

**From:** Charles Walker [mailto:Charles.Walker@dover.gov.uk]  
**Sent:** 08 September 2008 17:06  
**To:** calvin.mullings@culture.gsi.gov.uk  
**Cc:** Cllr Paul Watkins; Nadeem Aziz; Roger Walton; Kevin Fordham; Emma Allen; Bhavisha Mistry  
**Subject:** Free Swimming Initiative  
**Importance:** High

Hello Calvin

My Council is I believe broadly supportive of the above Initiative but we do have a few questions/queries. I telephoned your office earlier today to discuss these and was advised that it would be best if I contacted you by email. Additionally I was advised to contact Sport England direct re Pots 3 and 4 because these pots are I understand being administered/controlled by them and not by DCMS. I therefore contacted Bhavisha Mistry at Sport England who was extremely helpful and provided preliminary advice but understandably recommended that I request confirmation by email. This seems sensible given the number and complexity of enquiries. Consequently I lay out the queries below and would be grateful if either yourself or Sport England could reply:

i. Dover District Council's two leisure centres are operated by a Trust named Vista Leisure (a company limited by guarantee which is also a non-profit distributing organisation with charitable status). Vista however is not merely managing the centres on the Council's behalf (as a company would under a management contract) - Vista has long term leases from the Council for the centres and the company is responsible for example for the payment of rates on the premises. Given the above situation please advise whether my Council is eligible to receive the free swimming funding.

If the Council retains the ownership of the 2 sites then they are an eligible applicant to the Free Swimming programme

ii. Assuming that we are eligible to receive the funding our intention would be to pass on the Pot 1 and Pot 2 monies to Vista (who would of course incur the loss of income at the centres if free swimming were to be introduced). Please advise whether this is acceptable and whether there are any conditions/implications attaching.

If the Council decides to commission its 3<sup>rd</sup> party operator i.e. Vista Leisure, that is entirely a matter for the Council, the only requirement is that Dover DC reports the expenditure in line with the requirements laid out in the Secretary of States letter dated the 29<sup>th</sup> July 2008

iii. Re the Pot 3 Capital Reward Fund.

Para 12 of Appendix 2 of the DCMS Circular dated 29 July 2008 states that those authorities that confirm participation in pots 1 and 2 will receive a pro rata population-based share of £10million capital in 2008/09. This statement strongly suggests that the funding will automatically be paid to all authorities participating in Pots 1 and 2 irrespective of whether an authority has any plans at present to expend capital at its pool facilities in 2009/10 or 2010/11. Please confirm whether this is the case. Assuming it is the case will there be an absolute requirement for the receiving authority to nevertheless develop plans and subsequently expend the funds at its swimming facilities (I assume notwithstanding that it is called a reward fund that the funds cannot simply be banked or spent elsewhere?).....and if so can the funds be expended upon items such as benching/lockers or can they only be spent on project development costs (see para 12 - which I take to mean architects fees, other professional fees etc..). Please clarify.

The capital reward budget is to be spent either on project development costs incurred in developing a bid(s) to Pot 4. In the event that the LA does not wish to bid to Pot 4 then the grant must be used to modernise swimming provision in the LA - it cannot be used to fund any other aspect of the Council's work.

iv. Re the Pot 4 Capital Challenge Fund.

Bhavisha confirmed that the 15 October 2008 deadline for submitting costed plans for Pot 4 funds has been relaxed and the new deadline is now 31 January 2009. Written confirmation would be greatly appreciated.

LAs who wish to bid for a capital grant to modernise their swimming facilities in response to the Free Swimming initiative must complete an online application by no later than 15<sup>th</sup> October 2008 (Round 1) for projects seeking funding and which will be delivered in 2009/10. See FAQs 9&10. Those projects which are encouraged will receive invitations to develop detailed bids into detailed applications, the closing date for these bids is the 31<sup>st</sup> January 2009. For further information see the Timescales set out on the last page of the Prospectus.

In the interests of completeness (and this is more of a constructive observation than a question) I would mention I am aware that a number of authorities are seriously considering not participating in Pots 1 and/or 2 simply because (for some) the amount of funding on offer/likely to be on offer is significantly less than the projected loss of income. With many district councils facing increasingly tough budget rounds participation for some will simply be unaffordable - the amounts involved are very substantial and there is particular concern in this respect regarding the Pot 2 element of the scheme. It is possible (but I don't know how likely) that the shortfall in funding could be obtained at least in part through partnership funding from, say, the Primary Care Trusts but in reality there is almost certainly insufficient time to undertake and complete negotiations before confirming/declining participation in the DCMS Initiatives. I hope this comment may be of assistance.

Finally, we are of course keen to respond to DCMS re Pots 1 and 2 by the deadline date of 15 September 2008 so it would be most helpful if you could reply to my questions without delay in order to give us a little time to reflect upon your advice.

Many thanks for your help to date and I look forward to hearing from you shortly.

My regards,

Charles



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