

BOLSOVER DISTRICT COUNCIL
MEETING OF THE EXECUTIVE ON 19TH MAY 2025
ELMTON AND CRESWELL WELLBEING CENTRE SERVICE LEVEL
AGREEMENT
REPORT OF THE PORTFOLIO HOLDER FOR HEALTH & WELLBEING

Classification	This report is Public.
Contact Officer	Wayne Carter Assistant Director – Leisure Health & Wellbeing

PURPOSE/SUMMARY OF REPORT

To receive an update and seek approval from Executive to enter into a Service Level Agreement for the day-to-day running and management of the Heritage and Wellbeing Leisure Centre belonging to Elmtown with Creswell Parish Council.

REPORT DETAILS

1. Background

- 1.1 In October 2022 Executive agreed for the Council to enter into a Service Level Agreement (SLA) with Creswell Heritage Wellbeing Trust for Bolsover District Council's (the District Council) Leisure Services to be responsible for the operational day-to-day running of the Heritage and Wellbeing Centre at Creswell.
- 1.2 At that time, it was intended the Creswell Heritage Wellbeing Trust would take a lease of the facility from the Parish Council, however this did not take place, and the facility has remained the responsibility of Elmtown with Creswell Parish Council (the Parish Council). The District Council has therefore undertaken the day-to-day running of the centre on behalf of the Parish Council from its opening. The full cost of the services provided by the District Council is borne by the Parish Council.
- 1.3 Recently, the Parish Council has received support from Derbyshire Association of Local Councils (DALC) and National Association of Local Councils (NALC) in reviewing Parish Council governance and financial arrangements. Details of this are set out in minutes and reports on their [website](#).
- 1.4 The review included consideration of the future of the Heritage and Wellbeing Centre and its financial position. Options have been considered, including potential closure, partial closure, operation by the Parish Council or continued operation by the District Council. The Parish Council have subsequently agreed to request the District Council continue to manage the day-to-day operation of the Centre.
- 1.5 The District Council's Leisure Services Team has provided the Parish Council with details of the full operating costs for the Centre for 2025/26 which have been taken

into account within their budget setting and financial planning. This includes the full costs of staffing the facility, management of staff, operational activities and other responsibilities relating to the safe running of the centre.

- 1.6 The Parish Council have subsequently confirmed that they would like the District Council to continue in the management and operation of the Heritage and Wellbeing Centre on their behalf under a formal Service Level Agreement.
- 1.7 Staff employed in running the Centre will remain under the employment of Bolsover District Council. Costs to date have been recharged to the Parish Council along with other operating costs. Establishing an SLA will formalise these arrangements with staff remaining in employment of the District Council. If this arrangement is terminated in the future, and the facility were to remain open under different management, staff would be considered for transfer under TUPE regulations to a new service provider. If the facility were to close whilst the District Council were providing a service under the SLA, the staff would not transfer under TUPE regulations. Details of arrangements for staff will be included within the SLA including provisions for what will happen if the Parish Council closed the facility.

2. Details of Proposal or Information

- 2.1 The Parish Council have explored various options relating to the ongoing operation of the Health and Wellbeing Centre and, due to a number of factors, have concluded they wish to continue to keep the facility open and operational.
- 2.2 The Parish Council have therefore approached the District Council with a request to continue to operate the day-to-day running of the centre on their behalf. An SLA has been drafted for this purpose which will be agreed with the parish Council.
- 2.3 A fully costed operational budget for 2025/26 has been developed for the Parish Council which included a management fee relating to the costs of a full-time manager for the site.
- 2.5 The agreement shall be at no financial cost to the District Council with costs associated with operating the Centre being borne in full by the Parish Council

3. Reasons for Recommendation

- 3.1 The Parish Council do not currently have the skills and resources available to operate the leisure facility and have requested the assistance of the District Council in the day-to-day management of the site.

4. Alternative Options and Reasons for Rejection

- 4.1 An alternative option would be to decline the request from the Parish Council to agree a Service level Agreement for the continued operational running of the facility. In this instance, the Parish Council would be required to further consider their options for the running of the centre.
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RECOMMENDATION(S)

That Executive approve:

1. Bolsover District Council continues with the day-to-day operational running of the Heritage and Wellbeing Centre on behalf of Elmtun with Creswell Parish Council.
2. Bolsover District Council enters into a Service Level Agreement with Elmtun with Creswell Parish Council to manage and operate the Heritage and Wellbeing Centre on its behalf, with full costs being met by the Parish Council.
3. Bolsover District Council continues to directly employ the staff working at the Heritage and Wellbeing Centre as required within the Service Level Agreement.
4. The Council's Chief Executive, following consultation with the Leader and Portfolio Holder, has the delegated authority to agree the final terms of the Service Level Agreement with the Parish Council.

Approved by Councillor Mary Dooley, Portfolio Holder for Health and Wellbeing

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Details: There should be no financial implications for BDC arising from this report. All expenditure over and above the income collected on behalf of the Parish Council, will be fully reimbursed by the Parish Council. On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Details: The Council will need to enter into a Service Level Agreement with the Parish Council. On behalf of the Solicitor to the Council		
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: Staff currently employed in the operation of the Heritage and Wellbeing Centre will remain in the employment of Bolsover District Council under terms and conditions of the SLA. Should this change in future, staff would be subject to TUPE arrangements. On behalf of the Head of Paid Service		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: The facility will be managed in accordance with the District Council's established policies.		

Environment Yes ☐ No ☒

Details:

None arising from this report.

DECISION INFORMATION:

☒ **Please indicate which threshold applies:**

Is the decision a Key Decision?

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

Yes ☒ No ☐

(a) ☒ (b) ☐

(a) ☐ (b) ☐

All ☐

Elmton with
Creswell

Is the decision subject to Call-In?

(Only Key Decisions are subject to Call-In)

If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? *(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)*

Consultation carried out:

(this is any consultation carried out prior to the report being presented for approval)

Leader ☒ Deputy Leader ☒ Executive ☒ SLT ☒
Relevant Service Manager ☐ Members ☐ Public ☐
Other ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☒ No ☐

Links to Council Ambition: Customers, Economy, Environment, Housing

Customers

DOCUMENT INFORMATION:

Appendix No	Title
Background Papers	
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>	
N/a	

DECEMBER 2024