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Democratic Services
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

14 February 2025

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** on Monday 17 February 2025 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

6 **MINUTES** (Pages 2 - 8)

To confirm the Minutes of the meeting of the Committee held on 27 January 2025.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a horizontal line.

Chief Executive

Minutes of the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** held at the Council Offices, Whitfield on Monday, 27 January 2025 at 6.00 pm.

Present:

Chairman: Councillor T J Bartlett

Councillors: M Bates
S H Beer
D R Friend
S Hill
J P Loffman
M J Nee
D J Parks
L M Wright
C A Vinson (as substitute for Councillor M W Rose)

Also Present: Councillor K Mills (Leader of the Council)
Councillor E A Biggs (Portfolio Holder for Planning and Built Environment)
Councillor S B Blair (Portfolio Holder for Finance, Governance, Climate Change and Environment)
Councillor C D Zosseder (Portfolio Holder for Community and Corporate Property)
Ron Condon (Minute No. 95)
Peter Tullo (Minute No. 95)
Kelly Siadatan (Minute No. 95)

Officers: Strategic Director (Corporate and Regulatory)
Strategic Director (Place and Environment)
Strategic Project Manager
Head of Place and Growth
Head of Licensing and Legal Services
Community Development Manager
PR and Marketing Officer
Project Manager
Head of Corporate Services and Democracy
Democratic Services Officer
Democratic Services Officer
Corporate and Democratic Support Officer

85 APOLOGIES

An apology for absence were received from Councillor M W Rose.

86 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillor C A Vinson had been appointed as substitute member for Councillor M Rose.

87 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

88 MINUTES

The consideration of the Minutes was deferred.

89 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

The Head of Corporate Services and Democracy advised that there were no decisions to report.

90 ISSUES REFERRED TO THE COMMITTEE BY PUBLIC PETITION, COUNCIL, CABINET, OR ANOTHER COMMITTEE

The Head of Corporate Services and Democracy advised that there were no issues referred to the Committee by Council, Cabinet or another Committee.

91 NOTICE OF FORTHCOMING KEY DECISIONS

The Head of Corporate Services and Democracy presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

Members queried why items 14 and 16 had been withdrawn. The Head of Corporate Services and Democracy advised that she did not know why they had been withdrawn but would find out and report back to the Members outside of the meeting.

RESOLVED: That the Notice of Forthcoming Key Decisions be noted.

92 SCRUTINY WORK PROGRAMME

The Head of Corporate Services and Democracy presented the Overview and Scrutiny Work Programme to the Committee for its consideration.

93 PUBLIC SPEAKING

The Head of Corporate Services and Democracy advised that two members of the public had been in contact to register to speak on items on the agenda to which the public speaking protocol applied.

Peter Jull had registered to speak in respect of Minute No. 94 (Tides Leisure Centre).

The second registered public speaker was not in attendance at the meeting.

94 TIDES LEISURE CENTRE

The Strategic Project Manager presented the report on Tides Leisure Centre.

Members were advised that the report addressed the two main issues to be resolved in order to progress the Deal Leisure Centre (DLC) project. These were:

- The preferred facilities mix of the new DLC. It was stated that the six-lane pool option had been developed to more a detailed feasibility stage (RIBA

Stage 2). It provided the same core facility mix as reported in July 2024, however, the proposed pool size had increased from five to six lanes with inflatable fun opportunities. It also had Sport England pool depth, and the proposals now included a toddler splash pad which had helped improve the business plan. The project could potentially be completed by Summer 2027.

- The future operator of new DLC. Five management options had been considered for the new Deal Leisure Centre. Each option had been evaluated against twelve criteria including financial return, level of risk transfer, alignment with Council's strategic priorities and set-up costs. Outsourcing to a leisure operator had been identified as the most appropriate option.

It was stated that the Cabinet had agreed to proceed to RIBA Stage 3 and 4 development of the six-lane pool option, funded by up to £1,068,000 already included in the capital programme funding.

Members raised the following points:

- To welcome the report and the certainty the Cabinet decision brought to the future of the Deal Leisure Centre. The importance of delivering the project as quickly as possible for the people of Deal was emphasised.
- To thank officers for the work involved in getting the project to this stage given the history of contract inflation and the historical impact of Covid to the project.
- To question what impact local government reorganisation would have on the project. In response Members were advised that the report had been written prior to Kent County Council deciding to go for priority status. However, it was felt that projects already underway would be allowed to continue.
- To recognise the stops and starts inherent to a project like the Deal Leisure Centre. Members were reminded that in November 2022 the project had been considered to be unaffordable.
- To discuss the issues around the construction of new facilities and securing an operator for the new Deal Leisure Centre. Members were advised that the Sports Hall and Tennis Centre could be operated separately during the swimming pool build.

The Committee thanked officers for their hard work and dedication in bringing the Deal Leisure Centre project forward.

95 IMPACT OF THE PROPOSED TEMPORARY CLOSURE OF ALL FACILITIES AT TIDES ON CLUBS AND ORGANISATIONS

The Chairman welcomed the following representatives of sports clubs and organisations that used the Tides Leisure Centre facilities to discuss the impact on them of the proposed temporary closure of all facilities.

Ron Condon

- That he had looked at alternative facilities in Whitfield and Sandwich for his group to use but none were as suitable as the facilities at Deal.
- He asked that as the Sports Hall and Tennis Centre were separate from the pool, that if there were the will, efforts should be made to keep them open.
- He acknowledged that while it might be difficult or inconvenient it was important for the health of his retired badminton players to have access to the facilities.

Peter Tullo

- Peter Tullo was the Chair of the Walmer Lawn Tennis Association and Croquet Club.
- He recognised that there were outdoor tennis courts that could be used as an alternative to the facilities at Tides.
- He advised that tennis was a growing sport and that the indoor facility at Tides was unusual and an asset as it facilitated indoor coaching. The Club had 150 junior players and 4 professional coaches.

Kelly Siadatan

- Kelly Siadatan was a coach at East Kent ACRO. Members were advised that the club was 40 years old and had been using the facilities at Tides for 20 years.
- The club had competitions in April 2025 and the three months' notice given of the closure was insufficient. The club had not been able to find a suitable alternative venue due to their needs to store a lot of equipment. It was a worry that the club could fold without suitable facilities.
- At every stage in the project the need for a new pool had been discussed but at no point had they been advised that the closure of the sports hall was a consideration. They had discussed potential interim arrangements but were given little notice of the closure with the Council not advising them until the decision the previous week.
- The parents of the children at East Kent ACRO were relying on her to find a solution.
- An email from East Kent ACRO was read out by the Head of Corporate Services and Democracy on behalf of the club.

The Chairman invited Councillor C D Zosseder, the Portfolio Holder for Community and Corporate Property to speak. Councillor Zosseder raised the following points:

- To welcome the opportunity for the public to speak at Overview and Scrutiny Committee on this matter.

- To explain that the delay in contacting many of the sports clubs and organisations was due to delay in obtaining their details from Your Leisure who operated Tides and held their details rather than Dover District Council.
- That the affected staff at Tides had to be spoken to before the Council had been able to speak to the sports clubs and organisations. Community Services had been contacting the groups to speak to them once the Council had their contact information from Your Leisure.
- It would be part of any operator's contract that the Tennis Centre and Sports Hall must reopen in January 2026 following the closure.

The Members of the Committee raised the following points:

- To thank the speakers representing the sports clubs and organisation.
- To express concern that some of the clubs had been told that the facilities would be kept open and the limited notice that had been given of the closure of the facilities. In response, the Strategic Director (Place and Environment) advised that when the consultation had been undertaken this had been on the understanding that the facilities would remain open. However, this situation had subsequently changed.
- Councillor C A Vinson advised that residents had contacted him over the closure. He had been struck by the high level of use at the facility and felt that it was a facility valued by the community. He emphasised that no councillor was elected to close down sports halls.
- Councillor J P Loffman stated that all Deal councillors wanted the best outcome in respect of Tides and that they had the best interests of the sports clubs and organisations at heart.

Members thanked the sports clubs and organisations that had spoken at the meeting and reassured them that the views had been listened to in respect of the closure of the Tennis Centre and Sports Hall and the impact it would have on them.

Councillor C A Vinson moved, and it was duly seconded by Councillor D R Friend, that it be recommended to Cabinet:

“That Cabinet be asked to reconsider the decision to close the facilities at Tides.”

The Head of Corporate Services and Democracy provided advise that this item of business was concerned with receiving the views of affected sports clubs and organisations and that the recommendation more appropriately applied to the next substantial item of business (Minute No. 97 Tides Leisure Centre – Review of Interim Operating Arrangements).

Councillor C A Vinson with the consent of his seconder agreed to withdraw his recommendation.

Following the moving of the resolution to exclude the press and public, Councillor C A Vinson asked for clarification of the grounds on which the exclusion was being made.

The Strategic Director (Corporate and Regulatory) advised that the officers who prepared the report considered the access to information rules and that the Strategic Director (Place and Environment) as the Proper Officer for the report in this case had identified that the rules concerning exempt information applied to the report.

The wider public interest was also considered and on balance it was felt that the report contained exempt information. It was felt by officers that the exempt information relating to commercial and business interests in the report outweighed the public interest in disclosing the information as their disclosure could adversely affect the viability of the project.

Members were advised that it was their decision as to how to vote on the motion to exclude the press and public that had been moved but in doing so they should consider the views of officers and the public law impact.

The Head of Corporate Services advised in response to a question that a recorded vote would require six members to agree it.

It was moved by Councillor D R Friend, duly seconded by Councillor C A Vinson, that

A recorded vote be held.

On being put to the vote, the motion was LOST.

It was moved by Councillor L M Wright, duly seconded by Councillor J P Loffman and

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

(Councillor M Bates requested that his vote against the resolution to exclude the press and public be recorded under paragraph 18.5 (Individual Recorded Vote) of the Council Procedure Rules)

(Councillor T J Bartlett requested that his vote against the resolution to exclude the press and public be recorded under paragraph 18.5 (Individual Recorded Vote) of the Council Procedure Rules)

(Councillor D R Friend requested that his vote against the resolution to exclude the press and public be recorded under paragraph 18.5 (Individual Recorded Vote) of the Council Procedure Rules)

(Councillor C A Vinson requested that his vote against the resolution to exclude the press and public be recorded under paragraph 18.5 (Individual Recorded Vote) of the Council Procedure Rules)

97 TIDES LEISURE CENTRE - REVIEW OF INTERIM OPERATING ARRANGEMENTS

The Strategic Project Manager presented the report on Tides Leisure Centre - Review of Interim Operating Arrangements and updated Members on developments since the report was considered by the Cabinet on 13 January 2025.

RESOLVED: That Cabinet be requested to review all options, including any that may have emerged since the original Cabinet decision, to continue interim operations at Tides Leisure Centre and to be mindful of the financial impact of any decision on the Council's budget.

The meeting ended at 8.32 pm.