



DERBY CITY COUNCIL

COMMUNITY COMMISSION
3 FEBRUARY 2009

ITEM 4

Report of the Corporate Director of Corporate
and Adult Services

MUNICIPAL GOLF CONTRACT – CALL-IN OF KEY DECISION 71/08

SUMMARY

- 1.1 On 13 January 2009 the Council Cabinet took Key Decision 71/08 to begin a competitive tendering process for the lease and operation of the Sinfen and Allestree golf courses. A notice signed by three Members of the Council required the decision to be called-in. This special meeting will consider the issue in accordance with the Call-In Protocol.

SUPPORTING INFORMATION

- 3.1 The full decision at Minute 181/08 was: To advertise the opportunity for golf course operators to submit competitive tenders under OJEU rules for the operation of the Sinfen and Allestree golf courses. The selected tenderer would be offered a minimum 25 year lease and would be required to undertake an agreed investment programme and maintain public access to the golf facilities.
- 3.2 Councillors Willoughby, Wood and Jennings submitted a Notice of Call-In stating they believed the making of the decision had breached the following principles of decision making (under Article 13)

Aspect	Reason
a) Proportionality.	Public access is not guaranteed
d) A presumption in favour of openness.	No consultation undertaken with users or public
<i>And that</i> Other relevant issues do not appear to have been taken into consideration.	No public or ward level consultation has been entered into.

- 3.3 The proposals to Council Cabinet followed a 'Strategic Review of Allestree Park and Sinfyn Golf Courses' by Smith Leisure consultants. The Executive Summary formed part of the main report to Council Cabinet. The competitive tendering process that the Key Decision is intended to trigger means the full Strategic Review is commercially confidential and therefore Exempt under the 1985 Access to Information arrangements. However, it is available to be inspected by the Commission and Call-In Signatories in Room 137 at the Council House.
- 3.4 The municipal golf courses have been subject to two previous reviews. In 2001 there was a wide-ranging Best Value Review of the Parks – that report is in the public domain and is also available in Room 137 of the Council House. In December 2002 there was a bespoke scrutiny review of the golf courses. Both of these exercises identified similar concerns to the recent consultancy over usage trends and capital investment. The scrutiny review was a comprehensive look at the rationale for municipal golf courses and the 2002/3 documentation is included as background reading.
- 3.5 List of documents included for this item
- **2008/9 documents**
 - 4.1 Municipal Golf Contract – Call-In Of Key Decision 71/08 (this report).
 - 4.2 Municipal Golf Contract – report to Council Cabinet on 13 January 2009. This is the key document containing the proposed decision.
 - 4.3 Council Cabinet 13 January 2009 – Minute Extract
 - 4.4 Call-In Notice – signed by Cllr Willoughby, Cllr Wood and Cllr Jennings
 - 4.5 Protocol on Call-in of Executive Key Decisions
 - **2002/3 Scrutiny Review documents -**
 - 4.6 Municipal Golf Courses Issues Paper [appendices are not included but are available in Room 137 at the Council House]
 - 4.7 Note of Evidence Gathering Interview Held 5 December 2002
 - 4.8 Outcome report to the Scrutiny Management Commission

<p>For more information contact:</p> <p>Background papers:</p> <p>List of appendices:</p>	<p>Name 01332 255596 e-mail rob.davison@derby.gov.uk</p> <p>EXEMPT - Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972</p> <p>– Full consultants' report produced by Smith Leisure – available to Commission Members in Room 137 of the Council House</p> <p>Appendix 1 – Implications</p> <p>Appendix 2 – Forward Plan extract</p>
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IMPLICATIONS

Financial)	
)	
Legal)	
)	As set out in the main report
Personnel)	
)	
Corporate objectives and priorities for change)	

Equalities Impact

The following extract from the December 2002 scrutiny review remains relevant:

The ethos that led to the establishment of municipal courses might nowadays find an echo in the national policy agenda of social inclusion. Municipal courses provide opportunities for a wider range of users than private golf clubs which charge more for pay and play, require annual subscriptions and –usually - private transport to access. Continued provision might be seen to contribute to the following [[2002/3]] corporate aims:

‘Great place to live’ by providing sporting opportunity for all sections of the community

‘More achievement, more achievers’ by providing an opportunity to become proficient in the game.

Though an adequate supply of private/proprietary courses is available locally, an analogy may be drawn with the Council’s support for the establishment of Derbyloans, the community based finance institution, providing a service not of universal interest to the population but wanted and appreciated by sections of the population.

Forward Plan - Extract

Reference	Decision	Description	Key Decision//BPF	Who will be consulted?	What documents will be considered?	Proposed Cabinet Date	Portfolio	Scrutiny Commission	Contact Officer for further information
71/08	Golf Courses Review	Review of possible options for the future management of the Council's golf courses and recommendations	Key Decision	Golf management staff, grounds maintenance staff and unions	Report	13 January 2009	Direct and Internal Services/ Cllr Carr	Climate Change Commission	Steve Medlock - Head of Parks 01332 641552