003. These powers are explained in further detail at [Appendix 1](#).
2. The grants are provided for free swimming schemes, the evaluation of which will be used to determine future funding and delivery arrangements. As such, there will be a need to quantify the success of the schemes through local monitoring. The grant will therefore be ring-fenced in order to allow evaluation of the funding and must be spent in accordance with the conditions outlined below. The grant is not subject to separate auditor certification procedures. This ring fencing will be temporary and will not continue beyond financial year 2010/2011.
3. The Government is keen to encourage as many local authorities as possible to participate in making swimming free for those aged 60 or over and those aged 16 or under in their local communities, but also to stimulate ambitious authorities to maximise and sustain uptake through other initiatives such as free lessons for adults who cannot swim, and free swim co-ordinators which will be a key component to the effectiveness of both free swimming schemes. There will also be incentives for the most ambitious to move further towards a universal free swimming offer.

The Government's free swimming programme is also designed to help authorities achieve successful delivery of their national indicator targets, including (but not limited to) NI8, NI55, NI56, NI110 and NI137.

PAYMENT CONDITIONS AND ARRANGEMENTS

4. Authorities who wish to participate in the free swimming offer for those aged 60 or over must provide confirmation by 15 September 2008. By confirming participation to OCMS, an authority agrees to spend the grant for free swimming for those aged 60 or over, as detailed further below. This will be made a condition of the grant. The amount of the grant is pre-fixed, based on an authority's population of those aged 60 or over.
5. Authorities who also wish to participate in the free swimming offer for those aged 16 or under must also submit an expression of interest for this part of the programme by 15 September 2008. For these authorities, Government will then aim to provide details of their prospective allocation by 30 September 2008. Authorities will then be invited to confirm, by 15 October 2008, that they wish to participate in this element of the offer. By confirming participation in this part of the offer, an authority agrees to spend the grant for free swimming for those aged 16 or under as detailed further below. This will be made a condition of the grant.
6. Those authorities who already make available a free swimming offer that would otherwise have qualified for funding may apply to use their allocation on initiatives additional to their existing offer and designed either i) further to increase and sustain participation for these age groups (e.g. structured sessions or classes) and/or ii) to extend their existing programmes to wider groups of the population and move further towards a universal free swimming offer.
7. These authorities should follow the relevant process (depending on their existing offer(s)) for application outlined in paragraphs 5 and 6 above.
8. It is expected that this grant will be paid to participating authorities as early as possible in financial year 2009/10, then again as early as possible in financial year 2010/11.
9. In addition, Government is providing a total of £60,000,000 capital for capital projects designed to modernise pool provision, which are integrated with providing free swimming as outlined above. £10 million from this pot will be made available in financial year 2008/09 to reward those authorities which sign up to both schemes as outlined above (including those who already make available free swimming offers that would otherwise have qualified for funding as outlined above). Those authorities will receive a pro rata population-based share of the £10 million capital in financial year 2008/09 and may submit bids for the remaining funding from financial year 2009/10 onwards. These funds can be used as project development costs for bids for financial year 2009/10 and financial year 2010/11. They cannot however be used for partnership funding for bids from financial year 2009/10 onwards. Sport England will assess bids in the first instance on behalf of Government and will publish a prospectus for bids for funding from financial year 2009/10 onwards.
10. The resource fund is not open to county councils. However, school pools, if they contribute to the overall free swimming scheme, will be considered for capital grants.

PURPOSE OF GRANT

11. The purpose of the grant is to provide funding to support those local authorities who choose to deliver part or parts of the Government's free swimming programme.
12. Specifically, the grant is provided to enable those local authorities which choose to participate in the programme to offer:
 - a. either free swimming for those aged 60 or over,
 - b. or free swimming for those aged 60 or over and free swimming for those aged 16 or under.
13. Free swimming for those aged 60 or over means that people in that age group who wish to swim, at any time throughout the year, when they would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so.
14. Similarly, free swimming for those aged 16 or under means that people in that age group who wish to swim, out of normal school hours throughout the year, when they would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so.
15. For those authorities who already make available a free swimming offer that would otherwise have qualified for funding and who choose to participate in the scheme, the purpose of the grant is to provide funding for initiatives additional to their existing offer and designed either i) further to increase and sustain participation for these age groups (e.g. structured sessions or classes) and/or ii) to extend their existing programmes to wider groups of the population and move further towards a universal free swimming offer.
16. Further information on the free swimming programme is set out at Appendix 2.
17. Further funding to local authorities to deliver the free swimming programme in financial year 2011/12 and subsequent years will be subject to the outcome of the next Spending Review. The evidence from financial year 2009/10 and financial year 2010/11 will be used to inform future funding and delivery arrangements.

GRANT ALLOCATIONS

18. The grant has been calculated on the following basis:
 - a) £15,000,000 will be provided according to a formula based on the size of the local 60 or over population to those of the 354 local authorities who choose to provide free swimming for those aged 60 or over.
 - b) £25,000,000 will be available to provide free swimming for those aged 16 or under. Allocations will be determined subject to expressions of interest.
19. Individual local authority allocations for the 60 or over element are set out in Appendix 1 Annex B below. These individual allocations are the amounts authorities receive if they choose to participate in the scheme.

Department for Culture, Media and
Sport

ENQUIRIES

For further information on this grant, please contact the Department for Culture,
Media and Sport on 020 7211 6200 or at enquiries@culture.gov.uk.

Appendix 1

EXERCISE OF POWER TO PAY GRANT UNDER SECTION 31 OF THE LOCAL GOVERNMENT ACT 2003 FOR THE FREE SWIMMING PROGRAMME GRANT FOR FINANCIAL YEAR 2009/10 AND FINANCIAL YEAR 2010/11 (Ref: 31/1247)

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Introduction

The Secretary of State for Culture, Media and Sport, (lithe Secretary of State"), in exercise of the powers conferred on him by section 31 of the Local GOJernment Act 2003, and having obtained the consent of HM Treasury, pays the grants to those local authorities listed in column (1) of Annex A the corresponding amount set out in column (2) of that Annex.

Pursuant to section 31 (4) and (5) of the 2003 Act, the Secretary of State pays the grant to the respective local authorities subject to the conditions set out in Annex B.

Consent of Treasury

Before exercising this power, the Secretary of State obtained the consent of the Treasury.

Citation

This grant shall be known as the Free Swimming Programme Grant Determination (Ref: 31/1247).

Signed by the authority of the Secretary of State.

PAUL BOLT

Director, Sport and Leisure Department for Culture, Media and Sport

FREE SWIMMING PROGRAMME GRANT ALLOCATIONS - TO PROVIDE FREE
SWIMMING FOR THOSE AGED 60 OR OVER

ENGLAND	£15,000,000
UNITARY AUTHORITIES	
BATH & NORTH EAST SOMERSET UA	£55,504
BLACKBURN WITH DARWEN UA	£33,386
BLACKPOOL UA	£49,800
BOURNEMOUTH UA	£56,4 77
BRACKNELL FOREST UA BRIGHTON AND HOVE UA	£24,900
BRISTOL, CITY OF UA	£66,354
DARLINGTON UA	£100,574
DERBY UA	£31,021
EAST RIDING OF YORKSHIRE UA	£67,884
HALTON UA	£120,049
HARTLEPOOL UA	£31,299
HEREFORDSHIRE UA	£26,848
ISLE OF WIGHT UA	£67,467
KINGSTON UPON HULL, CITY OF UA	£57,590
LEICESTER UA	£66,076
LUTON UA	£65,102
MEDWAY UA	£43,262
MIDDLESBROUGH UA	£64,267
MILTON KEYNES UA	£37,698
NORTH EAST LINCOLNSHIRE UA	£46,740
NORTH LINCOLNSHIRE UA	£49,939
NORTH SOMERSET UA	£52,026
NOTTINGHAM UA	£72,614
PETERBOROUGH UA	£63,711
PLYMOUTH UA	£42,428
POOLE UA	£73,031
PORTSMOUTH UA	£50,774
READING UA	£49,939
REDCAR & CLEVELAND UA	£32,412
RUTLAND UA	£46,462
SLOUGH UA	£12,937
SOUTH GLOUCESTERSHIRE UA	£25,039
SOUTHAMPTON UA	£74,700
	£56,199

SOUTHEND UA	£53,278
STOCKTON-ON-TEES UA	£52,582
STOKE-ON-TRENT UA	£71,362

SWINDON UA	£48,548
TELFORD AND WREKIN UA	£42,428
THURROCK UA	£37,141
TORBA Y UA	£54,808
WARRINGTON UA	£55,782
WEST BERKSHIRE UA WINDSOR AND MAIDENHEAD UA	£40,202
WOKINGHAM UA	£39,089
YORK UA	£57,312

COUNTY DISTRICTS

ADUR	£23,370
ALLERDALE	£33,942
ALNWICK	£12,380
AMBER VALLEY	£38,950
ARUN	£66,354
ASHFIELD	£35,611
ASHFORD	£33,803
AYLESBURY VALE	£45,071
BABERGH	£31,438
BARKING & DAGENHAM	£38,254
BARNET	£83,047
BARNESLEY BARROW-IN- FURNESS BASILDON	£68,580
BASINGSTOKE & DEANE	£23,648
BASSETLAW	£47,714
BASSETLAW	£40,619
BEDFORD BERWICK- UPON- TWEED BEXLEY	£36,307
BIRMINGHAM	£43,401
BIRMIINGHAM	£11,268
BLABY	£64,963
BLYTH VALLEY	£248,027
BOLSOVER	£28,934
BOLTON	£24,205
BOSTON	£24,205
BRADFORD BRAINTREE	£75,118
	£21,701
	£123,944
	£40,619

FREE SWIMMING PROGRAMME

Pot 1: Free swimming for those aged 60 or over

1. This is the minimum offer into which all local authorities can opt, if they so choose. From financial year 2009/10, Government will make available a total amount of £15m p.a. over two years. This is to allow those local authorities who wish to offer free swimming to those aged 60 or over to do so.
2. Local authorities should indicate to OCMS, by no later than 15 September 2008, whether they wish to take up this offer.
3. In order to keep the burden on local authorities to a minimum, the funding will be divided between participating authorities according to a simple formula based on the size of the local population aged 60 or over, and it will be distributed through a section 31 ring-fenced grant. An authority will receive a fixed amount, as set out above. Any remaining funds will be spent centrally on other relevant schemes.
4. Free swimming for those aged 60 or over is hereby defined as meaning that people in that age group who wish to swim at any time throughout the year, when they would normally be admitted to the pool for public swimming, and in accordance with local programming, should not be charged for doing so.
5. Those authorities who already make available a free swimming offer that would otherwise have qualified for funding may use their allocation on initiatives additional to their existing offer and designed either i) further to increase and sustain participation for those aged 60 or over (e.g. structured sessions or classes) and/or ii) to extend their existing programmes to wider groups of the population and move further towards a universal free swimming offer.

Pot 2: Free swimming for those aged 16 or under

6. Pot 2 is only available to those local authorities who choose the minimum offer of providing free swimming for those aged 60 or over and wish to provide an additional offer for those aged 16 or under. For these authorities we will make available an additional £25m revenue funding over two years to support free swimming for those aged 16 or under.
7. As for those aged 60 or over, we have made the qualifying criteria for the scheme correspondingly simple. Free swimming for those aged 16 or under means that people in that age group who wish to swim out of normal school hours throughout the year, when they would normally be admitted to the pool for public swimming, and in accordance with local programming should not be charged for doing so.
8. We have therefore written to eligible Chief Executives to ask them to submit an expression of interest, no later than 15 September 2008, if their authority has the ambition to provide free swimming for under 16s. For these authorities, Government will then provide details of their prospective allocation by 30 September. Authorities will then be invited to confirm, by 15 October 2008, whether they wish to participate in

this element of the offer. Their share of the fund will then be allocated and distributed through a section 31 ring-fenced grant.

9. Government hopes that local authorities will work creatively with local partners, including Primary Care Trusts, to access funds from other sources (such as Working Neighbourhoods Fund, Extending Activities, the Big Lottery Fund) as well as with commercial and third sectors, to maximise the impact across shared agendas.
10. Those authorities who already make available a free swimming offer that would otherwise have qualified for funding may use their allocation on initiatives additional to their existing offer and designed either i) further to increase and sustain participation for those aged 16 or under (e.g. structured sessions or classes) and/or ii) to extend their existing programmes to wider groups of the population and move further towards a universal free swimming offer.

Pot 3: Modernise pool provision - capital reward fund

11. In addition, Government is providing a total of £60 million capital for capital projects designed to modernise pool provision, which are integrated with providing free swimming as outlined above.
12. £ 10 million will be available in financial year 2008/09 to reward those authorities which sign up to both schemes as outlined above. Those authorities who confirm participation in both schemes as outlined above will receive a pro rata populationbased share of the £10 million capital in financial year 2008/09. These funds can be used as project development costs for bids for financial year 2009/10 and financial year 2010/11. They cannot however be used for partnership funding for bids from financial year 2009/10 onwards.

Pot 4: Modernise pool provision - capital challenge fund

13. £25 million p.a. will be available in financial year 2009/10 and financial year 2010/11 to modernise pool provision and support more ambitious plans for swimming.
14. Sport England will administer the capital fund on behalf of the Government, and will publish a prospectus for bids for funding. Local authorities which have committed to pot 1 and pot 2 will be invited to submit costed plans for pot 4 by no later than 15 October 2008.