

# SOUTH HAMS COUNCIL



## **Minutes** of a meeting of the **South Hams Council** held on **Thursday, 30th July, 2020** at **11.30 am** at the **Via Skype**

Present:        **Councillors:**

**Chairman** Cllr Rowe  
**Vice Chairman** Cllr Foss

Cllr Abbott	Cllr Austen
Cllr Bastone	Cllr Birch
Cllr Brazil	Cllr Brown
Cllr Hawkins	Cllr Holway
Cllr Hopwood	Cllr Long
Cllr May	Cllr McKay
Cllr O'Callaghan	Cllr Pannell
Cllr Pearce	Cllr Pennington
Cllr Pringle	Cllr Reeve
Cllr Rose	Cllr Smerdon
Cllr Spencer	Cllr Sweett
Cllr Taylor	

### **In attendance:**

Officers:  
Chief Executive  
Deputy Monitoring Officer  
Director of Place & Enterprise  
Section 151 Officer  
Democratic Services Manager

### 8.        **Urgent Business**

The Chairman informed that she had no items of urgent business for consideration at this meeting.

### 9.        **Declarations of Interest**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting and these were declared as follows:

Cllr R J Foss declared a personal interest in Item 7: 'Fusion – Interim Support' (Minute 12/20 below refers) by virtue of his membership of a local Rotary Club that sponsored events at the Quayside Leisure Centre, Kingsbridge swimming pool. Whilst Cllr Foss was in attendance during part of the debate on this agenda item, he was forced to leave the meeting prior to the votes on the agenda item.

10. **Reports of Bodies**

**RESOLVED**

That the minutes and recommendations of the undermentioned Bodies be received and approved subject to any amendments listed below:-

(a) Audit Committee – 25 June 2020

11. **Exclusion of Public & Press**

**RESOLVED**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

12. **Fusion Leisure - Update**

The Council considered an exempt report that outlined the proposed approach to further support for the Fusion Leisure Group.

During the lengthy discussion, particular reference was made to:

(a) legal advice given by the Deputy Monitoring Officer. In his advice, the Officer highlighted the:

- complexity of the contractual arrangements with Fusion generally;
- provisions of the contract relating to changes in the law; and
- need to have a flexible approach to the negotiation of the terms on which any financial support should be given;

(b) the significance of the decision that was being faced by the Council; and

(c) an amendment to the motion was **PROPOSED** and **SECONDED**. A three part amendment was tabled to the Council that read as follows:

1. That interim financial support of £88,000 (as set out in Appendix A of the exempt agenda report) be provided ,*by way of a loan*, to Fusion, on terms to be agreed by the Director of Place and Enterprise, in consultation with the Section 151 Officer, to secure positive health and wellbeing outcomes in the District, which are the re-opening of the new pool and dryside in Ivybridge and the dryside facilities in Kingsbridge;
2. That the cost of £88,000 be funded from the *General Reserve* and it be noted that this interim financial support covers the months of July, August and September for leisure provision; and
3. That a future decision on leisure provision for the months of October 2020 onwards be taken at the Council meeting on 24 September 2020 *following a full and detailed open book report being presented to the Audit Committee.*

In debate on the amendment, officers emphasised that, during the negotiations with Fusion representatives, they would continue to work tirelessly in the best interests of the Council.

At the request of the meeting, separate votes were taken on the three parts of the amendment.

When put to the vote, the three parts of the amendment were each declared **LOST**.

It was then:

#### **RESOLVED**

1. That interim financial support of £88,000 (as set out in Appendix A of the exempt agenda report) be provided to Fusion, on terms to be agreed by the Director of Place and Enterprise, in consultation with the Section 151 Officer, to secure positive health and wellbeing outcomes in the District, which are the re-opening of the new pool and dryside in Ivybridge and the dryside facilities in Kingsbridge;
2. That the cost of £88,000 be funded from the Economic Regeneration Earmarked Reserve and it be noted that this interim financial support covers the months of July, August and September for leisure provision; and
3. That a future decision on leisure provision for the months of October 2020 onwards be taken at the Council meeting on 24 September 2020.

The Meeting concluded at 12.40 pm

**Signed by:**

**Chairman**

---