

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

RECORD OF DECISION TAKEN UNDER DELEGATED POWERS

This is a record of a decision taken by the officers under delegated powers and where necessary taken in consultation with members and officers.

Delegated Power

Specify the particular delegated power being exercised by reference to the Delegation Scheme

Transfer of Leisure Facility and Sport Development into a Leisure Trust Arrangement and Local Authority Company – Cabinet 11-06-14 and delegated authority be granted to the CE or DCE in consultation with the Leader and Cabinet Members for ICT, Leisure and Public Space and Special Projects to finalise arrangements for 01-07-16 or as soon as possible thereafter, and any subsequent amendments in the first six months of the new arrangements.

Decision Taken

Specify precise details of the decision taken

That the arrangements for the distribution of any annual surplus achieved by the Trust above £50,000 to be altered from the original proposal that any additional surplus would be split 50/50 between the Trust and the Local Authority Company to an arrangement whereby any additional surplus is split 50/50 between the Trust and the Borough Council.

Reasons for the Decision

Specify all reasons for taking the decisions (including where necessary reference to any Human Rights Acts issues and Council policy)

Further advice has confirmed that the original proposal was not tax efficient as the Company could incur corporation tax on its share of the surplus, reducing the benefit to the Company's beneficial owner, the Borough Council. This arrangement overcomes this problem.

Authorisation

Signature

Date 07 08 14

Consultation with members/officers

If the decision is taken following consultation with the members/officers, please give details:

This has been the subject of consultation with the Leader and Cabinet Members for Special Projects and ICT, Leisure and Public Space. Officers consulted – Executive Director for Commercial Services, Deputy Chief Executive, Monitoring Officer, Section 151 Officer on 31st July 2014. *as above*

Date 7.8.14.