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Chairman: Councillor A.C. Roberts
Vice-Chairman: Councillor R.J. Jackson

Members of the Committee:

Councillor J. Bradbury
Councillor G. Brooks
Councillor P.C. Duncan
Councillor D.P. Logue
Councillor Mrs C. Rose

Councillor M. Shaw
Councillor Mrs L.A. Shilling
Councillor D. Staples
Councillor Mrs L.M.J. Tift
Councillor T. Wendels

Substitutes

Councillor Mrs C. Brooks
Councillor P.R.B. Harris
Councillor G.S. Merry
Councillor Mrs S. Soar
Councillor Mrs M. Tribe

AGENDA

MEETING: Special Leisure & Environment Committee

DATE: Tuesday, 21st April 2015 at 5.30pm

VENUE: Room G21, Kelham Hall

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Catharine Saxton on 01636 655247.

AGENDA

Page Nos.

1. Apologies for Absence
2. Declarations of Interest by Members and Officers and as to the Party Whip
3. Declaration of any Intentions to Record the Meeting

PART 1 - ITEMS FOR DECISION

4. Active4Today Ltd – Management Fee, Business Plan and Specification 1 - 160

PART 2 - ITEMS FOR NOTING

None

CONFIDENTIAL AND EXEMPT ITEMS

None

ACTIVE4TODAY LTD - MANAGEMENT FEE, BUSINESS PLAN AND SPECIFICATION

1.0 Purpose of Report

- 1.1 To provide the Leisure and Environment Committee with information on three specific items in relation to the Council's new leisure company, Active4Today Ltd.
 - a.) Active4Today's Business Plan (attached as Appendix A),
 - b.) The Service Specification, devised by the Council to monitor Active4Today's achievement of objectives (attached as Appendix B), and
 - c.) The management fee to be paid to Active4Today to operate the Council's leisure and sports development services.
- 1.2 To request that the L&E committee approve the business plan, the service specification and agree the management fee payable.

2.0 Background Information

- 2.1 At the Policy and Finance Committee on 29th January 2015 approval was given to set up a not for profit, Teckal compliant company to operate the Council's leisure and sports development services.
- 2.2 Changes to the Council's constitution were approved at Full Council on 16th December 2014 which provided for the Council's relationship with the new leisure company to sit within the Leisure and Environment Committee.
- 2.3 The occupancy and management of the facilities and the responsibility for the delivery of other related services currently operated by Newark and Sherwood District Council will be transferred to a locally established Company to be known as Active4Today. Active4Today Limited is a new company which is wholly owned by Newark and Sherwood District Council, and will operate for the benefit of the community on a "not for profit" basis.
- 2.4 It is proposed that the Company will have the services transferred to it by no later than 1st June, 2015. An interim board has been established, which will be followed by the appointment of a 'permanent' board for a 4 year period, following the Council elections in May 2015. The board of the Company is made up of 3 councillor directors, 2 Council officer directors and the Managing Director of Active4Today.
- 2.5 The board of the Company will have accountability for delivering the Business Plan of the Company and take part in the negotiations between the Company and the Council. Day to day operational management will continue in the same format as currently, with the Managing Director of the Company running the leisure services.
- 2.6 Control of the Company will be achieved through the key documents (memorandum and articles, contract, lease and annual business plan). The annual business plan will cover the key elements that the Council wishes the Company to deliver and is subject to approval by the Council through the Leisure and Environment Committee. Any proposals for key

changes would be presented by the Company to the Leisure and Environment Committee for approval.

- 2.7 The contract between the Council and the Company is set for a 15 year period, with break clauses at 5 yearly intervals, which link directly to the achievement of the financial objectives to be set for the Company.
- 2.8 Aspirations to reduce the management fee for the Leisure Centre element of the service to £0 by 2019 /2020 is reflected within the Business Plan. However, with the rapid reduction in the management fee due to VAT and NNDR savings, it might be possible to achieve this much sooner. It should be noted that the current aspiration does not include reducing the Sports Development element to £0. However, there will be a savings element attributed to this.
- 2.9 The transfer, which will take place to Active4Today on 1st June 2015 is for the operations of the service; however, the Council will continue to determine the strategic direction for the facilities. The best analogy is that “the boat will still be steered by the Council but that Active4Today will row the boat”.

3.0 BUSINESS PLAN

- 3.1 The Business Plan is a document created by Active4Today Ltd and was approved by its Board on 10th April 2015.
- 3.2 As part of the process to establish Active4Today Ltd, it was imperative that the Council and the Company developed a focused business plan, which targets outcomes and goals required to establish a sustainable and successful business.
- 3.3 The Business plan provides general guidance on how outcomes will be met by providing a “road map” that provides directions so the business can plan its future. It is important this document is embedded within the Company and time has been taken to ensure the inaugural business plan is both thorough and accurate.
- 3.4 As the first business plan, it is quite an extensive document as it has attempted to capture as much information as possible, in order it can reassure the Council and the Company that detailed work has taken place. It is expected that future business plans may be more dynamic in their approach and these will be developed with the Council and the Company going forward.
- 3.5 Below is a summary of the salient areas of the business plan, however, for the more detailed information, the whole of the business plan is attached as Appendix A.
- 3.6 The initial Business Plan for Active4Today contains the proposal to Newark and Sherwood District Council of how the Company will work with the Council to deliver the Services. Each year thereafter, it will be used in an annual process to agree the level of funding to be provided for the upcoming year, and will also reflect other agreed changes. Whilst the Company is separate from the Council, it is “controlled” by the Council by virtue of the fact that the Council are the sole shareholder.

3.7 The business plan covers the whole of the leisure service and is defined in the business plan as follows:

- The Grove Leisure Centre
- Dukeries Leisure Centre¹
- Blidworth Leisure Centre
- The new leisure centre, Newark
- The relationship with Southwell Leisure Trust
- Sports Development Services

3.8 The information within the business plan is set out in two sections, which have been clearly split as:

Section 1: The Proposal

Section 2: The Business Plan

3.9 The aim of Active4Today is to provide a ‘focused and joined up’ approach to leisure provision in partnership with the Council, providing a culture of self – evaluation which ensures that the service to the public continually improves in line with the joint aspiration for the provision of the best possible services being provided to local residents at an affordable cost.

3.10 Active4Today will provide a quality assured service to the public in partnership with the Council, and to an agreed output based specification, which will offer the following benefits:

- Continual improvements to the service to the public and facilities
- Elimination of the net revenue cost of operating the Facilities to Newark and Sherwood District Council
- Improvement in the delivery of Sports Development Services more closely aligned to the operation of the Facilities to achieve more targeted outcomes in relation to addressing health inequalities, with the aim of getting “more people, more active, more often”.
- A customer-focused service at the existing leisure centres and the new leisure centre when it opens.
- A more outcome focused commissioning approach benefitting from the co-ordination that derives from having a single delivery partner, able to accommodate changes in the future
- Shared aims and outcomes which will help to define the relationship with the Southwell Leisure Trust (by agreement with the Leisure Trust)
- Best Value Leisure Services
- Improved health and well-being.

3.11 The key elements highlighted within the business plan are summarised as:-

3.12 Continual Improvements to the services to the public

As a 'non-profit distributing organisation', Active4Today will seek to maximise the benefit to the community through efficient and effective management, a reinvestment in the facilities from Vat and NNDR efficiencies, and the use of any future retained surpluses to improve the facilities and service to the public in Newark and Sherwood. The long-term aim is to safeguard and improve the delivery of leisure facilities and sports development services in Newark and Sherwood and also to create a sustainable "not for profit" enterprise.

The status of Active4Today as a 'non-profit distributing organisation with philanthropic objects', will allow access to a range of external funding regimes that may not be accessible to a statutory body such as Newark and Sherwood District Council. It is envisaged that applications to many of the funding sources will be made in partnership with the Council. It is also envisaged that Active4Today will act independently to actively seek external funds to assist with the improvement of the service to the public, and the development of facilities and the sports development programme.

3.13 Reductions in the cost of operating the facilities

Active4Today will continue to achieve an annual net saving on NNDR and VAT equivalent to approx. **£250,000** per annum over the fifteen year term. As Active4Today matures as a Company, there are likely to be further improvements in operating efficiency and increasing income levels, and this will result in the elimination of Council funding for the operation of the facilities. Continued financial support will be required for the continuation of the Sports Development Services, however, in time it may be possible to "cross subsidise" these activities from any revenue surplus generated at the leisure centres.

3.14 A customer-focused service to the public

Active4Today will provide a service to the public that focuses primarily on the needs and requirements of the local community, but also attracts visitors to the facilities from neighbouring areas. There will be a commitment by Active4Today to contribute to the aims set out in the Council's policy agenda.

3.15 Job security and genuine staff involvement

Active4Today will effect a seamless transfer of appropriate staff from Newark and Sherwood District Council, and will honour all current terms and conditions of employment under TUPE regulations. Newly appointed staff, that have been externally recruited will benefit from Active4Today's terms and conditions of service and will be able to join the Local Government Pensions Scheme (LGPS).

Active4Today will continually review and assess the training and development needs of its staff and will facilitate personal development. This will help to ensure that consistently high levels of customer care are maintained.

3.16 Best Value Leisure Services

Active4Today appeared to be the option that was most likely to be capable of delivering all of the Council's desired outcomes - and was also the option most likely to deliver continuous improvement and savings of the magnitude required by the Council's Medium

Term Financial Plan (MTEP). Active4Today will work closely with the Council to ensure that the shared objectives regarding continuous improvement and cost efficiency form the core of all ongoing service delivery plans, and the monitoring, assessment and reporting regime.

The partnership with Active4Today will enable the true cost of providing the range of facilities in Newark and Sherwood to be extrapolated more effectively, and therefore examined in detail. The corporate status of Active4Today will enable a range of tax and NNDR benefits to be realised, leading to an immediate reduction in the burden of cost to the local taxpayer but also allowing for continuous development of the transferred facilities and services to the public. This Proposal and Business Plan is based on the assumption that the new Leisure Centre will eventually be within the scope of the contract.

3.17 **Value for money considerations**

Active4Today's proposal highlights the key benefits to the Council which would accrue from the transfer of the Facilities and Services to Active4Today. It is estimated that the transfer to Active4Today will achieve an initial annual reduced operating cost to the Council in the region of £250,000 (full year term). The level of subsidy required will fall again when the new Leisure Centre opens. There is also the possibility of future reductions in the cost of operation to the Council as Active4Today develops and grows its business. All Value for Money (VFM) calculations in the Business Plan are based on the current portfolio of facilities, reflecting the reduction in subsidy that will accrue when the new Leisure Centre opens.

3.18 **Transfer**

Active4Today will be registered with HMRC as a separate Vat entity. Active4Today has been formed in a way which will allow the Company to purchase services from the Council, if it so wishes. Directors of Active4Today will benefit from Directors' Indemnity Insurance. The objectives of the Company are philanthropic and have clearly been established to reflect the values of the Council.

Active4Today will carry out a review of the management, support and staffing structures within the first year after the transfer. Any costs associated with implementing the review (on the grounds of Economical, Technical or Organisational requirements) will need to be funded through the Management Fee approved by the Council or other income received by the Company.

3.19 **Customer Involvement**

As a 'not for profit' organisation, Active4Today will:

- actively promote access to, and the use of, the leisure facilities and sporting opportunities provided to all sections of the Newark and Sherwood community
- provide sports development services and opportunities for people to participate in healthy physical activities to make "more people, more active, more often"
- maintain a commitment to the social inclusion, healthy living and other key strategies of Council
- promote the Active leisure membership and agreed concessions schemes
- undertake regular user and non-user surveys
- implement a range of customer focus groups for key service areas

- endeavour to promote wider public awareness of the benefits of wellbeing and healthy living, sport and physical activity and build on the current levels of participation

Active4Today will encourage customer involvement in the decision making process to new levels. Active4Today will consult customers on programme development initiatives and present its operating intentions annually as part of the business plan. This commitment will form the cornerstone of the new customer focused policy.

As part of the customer engagement strategy, Active4Today will utilise an independent benchmarking service to ensure it reflects the operations elsewhere within the industry and remains at the cutting edge of delivery. As part of the arrangement with the Council a close partnership is required to ensure there is a common approach to the planning and delivery of the services and to ensure that resources are utilised effectively and efficiently, without service duplications or omissions.

3.20 **Development**

New funding sources may be used to finance the development of both the facilities and the services. Due to its independent status, Active4Today may well be viewed as a 'private sector' match-funding partner under a range of funding regimes. This allows the Council and Active4Today to submit partner bids for funding.

The long-term partnership that the Council and Active4Today would be entering into should allow for the continual development and enhancement of the facilities in the district of Newark and Sherwood. Active4Today are not permitted to distribute any surpluses / profits from its operations therefore a virtuous cycle will be created, in which Council assets will improve and continually develop.

The Council has committed to treating the leisure facilities and other leased premises equitably and no more or less favourably than the remainder of the Council building stock for the term of the lease.

The Council retains responsibilities through the leases and/or the Funding and Management Agreement, for the maintenance of the buildings structure and fabric, roofs, walls and drainage, major capital plant and equipment, and for the timely general refurbishment of the exteriors. The responsibilities of both parties for other repair and maintenance liabilities to be defined separately in lease documents.

3.21 **Vision and Mission**

Active4Today's vision is:

'To provide a high quality service to the public, with excellent sports and leisure opportunities for the Newark and Sherwood community'

Active4Today's mission is:

'To raise levels of participation amongst the Newark and Sherwood community and to offer an attractive, safe, welcoming, and encouraging environment for people to achieve their own personal aims'

4.0 SPECIFICATION

- 4.1 As with all partnership agreements, an operating structure and performance management framework must exist, in order for all have a clear understanding of what is required and how this will be monitored.

The partnership between the Council and Active4Today Ltd is no different and as a result, a service specification has been developed. The full service specification is a lengthy document, as it attempts to cover all aspects of the operation and set these against a suitable framework, this is attached as Appendix B.

Where practicable, each section of the operation will have three headings which set out the:

- **Required Outcome:**

Provides the Company with a high level view of the outcome and context of the requirements of the Council which the Company shall meet.

- **Performance Standards:**

A list of standards that relate to the output that the Company shall meet but which are covered by regulations, Legislation, British Standards etc. and standards that set out the level of performance that the Company shall meet and will determine whether the Company is meeting the requirements of the Council. These must be met by the Company if the Services Specification is deemed to be achieved.

- **Reporting Requirements:**

This details the reporting requirements which the Company shall meet in relation to the specified Performance Standard.

- 4.2 This is a very transparent mechanism which allows the Council to capture what is important to it and must be delivered by Active4Today. In turn it provides a clear understanding of what will be measured and how. This works well for both parties as it provides clarity for Active4Today and allows them to focus on their delivery and on the critical areas highlighted by the Council.

The following areas have been taken from the Service Specification to provide an overview of the document.

At the commencement of the service specification, the document sets out the 4 major sections of coverage.

- Part 1 – this relates to service specification for the operation of leisure facilities
- Part 2 – this relates to service provision of sports development
- Part 3 – this relates to the performance framework for all service provision

- Part 4 – this relates to the pricing framework for all service provision

Each of the above sections then provides a breakdown of the area of work and includes more specific detail of the operation. Below are areas within the service specification.

4.3 Part 1 – This Relates to Service Specification for the Operation of Leisure Facilities

High Level Services Specification Overview:

The Company (Active4Today), is expected to deliver the Services at the Leisure Facilities that:

- As a minimum deliver the required savings for Newark and Sherwood District Council
- Achieves a balanced programme of community use
- Provide high levels of customer care
- Maintain high levels of cleanliness throughout the leisure facilities including external areas
- Provide marketing and promotion of the leisure facilities and activities, which is fit for purpose and delivered in a professional manner
- Provide staffing levels sufficient to comply with good industry practice and health and safety requirements
- Provide suitable equipment to deliver all activities and programmes within the leisure facilities
- Provide a varied programme of recreational, sporting and community activity that is accessible to all - including the Targeted Groups identified by the Council.
- Maintain the buildings so as to protect and enhance the building structure, fabric, fixtures and fittings, mechanical and electrical plant and equipment
- Provide security relating to the buildings and surrounding areas and car parks
- Support the delivery of any future capital development schemes at the Facilities
- Comply with all statutory regulations regarding Health and Safety and any other relevant regulations both current and introduced during the term of the Agreement
- Provide suitable ICT systems for all types of customer bookings that will also enable the Council to monitor both detailed participation at the facilities and other KPI's

This list is not intended to be exhaustive, but is rather an indication of the scope of the service.

The monitoring of Active4Today's achievement of the Performance Standards shall be measured in accordance with the Performance Framework contained within Part 3 of the main service specification.

As part of the arrangements between the Council and Active4Today Ltd, the Company is obliged to report on its own performance in accordance with the agreement and to have suitable performance monitoring in place to ensure that all data reported is robust.

4.4 Part 2 – This Relates to Service Provision of Sports Development

Part 2 of the service specification deals with the sports development work, which will be provided by Active4Today. This was highlighted by the Council as an area requiring a specific section of the agreement, to ensure it was maintained to support those areas of the community which are in greatest need.

The purpose of Sports Development is to improve access and participation for all and make sport and physical activity a part of everyone's life.

Objectives

In order to deliver the vision the following objectives have been identified:

- To work in partnership to support and develop sporting activities and opportunities that will enable people to participate
- Reduce barriers to participation for identified target groups
- Support local sports clubs and organisations to enhance their provision
- To increase the number of volunteers
- To provide high quality provision that meets the identified needs of the growing local community

In addition to the above, the following areas of work for club accreditation are required.

Club Accreditation

The Sports Development Team is committed to developing and supporting voluntary sports clubs to achieve the Sport England Clubmark accreditation and National Governing Body accreditation.

The accreditation is a quality standard that clubs can achieve to demonstrate a number of criteria is in place including qualified coaches, child welfare, health and safety, recreation and competition and plans for the future. Many clubs in the district have achieved this award and they are mapped below.

4.5 Part 3 – This Relates to The Performance Framework for all Service Provision

Part 3 of the service specification deals with the performance framework of the agreement and has been developed in conjunction with members to reflect the aspirations of the Council and Active4Today in one performance document.

The document is made up of both quantitative and qualitative analysis. This document will be reviewed monthly by the Council's Authorised Officer and the Managing Director of Active4Today. This will in turn provide information for the performance update, which will form the basis of the report to the Leisure and Environment Committee.

Good performance management is active, dynamic and aims for continuous improvement. In partnership with Newark & Sherwood District Council Active4Today is committed to providing excellent service and aspires to not only performing up to the performance standards required but in exceeding them.

Mutual trust, understanding, openness and clear and coherent communications are important to good relationship management and Active4Today will demonstrate this through both formal and informal reporting.

This document has two key elements; the 'Performance Framework' and the 'Reporting Requirements' of Newark & Sherwood District Council.

The Performance Framework set by Newark and Sherwood District Council is based around the three strategic themes of:

- Healthy Lifestyles
- Accessible Facilities
- Financial Viability

These are the strategic themes by which the Council will manage the performance of Active4Today. Under these strategic themes there are strategic outcomes with supporting success criteria and performance indicators.

The supporting success criteria and performance indicators will be reviewed annually to ensure that they continue to support the strategic themes and outcomes.

In terms of the key groups identified under the first two themes, it has been identified from Public Health England publication – Health Profile 2013 for Newark and Sherwood District Council that these key groups are:

- Childhood Obesity
- Women's Health (with a particular focus on woman of a retirement age)
- Early deaths from heart disease and strokes
- Areas of deprivation within the District

4.6 Part 4 – This Relates to the Pricing Framework for all Service Provision

The pricing framework details the approach to pricing that Active4Today will follow.

The pricing framework does not deal with the actual price of an item, however, it attempts to safeguard the areas of activity, which the Council require retaining, whilst providing Active4Today, with the flexibility to run the business and be adaptive to the changes of the business and be able to react to market fluctuation.

Areas of consideration within the pricing framework are set out below.

Pricing falls into 6 main categories

1. Membership prices
2. Pay and play prices
3. Instructor led classes
4. Hires
5. Consumables
6. Sports Development

An example of how the framework relates to the operation and the partnership between the Council and Active4Today is set out below.

Membership Prices

This relates to the core adult and junior membership categories currently in operation. These are Activo (adult membership) and Xperience (junior membership). All forms of membership shall continue unless a business need is identified and addressed within the annual business plan. Sub categories of the above memberships can be introduced by Active4Today in a bid to undertake promotional and targeted groups e.g. 60+, GP referrals.

Any restructure of membership and proposed price change to core prices, should not be undertaken without discussion with the Council's authorised officer and should be addressed within the annual business plan. Concessions currently offered within the membership framework shall continue.

Finally, the Council is committed to providing a modern, affordable and sustainable leisure service with a focus on supporting improved health and well-being in the community

Active4Today shall ensure that the Services contribute towards the Council's vision which promotes partnership working:

- Prosperity
- People
- Place
- Public Service

Active4Today must ensure that its programming, pricing, policies, marketing and training are focused to support the Council in achieving the desired outcomes and targets.

Active4Today must also work to support the Council to help deliver improvements in areas of public concern, for example; healthier communities, reducing obesity and narrowing health inequalities, increasing levels of activity, promoting community cohesion, equality of access, activities as a diversion from anti-social behaviour, raising educational standards, reducing crime and the fear of crime, sustainability and tackling climate change..

5.0 FINANCIAL ARRANGEMENTS AND MANAGEMENT FEE

5.1 The Management Fee will be paid directly to Active4Today Ltd on the first day of trading - 1st June 2015. It will be paid yearly in advance and for the first year of trading it will be a pro-rata payment of 10/12ths of the total Management Fee and will consist of the following:-

- **Management Fee for Leisure Centres will be £197,650**
- **Management Fee for Sports Development will be £166,280**
- **Total Management Fee = £363,930**

5.2 Active4Today will invoice the Council to request payment of this fee which will form part of the Company's cash flow, keeping it in a solvent position in the first months of trading as a new company.

5.3 It should be noted that this fee is calculated on a 10/12ths pro-rata basis of the 2015-16 budget which was set in March 2015 and this can only be confirmed once the Leisure Business Unit has closed down its activity on 31st May 2015 and all payments for the first two months of the financial year have been made and all receipts received. It will be at this point in time that the true value of the management fee can be ascertained for the remainder of the year and any underspent budget will be made available to the Company and a second invoice will be raised. If more budget has been spent than the 2/12ths estimate the Council will request repayment of the overspend.

5.4 The full year Management Fee, as seen in the business plan, is £405,270

5.5 The Management Fee will be considered on an annual basis as part the Company's Annual Business Plan and the Council's Revenue Budget process.

5.6 Payment for Support Service Provision

5.7 The Council will, quarterly in arrears, raise an invoice to charge Active4Today for support services provided in that period. It is anticipated (based upon historic information) that the charges will be in the region of £213,000 in year one - with invoices being raised by the Council on 1st October 2015, 1st January 2016 and 31st March 2016 in year 1. From year 2 onwards the quarter invoice dates will be 1st July, 1st October, 1st January and 31st March accordingly. Active4Today Ltd. will be expected to pay this in a timely manner in accordance with normal payment procedures.

5.8 Service Level Agreements are in the process of being drawn up and confirmed by the Councils' Business Managers and these will cover areas of support to be utilised by

Active4Today Ltd. These SLA's will form the basis of ongoing charges to the Company plus any additional charges incurred by the Company moving forward if they so wish.

- 5.9 The provision of support services provided to Active4Today Ltd. will be considered on an annual basis as part of the Company's Annual Business Plan 2016-17 and within the Council's Revenue Budget process. The Company will retain the use of the Councils' support services for at least two years as part of the agreed contract and lease arrangements.

6.0 Equalities Implications

- 6.1 An Equality Impact Assessment was completed by the Council at the beginning of this project and no implications were noted. Within the Contract all due regard has been made to equality issues regarding staff, who will TUPE to the company with the same terms and conditions as their Council employment. On that basis no equality implications have been identified however this will continue to be monitored and the Board will be notified of any changes that arise.

7.0 Impact on Budget/Policy Framework

- 7.1 The requirements and delivery of the business plan have been contained within existing budgets. As the business develops and the opening of the new leisure centre takes place next year, there will be a continual review of the budget process against the outcomes required by the Council and Active4Today.

8.0 Comments of Financial Services

- 8.1 The management fee to be paid to Active4Today Ltd for 2015/16 will be based on the leisure services budget agreed by Full Council on 10th March 2015. It will be pro rata for ten months, adjusted for expenditure and income that has occurred in the first two months of the financial year.
- 8.2 The charges for support services will be for the services provided as set out in Service level Agreements. Any other services provided over and above the specification in the Service Level Agreements will be charged at an agreed rate.
- 8.3 For Sports Development the Council can determine the future level of the management fee in line with the objectives it wishes to be achieved, subject to negotiation in the annual discussion on the business plan.

9.0 RECOMMENDATIONS

The Leisure and Environment Committee:

- a) Approve the Business Plan for Active4Today;
- b) Approve the Specification, which enables the Council and Active4Today to monitor the ongoing performance;

- c) Note the reporting arrangements contained within the Specification;
- d) Agree the management fee payable from the Council to the Company as detailed in paragraph 5.0 of the report;
- e) Note the financial arrangements that are in place for the Company; and
- f) Note that all of the governing documents for the Company, namely the Business Plan and Specification, will be subject to annual review.

Reason for Recommendations

To move forward with the Council's leisure company, Active4Today, to enable the Company to begin operational management as from 1 June 20105.

Background Papers

Nil

For further information please contact Deborah Johnson on Ext 5800

Matthew Finch
Director - Customers



Active4Today

DRAFT

**BUSINESS PLAN AND PROPOSAL FOR THE OPERATION OF
LEISURE FACILITIES AND ASSOCIATED SPORTS DEVELOPMENT
SERVICES IN
NEWARK AND SHERWOOD**

1.1.1 Draft Version 11 (13.04.15)

Registered Company No: [9477018]

This document and its appendices relate to a not for profit, Teckal compliant company wholly owned by the Council to run its leisure services. The document contains information whereby individual staff members could be identified, as could their future terms and conditions within the new Company. In addition it contains issues relating to TUPE and ongoing consultations involving the unions on these matters. Lastly it contains financial information and the business plan relating to the new Company which, if disclosed, could prejudice, or

significantly weaken the Council's (and the new Company's) position in a competitive leisure market - revealing market sensitive information or information of potential usefulness to competitors.

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INTRODUCTION: THE PURPOSE OF THE BUSINESS PLAN

This is the initial Business Plan for Active4Today Limited. It also contains the proposal to Newark and Sherwood District Council (the Council). Once agreed by the Board of Active4Today Ltd and approved by the Council, it will be used to define how the Company will work with the Council to deliver the Services. Each year thereafter, it will be used in an annual process to agree the level of funding to be provided for the upcoming year, and will also reflect other agreed changes. Whilst the Company is separate from the Council, it is “controlled” by the Council by virtue of the fact that the Council are the sole shareholder. Changes can therefore be agreed, or indeed imposed, by the Council.

Business Plan Structure

Active4Today is pleased to outline our proposition to Newark and Sherwood District Council in two sections:

Section 1: The Proposal

Section 2: The Business Plan

This document contains some duplications, because the initial Business Plan needs to include a Proposal to the Council. Subsequent Business Plans will stand alone, but need to cover (as a minimum) the contents of this document (Section 2)

For the management and operation of the defined Premises and Services to the public, namely:

The Grove Leisure Centre

Dukeries Leisure Centre¹

Blidworth Leisure Centre

The new leisure centre, Newark

The relationship with Southwell Leisure Trust

Sports Development Services

¹ There continues to be ongoing dialogue with the Dukeries Academy about their aspirations to set up a Community Interest Company. A conditions survey has been undertaken on the building to facilitate the Academy’s ability to put together a business case proposition. Once any proposal has been received by the Council this will be put before the Policy and Finance Committee for decision.

SECTION ONE:

PROPOSAL

1.1 EXECUTIVE SUMMARY

1.1.1 BACKGROUND

It is proposed that the occupancy and management of the Leisure centre (“the Facilities”) and the responsibility for the delivery of other related Services (defined below) which are currently operated by Newark and Sherwood District Council directly, be transferred to a locally established Company known as Active4Today.

Active4Today is a new Company which is wholly owned by Newark and Sherwood District Council, and will operate for the benefit of the community on a "not for profit" basis. An explanation of the Active4Today legal structure is contained in its Memorandum and Articles of Association.

Currently an Interim Board has been established for the Company, however, it is anticipated that before 1st June, 2015 a ‘permanent’ board will be appointed by the Council for a 4 year period of tenure to ensure that levels of continuity and experience gained are fully utilised and to fall in line with the period of the new administration following the Council elections in May 2015. The Board of the Company will be made up of 3 councillors, 2 council officers and the Managing Director of Active4Today.

The board of the Company will have accountability for delivering the Business Plan of the Company and take part in the negotiations between the Company and the Council. Day to day operational management will continue in the same format as currently, with the Managing Director of the Company running the leisure services.

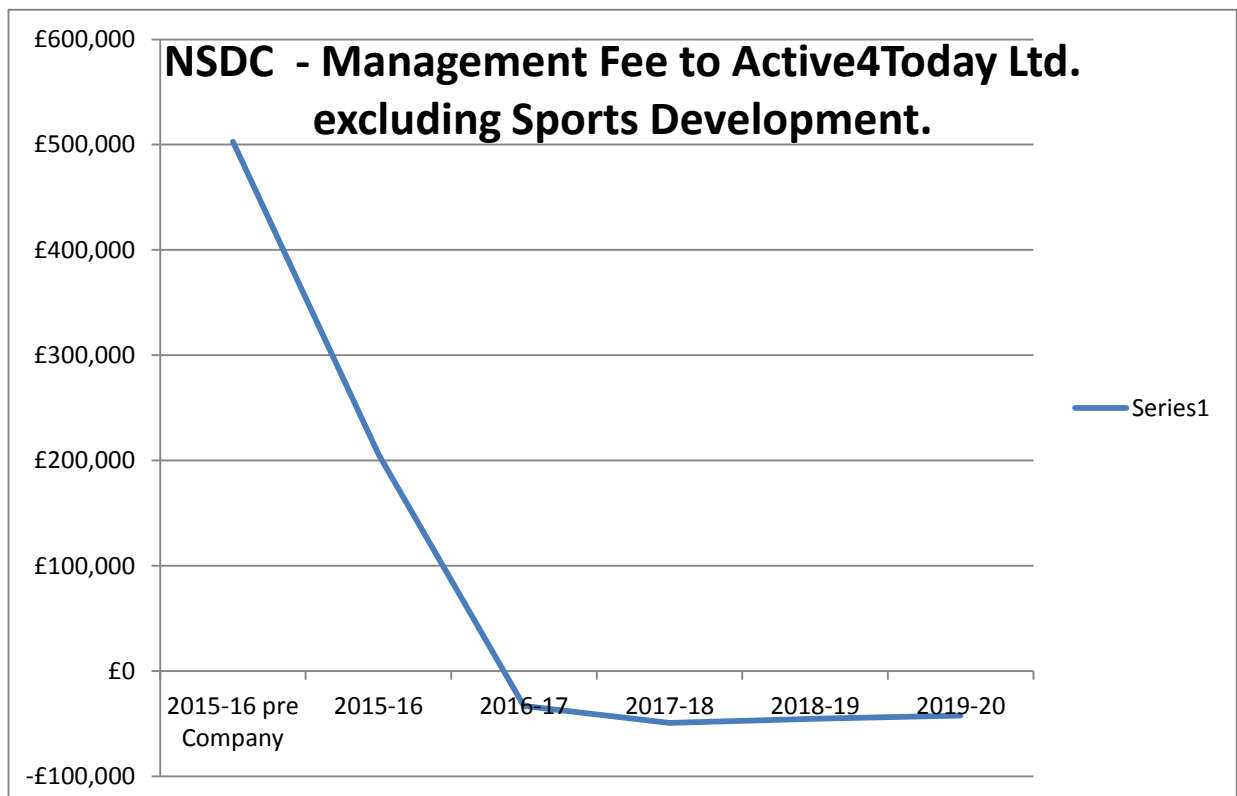
Control of the Company will be achieved through the key documents (memorandum and articles, contract, lease and annual business plan). The annual business plan will cover key elements the Council wishes the Company to consider and will be subject to approval by the Council through its Leisure and Environment Committee. Any proposals for key changes would be presented by the Company to the Leisure and Environment Committee on an annual basis.

The initial contract between the Council and the Company is for a 15 year period. There are would be break clauses at 5 yearly intervals that link directly to the achievement of the financial objectives to be set for the Company and provisions for variation of the services should the Council wish to close a particular leisure facility or move the provision

from one to another – for instance with the proposed closure of The Grove Leisure Centre and move to the newly built Leisure Centre in Newark.

Active4Today, through the Business Plan, is requesting an initial annual sum in the form of a Services / Management Fee of £200,000 plus Vat for the provision of the Services (as defined), should the transfer be achieved on 1st June 2015 (pro rata). There will be some additional revenue costs including insurance, bank charges, and software licences (Selima and efinancials). These are estimated to be £88,400 and are included in the business plan and financial projections, and reflected in the fee.

Aspirations to reduce the Management Fee for Leisure Centre services to £0 by 2019 /2020 are reflected within this Business Plan and with the rapid reduction in the Management Fee due to VAT and NNDR this could be achieved much sooner. It should be noted that the current aspiration does not include reducing the Sports Development element of the Management Fee to £0. However, there will be a savings element attributed to this.



Overachievement of income or savings accrued by the new Company will be incentivised. The Company, as a not for profit organisation, will only be permitted to use any additional funds achieved through over performance on providing services linked to its aims and outcomes. There will be no profit distribution.

All projections are based on full year equivalents and will be adjusted pro rata to reflect the actual commencement date.

In years 2, 3, 4 and 5, the Company will commit to a savings plan as set out in section 3 of this document. The Company will aim to achieve a financial position which will result in it not being dependent on Council revenue subsidy for leisure services provision by the fifth year of trading (zero net revenue subsidy by 2019/20). It should be noted that current projections currently see this as achievable in year 2.

The over-riding objective is for Active4Today to reduce its level of dependency on Newark and Sherwood District Council funding incrementally.

1.1.2 PARTNERSHIP WORKING WITH THE COUNCIL

The transfer of the responsibility for the operation of the leisure facilities to Active4Today should not be viewed as the Council "opting out" of their involvement in the delivery of these services to the public. The Council will continue to determine the strategic direction for the facilities but the management of the facilities and related services will be the responsibility of Active4Today.

The best analogy is that "the boat will still be steered by the Council but that Active4Today will row the boat". Thus, in order to ensure a common agenda, the Active4Today Business Plan complements and is consistent with the Council's current strategic priorities; in particular the Business Plan aims to make a substantial contribution towards the Council's plans and policy frameworks.

The aim of Active4Today is to provide a 'focused and joined up' approach to leisure provision in partnership with the Council, providing a culture of self – evaluation which ensures that the service to the public continually improves in line with the joint aspiration for the provision of the best possible services being provided to local residents at an affordable cost.

1.1.3 THE BENEFITS OF DELIVERY BY Active4Today

Active4Today will provide a quality assured service to the public in partnership with the Council, and to an agreed output based specification, which will offer the following benefits:

- Continual improvements to the service to the public and facilities
- Elimination of the net revenue cost of operating the Facilities to Newark and Sherwood District Council
- Improvement in the delivery of Sports Development Services more closely aligned to the operation of the Facilities to achieve more targeted outcomes in relation to addressing health inequalities, with the aim of getting “more people, more active, more often”.
- A customer-focused service at the existing leisure centres and the new leisure centre when it opens.
- A more outcome focused commissioning approach benefitting from the co-ordination that derives from having a single delivery partner, able to accommodate changes in the future
- Shared aims and outcomes which will help to define the relationship with the Southwell Leisure Trust (by agreement with the Leisure Trust)
- Best Value Leisure Services
- Improved health and well being.

In other words, everyone benefits – the customers and community, the Council, and Active4Today and its employees.

The benefits in more detail:

a) **Continual Improvements to the services to the public**

As a ‘non-profit distributing organisation’, Active4Today will seek to maximise the benefit to the community through efficient and effective management, a reinvestment in the facilities from Vat and NNDR efficiencies, and the use of any future retained surpluses to improve the facilities and service to the public in Newark and Sherwood. The long-term aim is to safeguard and improve the delivery of leisure facilities and sports development services in Newark and Sherwood and also to create a sustainable “not for profit” enterprise.

The status of Active4Today as a ‘non-profit distributing organisation’, will allow access to a range of external funding regimes that may not be accessible to a

statutory body such as Newark and Sherwood District Council. It is envisaged that applications to many of the funding sources will be made in partnership with the Council. It is also envisaged that Active4Today will act independently to actively seek external funds to assist with the improvement of the service to the public, and the development of facilities and the sports development programme.

(b) Reductions in the cost of operating the facilities

Active4Today will continue to achieve an annual net saving on NNDR equivalent to approx. **£250,000** per annum over the fifteen year term. If the performance is achieved as set out in the Business Plan, this presents an opportunity for the creation of a Facilities and Services Investment Fund generated from the retention by the Company of the reserves to be used prudently. As Active4Today matures and develops as a Company, there are likely to be further improvements in operating efficiency and increasing income levels, and this will result in the elimination of Council funding for the operation of the Facilities. Continued financial support will be required for the continuation of the Sports Development Services, however, in time it may be possible to “cross subsidise” these activities from the revenue surplus generated at the leisure centres.

(c) A customer-focused service to the public

Active4Today will provide a service to the public that focuses primarily on the needs and requirements of the local community, but also attracts visitors to the Facilities from neighbouring areas. The range of services, activities and the pricing policy will be subject to a full annual review with the Council. There will be a commitment by Active4Today to contribute to the aims set out in the Council’s policy agenda.

(d) Job security and genuine staff involvement

Leisure is a service industry that relies on its customers for success. It is therefore extremely important that the greatest assets of the service, the employees, are at the forefront of the Active4Today service planning process.

Active4Today will affect a seamless transfer of relevant staff from Newark and Sherwood District Council, and will honour all current terms and conditions of employment under TUPE regulations. Newly appointed staff, that have been externally recruited will benefit from Active4Today’s terms and conditions of service and will be able to join the Local Government Pensions Scheme (LGPS).

Active4Today will continually review and assess the training and development needs of its staff and will facilitate personal development. This will help to ensure that consistently high levels of customer care are maintained.

Active4Today will actively work towards creating additional employment opportunities and sustainable jobs for the people of Newark and Sherwood. This will involve partnership working with health commissioners, local education establishments, a variety of local and national funding bodies, and local commerce.

(e) Best Value Leisure Services

The Council have a fiduciary duty to deliver Best Value Services. The principles of Best Value highlight the need for a number of key service improvements including the need to focus on the most effective and efficient delivery mechanisms. It has been acknowledged that in order to continually improve the service to the public and deliver efficiency savings; a more cost effective delivery model needed to be identified. As a locally established Company, Active4Today appeared to be the option that was most likely to be capable of delivering all of the Council's desired outcomes - and was also the option most likely to deliver continuous improvement and savings of the magnitude required by the Councils Medium Term Financial Plan (MTFP). The alternatives for generating savings of this magnitude may have required facility closures and / or significant reductions in services and / or increases in fees and charges. Active4Today will work closely with the Council to ensure that the shared objectives regarding continuous improvement and cost efficiency form the core of all ongoing service delivery plans, and the monitoring, assessment and reporting regime.

The partnership with Active4Today will enable the true cost of providing the range of facilities in Newark and Sherwood to be extrapolated more effectively, and therefore examined in detail. The corporate status of Active4Today will enable a range of tax and NNDR benefits to be realised, leading to an immediate reduction in the burden of cost to the local taxpayer but also allowing for continuous development of the transferred facilities and services to the public. Once Active4Today becomes well established, consideration could be given by the Council, subject to a detailed service option appraisal in each relevant case, to transferring other services to Active4Today in order to realise these benefits on a growing scale. This Proposal and Business Plan is based on the assumption that the new Leisure Centre once built and ready for occupation will be within the scope of the contract.

(f) Value for money considerations

Our proposal highlights the key benefits to the Council which would accrue from the transfer of the Facilities and Services to Active4Today.

It is estimated that the transfer to Active4Today will achieve an initial annual reduced operating cost to the Council in the region of £250,000 (full year term).

The level of subsidy required will fall again when the new Leisure Centre opens.

There is also the possibility of future reductions in the cost of operation to the Council as Active4Today develops and grows its business.

All Value for Money (VFM) calculations in the Business Plan are based on the current portfolio of facilities, reflecting the reduction in subsidy that will accrue when the new Leisure Centre opens. Any future capital investment strategies will be discussed and agreed between Active4Today and the Council.

1.2 GOVERNING ARTICLES OF Active4Today

The principal objects Active4Today as defined in the Memorandum of Association are:

The Company is incorporated for the following objects:

provide leisure, sports, and cultural facilities and services;

liaise and co-operate with all interested groups within the community to develop and deliver this service;

promote and enter into partnerships or arrangements of all kinds to improve or extend the facilities and services offered;

explore all avenues of funding and finance for such services;

improve health and well-being through a range of outcomes, including reduced obesity, reduced anti-social behaviour and narrowing the health inequality gap; and

increase jobs, strengthening the local economy, and enable children, young people and adults to learn and be ready for work.

Powers

In the furtherance of its objects, but not otherwise, the Company may do all such lawful things as may be necessary or expedient for the attainment of the above objects, and without limiting its general powers shall have the following powers:

to raise funds. In doing so, the Company must not undertake any substantial permanent trading activity other than primary of its primary purpose and must comply with any relevant statutory regulations;

to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;

to sell, lease or otherwise dispose of all or any part of the property belonging to the Company;

to borrow money and to charge the whole or any part of the property belonging to the Company as security for repayment of the money borrowed or as security for a grant or the discharge of an obligation;

to co-operate with other organisations, charities, voluntary bodies and statutory authorities and to exchange information and advice with them;

to establish or support any charitable or not-for-profit trusts, associations or institutions formed for any aspect of the primary purpose;

to acquire, merge with or to enter into any partnership or joint venture arrangement with any charitable or not-for-profit trusts, associations or institutions formed for any aspect of the primary purpose or (provided that the directors shall consider this to be in furtherance of the objects and provided that appropriate safeguards are in place to ensure the not-for-profit character of the Company's participation) any community interest company, wholly or mainly philanthropic or commercial body;

to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;

to employ and remunerate such staff as are necessary for carrying out the work of the Company. The Company may employ or remunerate a director to the extent it is permitted to do so by article 6.

to:

deposit or invest funds;

employ a professional fund-manager; and

arrange for the investments or other property of the Company to be held in the name of a nominee;

in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;

to provide indemnity insurance for the directors in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011;

to pay out of the funds of the Company the costs of forming and registering the Company.

Active4Today is a 'not for profit' Company limited by guarantee, set up for the benefit of the community, and does not have dividend paying shares, and therefore Active4Today will invest any and all retained surpluses in order to enhance the service standards and to develop the facilities in Newark and Sherwood.

The creation of a Facilities and Services Investment Fund is paramount to the sustained long-term success of Active4Today. The Facilities and Services Investment Fund will be created from the retention by Active4Today of any above target surplus. The Facilities and Services Investment Fund will be invested on maintaining, improving, and upgrading the Facilities and Service to the public, in consultation and partnership with the Council.

NB: the Company's powers to enter into any contractual arrangements, financial commitment or borrowing over a value exceeding £50,000 are subject to the Council's prior consent.

1.3 FINANCIAL & FUNDING ARRANGEMENTS

This proposal is submitted on the basis of Active4Today managing the leisure facilities and operating the services as defined in the service specification. A key element of the financial proposal is that Active4Today offers value for money, over the full term of the fifteen year lease and funding period (2).

Active4Today will manage the Facilities in accordance with the funding and lease conditions agreed with the Council and in accordance with the annual Business Plan.

The following details the revenue support / funding sum requested from Active4Today in the first five years of operation;

		2015-16 Active4Today Ltd. begins operation as a separate Company	2016-17 - Year that the New LC is fully budgeted for and Grove no longer used. Some impact of Devolution and Collaboration in support service costs and introduction of back office savings	2017-18 - New office accommodati on for NSDC introducing savings and back office savings	2018-19 - Full impact of shared services, Devolution and collaboration on support service costs	2019-20 full impact of all savings	
Support Service Percentage reduction in year		0%	10%	20%	25%	30%	
		12 months budget					
	Leisure	Direct cost of Leisure Centres excluding SLC.					
		£246,840	£183,400	£185,480	£187,470	£189,480	
		Support Services	255890	234290	210700	200090	188230
		total	£502,730	£417,690	£396,180	£387,560	£377,710
	less	NDR/VAT Saving with 100 % NDR	-£361,861	-£535,947	-£544,484	-£553,226	-£562,118
		Management Fee before additional costs are added on	£140,869	-£118,257	-£148,304	-£165,666	-£184,408
	see list	additional start up costs	£11,700	0	0	0	0
	see list	ongoing costs	£82,700	£84,350	£86,040	£87,760	£89,520
	A11305	additional income SLCT	-£92,300	-£93,530	-£94,680	-£95,850	-£96,990
		possible ongoing costs for setting up to agree with BWP's	£62,773	£94,201	£107,632	£128,592	£149,640
		Management Fee to Active4Today Ltd.	£205,742	-£33,236	-£49,312	-£45,164	-£42,238
		NSDC Budgeted Management Fee	£205,742	-£33,236	-£49,312	-£45,164	-£42,238
		Saving to NSDC compared to £502,730 in original budget	£296,988	£450,926	£445,492	£432,724	£419,948
		Sports Development					
		Sports Development	131,910	131,420	133,070	134,740	136,440
		Support Services	67620	62210	55980	53200	50080
		NSDC Management fee for Sports Development	199530	193630	189050	187940	186520
		Total NSDC Management Fee excluding SLC	£405,272	£160,394	£139,738	£142,776	£144,282

These sums represent the fully inclusive net revenue cost of operating the Facilities and providing the Services within the scope of this proposal allowing only for the necessary prudent reserves policy, supported by a 15 year lease of the buildings.

The actual increase / decrease in the Management Fee will reflect agreed variations based on the annual Business Planning process. The Council has proposed that the Management Fee for the leisure centre services provisions (excluding sports development) paid to Active4Today Ltd. will be reduced to zero within 5 years and this will be demonstrated in the Company's annual business plan and will reflect Company activity and performance as it revisited each year. It is anticipated that zero net revenue subsidy will be achieved by year 2. This will be achieved through NDR/VAT savings, new income streams at the New Leisure Centre and reduced Council support service costs year on year as Devolution, Collaboration and New Office Accommodation impacts upon and reduces support service budgets. At the point at which Active4Today moves into surplus - additional options around financing the Sports Development subsidy and a 50-50 split of the surplus paid back to the Council will be considered. The Business Plan Management Fee figure accords with the District Council's Revenue budget for the Leisure Business Unit as agreed by Full Council on 10th March 2015 and a budget for possible additional charges and costs has been added to ensure that all eventualities are covered in the first years of trading.

The Council will revisit the Management Fee paid to Active4Today Ltd. on an annual basis as part of its budget process and this will be agreed with the Company's Board of Directors each year.

Active4Today's operating budget has been set at a level where the anticipated user income together with the requested funding will support all of the defined Facilities and Services. The contract between the Council and the Company contains a description of how necessary variations to the scope of service will be accommodated. After adequate provision for liabilities and reserves, Active4Today will commit any / all retained operating surpluses generated from their activities in Newark and Sherwood to be used to fund building and/or service improvements in accordance with the aims of the Company. The use of any surpluses will form part of the future business planning review process, which will involve annual formal consultations with the Council and will feature open book accounting.

It is proposed that the Management Fee be paid yearly in advance, commencing with the payment on or before 1st of the month when the Services will commence.

The full year 2015-16 budget figures are reflected in the table above, for both Leisure and Sport Development, are the figures are based fully on 2015-16 'revenue budgets' and are set as if the service provision is unchanged.

Support Service Budgets have been reduced year on year from 2016-17 by an estimated percentage reduction. (Details of the percentages and reasons can be seen in the table above). This has been applied to reflect changes in the working practices and new office location of the District Council as it evolves and develops. These percentage reductions can only be estimated at this point in time whilst the full impact of budget saving proposals and opportunities for the District Council are considered

The NNDR/VAT saving reflects the potential opportunity to reduce costs as part of the transfer to a 'Not for Profit Company'. £360K is a considered estimate for the first year of trading based on a full year of trading. However, additional costs, both ongoing and one off set up costs are required which will result in a net revenue saving of £250K per annum to the Council. Future year's reductions relate to increased activity/income and reduced costs for NNDR to Active4Today reflecting the opening of the New Leisure Centre in the spring of 2016.

The Management Fee to be paid to Active4Today for Leisure Centres is projected to reduce to zero by year 2. This figure has been estimated as part of the 5 year revenue support plan and will become more refined and accurate as the business plan for Active4Today is developed.

Sports Development is identified separately in the table because the zero subsidy achievement only applies to the Leisure Centres at the present time. Further considerations will be made around the support for Sports Development as Active4Today becomes fully operational and the business plan is developed further. In the longer term there may be opportunities to "cross subsidise" the sports development services with surpluses generated at the Leisure Centres.

Ongoing operational costs can be seen in the table below along with additional costs

Ongoing Charges - Operational Costs	
Bank charges	£3,000
Insurance	£11,000
External Audit	£12,000
Licences	
Private Sector Accountant	£2,000
Company finance function	£5,000
Centralised budgets	21000
Benchmarking	£700.00
Accountant function/ VAT	£20,000.00
Hybrid mail	£6,000.00
legal	£2,000.00
total	£82,700
Note -	
One off - Set up Costs	
EFIN	£10,000
SELIMA	£1,700
	£11,700
	£94,400

1.4 Active4Today

It is the intention of Active4Today that the current management and operation of the defined leisure and sports development services to the public will transfer to Active4Today from Newark and Sherwood District Council, commencing on 1st June 2015.

Active4Today requests the Council to give approval for a transfer to take place as soon as it is agreed by both parties to be reasonably practicable. The Management Fee payment to Active4Today will be adjusted accordingly if a transfer is agreed on a date which is earlier or later than set out above.

Active4Today is a Company Limited by Guarantee (CLG). Active4Today will be registered with HMRC as a separate Vat entity.

Active4Today has been formed in a way that will allow the Company to purchase services from the Council, if it so wishes. It should be noted that there is a provision within the contract requiring the Company to purchase support services from the Council for at least the first two years of its operation.

Directors of Active4Today benefit from Directors Indemnity Insurance.

Until the transfer is effected, professional advisors from V4 Services Ltd may be required to act as independent advisors to the board of directors until the first Board meeting post transfer. The Board currently comprises 6 Directors, as follows;

Newark and Sherwood District Council Elected Member Cllr Roger Blaney

Newark and Sherwood District Council Elected Member Cllr Mrs Abbie Truswell

Newark and Sherwood District Council Elected Member Cllr Mrs Gill Dawn

Newark and Sherwood District Council Officer Andrew Muter

Newark and Sherwood District Council Officer David Dickinson

Managing Director of Active4Today (when appointed)

As a Company, Active4Today is a separate legal entity from the Council

The objectives of the Company are philanthropic and have been clearly established to reflect the core values and strategic aims of the Council.

The staff employed by Newark and Sherwood District Council appearing on the TUPE transfer list (the “existing staff”) will transfer to Active4Today pursuant to the service change provisions contained in the Transfer of Undertakings (Protection of Employment) Regulations 2006 (T.U.P.E.). The total TUPE transfer equates to 57.05 FTE (head count 162).

Active4Today will employ the existing staff on their current terms and conditions as applicable at the point of transfer. This is fully funded within the first year Business Plan.

It is expected that Active4Today employees will benefit from improved motivation and service focus following the transfer. This improved motivation is often reflected in improved commitment and the ability to succeed in delivering better services to customers.

Active4Today will carry out a review of the management, support and staffing structures within the first year after the transfer. Any costs associated with implementing the review (on the grounds of Economical, Technical or Organisational requirements) will need to be through the management fee or other income received by the Company.

1.5 CUSTOMER INVOLVEMENT

As a 'not for profit' organisation, Active4Today will:

- actively promote access to, and the use of, the leisure facilities and sporting opportunities provided to all sections of the Newark and Sherwood community
- provide sports development services and opportunities for people to participate in healthy physical activities to make “more people, more active, more often”
- maintain a commitment to the social inclusion, healthy living and other key strategies of Council
- promote the Activo leisure membership and agreed concessions schemes
- undertake regular user and non-user surveys
- implement a range of customer focus groups for key service areas

- endeavour to promote wider public awareness of the benefits of wellbeing and healthy living, sport and physical activity and build on the current levels of participation

In pursuit of a community focus for local residents and facility users, Active4Today proposes to provide an opportunity for customers to have better access to the Company Board. This proposal is seen as an important element in the Company's desire to provide services to the public that have been developed in consultation with the customer. This will take the customer involvement in the decision making process to new levels. Details of how customers can engage with the Board will be agreed between the Company and the Council.

Active4Today will consult customers on programme development initiatives and present its operating intentions annually as part of the business plan. This commitment will form the cornerstone of our new customer focused policy.

To achieve a strong community focus, Active4Today will undertake research to establish customers' views of the service from the outset. This research and the existing information will be reported within the annual performance outturn and help to form the basis of a range of baseline benchmarks, which can then be used to monitor changes to the levels of service offered by Active4Today, and delivery against pre-determined target outcomes and national performance standards. Active4Today will utilise an independent benchmarking service. Active4Today will maintain close relationships with users. This communication and performance management framework will ensure that the service continually improves and develops in accordance with customers' needs and expectations.

1.5 LONG TERM PARTNERSHIP

INTRODUCTION

This proposal is based on Active4Today delivering a service to the public which is aligned to the Council's aspirations, aims and objectives. However, Active4Today is a separate organisation, required to promote and deliver its own aims and objectives as outlined in its Memorandum of Association. To this end, Active4Today will work in close partnership with the Council to ensure a common approach to the planning and delivery of the services to the public and to ensure that resources are utilised effectively and efficiently, without service duplications or omissions.

LEASE PROPOSAL

This proposal is based upon:

- the leisure centre buildings (plus demised and associated premises, including the effective management control of the car parks where appropriate) being leased to Active4Today for a period of 15 year's minimum, at a peppercorn rent.
- the leases and the contract will run concurrently and will be subject to review , with break provisions at five yearly intervals.
- major capital plant, fabric and fixtures will be detailed within the lease schedules and described within condition surveys. The form of the lease will be non-business lease and defined accordingly, and with due regard for tax and other fiscal efficiencies. The Council will effect the repairs of the landlord in a timely fashion. Active4Today intends to appoint suitably qualified employee /contractors to carry out its tenant repairs and maintenance obligations.

EXTERNAL FUNDING

New funding sources may be used to finance the development of both the Facilities and the Services. Due to its Company status, Active4Today may well be viewed as a 'private sector' match-funding partner under a range of funding regimes. This allows the Council and Active4Today to submit partner bids for funding. This will not resolve major capital funding gaps, or finance new facilities, but may assist in future capital investment programmes. Active4Today will also have access to other funding regimes and will be treated no less favourably than the Council.

DEVELOPMENT OF FACILITIES

The long-term partnership that the Council and Active4Today are entering into will allow for the continual development and enhancement of the Facilities in the district of Newark and Sherwood. Active4Today is not permitted to distribute any surpluses / profits from the operation of the Facilities and Services to the public and therefore a virtuous cycle will be created, in which Council assets will improve and continually develop, subject of course to the good performance of Active4Today.

1.7 TRANSFER ISSUES

After the appointment of the permanent Company Board members and in order to achieve the seamless transfer of facilities and staff, the following issues must be addressed and the necessary systems implemented prior to the full transfer, or by agreement during the first year of operation by Active4Today :

ISSUE

- Employee arrangements (T.U.P.E.)
- Quality and performance monitoring system
- Financial management and control system
- Administrative and booking systems and procedures
- Client liaison mechanisms
- Monitoring mechanisms
- Support Services strategy finalised
- Agree Service Area Business Plans
- Cost centres finalisation (chart of accounts)
- Marketing plan finalisation
- Activity programme and opening hours finalisation
- Funding, transfer and lease heads finalisation
- Condition surveys completed
- Cut off or transfer dates for service contracts agreed
- Transfer of licences, existing contracts and maintenance agreements concluded (as applicable)
- Official contract hand over

1.8 BUSINESS PLAN ASSUMPTIONS

The following assumptions have been made:

Active4Today will be permitted by HMRC to have a separate registration, and will access special concessions for specified activities that are not available to public authorities.

100% discretionary NNDR relief will be granted to Active4Today.

The annual Service Management Fee will be paid in full in advance, with Vat added.

All existing (TUPE listed) staff will transfer to Active4Today on their current terms and conditions of employment, with pensions in an "open" scheme (LGPS), at the rates provided in the actuaries report (December 2014).

The Council ensures that the buildings leased to or occupied by Active4Today have been adequately maintained and are in a fit condition at the point of transfer to allow Active4Today to deliver Services to the public fully, and in a cost-effective manner.

The Council treats the leisure Facilities and other leased premises equitably and no more or less favourably than the remainder of the Council's estate for the term of the lease.

The Council retains responsibilities through the leases and/or the Funding and Management Agreement, for the maintenance of the buildings structure and fabric, roofs, walls and drainage, major capital plant and equipment, and for the timely general refurbishment of the exteriors. The responsibilities of both parties for other repair and maintenance liabilities to be defined separately in lease documents.

The Leases will define clearly the extent of each demise of the facilities and other areas included.

The Council will use its best endeavours to provide support (financial or otherwise) for the implementation of any future changes in legislation that cannot at present be predicted.

The Council will continue to fund the costs of the extra – ordinary / legacy pension fund contributions if applicable, for staff on the TUPE list.

The Council will indemnify Active4Today for all costs accruing from TUPE claims, arising from the TUPE transfer of existing staff and from the implementation of the " TUPE measures" / and the implementation of any organisational review agreed by the Council (a review referred to as the "ETO review" as it will be based on Economic, Technical and Organisational criteria).

Through the contract, the Council indemnifies Active4Today against any costs and liabilities in general arising from claims, or acts and omissions that occur prior to the formal transfer.

SECTION TWO: **BUSINESS PLAN**

2.1 INTRODUCTION TO BUSINESS PLAN

Leisure services have to operate in a dynamic, innovative and ever changing business environment. The management of successful leisure facilities and related services is complex and demands a decisive, responsive and flexible approach by the management team. The leisure environment is a continually evolving area, driven by the rising expectations and the needs of a diverse range of stakeholders, which includes customers. This creates the need for effective planning, excellent customer relations, well-trained and motivated staff and the ability to be innovative. Active4Today intend to provide continuous improvement, value for money, and excellent services to the public.

The Business Plan is based on the best available information about the historic performance of the Facilities - as declared by the Council, whilst recognising the unique benefits which will accrue through Active4Today. Active4Today intends to revolutionise the way in which sports, leisure, health and wellbeing opportunities are presented in Newark and Sherwood - by combining the sports development services with the operation of the Leisure Facilities. The Business Plan attempts to describe the new approach, whilst reiterating a number of fundamental Active4Today objectives which are at the heart of this proposition:

- a) Genuine working partnership with Newark and Sherwood District Council to ensure the timely and effective delivery of the relevant leisure, health and wellbeing objectives defined within the Council's aims.
- b) Shared values with the Council and other public sector partners
- c) The creation of sustainable jobs and inward investment
- d) Working in partnership with all stakeholders to regenerate the local community, utilising pricing policy and promotional campaigns to deliver a more equitable and balanced contribution to the costs of operation from customers.
- e) Supporting the disadvantaged, socially excluded, and other targeted "Hard to Reach Groups " whilst promoting the benefits of health and wellbeing, sport and physical activity, education and literacy, volunteering and participation in events.

- f) Sound financial and operational management

- g) A community focussed and customer orientated service, delivered by staff who feel valued and who enjoy the feeling of being part of a single focus organisation.

- h) Excellent ICT platforms that improve the customer journey

We believe that Active4Today will offer a unique opportunity to deliver high quality Facilities and Services to the public that are accessible and affordable. We hope that through a flexible relationship with the Council and an outcome based Funding and Management Agreement, the services can be tailored over the years to the exact requirements of both partners - and the ever changing leisure environment.

Active4Today not only looks forward to working with Newark and Sherwood District Council, but also aims to develop an on-going relationship with other local statutory and non-statutory organisations, schools, community groups, clubs, and individuals. The overall aim is to pursue and achieve excellence in service delivery in accord with the Company objectives.

As a locally established Company, formed by Newark and Sherwood District Council, Active4Today will benefit from a detailed understanding of the needs of the community, an affinity with the Council's policies, and a management team whose experience, local knowledge, and skills will enable the services to grow and improve in the future.

The form of partnership that is proposed with Active4Today will facilitate annual review, and therefore enable the Council to respond to changing local needs and priorities. The services can be adapted to meet these needs when the annual Business Plan is agreed.

2.2 VISION, MISSION, VALUES AND PRIMARY OBJECTIVES

2.2.1 Introduction

The provision of excellent leisure services which contribute towards a range of cross cutting issues, including independent living and resilience, social inclusion, crime diversion, community development, raising aspirations, health and well-being, economic growth, and community safety in general.

Active4Today believes that everyone has the right to benefit from first class sports and leisure opportunities - if they so choose. It is important that Active4Today endeavours to remove all real and perceived barriers to participation at all of the facilities and for the related services in order to achieve its shared accessibility and affordability objectives.

2.2.2 The vision and mission

Our vision is:

‘To provide a high quality service to the public, with excellent sports and leisure opportunities for the Newark and Sherwood community’

Our mission is:

‘To raise levels of participation amongst the Newark and Sherwood community and to offer an attractive, safe, welcoming, and encouraging environment for people to achieve their own personal aims’

2.2.3 Active4Today Objectives

The Company’s Memorandum of Association determines the philanthropic objectives broadly defined at present as follows:

- provide leisure, sports, and cultural facilities and services;
- liaise and co-operate with all interested groups within the community to develop and

deliver this service;

- promote and enter into partnerships or arrangements of all kinds to improve or extend the facilities and services offered;
- explore all avenues of funding and finance for such services;
- improve health and well-being through a range of outcomes, including reduced obesity, reduced anti-social behaviour and narrowing the health inequality gap; and
- increase jobs, strengthening the local economy, and enable children, young people and adults to learn and be ready for work.

2.2.4 Strategic and Policy Framework

In addition to Active4Today's main Company objectives, as set out above, the organisation has a number of core service objectives that it will set out to achieve. These objectives illustrate the sound strategic and policy framework of the organisation and relate to the core business elements, including:

2.2.5 Finance

To meet, and where possible exceed, the agreed financial targets in order to deliver a sustainable leisure service to the public which can grow and improve continuously.

2.2.6 Customer Service Delivery

To strive as individuals, in our teams, and as an organisation as a whole to meet (and exceed) the growing expectations and needs of our valued customers and our stakeholders.

2.2.7 Human Resources

To provide a high calibre, highly motivated workforce, that enjoys effective leadership from Active4Today senior management and sustains a working environment that attracts, retains, empowers and develops employees.

2.2.8 Performance Review and Service Evaluation

To implement clear and transparent performance management systems that will enable and encourage continuous improvement in service standards and value for money.

2.2.9 Maintenance of Facilities

To ensure that all facilities, and capital assets, are maintained to the highest possible standard in partnership with the Council, within the realistic constraints of available funds (both parties).

2.2.10 Development Initiatives

To develop a range of service enhancements, facility developments and marketing initiatives that will deliver continuous improvement, value for money and increased participation.

2.2.11 Active4Today - Organisational Values

Active4Today has been established principally for the benefit of the community, and has core values which define the nature of the organisation and which will be reflected in all aspects of our operations in Newark and Sherwood:

- Service excellence and innovation
- Equal opportunity of access & affordability for all
- Value for money and continuous improvement
- Strong management and committed leadership
- A valued and empowered workforce
- Partnership working
- Service integration across the facilities operated by Active4Today

2.3 FINANCIAL PLANNING

The level of funding will need to be agreed at the outset for the first year, and will then be agreed each year thereafter as part of the Business Planning process. Financial figures are set out in section 1 part 3 of this document and are covered within the contract documentation.

The 2015/2016 figures reflect a full year's operation, even though the transfer date (target) is 1st June 2015). The actual level of funding is to be agreed pro rata. If the date of transfer was changed from 1st June 2015 then the financial forecast would need to be amended pro-rata.

Company Law will regulate the accounts and activities of Active4Today, and this will require the production of statutory returns and accounts.

It can be seen that the principal determinant for the level of the funding is the shortfall between projected income and expenditure in any given year (annual net revenue deficit). It is essential for the sustained viability and growth of the Company for adequate funding to be provided by the Council for the maintenance of the buildings.

Primary Finance Objective

Active4Today will aim to meet, and where possible exceed, the financial objectives that will be agreed with the Council. Prudent financial management will help to facilitate the provision of a sustainable Leisure Service in Newark and Sherwood as a whole. The aim is for Active4Today to eliminate the dependency on Council (revenue) funding for the operation of the Leisure Facilities by 2019/20. Funding for the provision of Sports Development services will continue, with an annual review as part of the Council's budget process.

Policy Aims

To establish long term financial stability and viability of Active4Today through the discipline of effective financial planning, the acquisition of external funding, and the prudent management of resources.

To establish a flexible pricing structure which :

- maximises the benefit of a Newark and Sherwood wide pricing policy, offering discounts for residents via the Activo scheme at all Newark and Sherwood District Council supported facilities (or any alternative scheme which may be introduced).
- provides value for money, and is able to react swiftly to seasonal demand ,market trends, and national and local policy objectives;
- targets subsidy at those people least able to pay;
- maximises opportunities for all sectors of the community to participate in sports and leisure activity;
- maximises opportunities for income generation;
- maximises the opportunity for Newark and Sherwood wide price led promotions and marketing initiatives
- To actively build a range of strategic alliances and to pursue all external funding opportunities in partnership with Newark and Sherwood District Council in order to fund growth and build financial stature for Active4Today.

2.3.1 FINANCIAL STRATEGY

In future years, the Business Plan will be underpinned by a sub set of Service Plans, which will establish clear budget targets. In this way senior and middle managers will be accountable for their own area of responsibility. This approach presents an opportunity for personal performance review, continued personal development - and hence motivation. If managed effectively, this will result in improved business performance for Active4Today as a whole, the achievement of their Company objects - and benefits for all local Council tax payers.

2.3.2 FINANCIAL CONTROL

Effective control of expenditure budgets and cash flow is critical to the success of the organisation. To facilitate continuity and to ensure a robust internal audit mechanism, Active4Today will base its initial systems of financial control on those used by the Council. The Company will adopt policies in line with the Council's requirements on financial controls. A list of the Council's policies, that the Company must either comply with or have the equivalent to, is contained within Schedule 12 of the contract.

Active4Today will ensure that they have access to suitably qualified accountancy staff who will have strong cash flow and budget management experience to ensure that the Company's

finances are effectively and efficiently managed and are compatible with company law / accountancy codes/procedures.

In addition to the above, Active4Today is required to engage external Auditors to inspect and 'sign off' the organisation's accounts. This external scrutiny will also ensure that Active4Today has been operating within the approved accounting structures and has implemented effective systems and controls to the standards set by Company Law and as required by HMRC.

Active4Today is aware of the need to operate the facilities with due regard for environmental impact and sustainability. Active4Today will seek to operate the facilities in a more energy efficient manner; thereby contributing to the environmental policies of the Council. It should be recognised however, that Active4Today's ability to achieve this objective could be impaired by the potential lack of capital resources. It may be necessary for the Active4Today / Council partnership to "spend to save " by investing in new technology which can deliver energy efficiencies and also achieve a reasonable return on capital invested. It is envisaged that Active4Today will purchase and pay for the leisure Facilities utilities (gas, water, electricity and biomass fuels)

2.3.3 INCOME GENERATION

A substantial proportion of Active4Today's income will derive from the collection of fees and charges within its leisure facilities. It will therefore take a very proactive and, when necessary, a balanced commercial approach to income generation by:

- effectively managing 'price' as a key marketing tool;
- instigating a series of special promotions and membership drives;
- seeking external partnership funding and sponsorship for a range of leisure and sports projects and activities;
- using reserves strategically to facilitate increased income generation;
- maintaining efficient payment methods (Direct Debits, annual payments etc.)
- developing marketing plans and promotional mechanics which are applicable to all facilities operated by the Company, and at Southwell Leisure Centre (subject to Southwell Leisure Trust approvals).

It should be noted that the pricing structure must reflect the needs and requirements of both the Council and Active4Today in terms of their aims and objectives for social inclusion. Therefore, Active4Today will address pricing proposals as part of the annual business planning process presented to the Council for consideration and consultation, and the Council will keep the proposals under flexible review in order to ensure that both parties' aims and objectives are being met. The pricing structure will be in line with the pricing framework contained within the service specification.

2.3.4 INVESTMENT

By 1st April 2020, Active4Today working together with the Council will develop a long-term facilities and services investment strategy to ensure maximum benefit is accrued from the Facilities and Services Investment Fund and any reserves, whilst minimising the risk to the Company and to the Council. Areas for consideration include:

- New facilities, equipment and services in key locations which will improve access to services
- Improve customer facing areas such as reception, toilets, changing areas
- Improve electronic services such as bookings, payments, reservations and self-service

2.4 BUSINESS GROWTH

Inevitably, as with any new enterprise, Active4Today will initially concentrate on consolidating the core business but it is equally true that in the longer term if Active4Today is to realise its full potential it will need sustainable growth. Therefore, there is a need for an overarching business development strategy aimed at enhancing the viability of the core business over a longer period of time. Should suitable opportunities arise which fall within the scope of the Company and its capabilities, then Active4Today could provide an effective partnering option for other parties, including neighbouring Council's. Such a major policy decision would always only be carried out after consultation and agreement with Newark and Sherwood District Council.

Any growth in Active4Today should result in overhead costs being lowered and the benefits of this will naturally accrue to the Council and be reflected in future Business Plans and revenue support funding levels.

2.5 INFORMATION TECHNOLOGY

Active4Today recognises the importance of good Information and Communication Technology (ICT) to improve business performance, and its value in the measurement and reporting of performance against targets. Active4Today are currently developing an ICT strategy, which will ensure the accurate and timely sharing of management information, effective communications, and an improved customer service. It is currently the intention of Active4Today to invest in the Council's own accounting and management information system, which will be co-ordinated from the Active4Today Head Office. The Active4Today Head Office will have broadband lines and networking capability. Access to any Council network services will be arranged via a service level agreement.

2.6 CUSTOMER SERVICE DELIVERY

2.6.1 Introduction

Leisure is a service industry and as such its success or failure is largely dependent upon establishing effective relationships, specifically with customers, but also more generally with a range of stakeholders. Only through this process will realistic customer needs be identified and met – a basic requirement of quality management.

Customer attraction and retention is a demanding and complex process and every member of the team within Active4Today at all levels will have a responsibility to play their part in maintaining the highest possible standards at all times. A customer's satisfaction with their 'visitor experience' is dependent upon meeting or exceeding expectations, including :

- Value for money
- The ability to park easily and safely
- The ability to speed through reception
- The cleanliness and availability of changing space
- The age , availability , and quality of the equipment
- Well maintained buildings, with an attractive ambience and environment
- Comfortable and consistent shower and pool water temperatures
- Access to good value and healthy refreshments

- Well informed, motivated , customer focused staff
- Interesting, varied, balanced, and responsive programming.
- Clear pricing policies and discount schemes which are applicable to all facilities in Newark and Sherwood where appropriate

This requires a complete team approach. Active4Today 's customer services policy is based on a commitment to the provision of excellent customer centred services based on the holistic approach.

2.6.2 Primary Objective

Active4Today will work actively to identify and meet, and wherever possible exceed, the needs of customers and stakeholder expectations.

2.6.3 Policy Aims

- To identify and meet customer expectations through the pursuit of service excellence and open access for all.
- To involve stakeholders in service development through the effective use of information and consultation and where possible through opportunities for customers to engage with the Active4Today Board.
- To recognise that everyone has a right to participate in purposeful sports and leisure if they choose, and working to eliminate actual or perceived exclusion from participation in any of the activities we provide.
- To ensure that customers are able to participate in sports and leisure activities in a welcoming, safe, well maintained, and conducive environment.
- To exercise a duty of care in accordance with all relevant Health and Safety and Environmental Health legislation, ensuring that risks are assessed on a regular basis and measures put into place to minimise the impact on our customers and members of the organisation.
- To comply with all legal and corporate regulations pertaining to the provision of public services, through the not-for-profit sector.
- To provide and promote a programme of activities, which:

- Encourages and enable local people, but particularly the young, to participate in purposeful physical activity, including sports, recreation and children's play.
- Provides access for all;
- Develops opportunities for preventative and rehabilitation healthcare and improves wellbeing;
- Contributes to a range of cross cutting issues such as community safety, social inclusion, healthy lifestyles and lifelong learning
- Encourages visitors to Newark and Sherwood to use our leisure and sports facilities and events, so contributing to the area's economy
- Continues the development work of the Council, especially in relation to schemes for the over 50's, the under 8's, and hard to reach individuals and groups.

2.7 Marketing & Promotions

Active4Today believe that the development of an effective, robust and all-embracing marketing strategy will provide the platform for business growth and development. It is imperative that the Company has control over an adequate marketing budget which is included within the Management Fee and can be invested by the Company as required.

2.7.1 The National Market for Leisure

The Leisure market is volatile and competition for the discretionary leisure pound is intense. Nevertheless, there are discernible national trends that must be taken into account in the marketing strategy. For example, the split between the time rich / cash poor and time poor / cash rich has become more pronounced. It has always been the case that the higher the socio-economic classification the more likely one is to participate in leisure activities. Generally, women participate less than men and there is an understandable drop off with age. However, a worrying recent trend has been for children to participate less in active pursuits, which will inevitably result in long term repercussions for health.

The national market in public leisure provision has continually evolved over the past five years. The following research data provides a clear indication of market trends in terms of spending and participation in leisure activities:

- Admission to public Leisure centres
- Admission rates to gym facilities have increased by **5%** between 2010 - 2012 , whilst admissions to public facilities have begun to fall off by around 1% per annum over the past three years as more and more people join private sector facilities

Consumer spending

- Consumer spending on leisure centres has increased by **24%** over the past five years
- Cost of using facilities has risen considerably in the last 5 years
- Average expenditure per admission has increased from £2.99 in 2010 to [£3.10] in 2014, an increase of over **3%**.
- Expenditure on swimming visits went up by more than 20% between 2000 – 2010, but has started to fall nationally.

Visits to public Leisure Centres

- Frequency of visits to leisure centres has increased by **3%** over the past 5 years
- People who visit leisure centres are most likely to be in the 25-34 age group and in the more affluent socio-economic groups
- It is likely that frequent visitors are most likely to become members, and members are likely (in general) to be relatively affluent
- There is a clear correlation between frequency of visit and attitude to healthy eating and exercise

2.7.2 Marketing Strategy

Active4Today will position itself in the traditional public sector leisure market i.e. good quality, accessible and affordable leisure services. However, it will take a more positive approach to branding its products and activities as an effective marketing tool.

Taking the outcomes of the national trends and local research into account, Active4Today will market its services to specifically target the following:

- Less active people;
- Children and Young People;
- People with Disabilities;
- Ethnic minority groups;
- Disadvantaged residents on low incomes;
- Inactive females;
- The less affluent over 60's;
- Children under 8 years old;
- Adult Social Care Services clients
- Obesity

2.7.3 The Product

In essence, the product Active4Today is selling is health, fitness and well-being, fun, enjoyment and family entertainment, personal development and self-esteem, and a diversion from crime. These tangible benefits will manifest through the following programme areas:

Leisure for All.

Active4Today believe in the principles of 'Leisure for All'. Active4Today recognises the Council's commitment to leisure and wellbeing, and will work to deliver promotions which increase participation in sport and healthy physical activity. The Sports Development Team within Active4Today will work within the community to attract current non-users into the facilities, and to increase the frequency of visits from existing users.

Healthy Alliances.

Active4Today will work closely with the all health commissioners in investigating ways of contributing towards health related targets contained within the Health Improvement Program (HiMP). Active4Today will further develop the GP Referral Scheme and the Cardiac Rehabilitation Schemes, working with partners to maximise the number of referring health professionals. Other Health Alliance initiatives will be investigated in order to integrate them within the Active4Today's "active life " agenda.

Sport Development.

The inclusion of the Sports Development service within the scope of transfer to Active4Today will help to ensure that Sports Development initiatives are implemented effectively. They will continue to reach those in areas of deprivation who do actively seek to engage with sport and leisure activities through interaction with leisure centres. They will continue to support sports clubs and groups whether they use leisure centres or other facilities.

Children's Play and learning.

Active4Today recognise the importance of providing a range of play and learning activities for children during the school holidays, weekends, and after school times. Active4Today will build on the schemes that already exist, in all of the facilities.

2.7.4 The Place

Active4Today will be in unique position to provide a wide range of co-ordinated sports and leisure programmes, particularly physical activity, sport and leisure opportunities at venues that are geographically well located to serve most of the Newark and Sherwood community. However, it is critical that facilities are well maintained and provide an attractive ambience to ensure customer satisfaction - as detailed later in this section. Active4Today will assist with the development of the facilities strategy for Newark and Sherwood and will support the re-organisation and renewal programme which the strategy is likely to envisage.

2.7.5 The Price

The Audit Commission has published best practice guidelines for using price as an effective marketing tool within the leisure offer. Active4Today recognise the benefits of this approach and will attempt to use price in an innovative manner to stimulate business growth. The pricing strategy will therefore be based upon four main principles:

- price levels must be managed effectively to negate customer resistance. The customer has a price threshold; if that is breached there is a risk that they will be lost;
- price levels must ensure that best advantage is taken of market demand;
- price levels must ensure that disadvantaged residents are protected and as such not deterred from participation;

- price levels should be used flexibly to stimulate demand through special promotions and offers across the whole of Newark and Sherwood, which leverage demand, off peak capacity (especially at the New Leisure Centre) , and the ability to pay.

These will all be applied in line with the Pricing Framework contained within the Council's specification.

2.7.6 Promotion

Active4Today is anxious to promote a positive leisure image by creating a sharp and well-defined brand identity, which portrays it as a professional, dynamic and innovative organisation. In short, it wishes to adopt best practice from the private sector and use it in combination with a public sector ethos to maximum advantage. Active4Today will develop a distinctive new logo, and this image will be presented on all publicity and promotional material. Brand values will instil customer confidence, and the Active4Today brand will be associated with value for money, friendly service and efficiency. Active4Today will always make it clear that facilities are owned and financially supported by Newark and Sherwood District Council.

Active4Today will:

- enable local residents to recognise that the management of the leisure facilities and Sport Development programmes in Newark and Sherwood is now the responsibility of Active4Today working in partnership with the Council
- ensure that promotional material is presented in an attractive and easy to understand manner;
- display promotional material internally and at key external locations;
- develop regular contact with the local media with appropriate features, special offers and promotions.
- maintain relationships with local newspapers with an aim to publicise the service with the appropriate features and offers to the appropriate target markets;
- promote a favourable image in the local and regional press;
- use concentrated leaflet drops to targeted areas where people are known to be less active during publicity drives;
- ensure that front of building signage is of high quality. Banners will be used to promote seasonal and one-off special events;

- internal signage boards will be strategically and aesthetically located around each building promoting a specific theme;
- additional new signs will be erected to highlight information points and facility areas;
- all signage and publicity materials will acknowledge the ownership of the buildings and the financial support given by Newark and Sherwood District Council - in a form of words which will be agreed

Strategic marketing that offers the flexibility of a planned and systematic approach with the ability to improvise and react instantly to market trends will be critical to meeting organisational objectives.

2.8 STAKEHOLDER INVOLVEMENT

Excellent customer service is based on excellent communication which in turn is based upon the key principle of 'listening and learning'. The concept of stakeholder involvement is central to Active4Today's customer services strategy. The strategy will recognise that all stakeholders have differing needs and therefore Active4Today will develop a multi-level approach to involving stakeholders and providing a service with which they are delighted. The strategy operates on three distinct levels:

Information (Level 1):

If stakeholders do not understand what the organisation does, or why, or how, then the organisation will fail. Therefore, the effective exchange of information is a critical success factor. Active4Today will provide a clear means of providing accurate and timely information to all stakeholders, keeping them informed about everything which impacts upon the service.

Consultation (Level 2)

Consultation is a fundamental requirement of any good service orientated business. It is how Active4Today will learn about customer needs, and their views about the facilities and their suggestions for improving them. Active4Today is committed to extensive consultation and will listen to what stakeholders are saying and use that information, where practicable, to shape the development of the service.

Participation (Level 3)

The formation of Active4Today creates an opportunity for stakeholders to play a fundamental role in shaping the future of the organisation. The Company Board will empower service users, members of the community and staff to take pride in the organisation and help shape how the services are delivered.

The Active4Today Specification (which is contained as Schedule 3 of the Contract), outlines the minimum standards of service that customers can expect when visiting a Active4Today managed facility or participating in a Active4Today sports activity programme.

2.9 HEALTH AND SAFETY

Active4Today recognises and accepts its responsibility as an employer and facility operator - for providing a safe and healthy work place and working environment for all of its employees, customers and any contractors working in the facilities. As a consequence, Active4Today is committed to the reduction of risk to customers, staff and contractors.

Our commitment to providing a safe environment is detailed in our Health and Safety Policy, under which appropriate training will be given to all new employee prior to commencing work and will be the basis for ongoing staff training with specific reference to:

- Health and Safety at Work Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- Provision and Use of Work Equipment Regulations 1998;
- Manual Handling Regulations 1992;
- Personal Protective Equipment Regulations 1992;
- Health and Safety (Display Screen Equipment) Regulations 1992
- Control of Substances Hazardous to Health Regulations 1999;
- R.I.D.D.O.R 1995;
- Fire Workplace Regulations;
- Electricity at Work Regulations
- Newark and Sherwood Health and Safety and EHO policies.

Furthermore, Active4Today will take all steps within its power to meet its responsibility, paying particular attention to the provision and maintenance of:

- plant, equipment, and systems of work that are safe;
- safe arrangements for the use, handling, storage and transport of articles substances and persons / casualties.
- sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own safety and health at work;
- a safe place of work and safe accesses to and egresses from it;
- a healthy working environment for those employees working within the leisure centres managed by the Company.
- adequate welfare facilities;
- supervision of all contractors working in the facilities.

No safety policy is likely to be successful unless it actively involves employees themselves. The Health and Safety Policy clearly sets out the lines of responsibility, with the Managing Director having ultimate responsibility for ensuring the policy is communicated to all staff, adequately resourced and updated as appropriate. Each member of the Active4Today team will be made fully aware of the operational health and safety responsibilities they have to customers, colleagues and contractors.

2.10 SAFEGUARDING

Participation in purposeful sports and leisure activities can have a positive impact on the health and well-being of both the participant and the leader of the activity. However, the beneficial impact can only be fully realised when both parties are free to take part in the knowledge that they are participating in a safe environment. Active4Today, through a process of training and awareness, will ensure, as far as it is reasonable and practical, that a safe leisure environment is created. All relevant staff will be subject to the appropriate level of Disclosure and Barring Service (DBS) check.

2.11 CLEANING

The presentation of the buildings is critical to the environmental perception of customers and Active4Today believes that cleanliness is one of the major factors which influence frequency of use. User surveys have consistently highlighted that the cleanliness of facilities is of paramount importance. Active4Today will ensure that all cleaning systems and regimes are reviewed, and that all facilities are cleaned and maintained to the highest possible standard. Refuse collection and disposal will continue to be carried out via Newark and Sherwood District Council.

2.12 SECURITY

Active4Today will aim to provide readily available, fully serviceable, and secure lockers at leisure facilities at all times through the implementation of a planned servicing and maintenance programme. Active4Today will aim to maintain high levels of security at all leisure sites, and this will be achieved by a combination of vigilance, adequate lighting levels and many other measures to reduce the security risks (perceived and actual) for our more vulnerable centre users.

As leaseholders, Active4Today will ensure that a high level of building security is maintained at all times, in order to protect the Council's assets. Closing procedures will ensure that buildings are secure even when closed for business.

Active4Today will aim to ensure the personal safety of Active4Today staff and customers by implementing robust security procedures and initiatives, and by providing training and suitable personal safety equipment for staff wherever appropriate.

2.13 EXTERNAL SERVICE PROVIDERS

Some specialist support services will be procured from either the Council via the Service Level Agreement (SLA), or from alternative providers.

These might include:

- Corporate Administration
- Postal services
- Customer Services
- Internal Audit
- Debtors
- Financial Services
- Human resources
- Payroll administration
- Risk & Resilience
- ICT
- Telephones
- Mobile Phones
- Legal advice
- Grounds Maintenance
- Asset Management

(Note: By the date of transfer, interim arrangements will have been made with the Council to provide Active4Today with the option of delivering all / some of these services via the Council, during the initial 24 months after transfer)

Outputs - Performance Indicators

The shared policy objectives, performance targets, agreed performance indicators and the outline of the reporting and monitoring regime are included within Schedule 3 of the Contract.

2.14 HUMAN RESOURCE PLAN

2.14.1 Introduction

The effective transfer from Newark and Sherwood District Council to Active4Today will be largely dependent on the adoption of a different staff culture. It has already been recognised that staff are the most important asset in an organisation of this type and therefore the human resource plan is a key to future success.

Whilst the Company Board, the Managing Director, and the management team have ultimate responsibility for the decisions made within Active4Today, there will be opportunities for devolving budgetary and decision making responsibility. Also, staff will be encouraged to

participate in the formulation of policy, strategy, and programme development. Much of the work of Active4Today will be undertaken on a project basis by teams of employees – and all employees will be encouraged where appropriate to get involved in these project teams. This will result in greater employee involvement in the business and will ultimately help increase job satisfaction. A greater sense of ownership and a more focused service will result.

It is important that staff understand that they will become part of a new organisation and will no longer be employed by Newark and Sherwood District Council.

The effective integration of the existing staff from each of the Newark and Sherwood District Council managed facilities will be essential to the success of Active4Today.

Active4Today aims to promote the corporate ethos of the organisation, to ensure an effective and efficient approach to the service is provided. Any harmonisation that is required will take place as soon as reasonably practicable, having due regard for TUPE regulations.

2.14.2 Relief Contracts

Active4Today engages workers on relief contracts to carry out work on an adhoc or “on call” basis only. Relief contracts are “non-mutuality of obligation” contracts. This means that Active4Today is under no obligation to offer work and the individual is under no obligation to accept any work offered. A contract of employment only exists on the days when work is both offered and accepted.

Relief workers will only be used to cover unexpected staffing shortfalls arising from sickness absence or other unforeseen circumstances. Where it is anticipated that working arrangements will be outside of those detailed above (i.e. to cover shifts on a regular basis for a period of time) Active4Today will consider whether it would be more appropriate to engage workers on a temporary contract basis.

2.14.3 Living Wage

The Active4Today will adopt a policy of paying all employees a Living Wage through the application of a pay supplement to fund the difference between the hourly rates (defined at the lowest substantive point at which a Council officer can be paid i.e. £7.02 per hour) and the

Living Wage set by the Living Wage foundation (currently set at £7.85 per hour). By adopting this policy Active4Today will ensure that the lowest paid employees receive at least the Living Wage for each hour that they work.

The Living Wage to be applied during the 2015/16 financial year will be the rate set out above. In the event that the Living Wage increases in year as part of the annual review conducted by the Living Wage Foundation Active4Today will have regard to this when developing budgets for the 2016/17 period.

2.14.4 Staffing Structures

The organisational needs of Active4Today with its new and increased responsibilities have been assessed. It is proposed that the majority of the support services that are not to be purchased from the Council will be undertaken in-house. This will help to maintain value for money. Initially, however, it is recognised that Active4Today will need some additional skills. Accordingly, Active4Today will, where appropriate, retrain existing staff to enable them to undertake new tasks, and will employ professionally qualified and experienced staff where training is not expedient.

Active4Today recognise the implications of the Transfer of Undertakings (Protection of Employment) Regulations 2006. This proposal has been prepared on the basis that existing employees assigned to the defined services, will have the right to transfer to Active4Today on their existing terms and conditions of employment in accordance with the TUPE regulations.

All operational staff i.e. lifeguards, receptionists, cleaner's etc. will transfer in accordance with the TUPE regulations with no change whatsoever to their job descriptions. There may however, need to be changes in due course, to reflect the changes required to achieve new performance standards, and on the grounds of economy and efficiency.

In proposing these changes, various principles have been adopted by Active4Today as outlined below:-

- recognition is given to the areas of expertise and experience of the existing Council staff, and every effort will be made to utilise these fully.

- there is a case for introducing as much stability as possible to ensure a smooth transition.
- There will be no change in TUPE transfer employees' rates of pay.
- Certain key functions will be centralised to ensure a more consistent approach across all facilities.
- All management posts will have clearly identified core areas of responsibility, in addition to specific areas of accountability where they will work in teams to ensure consistency of implementation throughout the organisation
- It will be clear to front line staff who their manager is
- Although "flat", the structure allows for career progression and succession planning.

2.14.5 Key roles and responsibilities

Managing Director

Responsible for the planning and implementing of business strategies; reporting to the Company Board; monitoring financial position; liaison with the Council and key stakeholders; representing Active4Today on outside bodies; initially seeking new business opportunities and sources of funding. Working closely with the Southwell Leisure Trust.

Key HR and Financial support This function will be undertaken by a full or part qualified accountant and/or suitably qualified HR professional, initially procured as part of the Service Level Agreement with the Council. This function will be responsible for the introduction and management of financial, HR, and administrative systems, to ensure that accurate and timely management information is produced. Additional external financial provision will be contracted for final end of year accounts and any other service required not covered through the Service Level Agreement with the Council.

The management and staff structure will be determined by the existing arrangements, in accord with TUPE regulations, but will be subject to review within one year.

Primary Objective

To provide a high calibre workforce and to develop and sustain a working environment that attracts, retains, empowers and develops employees.

Policy Aims

To manage Human Resources in a way which recognises that staff are valued as the single most important factor in the provision of high quality services and as a consequence promotes investments in their personal development, ensuring equality of opportunity through:

- opportunities for internal promotion;
- structured and innovative approach to Continuous Professional Development and skills acquisition;
- effective channels of two-way communication and opportunities for staff involvement.

To promote a safe work environment which provides:

- adequate welfare facilities;
- clear and effective line management;
- effective training
- a safe and well maintained workspace;
- compliance with best practice guidelines for staffing levels.
- Proactive approach to workforce health / health promotion.

Strategies.

To achieve the Primary Objective the following strategies will be developed and implemented with the aim of recruiting, retaining empowering and developing good quality employees to Active4Today.

2.15 INTEGRATED TERMS AND CONDITIONS

Registration with the Local Government Pension Scheme is envisaged as it is assumed that all of the existing (TUPE) staff will benefit from this option at the point of transfer. New staff will benefit from the opportunity to join the same pension scheme.

2.16 STAFF INVOLVEMENT AND EMPOWERMENT

Active4Today recognise that good staff relations are based on excellent communication which in turn is based upon the key principle of 'listening and learning'. The concept of staff involvement and empowerment is central to Active4Today's human resource strategy.

The strategy will operate on three distinct levels.

Information (Level 1)

If our staff do not understand the objectives of Active4Today and the background to decision making then the organisation will fail. Therefore, effective information exchange is a critical success factor. Active4Today will provide a clear means of communicating with staff, keeping them informed about all relevant aspects of the service. This will include a schedule of team / staff briefings and a regular staff newsletter.

Consultation (Level 2)

Active4Today recognise that it is good practice to consult with staff on a regular basis and for that consultation to be meaningful. Active4Today will work to develop the current communications network and is committed to establishing appropriate mechanisms consult with staff. This is in no way intended to diminish in any respect the role of any Trades Unions within the organisation. Trades Unions will be recognised and will play a full and active role in this consultation process.

Participation (Level 3)

The formation of Active4Today creates an opportunity for staff to play a fundamental role in shaping the future of the organisation. This empowers staff to have a significant say in developing the policies and strategies of the organisation.

2.17 TRAINING

Active4Today recognises the value of the existing expertise within Newark and Sherwood District Council, and the importance of training, and is committed to pursuing excellence in this area. An annual training resource has been identified within the Business Plan to enable the appropriate investment in existing and new staff. Active4Today's approach towards staff training will be flexible to ensure maximum impact, and will take several forms:

Induction.

This is a compulsory session that all existing and new employees must attend. This module is designed to define the minimum acceptable standard of service delivery and to impart a full understanding of the operating procedures and Active4Today service ethos.

Statutory Skills.

These are compulsory training sessions for required skills within each area of the service operation, e.g.

- a recognised Pool Lifeguard Qualification;
- First Aid Certification;
- Safeguarding;
- Appropriate Coaching Qualification;
- Basic Food Hygiene Certificate.

All relevant staff will be required to hold a current and appropriate qualification.

Development training for specific skills. This is based on a partnership between Active4Today as the employer and our employees. Active4Today will consider funding for approved management, professional, specialist, and ICT courses. This will include training for senior management in business skills not normally required in the local authority sector.

National Vocational Qualifications (NVQ's). Active4Today will seek to build partnerships with the Council and with other training agencies, and will extend these partnerships to cover a wider range of courses. The effective management of internal training and assessment will ensure that every member of staff will be trained and qualified to an appropriate standard. This strategy will form the foundation of internal staff training within the organisation.

Active4Today will adopt a Training Policy based on the Council's own training policy.

2.18 STAFF WELFARE

Active4Today will provide a caring welfare service for its employees. It recognises that the success of an organisation largely depends on having a healthy, happy and well-motivated

workforce. Active4Today are therefore keen to invest time, effort and resources in their workforce and is committed to protecting employee interests wherever possible.

2.19 WORK EXPERIENCE

Wherever possible, Active4Today will encourage and promote the NVQ programme, assisting students with modules by providing training sessions and assessments at work. Further, Active4Today will support the “Modern Apprenticeship” initiative, working with the local training providers.

2.20 VFM AND SERVICE EVALUATION

Introduction

Though we hope that Newark and Sherwood District Council will choose to deliver the management of the facilities through Active4Today, we recognise that it is still required to ensure that continuous improvements are being delivered.

The remaining principles of the Best Value framework makes it clear that it expects organisations to set SMART objectives, to consult with stakeholders and to measure and compare performance against objectives and identified stakeholder expectations. As a consequence, service improvement will be clearly demonstrated over a period of time by Active4Today

Good practice dictates that services, activities and projects should:

- a) Be planned effectively to ensure that resources are prioritised to achieve stated objectives, business success, and customer expectations.
- b) Be systematically and honestly reviewed and evaluated using a range of assessment tools to measure performance against objectives and targets.

Quality has been defined by Active4Today as “meeting and exceeding our customer and partners expectations”. It is obvious that there is a close synergy between the concept of Best Value and Quality Management. As a consequence a robust quality framework, which actively promotes realistic planning, based on stakeholder consultation and effective performance review and evaluation will provide a platform for Active4Today to deliver Best Value.

Primary Objectives

To develop a “Best Value” ethos by designing and implementing performance systems in order to facilitate continuous improvement throughout the organisation

Policy Aim

The provision of Best Value through:

- the effective use of documented quality systems and models of self-assessment.
- a proactive and innovative approach to service delivery, partnerships, business development, and the use of information technology;
- the effective use of meaningful agreed “cascading” Performance Indicators as a means of reviewing and evaluating the performance of the organisation – not clearly apparent in the current arrangements with Newark and Sherwood District Council.

Strategies.

To achieve the primary objective the following strategies will be employed:

2.21 QUALITY FRAMEWORK

Quality of service will be fundamental to all aspects of the Active4Today service delivery. With increased customer expectation and increasing competition for leisure time, Active4Today will be committed to providing a quality service to exceed customer expectations, to retain existing customers and to secure new ones.

Companies that supply goods and services to Active4Today will be required to meet the same quality of services as expected by suppliers for the council. The Company will utilise the procurement principals and methodology currently used by the Council.

Whenever possible, Active4Today will use organisations which:

- are members of an approved body;
- have European or British Standards Quality Assurance;
- have another appropriate Quality guarantee.

To meet and exceed customer's expectations, the quality of the service as perceived by the customers will be the most important factor. One of the prime requirements of customers is that their quality needs are met. Our aim will be to 'Get it right first time, every time'.

2.22 SERVICE PLANNING

Planning within Active4Today will take two forms:

The Policy Framework

The Managing Director of Active4Today can be a consultee of the Council in its capacity as local authority to provide a reasonable level of professional support to the Council, to assist with the development of new Council policy statements and strategic plans – especially in relation to negotiating s106 agreements for new leisure amenities.

Effective Business Planning.

Effective business planning forms the basis for making strategic and operational business decisions. The Active4Today business plan clearly sets out business objectives and the financial and non-financial resources which will be required to achieve the stated objectives. From 2016/17, the Active4Today business plan will be based upon individual facility service plans and a Sports Development Plan. The aim is to develop a business planning process, which cascades throughout the new organisation. In this way all staff are empowered to meet (and where possible exceed) the contents of the section of the business plan to which they contribute.

2.23 REVIEW AND EVALUATION

The Active4Today vision can only be achieved and tangibly demonstrated through an effective review and evaluation process, to be agreed with Newark and Sherwood District Council. Democratic oversight will be provided by the Leisure and Environment Committee.

Active4Today will utilise a comprehensive assessment 'toolkit', and these are listed below;

2.23.1 Measurement Tools

As part of the quality management process Active4Today will review their performance in the achievement of strategic aims and objectives using agreed Performance Indicators. In addition, Financial Performance information will be analysed, and the analysis will include expenditure and income and subsidy per visit. Review periods for Performance Indicators will vary.

Customer and staff consultation will form an integral part of the review process for activities provided by Active4Today.

Customer perception and feedback will form a key part of the service measurement regime. Active4Today will continue to undertake Customer Surveys to obtain direct feedback, and will co-operate fully with Newark and Sherwood District Council consultation programmes.

Active4Today will also encourage customer feedback through Customer Comment Forms, which facilitates direct influence and will generate suggestion for improvements. Dialogue with our customers will also be encouraged through a User Forum.

It is recognised that staff are major stakeholders in the organisation and that well developed communication channels promote ownership and a sense of belonging, thus encouraging loyalty. Open and honest verbal and written feedback from staff is encouraged through the staff suggestions procedure and appraisal system.

Previous sections have highlighted the importance of evaluation through the use of statistics, customer opinion, and formal external assessment. Of equal importance are the views of the people working within the organisation. Staff can make a valuable contribution to service evaluation and improvement.

As part of the commitment to continuous improvement, Active4Today will actively seek feedback on service delivery and standards through external assessment which will include National Benchmarking, Health and Safety Audit and the annual Financial Audit.

2.23.2 Performance Networks

Active4Today will access a range of performance networks to benchmark performance with outside agencies. In this way Active4Today believes that it can improve by learning from existing best practice. Active4Today will provide information to the Council about their performance against national benchmarking standards, as detailed within the Performance Framework contained within the Specification.

2.23.3 Best value indicators and framework

Results of Performance Indicators, self-assessment and Customer consultation will inform the Continuous Improvement Plan, enabling the organisation to measure progression, developments and improvements and thus provide a means of evaluating the performance of Active4Today against Best Value criteria. Active4Today is committed to ensuring all outcomes set by the Council are delivered, it will follow the Performance Framework set out by the Council. The Company will contribute to the re-evaluation of the framework as part of the annual Outturn Performance Review.

2.24 MAINTENANCE OF FACILITIES

It is clear that if the leisure facilities are to continue to develop and provide the range and quality of leisure experience expected by consumers, then the buildings need to be maintained adequately and further improved.

In order to provide the most cost efficient and effective maintenance of the facilities, it is proposed that the Council retain responsibility for the major structure and fabric of the building together with the capital plant replacement programme. Active4Today will have responsibility for the cleaning and the day to day operational repairs and maintenance of the facilities and will have the appropriate budgets transferred to make this possible. In this way, Active4Today can respond quickly to those building maintenance problems which are usually of a minor

nature but are highly visible and directly impact upon the customers' experience. The exact definition of the areas of responsibility for both parties will be defined within the leases.

The key aim of Active4Today in terms of maintenance is to improve the customer experience, building presentation, environmental comfort, and the general ambience at all facilities in Newark and Sherwood, regardless of age or current condition. It is also the aim of Active4Today to ensure that the Council's buildings and major plant assets retain value, and that the "whole of life" costs are kept as low as possible. Naturally, this can only be achieved with the co-operation of the Council, and when adequate funding is provided.

2.25 SERVICE DEVELOPMENTS

Under the terms of the Leases and the Funding and Management Agreement, the Council will continue to have responsibility for major repairs to the building fabric and major plant. A full condition survey of all the leisure buildings will be completed to reveal the full extent of the repair obligations of both the Council and the Company.

Active4Today will use its part of the building maintenance revenue budget to meet its tenant responsibilities but the aim is to develop and improve the service to the community far beyond this basic maintenance obligation. Naturally, these developments are subject to funding availability and in particular the use of a proportion of the "Facilities and Service Investment Fund" by Active4Today. The development programme underpins Active4Today's commitment to improving and enhancing the leisure facilities available for the Newark and Sherwood community. These schemes are put forward at this stage only as examples of the type of developments possible. Far more detailed discussion is required with the Council to arrive at a definitive development programme. To this end there will be full and inclusive discussions with Newark and Sherwood District Council on the investment priorities for the Council's assets.

Continuing on the theme of improved access, Active4Today will give high priority to reviewing and improving the initial customer contact experience. This will include telephone systems, booking arrangements, fielding broader inquiries, developing a more pro-active approach to identifying and serving customer needs and promoting the service to non-users or occasional users.

Investment in new and improved equipment could substantially improve the visitor experience, and potentially the income generated at leisure centres over the longer term. Active4Today will produce an equipment investment schedule, which will be prioritised and will be delivered as funds become available.

Active4Today will be examining the potential for an extended health interventions programme operating within the leisure facilities with a view to working with health professionals and sports development colleagues. We will be looking at extensions to the health related programmes that can be funded by health commissioners.

One of the major existing client groups using leisure centres and swimming pools are schools and other educational establishments. Any existing commitments will continue to be met.

Active4Today will produce a package of activities aimed at encouraging new and continued participation by children and young people. This is a major target group within the health agenda and Active4Today recognises the need to work with schools and parents to ensure that physical activity is seen as fun by young people in Newark and Sherwood, and that they continue to participate into adulthood.

It is important for people to know that they can achieve their own personal goals where sport and physical activity are concerned. For some this is simply having fun or feeling fitter. For others it is addressing a particular health issue or reaching their full potential in a chosen activity. All are equally valid for the individual concerned. Active4Today is committed to assisting those who aspire to become elite performers and helping them develop their talents.

2.26 CONCLUSION

Active4Today is committed to the provision of affordable, accessible, and value for money sports and leisure facilities and sports development programmes – in line with Newark and Sherwood District Council policy objectives. The Business Plan makes it quite clear that Active4Today is intent upon working in close partnership with the Council to ensure that there is continual improvement of the service to the public over the agreement period, with the underlying aim of improving the facilities and services for the Newark and Sherwood taxpayers.

Financial stability will be vitally important to Active4Today in their formative years. For this reason it is imperative that Council funding is provided at sufficient levels to allow the organisation to consolidate its position and then to be able to grow.

The overall aim of Active4Today is to create a seamless transfer of facilities from Newark and Sherwood District Council, but also to create a mutually beneficial partnership, which is sustainable in the long term.

Schedule 3

SERVICE SPECIFICATION

This is the specification of services provided and is in four parts:

Part 1 – this relates to service specification for the operation of leisure facilities

Part 2 – this relates to service provision of sports development

Part 3 – this relates to the performance framework for all service provision

Part 4 – this relates to the pricing framework for all service provision

It should be noted that all four parts of the service specification are subject to an annual review. The review shall be conducted to ensure that these remain fit for purpose, align with the Council's priorities and desired outcomes.

Part 1 – Service Specification for the Provision of Leisure Facilities

Contents - Services Specification

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- 1.30 CCTV and security
- 1.31 Staffing

Overall Service Requirements

The Operator is expected to deliver the Services at the Leisure Facilities that:

- As a minimum deliver the Required Savings for Newark and Sherwood District Council
- Achieves a balanced programme of community use
- Provide high levels of customer care
- Maintain high levels of cleanliness throughout the leisure facilities including external areas
- Provide marketing and promotion of the leisure facilities and activities, which is fit for purpose and delivered in a professional manner
- Provide staffing levels sufficient to comply with good industry practice and health and safety requirements
- Provide suitable equipment to deliver all activities and programmes within the leisure facilities
- Provide a varied programme of recreational, sporting and community activity that is accessible to all - including the Targeted Groups identified by the Council.
- Maintain the buildings so as to protect and enhance the building structure, fabric, fixtures and fittings, mechanical and electrical plant and equipment
- Provide security relating to the buildings and surrounding areas and car parks
- Support the delivery of any future capital development schemes at the Facilities
- Comply with all statutory regulations regarding Health and Safety and any other relevant regulations both current and introduced during the term of the Agreement
- Provide suitable ICT systems for all types of customer bookings that will also enable the Council to monitor both detailed participation at the facilities and other KPI's

This list is not intended to be exhaustive, but is rather an indication of the scope of the service.

This Services Specification sets out the Performance Standards that the Operator shall meet in the delivery of the Services during the Agreement Period. It details the requirements that the Operator shall meet for the ongoing operation of the leisure facilities, and any other leisure offer as specified within this Schedule 3 (Services Specification) throughout the Agreement Period.

The terms and expressions used in this Schedule shall bear the same meaning as set out in the Agreement

This Service Specification uses the following structure to provide the Operator with the requirements and Performance Standards of the Council.

Required Outcome	Provides the Operator with a high level view of the outcome and context of the requirements of the Council which the Operator shall meet.
Performance Standards	A list of standards that relate to the output that the Operator shall meet but which are covered by regulations, Legislation, British Standards etc. and standards that set out the level of performance that the Operator shall meet and will determine whether the Operator is meeting the requirements of the Council. These must be met by the Operator if the Services Specification is deemed to be achieved.
Reporting Requirements	This details the reporting requirements which the Operator shall meet in relation to the specified Performance Standard.

Part 1A – General

1.1 Measurement

The monitoring of Active4Todays achievement of the Performance Standards shall be measured in accordance with the Performance Framework contained within Part 3 of this document.

1.2 Reporting

The Operator is obliged to report on its own performance in accordance with this Agreement and to have suitable performance monitoring in place to ensure that all data reported is robust.

1.3 Specified Facilities and Services

The leisure facilities that are to be operated by the Operator during the Contract Period are as follows:

- The Grove Leisure Centre, until such time as it is replaced by, the New Leisure Centre
- Blidworth Leisure Centre
- The Dukeries Leisure Centre

The leisure facilities shall allow full community access to and participation in the facilities and activities therein. The Operator shall comply with the requirements of the Disability Discrimination Act standards and other Legislation, where existing Facilities meet the minimum requirements and for any new Facilities.

Services

- Leisure Services
 - Customer Care and Quality Assurance
 - Pricing and Programming including administration of Agreements
 - Marketing and Promotions
 - ICT
 - Staffing
- Facilities Management
 - Cleaning
 - Utilities and Energy Management
 - Provision and Maintenance of Equipment
 - Repairs and Maintenance (with Council / Operator responsibilities as defined)
 - Health and Safety
 - Security
 - Maintenance of the external areas of leisure centres
- Investment/Project Management
 - Funding and delivery of any future capital investment and works at the Facilities
 - External funding to support revenue posts

1.4 Property Database

The Operator must contribute to the property database held by the council. It must as a minimum provide information to enable:

- Asset registers for each of the leisure facilities, to be updated as and when alterations or any new works are carried out (as applicable)

The Operator must undertake to provide the following:

- An equipment inventory which shall be updated as and when equipment is removed, updated and/ or introduced
- Development of an energy management and monitoring programme
- Updated Disability Discrimination Act audits
- Asbestos register updated
- Updated legionella monitoring and control record
- Periodic electrical test certificates.
- Water quality and water hygiene records.

Part 1B – Annual Performance Requirements

The following items shall be assessed annually unless stated:

- Active4Today's and Council's Agreed Outcomes
- Quality Management Accreditation
- Participation Targets
- Sport England National Benchmarking Service (Bi-annually)

1.5 Council's Outcomes

Required Outcomes

The Council requires the Operator to work in partnership to demonstrate the outcomes being achieved through the delivery of the leisure service.

The Council is committed to providing a modern, affordable and sustainable leisure service with a focus on supporting improved health and well-being in the community

The Operator shall ensure that the Services contribute towards the Council's vision which promotes partnership working:

- Prosperity
- People
- Place
- Public Service

The Operator must ensure that its programming, pricing, policies, marketing and training are focused to support the Council in achieving the desired outcomes and targets as set out in the Active4Today's and Council's Outcomes.

The Operator must also work to support the Council to help deliver improvements in areas of public concern, for example; healthier communities, reducing obesity and narrowing health inequalities, increasing levels of activity, promoting community cohesion, equality of access, activities as a diversion from anti-social behaviour, raising educational standards, reducing crime and the fear of crime, sustainability and tackling climate change and these will be identified within the outcomes developed by the Active4Today and the Council.

Performance Standards

The Operator must ensure that its programming, pricing, policies, development plans, marketing and training are focussed to support the Council in achieving the desired outcomes and/or targets set out in the Council's Outcomes Documents.

Reporting Requirements

A performance framework is included as Part 3 of this document and all elements within this will be reported upon within the timeframe indicated.

1.6 Quality Management Accreditation

Required Outcome

The Council is committed to the quality assurance and continuous improvement of its Leisure Service. The Council expects that Active4Today will embrace quality benchmarking activity.

Reporting Requirements

The Operator should report on its benchmarking activity as a minimum on an annual basis as part of its performance outturn.

1.7 Participation Targets

Required Outcome

The Operator shall seek to improve participation rates and user satisfaction ratios for specified groups and facilities. The Council requires the Operator to seek the increased participation of certain groups in line with Sport England target groups. It therefore requires the Operator to encourage these groups to use the leisure facilities. This is highlighted in the Outcome Specifications.

The Operator shall promote activities to people affected by or belonging to the following groups and where possible ensure that the participation of the following groups is increased:

- Male/ Female
- Recognised age and target Groups such as:
 - Low Income
 - Disabled
 - Children and Young People
 - Black and Minority Ethnic (BME) Groups
 - 60 +
 - In addition, target groups identified by Sport Nottinghamshire, which may be promoted through funding streams such as “Sportivate”

Performance Standards

Active4Today shall support the Council in the achievement of the following local targets:

- Adult participation in physical activity, sport and active recreation 3 x 30 minutes or more a week.
- Children and young people’s participation in physical activity, sport and active recreation 5 x 30 minutes or more a week.
- Participation by disabled adults and disabled children and young people in physical activity, sport and active recreation.

Active4Today shall ensure that Participation Targets are measurable, to quantifiably demonstrate the contribution of the leisure facilities to meeting the Participation Targets. The Operator shall provide a full demographic User profile, where appropriate, for all agreed Participation Targets.

The Operator shall establish an initial base line for participation at the commencement of the second Contract Year based on known annual performance for the first Contract Year following the Commencement Date.

The Operator shall propose the level of increases for the following Contract Year, in communication with the Council and incorporate this into the annual Marketing Plan for the leisure facilities

The Operator shall submit all targets and KPIs to the Council for approval on an annual basis linked to the approval of the Outcome Specifications plan.

The Operator shall either:

- Achieve the annual Participation Targets set; or
- Have implemented the appropriate, previously agreed programmes, Sports Development Plan and Marketing Plan to support these targets and performance indicators.

The Operator shall prepare an annual marketing and communications plan prior to the Commencement Date and, annually as part of the annual service for implementation the following Contract Year, to demonstrate how the annual targets will be achieved.

The methodology to be used for monitoring participation shall be agreed between Active4Today and the Council on an annual basis and shall be included by the Operator in the marketing and communications plan. The marketing and communications plan shall set out marketing activities to be undertaken in relation to the identified target groups. The parameters and assumptions used for calculating the Participation Targets shall also be agreed by the Council and Active4Today on an annual basis, based on the booking systems.

The Operator shall ensure that monitoring is undertaken daily or as programmed to assess usage of the Facilities by specific groups in accordance with the marketing and communications plan to enable the production of quarterly monitoring and annual participation reports.

Achievement of Participation Targets will be assessed annually.

Reporting Requirements

Active4Today shall prepare an annual marketing and communications plan for the leisure service, which shall include detailed plans for each identified target group in order to provide the Council and Active4Today with a context within which to review progress against the annual Participation Targets, for under-represented groups and to demonstrate how their proposals for increasing participation are being met.

1.8 Sport England National Benchmarking Service (SENBS)

Required Outcome

The Operator shall participate in the Sport England National Benchmarking Service or some other comparable benchmarking process for the leisure facilities throughout the Contract Period.

Reporting Requirements

The Operator shall inform the Council of the results of its National Benchmarking Service assessment within seven business days of receiving notification and shall provide full copies of the reports to the Council's Representative within five business days of receipt.

The Operator shall take account of the results of any benchmarking process in formulating the Annual Business Plan.

Part 1C – Service Performance Requirements

There are six elements to the Service Performance Requirements:

- Cleaning
- Environmental and Energy Management
- Customer Service
- Vending
- Maintenance of Buildings, Plant and Equipment
- Reporting
 - Sports Development Plans and Programming
 - Marketing and Publicity
 - Major Incident Reporting
 - Other Reporting.

1.9 Cleaning

Required Outcome

Cleaning of the leisure facilities in such a way as to maintain a healthy and safe environment for all users; allowing for efficient and effective operational use of the facilities and promoting a positive image of the leisure facilities at all times. The leisure facilities must be 'visibly clean' at all times.

This includes, without limitation, the following:

- To keep the entrance (internal and external) to the leisure facilities safe, tidy and clean
- To clean glazing inside and outside to maintain its transparency and appearance
- To keep toilets odour free, sanitary and clean for use

- To keep all other sanitary equipment and other sinks and fittings in a clean, hygienic condition for use
- Hard and soft floors (including stairs and landings) to be kept clean, tidy and safe
- To ensure that there are no areas of standing water within the Wet Changing Facilities/ Dry Changing for Non-Pool Activities Zones
- To provide continuous consumable supplies when the facilities are in use
- To keep all other surfaces clean, including all painted surfaces, walls, ceilings, vertical tiled surfaces and doors
- To keep all furniture, equipment, fixtures and fittings clean, including blinds and curtains, light fittings and diffusers, and telephone handsets
- To avoid overflowing of waste receptacles internally, and to keep their exteriors clean
- To dispose of waste hygienically and safely
- To perform emergency cleaning
- To remove graffiti
- To ensure outdoor areas and car parks are litter free and bins are emptied on a regular basis
- To clean external signage
- Surrounding grassed areas to be kept litter free.

Active4Today shall ensure that proper care is taken at all times to prevent injury during any cleaning operation, and to minimise customer dissatisfaction and inconvenience. All cleaning materials and the use and storage thereof shall comply with COSHH, the Health and Safety at Work Act and any other related legislation and any subsequent amendments thereof

The Operator is required to produce appropriate cleaning schedules and COSHH assessments for each area of the leisure facilities that include for daily and other routine cleaning as well as for regular deep cleaning

The Operator must demonstrate that customer expectations in relation to cleaning are being satisfied through its feedback systems and external independent schemes for example Quest scores in Cleaning and Housekeeping

The Operator must demonstrate that customer expectations in relation to cleaning are being satisfied

Performance Standards

Active4Today provide a cleaning service in accordance with an agreed Cleaning Schedule that has been agreed.

Active4Today shall provide cleaning services over the full calendar year. The Operator shall be aware, and factor into its Cleaning Method Statement and Cleaning Schedule, that some cleaning requirements may, of necessity, require to be undertaken outside the public opening hours or need to be more intensive when events dictate e.g. on open days.

Active4Today shall ensure that the leisure facilities are consistently maintained to the standard of cleanliness set out above. The Operator shall determine the precise nature of cleaning required in each Zone depending upon the design, interior fitment and decoration of the building and usage made.

Active4Today shall determine the cleaning frequency for each Zone and shall ensure that the Cleaning Method Statement and Cleaning Schedule includes specific plans and programmes for each area.

The following standards are required to be met by Active4Today:

a) Routine Cleaning

The Operator shall provide a cleaning service in accordance with the agreed Cleaning Schedule relating to their proposed cleaning programme, which must be agreed with the Council.

The Operator shall carry out routine (planned) cleaning as set out in the Cleaning Method Statement and Cleaning Schedule at times that causes minimal or no disruption to the use of the areas being cleaned. The Operator shall supplement routine cleaning with continuous and spot cleaning to achieve a high quality of cleanliness/finish at all times. The Operator shall carry out other non-routine cleaning (e.g. litter pick, hose down pool surrounds, periodic 'deep clean' of any areas etc.) in order to achieve the required Performance Standards.

For clarification, the routine cleaning Performance Standard will be deemed to have been met in a particular Zone, where the Operator has carried out the cleaning tasks at the required frequency in accordance with the previously agreed Cleaning Method Statement and Cleaning Schedule.

The Operator will ensure procedures are in place for any areas of specialist cleaning, for example window or high level cleaning

b) Reactive Cleaning

The Operator shall provide non-routine (reactive) cleaning requirements on a continual basis. The Operator shall ensure that the leisure facilities are comprehensively monitored for non-routine cleaning and this cleaning is undertaken as and when necessary and in accordance with the agreed procedures for reactive cleaning as set out in the Cleaning Method Statement.

The Operator shall ensure that all cleaning materials and equipment are appropriate for the job required and are used in accordance with the manufacturer's instructions, British Standards and relevant health and safety requirements.

Reporting Requirements

The Operator shall report annually on any changes to the cleaning regime and should include any customer satisfaction comments/complaints in relation to cleaning.

1.10 Environmental and Energy Management

Required Outcome

Within the Performance Framework is the requirement for the Operator to report on energy consumption and any material changes to base line unit usage should be accompanied by explanatory information.

The Operator shall operate the leisure facilities in an environmentally sensitive and sustainable manner, to reduce energy consumption, reduce water and wastewater consumption, minimise chemical usage, recycle appropriate non-hazardous wastes and contribute to the delivery of the Council's wider policies for safeguarding the environment and promoting sustainability.

The Operator shall have a clear policy and implement effective operational practices that demonstrably have a positive effect on the environment. This shall be set out in an Environmental Management Method Statement and shall cover as a minimum:

- Reduction in the use of environmentally harmful chemicals
- Proposed approach to energy management (including as appropriate reducing energy consumption, energy conservation and use of renewable energy)
- Increasing water efficiency and maximising water recycling opportunities
- Maximising recycling and reducing waste
- Green transport plan/s (for staff and Users)
- A training and awareness raising programme for staff and Users
- Demonstrating how existing sustainable practices are to be continued, extended and energetically promoted to staff and Users.

Performance Standards

The Operator shall establish an "Environmental and Energy Management Plan" within the first six months for each facility following the Commencement Date that sets clear targets for achievement against its policy and Environmental Management Method Statement. This Environmental and Energy Management Plan shall then be updated with new targets, which will be submitted to the Council for approval on an annual basis. The plan will cover the minimum of the elements detailed below:

- Accurate records of electricity, gas and water consumption for each of the Centres
- Maximising energy conservation and benchmarking energy consumption
- Maximising water use reduction and recycling opportunities

- Maximising recycling and reducing waste

The Operator shall actively seek to reduce CO2 emissions from the leisure facilities.

When disposing of waste refuse the Operator shall conform to current legislative requirements. The Operator shall ensure that Display Energy Certificates are obtained on an annual basis and are clearly displayed and visible to the public at all times.

The Operator shall operate the leisure facilities in accordance with the Environmental Management Method Statement and the agreed annual Environmental and Energy Management Plan.

Reporting Requirement

The Operator shall ensure that the annual performance outturn shall detail achievements against the Environmental and Energy Management Plan and how these contribute to the Council's wider policies for safeguarding the environment and promoting sustainability.

The Operator shall monitor and record energy consumption on at least a monthly basis.

The Operator shall make energy and water data available to the Council over the course of the Contract Period. Should the Government introduce any new reporting requirements for local authorities it must provide the necessary data to the Council within 30 days of notice being served by the Council on the Operator.

1.11 Customer Service

Required Outcome

The Operator follow the Council's customer care requirements which provide that users are dealt with promptly, effectively and courteously at all times.

The key principles of the Council's customer care requirements are set out below. The Operator shall meet these requirements:

- Service Standards are defined and clearly displayed
- A customer care policy exists, is freely available to the public and is implemented
- There is a Customer Charter in place
- Customer feedback procedures including customer comments, verbal comments, customer and club forums
- Staff in all areas respond positively to enquiries and sales opportunities
- All groups (including those with disabilities) have easy access and equal opportunities
- Staff are helpful and pleasant
- Staff at all levels are empowered to resolve user complaints
- Customer information is readily available
- All staff are trained in customer care
- Procedures are in place for dealing with difficult/ unusual User requests

- Measurement of levels of customer satisfaction
- Dealing with complaints
- Methods of displaying analysis and actions from customer feedback within the Centres
- Lost Property Procedures

The Operator shall operate and administer a comprehensive and effective user comments and feedback system, to encourage feedback and record verbal and written comments. The system shall be operated in accordance with the Operator's Customer Service Method Statement. This shall take into account all user groups local and wider community and club users and commercial and corporate users covering sporting and non-sporting use.

The Operator shall carry out the following customer service research:

- Three Customer Focus Groups per annum per Facility
- Exit interviews
- Quarterly analysis of all verbal and written comments and complaints including reporting percentage of complaints responded/resolved within the agreed parameters
- Consultation with clubs and key User groups at least every six months
- Mystery visits and telephone calls
- Equalities monitoring data

The Operator shall ensure that the information ascertained from the research is analysed and the results used to inform future service delivery.

Performance Standards

The Operator shall ensure a high level of customer care so that all users receive a high quality and memorable experience at the leisure facilities. The level of customer care shall be reflective of Good Industry Practice and provide a level of customer service that will facilitate achievement of the Council's Outcomes.

The Operator shall operate a user comments and feedback system in accordance with the customer satisfaction and comments plan. The Operator shall ensure that this sets out how the Operator intends to respond to comments and feedback and shall set out the use of user forums on a facility by facility basis, mystery visit exercises, public meetings, staff representation on club committees and the use of user and non-user surveys. The Operator shall ensure that a unique reference number is attached to each written/verbal comment or complaint so that the action taken in relation to a specific comment or complaint can be tracked.

The Operator shall ensure that all user complaints and comments are dealt with in accordance with the customer satisfaction and comments plan.

The Operator shall ensure that the user comments and complaints forms and customer suggestion boxes are in a prominent and visible location at all times at all leisure facilities

The Operator shall monitor the receipt, response times and quality of the user comment responses. Each comment shall be allocated a unique reference for identification and analysis purposes

The Operator shall provide performance figures for the Council in line with the Performance Framework. The Council may vary the statistics required from time to time; the cost of such changes will be the responsibility of the Operator

The Operator shall keep all completed user comment forms with written responses within the leisure facilities for two years. The Operator shall permit the Council access to the user comments and complaints records at all times.

The Operator shall aim to minimise all causes of complaint at the leisure facilities at all times

The Operator shall ensure a smart appearance by all staff at all times, with appropriate staff recognition methods such as uniform and name badges being worn, where agreed to be appropriate.

The Operator shall ensure that staffing levels are appropriate to meet the demands of the participation / usage patterns at each Facility to ensure high standards of customer service.

The Operator shall formally display in public areas results from self-monitoring and Council monitoring visits, liaison groups, user comments, and complaints, reports, surveys and customer care activities.

The Operator shall provide training in customer service as part of its new staff induction and ongoing refresher training.

The Operator shall keep notice boards updated at all times.

The Operator shall provide at all times information to the public on the availability of courses, activities and events conducted by the Operator and the Council.

The Operator shall ensure that any out-of-order equipment is clearly labelled accordingly and information provided as to the estimated timescale for repair and, if relevant, reopening.

The Operator shall formally display in public areas appropriate environmental and service information, including pool water temperatures.

The Operator shall operate an effective system for dealing with lost and found property.

The Operator shall carry out a detailed user satisfaction surveys as detailed within the Performance Framework.

The Operator shall ensure that details and records of all complaints, comments, forums and surveys are maintained including the date and time of each along with the response of the Operator.

Reporting Requirements

The Operator shall provide all relevant information in line with the Performance Framework.

1.12 Vending

Required Outcome

The Operator shall provide a high quality, value for money vending service. The service can be managed directly by the Operator or through a sub-operator, however all elements of the specification must always be adhered to.

The Operator shall ensure that as a minimum, the existing vending areas provided as appropriate at each of the leisure facilities continue to be provided.

The Operator shall provide a comprehensive vending selection that caters for different groups of users

The Operator shall ensure that a choice of beverages and snacks is available during the minimum Opening Hours to all users. The Operator shall also provide hot and cold drinks and simple snacks through vending machines.

The Operator shall ensure that healthy vending or catering options are offered in the leisure facilities.

Tobacco products must not be sold within the leisure facilities and cigarette machines will not be allowed.

All of the Centres are subject to the Council's no smoking policy and the Operator shall maintain and enforce this policy both within the leisure facilities for both customers and staff

Performance Standards

The Operator shall demonstrate a clear understanding of the requirement for a quality and sustainable service through its annual Business Plan through:

- Vending service recommendations
- Outline of proposed Vending choices
- Details of the Operator's purchasing policy and procedures
- Outline marketing approach

The Operator shall ensure that tariffs are clearly displayed.

The Operator shall ensure:

- Compliance with other relevant and associated health and safety and cleaning requirements as set out in this Services Specification

The Operator will be expected to demonstrate high standards of food hygiene at all times and must adhere to all food safety standards legislation and best practice.

Menu and food service

The Operator shall ensure that the purchase and procurement of food and consumables is from reputable suppliers.

The Operator shall be responsible for the provision of a Vending service that adequately services those who choose to use the leisure facilities. The Operator shall provide a vending service suitable for its users. There shall be an agreed range of vended snacks and beverages available at specified times, with items well stocked and within sell-by date. There should be a reasonable choice of healthy options.

All vending machines shall be kept well stocked at all times and maintained in accordance with the manufacturer's recommendations. A maintenance agreement shall be entered into with the manufacturer at the Operator's expense

Before the installation of any vending machine, it will be the Operator's responsibility to ensure that all electrical and water requirements are met.

The Operator shall ensure the use of suitably sourced and maintained vending machinery. All vending machines shall be installed correctly and be fully operational in accordance with the manufacturer's instructions. They shall not cause obstruction to thoroughfares. The Operator shall ensure that the vending machines and areas surrounding vending machines shall be clean and free from packaging and rubbish.

Facilities

The Operator shall maintain the vending in a hygienic condition.

Health and safety

The Operator shall ensure that the provision of the Vending complies in all respects with relevant health and safety regulations. The Operator shall ensure that appropriate safe methods of work i.e. risk assessments are in place and all staff shall have access to relevant information relating to health and safety and risk assessments.

The Operator shall ensure that all accidents are recorded in accordance with health and safety regulations and Operator procedures.

The Operator shall ensure that where use of chemicals or substances is called for, COSHH data sheets are completed and all staff has access to relevant COSHH data information.

Reporting Requirements

The Operator shall report in line with the Performance Framework and Annual Business Plan.

1.13 IT & Telephone Systems

Required Outcome

The Operator shall continue to use the Council's systems for the first two years of the contact, after this time the Operator shall review this arrangement with the Council. Any provision should meet the current Council policy for minimum provision.

The Operator will ensure that the telephone system is available during opening hours and provide a message with outline programme details when the leisure facilities are closed.

The Operator's staff will respond to telephone enquiries in an efficient helpful and friendly manner, particular attention will be made to the management of telephone calls at peak times.

Performance Standards

The Operator shall have suitable IT systems in place at all of the leisure facilities to ensure that:

- Customers can book and pay for all activities and programmes at each facility and there are suitable financial audit procedures in place
- The booking system will offer equitable booking access to all members of the community
- Customers can book and make on line payment for activities
- Analysis of the demographic profile of users of the leisure facilities can be completed and made available to the Council
- Utilisation of the leisure facilities and activity areas can be determined and can be provided to the Council as part of the quarterly performance monitoring report

The Operator shall ensure that they have a suitable provision in place to operate and maintain all ICT equipment and programmes. They shall ensure that all computer systems and networks are fully operational at all times within any service level agreement with the Council or other agreement that is in place.

The Operator shall comply with the Council's policy and any legislation or regulation concerning data protection, including the Data Protection Act 1998 and any subsequent amendments thereof

The Operator will be responsible for all costs arising from software, hardware or communications maintenance, purchase of additional user licences and or training from the supplier or any designated sub-operators

The Operator will ensure that on-line bookings and payments suitable to meet the E Government requirements (and any subsequent amendments thereof) are in place within six months of the contract commencement date.

The Council will be responsible for the upkeep of the IT systems during the full contract period

The ownership of the database of customer information will remain the property of the Council throughout the contract period.

The Operator will be required to operate from the contract commencement date a membership and booking system

Business continuity

The Operator will have contingency procedures in place for system failure both to provide a continuous service provision for customers and to ensure the membership database is backed up.

The Operator will at the commencement of the Contract put into place disaster and business continuity plans, and will review these at intervals.

The Operator shall develop technological solutions for everyday tasks. This includes providing a system that allows for user transactions, including requests for information and bookings to be made online.

The Operator shall ensure that there is a clear and easily understood booking system and service for all relevant activities at the leisure facilities. This booking system shall be based on technological systems that allow for advanced booking arrangements and payments, collation of user information, effective management and administration systems, marketing opportunities and operational information systems that record and effectively deliver all bookings.

The system shall enable information on types of users to be analysed in order to record participation by any target and/or priority groups as specified with this Services Specification.

The Operator shall develop proposals for the self-ordering and self-issue of leisure tickets, with collection points specified at the leisure facilities that facilitates fast track entry systems.

Reporting Requirements

The Operator shall report and submit details of any failure to maintain the required Performance Standards set out above as part of the annual outturn performance report.

Should the Council wish to analyse any specific IT reports the Operator must produce the relevant from the initial request.

1.14 Maintenance of Buildings, Plant and Equipment

Required Outcome

The Operator shall abide by all parts of the lease arrangement and it's repairing obligations.

The Operator shall ensure that the leisure facilities and all equipment are fully functioning and available for use, conform to legislation and statutory requirements, perform in the most efficient manner and achieve full economic life.

For those existing Facilities that are not substantially refurbished the Council will retain responsibility for the structure and fabric of the Facilities. The Operator will be responsible for minor repairs and maintenance, redecoration and the maintenance and replacement of all major and non-major items of equipment.

The Council will agree with the Operator an annual programme of works to ensure that the premises are safe, open and in a suitable condition from which to deliver the leisure service. The agreed programme will be mindful of the needs of the Operator to provide its leisure service to customers, the Council to protect its freehold property and the financial resources available.

The Operator shall ensure that:

- It takes full responsibility for managing and delivering all the specified maintenance services at the leisure facilities.

- It provides a professional service that delivers the Services and adheres to the Council's Policies and contributes to the Council's Outcomes.

Performance Standards

The Operator shall ensure that the leisure facilities are kept up to date and reflect the needs of users. The Operator shall report to the Council any repairs, renewals or other works it identifies requires attention in a timely manner.

The Operator shall be responsible at his own expense for all equipment improvements that it considers necessary for the advancement of his business plan and income generation.

The Operator shall ensure compliance with all standard operational and management legislative requirements of operating a public facility, both current and future. The Operator shall also comply with all manufacturers recommendations, some of which may be over and above that required by legislation

The Operator will be responsible for all statutory, legislative and cyclical maintenance obligations.

The Operator will assist the council in maintaining the Council's asset database.

The asset database will be updated as and when items are removed, updated and/ or introduced.

The Operator as a minimum shall ensure that:

- Maintenance procedures ensure facilities:
 - Comply with all applicable statutory requirements and Legislation
 - Are in a safe, secure, wind protected and watertight condition
 - Are maintained to such levels of condition and to such specifications as are consistent with principles of good estate management applied to the Facility as a whole
 - Are maintained in a manner which prevents deterioration save fair wear and tear of any part thereof.

All maintenance repairs use materials that are comparable and compatible with existing materials used on the leisure facilities

That Service Contracts are in place for all areas including plant, machinery, electrical and mechanical installations and fixtures, fittings and equipment where necessary. Documentary evidence must be kept of service schedules and service intervals.

The Operator shall ensure that on a continuing basis the maintenance and operating procedures are complied with.

The Operator will have suitable procedures and resources in place for dealing with all required reactive maintenance requirements for the leisure facilities including emergency provision out of centre opening hours

The Operator shall ensure that copies of operating worksheets for periodic maintenance and repairs carried out are recorded. The Operator shall maintain records detailing all breakdown failures, incidents or accidents involving any plant, machinery and equipment, together with details of all service overhauls or other such investigations that are carried out to plant, machinery and equipment.

Reactive Maintenance and repairs

The Operator shall operate systems in a competent, pro-active manner so as to control all of the systems and the internal environment and to maintain a secure and reliable service in accordance with their relevant Method Statement.

The Operator shall ensure that all maintenance staff working on behalf of the Operator involves themselves fully in the identification of faults. The Operator shall ensure that the inherent skills of its staff ensure the timely identification and rectification of faults. The Operator shall ensure that both faults identified by the Operator's staff are logged. The Operator shall ensure that each and every reactive service request has an associated history, including completion date and time, and cost information.

The Operator shall meet minimum response times to ensure that any reactive repairs are completed with the least inconvenience and disruption to the workings of the leisure facilities.

The Operator shall ensure that only appropriately trained personnel are dispatched to reactive activities. The Operator shall ensure that all maintenance repairs use materials that are comparable and compatible with existing materials used at the leisure facilities.

During the operation of the leisure facilities, the Operator shall be responsible, at its own cost, for the repairs and reinstatement of any accidental or deliberate damage caused including vandalism.

The Operator shall ensure that where glass is replaced for whatever reason, the replacement glass meets the standards of the Workplace (Health and Safety and Welfare) Regulations.

The Operator shall ensure that where materials have to be replaced, for whatever reason, the replacement materials match in every way the specification, quality, performance, and appearance of the original materials in their final location.

The Operator will be responsible for ensuring that the means of sewerage disposal and supplies of mains water, electricity and gas are maintained to the leisure facilities. The Operator will be responsible for the prompt payment of all charges in connection with the provision of these services during the period of the contract

The Operator will not permit the disconnection of any electricity, gas or water supply to The Facilities without the written agreement of the Council, except where these are to be carried out by the utilities company themselves under their emergency or statutory powers. The Operator will be responsible for any costs arising from the interruption to supplies, which are due to his failure to make payments for accounts or to make service agreements

At the completion/termination of the contract, the Operator will ensure that the meters are read and that copies of the paid final accounts by the Operator are forwarded to the Council as part of the final account submission. The Operator will be responsible for all payments and charges in respect of this clause

Plant Maintenance Repair/Replacement

Where the Operator considers that any item of plant is not maintainable, it shall inform the Council in writing and provide a time period in which the item of plant should be replaced and the cost.

If the Council considers that the Operator's request for an item of plant replacement is not appropriate or legitimate he shall discuss this with the Operator. Should the Operator and the Council fail to agree upon a plant replacement request, this matter shall be subject to the disputes resolution clause of the Contract.

Mechanical and Electrical Maintenance

The Operator shall provide a professionally managed, high quality Mechanical and Electrical (M&E) maintenance service through a regular and organised regime. The plant and systems to be maintained are listed within the asset registers.

The Operator shall follow the maintenance requirements specified by:

- Original equipment manufacturer's recommendations
- Standard Maintenance Specification
- The Council's requirements as set out in this Services Specification
- All relevant statutory regulations and requirements
- Specific warranty period maintenance requirements.

The Operator shall ensure that assets are maintained at optimum performance. The Operator shall monitor the assets and buildings so that operating conditions are maintained and the quality of service provision and the performance of assets are recorded. The Operator shall log and record responses to problems as they occur as well as recording performance of equipment and systems. The Operator shall be responsible for establishing/ maintaining any additional systems it considers necessary to carry out this task.

Equipment

The Operator is required to agree the equipment inventory with the Council within three months following contract commencement

The Operator is required to ensure that the equipment inventory is updated on a regular basis to reflect any replaced equipment and identify any new/ written-off equipment.

Equipment should be replaced by the Operator if beyond economic repair. Replacement fixtures and fittings shall be the same or better quality as that initially specified

A revised equipment inventory is to be provided to the Council at the end of the Contract

All equipment to be used by the public shall be regularly inspected for safety and appropriate records kept.

All relevant e.g. fitness equipment, pool health and safety equipment, should receive a minimum of an annual inspection and service from a recognised supplier

The Operator shall service and maintain all equipment and systems within the leisure facilities. The Operator is responsible for providing equipment that is safe and suitable for the activity it is being used for, taking into account the standard of sport or activity being undertaken

All equipment provided must be maintained to a high standard of repair and cleanliness at all times in accordance with the manufacturers' recommendations and is able to meet the programming requirements of the leisure facilities.

The Operator shall carry out repairs or replacement of moving parts and keep all the equipment systems in working order.

The Operator shall repair or replace any item of equipment which has been poorly maintained or has been subject to any unnecessary damage during the Contract Period. The Operator shall ensure that an item of equipment that, at any time, is found to be defective or has failed and so poses a potential hazard is immediately withdrawn from service. It shall be made secure to ensure that it cannot inadvertently be used.

The Operator shall maintain and repair equipment in the leisure facilities to the standards outlined below:

- Items that are subject to a manufacturer's or supplier's instruction or recommendation shall be maintained and prepared to that instruction or recommendation
- Additionally, all relevant statutory maintenance regulations shall be complied with. Copies of certificates of inspection shall be provided to the Council for inspection when requested and forwarded to the Council for information
- Items of equipment not subject to any regulations or recommendations for maintenance shall be inspected on a regular basis and at intervals not exceeding one month
- Where the Operator enters a maintenance agreement with a supplier of specialist equipment, that agreement shall not continue beyond the duration of this Agreement.

The Operator shall not make any modifications to equipment at the leisure facilities without the prior written permission of the Council.

The Operator shall ensure that standards of design, materials, manufacture and construction of equipment obtained to replace equipment that has been damaged or is otherwise unusable shall not be less than that of the equipment it is replacing.

The Operator shall ensure that at the expiry or termination of this Agreement, all items, excluding any items that have been written off, destroyed or removed with the Council's consent, shall be handed back to the Council in good condition with due regard having been made for normal wear and tear. In the case of any items which have been replaced or altered, these shall be returned to the Council in order to maintain the initial inventory.

Statutory/ Mandatory inspections

The Operator shall ensure that all statutory and other mandatory requirements are met in respect of the Maintenance Services and inspections.

The Operator shall set up a programme of statutory, mandatory and insurance inspections to ensure all assets receive the required inspections at the correct time. The annual programme shall be issued to the Council in advance. The Operator shall at all times comply with all relevant EC and UK statutory and legislative requirements and all relevant guidance (including British Standards) including any alterations that may take place.

The Operator shall cooperate with any periodic inspections made by the Council or any external agencies such as Public Health and shall provide such reasonable assistance to such inspectors as may be necessary.

Portable Appliance Testing

The Operator shall ensure that as a minimum, portable appliance testing (PAT) is implemented and carried out in accordance with the Code of Practice for in-services inspection and Testing of Electrical Equipment published by the Institution of Electrical Engineers, as amended from time to time. The Operator shall ensure that all portable appliances are tested and certified with copies of certificates promptly forwarded to the Council's Representative. PAT testing shall be risk based. The Operator shall determine the frequency based on the risk presented to the Class 1 and 2 electrical and electronic equipment used at the Facilities, and by the working environments within the leisure facilities.

The Operator shall test any item of equipment introduced to the leisure facilities prior to its use. Once tested, items shall be logged in accordance with the above regime by the Operator.

The Operator and Council shall maintain a register of portable appliances held at the leisure facilities, including but not limited to portable items and static items. The Operator shall maintain the register containing details of the executed PAT tests. Such testing shall form part of the overall PPM regime undertaken by the Operator and the Operator shall ensure that all reports and recommendations are held centrally for inspection.

Fire Detection, Emergency Lighting and Fire Fighting Systems

The Operator shall ensure that all fire detection alarm systems are maintained and tested with copies of the relevant certificate being supplied to the Council when required.

The Operator shall ensure that all Emergency Lighting Systems are maintained and tested with copies of the certificates being supplied to the Council when required.

The Operator shall test all fire detection equipment and emergency lighting on a weekly basis and in a manner which ensures that every manual call point is activated through the testing period and cyclically at a frequency and at a time to be agreed between the Council and Operator in accordance with manufacturer's and installer's guidance and in line with the above statutory guidance. The Operator shall ensure that the results are logged within each location and centrally. The Operator shall ensure that all abnormal test results are acted upon and the appropriate action is taken to remedy any abnormal test results in line with the required response and rectification times.

Lifts, Hoists, Conveyance Systems and other lifting equipment

The Operator shall provide a maintenance service to the lifts, hoists and conveyance systems and other lifting equipment within the leisure facilities. The Operator shall ensure rectification if there are any problems with the system's components, items and panels. The Operator shall ensure that all necessary information regarding the lifting and conveyance system is recorded.

In addition to the maintenance activities, the Operator shall ensure that lift cars are taken out of service in the case of dangerous situations and shall ensure the competency of operatives to carry out maintenance work and train site staff in the rescue and freeing of trapped passengers.

Security, Access and Intruder Systems

The Operator will ensure that the leisure facilities are secure and will have a system that provides a safe level of security to customers during their visit to the leisure facilities.

The Operator shall at all times be responsible for the total security of the leisure facilities, including all buildings, structures and amenities, including the plant and equipment therein, to which the contract refers

The Operator may employ security guards at their own expense during hours when the leisure facilities are closed

The Operator shall retain and utilise any security alarm installed at the leisure facilities throughout the contract period. Any such system may only be removed or replaced with the agreement of the Council

The Operator shall be responsible for the safe keeping of any keys to the leisure facilities. The Operator before the contract commencement shall supply a list of key holders, together with their addresses and telephone numbers to the Council. The Operator shall update the list as and when required

The Operator will be responsible for contacting the local police and dealing with all such incidents

The Operator shall ensure that a member of staff is able to attend and open the leisure facilities in the event of an emergency call. All such incidents shall be reported to the Council on a monthly basis or sooner as applicable depending on the nature of the incident

The Operator shall ensure that all intruder alarm systems are maintained and tested in accordance with copies of the certificates forwarded to the Council's Representative following each service.

The Operator shall provide functional lockers for use at all leisure facilities by users. Customer information notices shall be displayed prominently concerning the use and operation of such lockers. No more than 5% of lockers will be out of use at any time

The Operator shall make arrangements for the collection, return and disposal of all property found on the premises. The systems put in place shall include as a minimum, procedures to deal with items of value, items reported as lost by customers and arrangements for disposal after non-collection

Lighting and Re-Lamping

The Operator shall carry out all necessary re-lamping at the buildings and shall adopt an organised approach to re-lamping across the leisure facilities. The Operator shall monitor the provision of this service for efficiency with a view to achieving the greatest possible reductions in replacement frequency and cost. The optimum replacement frequencies for lamps shall be determined by the Operator, whilst maintaining the specified lighting levels in accordance with this Services Specification. The Operator

shall ensure that luminaries and light fittings are kept in good repair and shall be cleaned and maintained to ensure optimum performance.

Heating, Ventilation and Duct Maintenance

The temperature and relative humidity of the building and pools shall be kept to a level currently maintained within the leisure centres, for each facility area.

The Operator shall ensure that the leisure facilities are properly ventilated at all times by utilising the ventilation systems provided

The Operator shall maintain and clean all ducts, shaft, risers and associated ventilation. The Operator shall comply with good practice – cleanliness of ventilation systems.

Redecoration

The Operator is responsible for all internal and external decorations and finishes and will have suitable programmes in place for all the leisure facilities.

The programme will include internal and external redecoration and will be appropriate for the type of finish / fabric. The programme will take into account customer critical high use ancillary areas (changing rooms, toilets and reception) to ensure that at all times customer's expectations in regards to decoration and finishes are met

The Operator is responsible for completing all regular maintenance in line with industry, manufacturer or statutory guidelines to ensure that property element lifespans are maximised for each of the Centres.

Drainage

The drainage systems shall provide safe effective removal of wastewater, surface water and liquid waste from the Centres in compliance with relevant legislation

Programmed Centre Closures

The programming of any maintenance works that will lead to leisure facilities closures will be agreed prior to contract commencement with the Council. Any future major maintenance programmes that necessitate facility closures of more than two weeks will be agreed in advance, by the Council, at least three months prior to the closure. The Operator is obliged to, wherever possible, schedule planned closures in line with the date parameters set out below.

In all cases of planned closure or reduced opening hours, including any closures over the Christmas period, the Operator shall, at his own expense, adequately publicise the closure, giving customers at least twenty-one days' notice

In the event of an emergency that results in closure or reduced opening hours, the Operator shall contact the Council immediately, by telephone or email. The Operator will also provide the maximum notice possible to customers, club representatives, group representatives and school representatives. The Council shall not be liable for costs arising from the loss of business during this period

The Council shall notify the Operator of any planned or unplanned closures or reduction in hours as a result of the Council's need to carry out alterations to the leisure facilities

The Operator must maintain a log of hours that the relevant facility is not open on a daily basis and submit details of any performance failures, closures or service limitations during the minimum opening hours to the Council as part of the performance report.

Unplanned Enforced and Planned closures

The Operator shall note that the Council will not be liable for any compensatory payments due to an emergency or closure of the leisure facilities/activities including planned and unplanned closures and any works to the structure and external appearance at any of the sites.

External Maintenance

The Operator shall provide maintenance services to the external environment at the leisure facilities including external furniture and fittings, external lighting and irrigation systems.

The Operator will be responsible for the maintenance, upkeep and cleanliness of all external areas within the curtilage of the sites including all landscaping, hard standing/car park lining, fencing and barriers, trees, shrubbery and grassed areas, equipment and fixtures.

Reporting Requirements

The Operator shall meet with the Council and report on all inspections and maintenance checks for the purpose of a building audit over the Contract Period. The Operator shall ensure that this information is stored.

The Operator shall on an annual basis, produce in conjunction with the Council a Repairs and Renewals Schedule of Programmed Maintenance for each of the leisure facilities. As part of its Schedule of Programmed Maintenance, the Operator shall provide a structured approach for dealing with breakdown and repair maintenance and a schedule of response times for the various categories of work.

The Maintenance Programme Progress Update should cover (without limitation):

- Health and safety
- Review of financial matters
- Overall contract compliance including completed and not completed R&R activities and completion of reactive maintenance.
- Results of any audits
- Proposals for continuous improvement
- Review of cost saving/ cost avoidance initiatives
- Review of any matters affecting or affected by third party suppliers.

The Operator shall submit details of any failures to follow the Repairs and Renewals Schedule of Programmed Maintenance or achieve the required Performance Standards as part of the Performance Monitoring Report.

1.17 Car Parking & Grounds Maintenance

Required Outcome

Car Parking

The Operator will maintain and manage any areas set aside at the leisure facilities for vehicle parking or deliveries. Any proposal to change the designation of any parking area as being for use by members of the public, by staff or for deliveries must be agreed in advance with the Council.

The Operator shall ensure that parking bays are provided for Blue Badge holders and parent and toddler.

The Operator should try and ensure that those spaces are only used by those for whom they are designated

The Operator must ensure that all roads within the boundary of the leisure facilities are kept clear to allow access for emergency services at all times

The Operator shall have and implement a policy of how to deal with ice and snow at the leisure facilities

The Operator shall carry out grounds maintenance within the site boundaries of the Leisure Facilities in such a way as to maintain a well presented and safe environment for all Users; allowing for efficient and effective use of the facilities and promoting a positive image of the Leisure Facilities at all times.

Performance Standards

The Grounds

The Operator is responsible for all grounds maintenance and shall collect and dispose of litter on external landscaped areas

The Operator shall ensure that the grounds are maintained to meet the applicable provisions. This includes the maintenance of any cultivated area in the car parks.

Soft Landscape Maintenance

The Operator shall maintain all soft landscape features.

Trees

The Operator shall ensure that any trees that are to be supplied and planted by the Operator as part of its investment in the Service and any trees that are replacements for any existing trees or trees planted in future shall comply with the minimum requirements.

The Operator shall prune back any damaged, dead, dangerous, diseased or infested branches whilst retaining the natural shape of the tree.

Plants

All plants supplied and planted by the Operator shall be maintained with regular pruning, to an appropriate height.

Weed Control

The Operator shall ensure that weeds are controlled throughout the year, by either cultural methods and/or herbicides.

The Operator shall utilise mulching as a method of weed control wherever possible.

Slippery Surfaces

The Operator shall treat hard surfaces, with an appropriate herbicide/fungicide or other suitable material to ensure that at no time there is a formation of algae, moss etc. causing the surface to be slippery.

Snow and Ice

The Operator shall ensure:

- That when dealing with the removal of snow and ice by distributing de-icing salt over areas to maintain a safe surface that damage to grassed and planted areas shall not be caused;
- That surface water drainage channels, gully gratings and outlets are kept clear to prevent ponding, flooding and subsequent damage to roads on site, paths and planted areas following a thaw.

The Operator shall ensure that any specific hazards caused by inclement weather shall be made safe and reported to the Council's Representative immediately.

Leaf and Blossom Fall

The Operator shall ensure the clearance and proper disposal of leaves, blossom, tree fruit and seeds from the areas contained within this Agreement.

Animal Fouling Clearance

The Operator shall ensure the removal of animal fouling from the sites within this Agreement to which the duty under the Environmental Protection Act 1990 applies, and shall ensure that Sites remain free from dog excrement.

Graffiti and Flyposting

The Operator shall remove all graffiti and flyposting from all bins, fences, walls, gates, bridges, notice Councils, equipment, buildings and parts of buildings within this Agreement to ensure that Sites remain graffiti free and shall use reasonable endeavours to prevent and reduce the writing of graffiti in the Sites.

Removal of Dumped Refuse Abandoned Vehicles and Fly-tipping

The Operator shall ensure the prompt removal and disposal of dumped refuse (including gas cylinders, tyres, car batteries and builders' materials), abandoned cycles, motor cycles and vehicles and fly-tipping within the Sites.

Pests, Vermin and Wild Animals

The Operator shall eradicate rats and remove wasps' nests, swarms of bees, pests, including Brown Tail Moth and vermin within the Sites.

Litter Control

Litter shall be collected regularly to ensure standards are maintained.

General

The Operator shall give priority to areas of need in line with the requirements of the Environmental Protection Act 1990 and follow the general principle that the 'dirtier' an area has become, the more quickly it should be cleaned and returned to "Grade A" in accordance with the Environmental Protection Act 1990.

The Council shall be entitled to issue to the Operator "Litter Control Notices" in respect of any location in accordance with the Environmental Protection Act 1990, during the Contract Period.

The Operator shall make proper financial and operational arrangements for the disposal of all effluent, waste and refuse arising from all Sites during the Contract Period.

The Operator shall maintain the existing fences and gates in order to maintain the integrity of the perimeter security including repairs as a result of vandalism / damage by a third party and Operator negligence.

Reporting Requirements

The Operator shall meet with the Council quarterly and submit an update regarding cleanliness of the facilities.

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report.

1.16.1 Sports Development Plan

Required Outcome

Sports development is an important tool in achieving greater usage in under-represented groups. In particular, sports development work focuses on encouraging individuals and groups who may be disadvantaged in some way to take part in sports, health and physical activity.

The Operator acknowledges the importance of sports development and shall prepare an annual Sports Development Plan in light of this for approval by the Council and implementation by the Operator. The Sports Development Plan shall closely reflect the Council's own plans and take account of the needs of the district to include appropriate provision of coached sessions/ links between centres and clubs, active promotion of healthy lifestyles, links to schools and partnerships with appropriate organisations.

The Operator shall ensure that the Sports Development Plan also demonstrates effective and sustainable improvements on issues such as improving health and tackling health inequalities, increasing community safety and promoting social inclusion. This will involve the Operator working in partnership with various local and regional organisations (including Sport England, the NHS and the School Sports Partnership) to identify issues and agree priorities.

Activities for Children and Young People

With regard to activities for children and young people the Operator shall comply at all times with the Council's Children and Vulnerable Adults Protection procedures.

The Operator will also take due account of changes in local good practice guidelines in respect of the provision of activities for children and young people as advised by the Council and shall co-operate with the relevant departments within the Council, as required

The Operator will be expected to operate and publicise a range of activities and programmes targeted the various target groups.

Programme Review

It is the intention of the Council to allow the Operator considerable flexibility in relation to programming in order to achieve maximised income levels as well as increasing participation.

The Operator is encouraged to review and change programmes to achieve the objectives.

All programmes will be regularly reviewed and updated to respond to changing demand.

Changes to programmes will be appropriately advertised to users to ensure that users are aware of the changes to the programme.

The Operator will provide annual marketing plans to advertise promote and raise awareness of the leisure facilities and programmes to local, regional and national markets.

The Operator will have particular regard to sports equity issues, increasing resident and customer satisfaction, developing and improving sports development pathways and talent identification systems that link activities based at the leisure facilities with wider local and sub-regional sports networks including schools, clubs and sports governing bodies

With regard to sports equity issues, the Operator will pay particular attention to ensure that barriers to participation experienced by target and under-represented groups are addressed. This includes but is not limited to older people, women and girls, people with disabilities, ethnic minorities and those on low incomes, to be addressed by sensitive programming, pricing and effective marketing. In addition, all young people should get access to a range of opportunities

With reference to the aforementioned groups, the Operator will identify and deliver activities that aim to:

- Reduce dropout rates in sport
- Improve pathways and talent development systems, linking activities provided at the Facilities with school and club networks
- Contribute to National Indicators, increasing volunteering and regular 3x30 minutes participation annually
- Improve representative take-up of services by the local population
- Contribute to the delivery of the 5 hour sports offer for children and young people

The Operator will be expected to develop a wide range of sport and leisure activities at the leisure facilities. The Operator is required to initiate new and progressive activities within the programme throughout the Contract Period.

Coaches and coaching will play a critical role in the achievement of developing talent, improving satisfaction and encouraging participation. The Council sees this as a crucial factor in the management of the leisure facilities that will provide a catalyst in linking schools, clubs and Sports Development and national governing body's initiatives with activities provided directly by the Operator.

Performance Standards

The Operator shall ensure that a Sports Development Plan is developed and implemented as part of the Annual Service Plan the specification of which is attached as Part 2 of the Service Specification. The Operator shall ensure that the plan is submitted to the Council prior to the Commencement Date and then, annually thereafter for implementation during the following Contract Year.

The Operator shall ensure that the Sports & Activity Development Plan shall set out in detail how programmes will support the achievement of the Participation Targets for young people and adults.

The Operator shall ensure that a key focus of the Sports Development Plan is the development of pathways into sport and relationships with local sports clubs, schools and community groups.

The Operator shall ensure that the Sports Development Plan addresses the Council's Outcomes.

The Operator shall ensure that the activity programmes within the Sports Development Plan include the following requirements:

- The programme of activities must meet the aims and objectives of both the Operator and the Council and be flexible to accommodate future changes in local demographics and participation trends
- It should be dynamic, innovative and responsive to the requirements of the Users and potential Users
- The programme must ensure that all members of the community may use the leisure facilities
- The programme must have a proactive approach to addressing the needs of under-represented groups and people who are inactive
- It must also reflect appropriate local, regional and national sports authorities' policies and programmes with clear pathways identified for participants to progress and develop skills as well as provide an inclusive and active strategy for disabled sport.
- Programming must incorporate a clear philosophy on sports development and equity informed by current guidance from appropriate sports organisations including sports Governing Bodies, Sport England and the English Federation for Disability Sport
- Club notice board access should be provided for clubs who regularly use the leisure facilities

- Sports development notice boards should be provided throughout the leisure facilities to ensure that sports development information is easily available.

The Operator shall ensure that assessment against how the Sports Development Plan is progressing is measured on a quarterly basis.

Reporting Requirements

The Operator shall ensure that a Sports Development progress update is provided to the Council in line with the Performance Framework.

The Operator shall submit a log of all instances where the programme was not met or failures to deliver the Performance Standards as part of the Performance Output Specification.

The Operator shall ensure that the Sports Development Plan and programmes are provided to the Council prior to the Commencement Date and, annually thereafter, for implementation in the following Contract Year.

1.16.2 Marketing/Sales and Publicity

Required Outcome

The Operator shall develop, maintain and improve the standards and the quality of the presentation of the Services in order that all available and potential resources are used effectively. The Operator shall ensure that the communications and marketing plan is used as a key tool in promoting usage of and access to the leisure facilities and increasing commercial and brand awareness of the leisure facilities. The Operator shall ensure that the materials and channels produced for marketing should reflect the Council’s objective to raise the profile of the leisure facilities and increase levels of usage.

The Operator shall ensure that the Council is recognised in all marketing material and signage produced by the Operator specifying the leisure facilities and should include ‘Active4Today’ and the Council logo. The Council’s corporate branding must be used on all literature, external signage and on the Operator’s website, where appropriate.

The Operator shall ensure that the communications and marketing plan is prepared for consultation with the Council.

Performance Standards

The Operator shall prepare a detailed communications and marketing plan

The Operator shall develop a communications and marketing plan for the leisure facilities and its services to ensure that users and potential users are made aware through a wide range of promotional channels of the range of leisure services being offered and are encouraged to use and re-use the services. This plan shall promote community services alongside ‘commercial’ activities alongside centre memberships.

The Operator shall ensure that the communications and marketing plan covers the following areas:

- Marketing will be aimed at increasing participation by under-represented and disadvantaged groups. The Operator will use innovative methods to reach the diverse communities of the

whole of Newark and Sherwood district reflecting these different demographic profiles. This will be in conjunction with the Sports Development Plan

- Marketing to all communities within the District and surrounding areas by taking into account the needs of access to information in terms of language, positive visual images and taking account of impairments which may cause difficulty for communication with disabled customers
- Sporting activities to be promoted and potential users to be targeted (programming; courses; training camps, NGBs, local community, clubs (professional and local))
- A communications strategy
- Delivery of Participation Targets
- Sets out the actions that the Operator will adopt to achieve that strategy, including information on how specific target groups, that are under-represented among users, will be reached
- Describes the evaluation methods the Operator will use to determine whether the Marketing Plan's objectives are being met and to review the strategy, tactics and actions being followed.

The Operator shall ensure that the Year 1 Marketing Plan is agreed prior to contract commencement for Council approval. This will include for a launch of the new contract. In subsequent years, the Operator will provide the annual plan for Council prior to implementation in the following Contract Year to demonstrate how the targets will be achieved.

The Operator shall ensure that the Council's name and logo appears on external signage, signage in reception areas and promotional mediums including web-sites and published material.

The Operator shall ensure that all marketing material is branded in accordance with any Council official branding guidelines. The Operator shall ensure that consideration is given to uniformity of branding, for example, colour schemes, designs and styling across the leisure facilities.

The Operator is able to use its own website and there must be links from its own site to the Council's website and from the Council website to the Operators. The information must be up to date information of all programmes, prices, location, contact details and other appropriate information for all of the Centres.

The Operator shall ensure that the names and photographs of the Operator 's Representative, Facility Managers and other senior staff are prominently displayed at all times; where possible adjacent to the principal entrance to each of the leisure facilities in full view for all users.

The Operator shall ensure that at all times the leisure facilities are open to users there is always printed information available on the opening hours of the facilities, services, activities and prices (in the form of a centre directory as a minimum). The Operator shall ensure that such information on display, on the website, in publication or advertisement is up to date, accurate and attractively presented.

The Operator shall ensure that all standards laid down by the Advertising Standards Council and Trading Standards Council are adhered to at all times.

The Operator shall ensure that no publicity material or notices are produced or displayed in hand written form.

The Operator shall ensure that all standards laid down by the Advertising Standards Council and Trading Standards Council are adhered to at all times and that publicity conforms to all relevant Legislation, including the Disability Discrimination Act.

The Operator may, sell a limited amount of advertising space within the Facilities on an income share basis. The Operator shall not negotiate any agreement with any third party beyond the Expiry Date of the Agreement.

The Operator shall, from time to time, be expected to support events and activities being run by the Council either through cross-promotion or as a presence at an event.

The Operator shall ensure that no publicity material whatsoever is affixed to walls, doors, glass or any brickwork, plastered, wallpapered or painted surface with clear adhesive tape or blutac.

The Operator shall seek sponsorship for events and activities, but shall consult the Council before entering into agreements with potential sponsors.

The Operator shall ensure that no advertising/publicity material likely to cause offence to or mislead the public or causes embarrassment to the Council is used. The Council retains the right to veto any advertising or promotional material, which is likely to breach this condition, and the Operator shall remove such material immediately. The Council accepts no responsibility for any loss incurred as a consequence of the removal of such material.

The Operator shall ensure that any event which may negatively impact on the reputation of the Council is reported to the Council within one hour of the event occurring. Any statements issued to the media must be agreed with the Council.

The Operator shall ensure that compliance with the Marketing Plan is assessed annually.

Website Guidelines

The Operator must provide regular updates, which are linked to the Council's website which will be the first point of contact for customers requiring information about services

At a minimum the Council's website must have up to date content on service locations, opening times, the services operated at each Centre and news items.

The Operator may operate their own website to provide more detailed service information and functionality such as bookings and online payment. The Operator's sites must be linked to the Council's website and comply with the Council's web standards and branding protocols to be agreed with the Council

The Operator must be able to demonstrate compliance with the Council's web standards, and is deemed as accessible. Standards may be updated throughout the duration of the contract

The Operator is expected to work with the Council to help better promote the online services to residents and to promote take up of services. The Operator may advertise their services provided in Council buildings and on the Council website in agreement with the Council.

Reporting Requirements

The Operator shall meet with the Council monthly and ensure that a Marketing Plan is submitted annually thereafter, for each subsequent Contract Year.

1.16.3 Major Incident Reporting

Required Outcome

The Operator shall ensure the Council is aware of all major incidents. A major incident includes major accidents or incidents such as fatalities, severe injury, assault on Users, problems relating to security including vandalism, major damage to plant or equipment, major plant failure, industrial action, closure or any other issue likely to be of interest or concern to the Council and Users. The Operator shall ensure that if there is a major incident, the procedure set out below is followed.

The objectives of this procedure are to:

- Reassure the public
- Ensure the Council and nominated Council Officer is fully briefed on the incident
- Ensure that any critical action or provision identified as a result of the incident can be progressed by the appropriate party
- Minimise the likelihood of a repeat incident

Performance Standards

The Operator shall ensure that records of all major incidents and accidents and actions taken are made available for inspection by the Council.

The Operator shall ensure that all major incidents at the leisure facilities are reported to the Council's Representative by telephone at the earliest opportunity but no longer than an hour after the incident/accident occurred, followed by a full report by email, within 1 working day of the incident.

The Operator shall ensure that in the event of an incident relating to security, severe injury as defined by RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrence Regulations, 1995) or death or any other Emergency occurring at the Facility, the incident is reported to the Council's Representative by telephone at the earliest opportunity, followed by a full report by email within 1 working day of the incident.

Severe injuries as defined by RIDDOR include:

- Fractures other than fingers, thumbs or toes
- Amputation
- Dislocation of the shoulder, hip, knee or spine
- Loss of sight (temporary or permanent)
- Chemical or hot metal to the eye or any other penetrating injury to the eye

- Injury resulting from an electric shock or electrical burn leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours
- Any other injury leading to hypothermia, heat-induced illness or unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours
- Unconsciousness caused by asphyxia or exposure to a harmful substance or biological agent
- Acute illness requiring medical treatment or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin
- Acute illness requiring medical treatment where there is reason to believe this resulted from exposure to a biological agent or toxins or infected material.

Reporting Requirements

The Operator shall maintain an up to date log of all major incidents and severe injuries as defined by RIDDOR and their response to them.

The Operator shall ensure that within three days following any emergency, a full account of the actions taken and the implications for future training are provided by the Operator to the Council's Representative. [In the event of the Council or its insurers wishing to undertake an investigation, then the Operator shall fully comply with any reasonable requests for information of staff attendance at such an inquiry.]

The Operator shall provide a summary of all accidents and incidents occurring at the leisure facilities as part of the quarterly Major Accidents and Incidents Report. The Operator shall ensure that a summary of this report and details of any failure to maintain the required Performance Standards set out above should be included as part of the Quarterly Performance Monitoring Report.

1.16.4 Other Reporting

Required Outcome

The Operator shall provide the reports as required by this Agreement and this Services Specification.

The Operator should be aware of the Freedom of Information Act and ensure that it can adhere to these requirements

Performance Standards & Reporting Requirements

The Operator shall ensure that there is in place at all times a clearly defined responsibility chain for implementing, monitoring and reviewing service delivery. The Operator shall provide one overall Operator's Representative to be its authorised representative for the facilities operated on behalf of the Council. The Operator's Representative shall consult with the Council's Representative as often as may reasonably be necessary for the efficient provision of the Services.

The Operator shall report in line with the Performance Framework as detailed in Part 3 of the Service Specification.

The first Business Plan will be completed prior to contract commencement. The following year plans will be completed and agreed with the Council prior to the new contract year.

The Business plan will be developed in partnership with the Council and other key stakeholders

Annual targets will be measured utilising data collected from each previous year of the contract

Any new targets and performance indicators will be determined through negotiation between the Operator and the Council and detailed in the business plan

Customer Research

The Operator must demonstrate that it understands the attitudes and perceptions of users and non-users. Regular market research and customer research activities are an essential part of this process, and the Council expects to be provided with regular feedback on the experience the customers are having.

Non user surveys and Customer experience/satisfaction scores must be compared to best practise, where possible

The Operator shall ensure that customer satisfaction feedback is received from the following areas as a minimum:

- Satisfaction with changing rooms, showers and toilets.
- Overall building cleanliness and presentation (swimming pool, changing rooms etc.)
- Satisfaction with staff
- Ease of telephone enquiries and bookings
- Speed of service in relation to completing repairs
- Quality of information and publicity
- Range of activities offered at the leisure facilities
- Value for money
- Overall satisfaction with the leisure facilities

The Operator shall present the results of all of the surveys on notice Councils at each facility. The results should be displayed graphical format.

Participation Targets

In year one, the Operator shall introduce comprehensive methods of accurately measuring participation in the leisure facilities which enables the Operator to compare these levels of participation by all community groups to the demographic profile of the catchment areas of each of the leisure facilities. Following this analysis, from year two, the Operator will provide programmes and marketing strategies

to specifically encourage increased participation in under-represented groups to match the demographic profile.

The Operator will provide targets in year two onwards for overall usage of the leisure facilities and usage by any under-represented groups, so that programming and marketing strategies can be measured. This will be supported by the Sports Development Plan.

Performance Outcomes

Most objectives will be measured on a recurring annual basis. The majority of the service effectiveness and economy and efficiency objectives will be measured annually.

Part 1D – Facility Performance Requirements

The following issues are covered under Facility Performance Requirements:

- Pricing Requirements
- Opening Hours
- Activity Programming
 - Booking Systems
- Health and Safety Management
- Access
- Water (Hot and Cold Installations)
- Heating
- Lighting
- Pool Water Quality (Swimming Pool Installations)
- CCTV and Security
- Staffing

1.17 Pricing Requirements

Required Outcome

The Operator will be given considerable flexibility in relation to the pricing of activities in order to maximise income levels as well as using innovative pricing policies to achieve the Council's outcomes and participation targets.

There shall be two price categories: Core and Non-Core.

Core prices – The Council to approve the prices charged for small number of activities. See as detailed below:

Adult and Junior Main Memberships (not sub categories)
Pay and Play, Swimming, Badminton and Squash

A review of all the above prices and proposed price increases with a business justification shall be submitted by the Operator on an annual basis for agreement by the Council with the new prices to be applied on [1st April] each following year. Short term discounts and offers do not require Council approval.

All prices are to be displayed within the entrance or reception area of each centre, within facility literature and on the Operator's website

Any increased prices changes must be advertised to Customers at least 21 days before the change is implemented, i.e. on or after the 1st April of each year

All prices must be inclusive of the prevailing rate of VAT. If there is any change in VAT rate the Operator can vary any charges that VAT applies to, to reflect the new VAT rate

Performance Standards

The Operator is free to set the Operator's Pricing Policy which will include prices for the use of facilities, any changes to core prices or changes to the method of setting charges should be addressed in the annual Business Plan. Charges for facilities, activities and services outside those required by the Council pursuant to this Agreement such as corporate use, vending will be at the Operator's discretion, provided they do not in any way inhibit the requirements of this Agreement.

In relation to all current and future members, the Operator shall, for the purpose of performance management, ensure that user's personal details are collected and recorded on computer records and that such processing is in accordance with the principles of the Data Protection Act 1998 and any subsequent amendment thereof (DPA). Details should include as a minimum:

- Age
- Gender (this includes transgender)
- Disability
- Postcode

The Operator shall continue to offer pricing promotions to encourage increased use at all periods of the day reflecting work and cultural patterns in the community and demand on the leisure facilities.

The Operator must provide evidence and sound business reasons to support pricing proposals including market research and benchmark comparisons both locally and nationally.

No charges shall be collected by the Operator in respect of services extending beyond the Contract Period other than those authorised by the Council Representative during the last year of the Contract Period.

The Operator must ensure that all current fees and charges are displayed prominently in the reception area of the leisure facilities and as appropriate within the leisure facilities. The Operator shall operate comprehensive and effective systems for cash and non-cash methods of payment and booking administrative services.

Reporting Requirements

The Operator must provide proposals for prices of activities annually to the Council prior to implementation the following Contract Year within the annual Business Plan.

The Operator must submit details of any failure to achieve the required Performance Standards as set out above, as part of the Performance Monitoring Report.

1.18 Opening Hours

Required Outcome

It is anticipated that the leisure facilities shall be accessible by the full community during the "Minimum Opening Hours". The Minimum Opening Hours are defined as those currently in operation and are set out below:

Blidworth:

06:30 – 21:30 Monday to Thursday

06:30 – 20:30 Friday

08:00 – 18:00 Saturday and Sunday

Dukeries:

06:30 – 22:00 Monday to Thursday

06:30 – 21:30 Friday

08:00 – 18:00 Saturday and Sunday

Grove:

06:30 – 22:00 Monday to Friday

08:00 – 19:00 Saturday and Sunday

The Operator shall note that any changes to specific opening hours of the Centres shall be subject to negotiation with the Council.

The decision reached in agreement with the Council will be binding upon the Operator. The Centres shall be open on all days of the year except Bank Holidays, as is the current operating hours. The operator may choose to open on these days if they wish to at the Operators expense.

The Operator may extend the opening hours at the Centres subject to prior agreement with the Council.

Outside of the opening hours an automated answering service should be provided and up to date information available on the Operator's websites

Performance Standards

The leisure facilities must be available for public use during the Minimum Opening Hours.

The Council, in advance of any changes being implemented, must agree in writing any variations to the Minimum Opening Hours.

The Operator shall advertise all opening times on the relevant Facility website and shall provide printed information on opening times and timetables for the Facility activity programmes.

The Operator shall operate the vending services during the Minimum Opening Hours.

Where appropriate the Operator shall agree with the Council closures of the leisure facilities, or any element therein, for the purposes of maintenance, and with the agreed Schedule of Programmed Maintenance.

In event of closure of the leisure facilities, or part thereof, owing to unforeseen or emergency conditions, the Operator shall inform the Council immediately (by telephone and followed up in writing as soon as possible and within a maximum timescale of one hour of the closure). The Operator shall ensure the Users are kept informed of the situation in accordance with the agreed Emergency Plan.

The Council may require any of the facilities to be closed for the purposes of emergency planning responses.

The Operator shall provide an Emergency Plan for the Council. In an Emergency, the Operator shall implement the agreed Emergency Plan and inform the Council of any Emergency as soon as practicable. Any updates should be incorporated into the Emergency Plan and re-provided to the Council on an annual basis by the 1st April of each subsequent Contract Year.

The Minimum Opening Hours shall be reviewed by the parties on an annual basis as set out below. Any decision to amend these times will be based on throughput trends for each facility or bespoke usage patterns.

Reporting Requirements

The Operator may submit proposals for any changes to the Minimum Opening Hours for the facilities annually to the Council no later than [1st April] each year for approval by the Council prior to implementation the following Contract Year.

Any closure should be reported to the Council immediately and as a maximum within an hour of its occurrence.

1.19 Activity Programming

1.19.1 Programmes of Use

Required Outcome

The Council requires specified activities to be conducted during agreed time parameters to ensure that certain members of the community are able to participate in the leisure facilities.

There should be as high a proportion of casual use of the facilities as possible consistent with a balanced programme of use by the public, clubs, schools, and instructed development courses, in particular, a comprehensive swimming programme should be followed to meet the demand for learn to swim.

The programmes should take into account the relevant National Governing Body, Sport England and the English Federation for Disability Sport priorities in place during the term of the Agreement.

The Operator shall develop, a clear pathway of signposting for young people from learn to swim programmes into swimming club sessions, and should consider the relationship between the Swimming Club on site, and the Operator in building this programme.

The Operator shall encourage greater use by groups who have been traditionally under-represented, such as young people, people who are economically disadvantaged, people with disabilities, older people and minority ethnic groups. This will be supported by the Sports Development Plan.

The Operator shall provide a balanced Programme of Use to accommodate community and club and to contribute towards the Council's Outcomes. The leisure facilities should have exciting, innovative programmes to encourage use by all sections of the local community. The programmes should be responsive to new trends and encourage residents to try new activities.

The Operator shall provide the activities and sessions to meet the needs of specific users in accordance with the agreed activity programme. The programmes of use should be dynamic, innovative and responsive to the requirements of users, including frequent or seasonal variations and target non users as appropriate. The programmes should consider the various types of user and use to ensure that they are balanced.

The Operator will provide programmes for both term time and holidays to encourage use by young people and shall ensure that for each holiday activity programme provided there will be places available for young people with special needs.

The Programmes and approach to Sports Development should reflect the requirement to increase participation by the population overall to reflect the health benefits of physical activity.

The Operator is required to develop a sports development plan linking the aims and objectives to the activities on offer within the leisure facilities.

Programmes should reflect the key principals for sports development, to provide grass roots participation and routes up the sports development continuum, identifying routes for excellence in partnership with other Government agencies, National Governing Bodies of Sport, voluntary/charitable organisations, clubs and local primary and secondary schools.

The Operator is encouraged to offer ad hoc sporting and non-sporting events to raise the profile of the Facilities; however such events should not detract unduly from the core facility programmes on offer.

Programme alterations requested by the Council, which could affect income shall be subject to negotiation between the Operator and the Council with both parties obliged to work to mitigate the financial impact of any such changes.

The Operator will be required to analyse its users to assess whether there are any sections of the community that are under-represented. Where there are groups that have a low participation at the centres or individual centre, programmes should be reviewed and updated to encourage use by these under-represented groups

The Operator shall record attendances from these priority groups and demonstrate increases in attendance and participation over the period of the contract. This will be reflected within the Sports Development Plan.

Performance Standards

The Operator shall provide the activities and sessions to meet the needs of specific Users in accordance with the agreed Programmes of Use and Sports Development Programme.

The Operator shall provide specific activities and sessions to meet the needs of specific Users in accordance with the agreed Programme of Use and shall ensure that the programmes reflect the agreed annual Participation Targets.

The Operator shall submit a planned programme of use as part of its annual Business Plan.

The Operator shall protect the overall current level of casual swimming at the Commencement Date.

The Operator shall review the pool programme each quarter by utilising user feedback and surveys and reflect these where possible in a programme which meets the needs of the community.

The Operator shall ensure that the Programmes of Use recognise the value of sports development within a balanced facility programme, include appropriate provision of coached sessions/links between centres and clubs, link to the leisure facilities and achieve greater usage by under-represented groups.

The Programmes of Use should take into account the following:

- The need to offer a wide-ranging and diverse programme of activities targeted at encouraging greater levels of community participation across all relevant local social and cultural groups with a particular focus on increasing participation from members of the community with specific health needs and using group activity to improve retention
- Provision of a wide range of recreational opportunity to all residents within the agreed catchment area, including a balanced programme of courses including pre-pay community education type courses, classes, pay-as-you play sessions, club block bookings, casual usage, special events and discounted inclusive memberships
- A management philosophy that encourages participation by or engagement with all sections of the community
- A regular and planned review of the programme of activities, taking into account User and non-User research, and changing priorities
- Responsiveness to recreational trends to provide a dynamic and forward looking service
- Setting and reviewing programme objectives on at least an annual basis

- Having a promotional strategy in place that keeps Users informed of the programme and any planned changes
- Making optimum use of all available resources and facilities
- Monitoring usage levels

The Operator shall review the effectiveness of the Programmes of Use on a regular basis, but in any event as a minimum every 12 months using market information and through consultation with relevant Users.

The Operator and the Council shall work together to ensure that the Programmes of Use reflects the changing needs of the users. The programmes should evolve with changing needs and aspirations of Users and the Operator must therefore work to identify new opportunities and discuss these with the Council.

The Operator shall ensure that future Programmes of Use will continue, where possible, to honour the established arrangements with identified clubs and enable the schemes to be expanded to meet demand. These programmes will be identified in the annual Sports Development Plan.

The Operator shall market proposed holiday activity programme schemes to Users as soon as possible before the holiday commences. The Operator shall ensure that each holiday programme will have places available for disabled young people, in accordance with Disability Discrimination Act requirements, and looked-after children.

Special Events

Reporting Requirements

The Operator shall maintain a record concerning actual use of all of the Facilities and activities and shall submit details of the outcome of programming reviews, activity usage, and of any failure to provide any of the specified Performance Standards, activities or sessions as part of the Performance Monitoring Report.

1.19.2 Booking Systems

Required Outcome

The Council requires that bookings can be made in person, by phone, in writing and online if appropriate in accordance with e-government.

Performance Standards

The Operator shall operate a booking service for all pitches, courts and other sports facilities both on a pre-booked and pay on-the-day basis.

The Operator shall ensure that there is a clear and easily understood booking system and service for all relevant activities at the leisure facilities. This booking system will incorporate comprehensive terms and conditions for hire, advanced booking arrangements, cancellation and non-attendance policies,

User information, effective administration systems, and operational information systems to record and effectively deliver all bookings.

Reporting Requirements

The Operator shall submit details of any failure to implement the required booking system as part of the Performance Monitoring Report.

The Operator shall comply with and shall provide details of its compliance with national accepted standards for credit and debit card payment handling.

1.20 Health and Safety Management

Required Outcome

The Operator shall comply with the Council’s Health & Safety Policy all Health and Safety Legislation and shall produce, maintain and comply with a "Health and Safety Procedures Manual". This should include details of how the Operator will control their sub-contracts and shall be available for inspection by the Council’s Representative or other authorised persons at any time.

Performance Standards

The Operator shall comply with all Health and Safety at Work etc.; Act 1974, the Management of Health and Safety at Work Regulations 1999 and all other relevant legislation and, without prejudice to the generality of the foregoing, shall operate the leisure facilities in line with the recommendations in the most recent edition of the HSE publication “Management of Health and Safety in Swimming Pools”.

The Operator shall adopt safe methods of work in order to protect the Health and Safety of staff, Council employees, customers and all other persons, and shall ensure that staff and customers are kept fully informed of all Health and Safety procedures and risks.

The Operator shall ensure members of the public and staff is instructed to report all accidents, however small, to a member of staff who must arrange for a suitable person to complete an ‘Accident Report Form’ before leaving the leisure facilities. Subsequent investigation should be carried out at the earliest opportunity

The Operator may be subject to a Health and Safety inspection by an appointed Inspecting Officer employed by the Council or a third party appointed by the Council. A report will be available to the Operator and the Operator will be required to act upon the recommendations within an agreed time period, subject to all necessary enforcement action under Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 and other statutory regulations thereof.

The Operator shall comply with the guidance on child admissions to swimming pools within the CIMSPA’s swimming pool child admission policy.

The Operator shall not exceed the maximum occupancy numbers for any activity area.

The Contactor shall carry out annual risk assessments for the leisure facilities, which will be included in the Health and Safety Procedures Manual.

The Operator shall carry out risk assessments and revise them:

- If there is an accident or incident where a change is required to prevent a recurrence
- If a new task (for staff) or activity (for members of the public) is introduced where a new risk assessment is required before commencement
- Where necessary, before and after a new item of equipment is purchased
- If a change to the building or premises is planned where new / revised arrangements for its safe use will be needed.

The Operator shall ensure that annual fire risk assessments are undertaken. The Operator shall review and update them whenever necessary. The Operator shall ensure that copies are available to all staff and for inspection by the Council at all times.

The Operator shall provide safe working procedures for all activities, equipment, cleaning and rigging undertaken by staff.

The Operator shall ensure that all staff, agents or suppliers who may be required to enter the leisure facilities are fully aware of all relevant rules and procedures concerning health and safety at work and fire risk and precautions. This includes the relevant sections of a COSHH assessment and the regular recording and "signing-in" of sub-Operators.

The Operator shall ensure that only authorised personnel are permitted in non- public areas of the leisure facilities, such as plant areas, staff rooms, offices etc.

The Operator shall ensure that all surface water and other liquid spillage within internal areas causing dangerous floor surfaces is dealt with immediately on identification of the problem and signed appropriately.

As required under the Health and Safety (First Aid) Regulations 1981 and Work Place (Health Safety and Welfare) Regulations 1992 the Operator must provide adequate first aid facilities for employees and public, including the provision of qualified first aiders

The Operator shall physically check the First Aid equipment and supplies. The Operator shall provide and maintain defibrillators to the same standard of rigour. The Operator shall ensure that the leisure facilities have a minimum of one trained First Aider on each Site at any time.

The Operator shall identify a member of staff at each of the leisure facilities as the "Health and Safety Competent Person" and shall ensure that they receive full first aid training as appropriate for the responsibility. This training shall include holding a valid certificate of competence in First Aid at Work (FAW) or Emergency First Aid at Work (EFAW), obtained from a training organisation approved by the Health and Safety Executive.

The Operator shall maintain a record of all training undertaken by staff with respect to health and safety training.

The Operator shall include health and safety training in the new staff induction programme.

The Operator shall ensure that all signs relating to exits and fire exits are to the standards required by health and safety Legislation and the requirements of Fire and Licensing Officers in respect both of general operation and special and entertainment events. For the avoidance of doubt, the Operator shall be the 'responsible person' as defined by the Regulatory Reform (Fire Safety) Order 2005 [and shall liaise with tenants of the leisure facilities to coordinate safety management].

The Operator shall repair any damaged health and safety notices within 48 working hours and shall take action in the interim period to ensure staff are fully aware and take the necessary action to prevent any type of incident.

The Operator shall ensure that all exits are cleared of rubbish and debris and checked weekly for ease of exit.

The Operator shall minimise any possible infectious diseases with respect to:

- Air conditioning and ventilation systems
- Swimming pool water
- Showers, toilets and hot water systems

The Operator shall ensure that all staff is competent and adequately equipped to undertake all health and safety responsibilities relevant to their individual roles and duties. The Operator shall keep full records of all relevant training.

The Operator shall produce of a written statement of General Policies in accordance with the provisions of the Health and Safety at Work Act 1974.

The Operator shall ensure that all employees have access to the H&SAWA 1974 document and understand its contents within seven days of their start of employment and that all employees have access to all other relevant documents concerned with the Health and Safety at Work Act. To this end the Operator shall issue all employees with a list of all relevant documents and provide access to these, within seven days of their start of employment.

The Operator shall provide sufficient numbers of qualified employees to be present at all operating times across all Facilities to ensure the safety of employees, users and sub-Operator s.

The Council/Council retains the absolute right to instruct the Operator to close any facility immediately, in the interest of public safety. Financial implications of this will be discussed between both parties.

The Operator shall permit access at all times during the Minimum Opening Hours to all areas of any facility within the Facilities by the Council's Representative, any relevant corporate health and safety advisor, Licensing Officer, Environmental Health Officer, Fire Officer or officer of the Health and Safety Executive that has responsibility for matters concerned with health and safety for the purpose of inspecting plant and equipment.

The Operator shall set out the levels, types and quantities of protective clothing and equipment to be provided for each building. The Operator shall also detail the frequency with which all protective

clothing and equipment shall be replaced. Records of issue to employees shall be kept by the Operator and made available for inspection by the Council when required.

The Operator shall at all times ensure compliance with maximum occupation levels for each facility within the leisure facilities as stipulated in the Fire Risk Assessment and/or Public Entertainments Licence.

The Operator shall monitor safe occupancy levels bearing in mind the numbers and qualifications of staff on duty at the time and the nature of the activity taking place.

The Operator shall control public throughput of the leisure facilities to a level which does not jeopardise the safety of users, reduce hygiene standards or compromise the provision of a quality service.

The Operator shall limit the number of bathers in the Swimming Pool Hall during public swim sessions and/or privately booked parties to be in accordance with the guidance in HSE Guidelines, "Safety in Swimming Pools".

The Operator shall ensure that the numbers of bathers in the Swimming Pool Hall during club use, whether for recreation or competition, shall also comply with these guidelines.

The Operator shall replace any removed or damaged notices and replace such notices within 48 working hours.

The Operator shall submit detailed procedures and action plans to deal with evacuation and emergency procedures for all buildings and shall inform the Council's Representative in writing of any subsequent alterations necessary because of changes in Legislation, changes in the facility or improvements to the procedures. The Operator shall carry out practice evacuations at least every 6 months and maintain records of staff taking part and time taken for evacuation. This includes a minimum of two fire drills per annum, six monthly checks and services of all firefighting equipment, staff training to deal with fire emergencies and adequate signage of emergency exit routes.

The Operator shall ensure that staff names and contact numbers to be contained in the emergency plan are kept up to date at all times.

In the event of a civil emergency, the Council reserves the rights to use the whole or any part of any centre at any time. The staff at the leisure facilities will be required to be available during these times. The cost of such actions will be fully borne by the Council.

The Council may, from time to time, require the Operator to participate in a "formal training exercise" with regard to the emergency plans, which may necessitate closure of one or more of the leisure facilities. The cost of such training exercises will be fully borne by the Council.

The Operator shall ensure that in any case of snow and ice, such snow and ice will be cleared and the immediate entrance and public pathways leading to the leisure facilities sanded/gritted.

The Operator shall ensure that hazardous materials or equipment at the leisure facilities which are to be used in the provision of the Services are kept under proper control and safekeeping and are properly and clearly labelled on their containers and comply with the relevant Control of Substances Hazardous to Health Regulations (COSHH).

The Operator shall ensure that all cleaning materials and equipment are appropriate for their required function and are used in accordance with the manufacturer's instructions, British Standards, and relevant Health and Safety Legislation, particularly COSHH.

The Operator shall maintain comprehensive records of:

- All accidents and incidents involving staff, members of the public and Operators
- Evacuations and incidents occurring at the premises
- Records of reports made in accordance with Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

The Operator shall ensure that any RIDDOR reportable incident is reported to the Council within 24 working hours of its occurrence with a full incident and a copy of the RIDDOR report provided within 72 working hours.

Any accident or incident involving the attendance of the emergency services (Police, Fire, Ambulance) must be notified as soon as reasonably practical to the Council, and in any case within 72 working hours after any such accident or incident

The Operator shall ensure that these records include details of any relevant actions taken/to be taken and shall be available to the Council's nominated officer at any time.

The Operator shall ensure that there are full and comprehensive Normal Operating Plans (NOPs) and Emergency Action Plans (EAPs) in place. The Operator shall ensure each of the leisure facilities' fire and evacuation systems and equipment as part of the EAPs are maintained to relevant standards and regulations and appropriate records kept. Fire and evacuation procedures in place shall include 6 monthly safety drills and appropriate records kept.

The Operator shall ensure compliance with the conditions of the Fire and Electrical Certificates.

The Operator shall ensure that only authorised personnel are permitted in non-public areas of the leisure facilities, such as plant areas, staff rooms etc. Clearly visible signs shall be displayed to this effect.

The Operator shall enforce the Legislation relating to smoking in public places.

The following hygiene and safety standards and rules must be maintained and enforced within the leisure facilities by the Operator as follows:

- No person is allowed to enter the pool area who:
 - does not have acceptable swim wear
 - is under the influence of alcohol or drugs
 - is considered to be a risk to themselves or others

- No outdoor footwear is allowed on the swimming pool surrounds by any person including any disabled swimmers or helpers gaining access. Shoe covers must be worn. No inappropriate footwear likely to cause damage to sports surfaces indoor and outdoor is allowed
- No animals or pets are allowed within the leisure facilities with the exception of special events, i.e. cat or dog shows. Guide dogs for the blind are restricted to reception and social areas only

Reporting Requirements

The Operator shall report details of any accidents, incidents and evacuations reportable under the RIDDOR regulations to the Council and any other required organisation (i.e. the Health and safety Executive (HSE)) within the time restraints prescribed by the regulations. The Operator shall ensure that records of accidents and actions taken are to be made available for inspection by the Council.

The Operator shall make a formal record of all inspections or visits made by Environmental Health Officers, the Health and Safety Executive and any other person or body who, in the proper execution of their duties requires or is entitled to access to the relevant facility site. A copy of this record shall be supplied by the Operator to the Council within 72 working hours of receipt.

The Operator shall perform risk assessment during the first six months from the Commencement date and thereafter on a yearly basis. The results of the risk assessment shall form the basis of a health and safety action plan

The Operator shall provide a summary of all accidents and incidents occurring at the leisure facilities as part of the Major Accidents and Incident report.

The Operator is required to provide suitable accident report forms and keep such records for six years after the date of the last entry. Summaries and trend analysis is to be provided to the Council on a quarterly basis.

1.21 Equipment

Required Outcome

Equipment must be available, safe and be capable of being used for the relevant activity that it is designed for, taking into account the standard of sport or activity being undertaken.

Performance Standards

The Operator shall provide the level of equipment and materials required for the carrying out of the Services and the Operator is responsible for that equipment and materials in the delivery of Services. The Operator shall make provision for the hire of sports equipment, where this is not provided by the retail unit.

The Operator shall ensure that all equipment provided is fit for the purpose, safe and is maintained to a safe standard of repair and cleanliness at all times in accordance with the manufacturers' recommendations and is able to meet the programming requirements of the leisure facilities.

The Operator confirms that the equipment listed in the Equipment Inventory is sufficient to enable the Contract to deliver the Services set out in this Services Specification.

The Operator shall ensure that the Equipment Inventory is updated on a regular basis to reflect any replaced equipment and to identify any new or written off equipment.

The Operator shall ensure that all equipment and materials (including all sports equipment and materials) shall comply with relevant international and industry standards, National Governing Body requirements and British and European Standards and shall be limited to the use it was designed for, as specified within the manufacturer's or supplier's guidelines and /or operating manuals.

The Operator shall use all reasonable endeavours to ensure that all equipment is replaced on a like for like basis having due regard to relevant advances in equipment manufacture, trends in activity programming and in compliance with relevant industry standards, European standards, British standards and international and NGB standards.

The Operator shall ensure that any item of equipment that, at any time, is found to be defective or has failed and so poses a hazard is immediately withdrawn from service. The Operator shall make it secure and ensure it cannot inadvertently be used.

The Operator shall ensure that all equipment to be used by the public is regularly inspected for safety and appropriate records kept.

The Operator shall ensure that all areas of the leisure facilities have equipment provided in accordance with the following standards:

The Operator shall ensure that all Facilities have defibrillators on site and that there are regular training updates in line with current BACR regulations.

Reporting Requirements

Appropriate records shall be maintained and updated at all times by the Operator detailing all relevant inventories, losses or disposals, repairs and replacements through the course of this Agreement.

1.22 Access

Required Outcome

The leisure facilities and all zones within the centres must be accessible by all users.

Performance Standards

The Operator shall ensure that the leisure facilities and all Zones within them, including the pitches, courts, buildings or any entrances, doorways, halls, lobbies, reception areas, unloading bays, corridors, lifts, staircases, access roads and car parks are open and free from any obstruction or physical destruction or deterioration (save for fair wear and tear) so that each Zone is capable of performing its function and allows access with appropriate control, entrance to and exit from each Zone. The Operator shall ensure that the standards of each Zone are compliant with the individual access audit recommendations for each facility.

The leisure facilities should be accessible by wheelchair users and sight impaired users.

The Operator shall ensure that the leisure facilities, and all Zones and storage space within are accessible by all users, to include the following:

- Secure pool stores
- Secure multi-activity stores
- Storage lockers
- Secure storage for sporting equipment

The Operator shall control car parking at all times and shall effectively manage car park flow, access and safety.

The Operator shall ensure that all signage within the leisure facilities is clear and instructive and complies with health and safety guidelines (e.g. Managing Health and Safety in Swimming Pools) and the Disability Discrimination Act and any relevant planning restrictions.

Reporting Requirements

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report.

1.23 Legislation and Policy

Required Outcome

The leisure facilities must comply with all Legislation relating to the sites and the provision of Services including, for example, the Disability Discrimination Act, environmental Legislation, licensing requirements, health and safety, control of Asbestos and legionella.

Performance Standards

The Operator shall ensure that there are no breaches of Legislation, including without limitation, that in respect of health and safety, data protection, child protection and the Disability Discrimination Act. The Operator shall also ensure that any relevant planning conditions attached to the leisure facilities are complied with.

The Operator shall operate an "Equality and Diversity Policy" covering all activities and events.

Equality and Diversity in Procurement: The Council has a statutory duty under the Equality Act 2010, to ensure that it promotes and advances equality of opportunities as part of service provision and delivery, whilst ensuring that there is transparency in the way that public money is spent and ensures Value for Money. The Council and all organisations/partners that perform work on its behalf have a responsibility to ensure that the equality and diversity standards it has internally are implemented and supported.

The Operator shall ensure that all employees and supervisory staff have a working knowledge of the Legislation, Regulations and guidelines relating to best practice in managing sport and leisure facilities.

In particular, the Operator shall ensure that:

- All agents or suppliers who may be required to enter leisure facilities are fully aware of the relevant rules and procedures concerning the health and safety regime and fire risk and precautions
- All surface water and other liquid spillage within internal areas causing dangerous floor surfaces are dealt with immediately on identification of the problem and signed appropriately

- The first aid equipment and supplies, including signage for first aid provision, is physically checked weekly and a record is made which is available for inspection by the Council
- Hazardous materials or equipment at the leisure facilities, which are to be used in the provision of the Services, are kept under proper control and safekeeping. The hazardous materials or equipment are properly and clearly labelled on their containers and comply with the relevant COSHH regulations
- It undertakes, at its own cost, its own risk assessments and associated training
- It keeps records of accidents and actions taken and these are to be made available for inspection by the Council
- There is a full and comprehensive fire and evacuation procedure. The Operator shall ensure each facility's fire and evacuation systems, and associated equipment is maintained to relevant standards and regulations, and shall keep appropriate records
- Only authorised personnel are permitted in non-public areas of the leisure facilities, such as plant areas, staff rooms, offices etc.

The Operator shall ensure that the health & fitness suites are managed to ensure "fit for purpose" activities take place.

The Operator shall comply with all relevant Council Policies as notified to the Operator from time to time in accordance with this Agreement

Reporting Requirements

The Operator shall ensure that a copy of all the Legislation, Regulations and guidelines (or an appropriate abbreviation of Legislation containing all relevant clauses and sections) must be available for inspection at all time by the Council's Representative.

1.24 Water (Hot and Cold Installations)

Required Outcome

The Operator shall ensure the supply of hot and cold water to those areas requiring water for domestic usage, also ensuring that where such water is required for drinking purposes, it can be accessed.

Performance Standards

The following standards shall be complied with by the Operator:

- CIBSE Technical Memoranda TM 13: 1991 Minimising the risk of Legionnaires' Disease
- The storage and distribution of water within the facilities shall be in accordance with all building codes and BS guidance with particular reference to BS EN 806-1:2000, BS EN 806-2:2005 and BS EN 806-3:2006 'Specifications for installations inside buildings conveying water for human consumption', and BS 6700:2006 'Specification for design, installation, testing and maintenance of services supplying water for domestic use within buildings and their curtilages'
- Maintenance shall be in accordance with the Health and Safety Commission Approved Code of Practice and Guidance L8: The control of legionella bacteria in water systems 2000.

The Operator shall ensure water temperatures are maintained at required standards so as to prevent legionella and other water-borne contaminants.

The Operator shall ensure the water system is maintained in accordance with the appropriate health and safety Legislation and standards.

The Operator shall work proactively to develop and promote effective best practice water saving efficiency measures across the leisure facilities.

The Operator shall ensure that water closets, drinking fountains and urinals have a supply of cold water, which allows these services to be usable in accordance with the manufacturers' specification.

The Operator shall ensure that drinking water is available when required from either a water fountain or from bottled water at a cost.

The Operator shall undertake quarterly bacteriological testing of the hot and cold water systems.

The Operator shall meet the following standards:

Water temperature (showers)	35 - 43 degrees C	Degrees Centigrade Where no thermostatic mixers are installed, cold water to be supplied no warmer than 20 degrees C and hot water to be supplied no cooler than 50 degrees C at the tap outlets
Water temperature (hand washing)	35 - 43 degrees C	Degrees Centigrade
Drinking water	Dry & Wet Changing / Catering & Vending areas – drinking water available	Either mains fed or via accessible water coolers

Reporting Requirements

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report.

1.25 Drainage

Required Outcome

The drainage systems shall provide safe effective removal of wastewater, surface water and liquid and solid waste from the leisure facilities in compliance with relevant Legislation. The drainage systems above ground shall be maintained in accordance with the appropriate health and safety Legislation and standards.

Performance Standards

The Operator shall ensure that requirements in building regulations are complied with for foul and surface water drainage.

The Operator shall ensure that all relevant Zones within the leisure facilities have an adequate drainage and sewage system operating.

The Operator shall ensure that discharge temperatures do not exceed recommendations set by the Environment Agency.

The Operator shall undertake regular testing and visual inspections of the drainage systems.

Reporting Requirements

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report with actions identified for rectification.

1.26 Ventilation

Required Outcome

The Operator shall ensure that the ventilation required within the leisure facilities provides a healthy and suitable environment conducive to the enjoyment of the sport, leisure or recreational activity being carried out at that particular time and is provided in an energy efficient manner. The Operator shall ensure that the ventilation system is maintained in accordance with appropriate health and safety Legislation and standards.

Performance Standards

All relevant Zones shall have adequate ventilation and adequate air changes. Where no mechanical ventilation installed, fresh air ventilations should be provided.

Reporting Requirements

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report with actions identified for rectification.

1.27 Heating (Thermal Comfort)

Required Outcome

To provide a thermal environment conducive to the enjoyment of the sport, leisure or recreational activity being carried out in a Zone within the leisure facilities at a particular time in an energy efficient manner. To ensure the heating system is maintained in accordance with the appropriate health and safety Legislation and standards.

Performance Standards

All relevant Zones shall have adequate Heating requirements to ensure “fit for purpose use”

The Operator shall measure and check to ensure that the inside temperature for each Zone within the leisure facilities during the Minimum Opening Hours shall meet the following standards:

- Temperature >16 degrees centigrade in all areas
- If temperature controlled:
 - 19-21 degrees in all areas, except for:
 - Pools & Pool Viewing Areas - 1degree > main pool water temp

- Wet Changing 20 - 25 degrees C
- Humidity 50-70%.

The Operator shall measure the desired inside temperature at a height of 1 metre in the centre of the space.

Reporting Requirements

The Operator shall ensure that results of all non-compliant measurements are recorded.

1.28 Lighting

Required Outcome

To provide adequate levels of lighting for the particular activity being undertaken within each Zone within the leisure facilities. The Operator shall consider switching off lighting banks and adopting energy management control systems such as time switches, dimmable controls, and presence detectors. To ensure the lighting system is maintained in accordance with appropriate health and safety Legislation and standards. To address particular requirements of special needs groups for less powerful lighting.

Performance Standards

The Operator shall ensure that each Zone within the leisure facilities has a lighting (lux) level appropriate to its specified use.

The Operator shall ensure that all relevant Zones have adequate lighting appropriate to its specified use in accordance with the following standards:

Illuminance values > 200 lux in all areas, apart from:	Main & Learner/ Teaching Pools 300 lux Floodlit STP/ Outdoor Hard Courts 200 – 300 lux Floodlit Grass Football Pitch 200 – 300 lux
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The Operator shall ensure that external lighting is provided for security purposes.

The Operator shall ensure that light source efficiency is better than 2.7 W / m2 / 100 lux except where justifiable.

The Operator shall ensure that the number of non-operating lights or tubes does not exceed 10% of the total in the Zone.

Reporting Requirements

The Operator shall ensure that results of all non-compliant lighting level and uniformity ratio measurements are recorded.

1.29 Pool Water Quality (Swimming Pool Installations)

Required Outcome

Swimming Pools that provide users with a safe and comforting environment in which to participate in both swimming and water sports as required in this Services Specification. To ensure the Swimming Pools are maintained in accordance with the appropriate health and safety legislation and standards.

Performance Standards

The Operator shall ensure that the following standards are complied with

- HSC/HSE –“Safety in Swimming Pools”.
- Pool Water Treatment Advisory Group – Swimming Pool Water Treatment and Quality Standards.

In the event of more stringent standards being set by PWTAG guidance, Sport England and/or the Health and Safety Executive during the period of contract, the Operator shall adhere to these more stringent standards. The “Pool Water Guide” produced by the Pool Water Treatment Advisory Group provides a broad code of practice to which the Council expects the Operator to adhere.

The Operator will follow industry best practice in relation to the management of Water Quality in the Centres with swimming pools. Reference is to be made to relevant publications including those from Pool Water Treatment Advisory Group (PWTAG), the Health and Safety Executive and Sport England

The Operator shall ensure at all times that the swimming pool water is of good colour, quality, appearance and at all times must be rendered completely safe for patrons to swim in.

The Operator shall ensure swimming pool water contains approved quantities of disinfectant to ensure bacteria and pollution is immediately neutralised. Additionally, it must be chemically balanced so as not to cause discomfort through its effect on eyes, nose, throat or skin. The quality of the water must be tested at a frequency to ensure public safety at all times

The Operator shall undertake water quality tests on site for all pools on site at intervals no greater than four hours and ensure all such results are recorded and retained on site for a minimum of 6 months

The Operator shall have in place independent chemical microbiological and bacteriological water testing on a monthly basis to supplement daily testing. Any remedial action required as a result of these tests will be addressed immediately ensuring risk to health and safety is minimised

In the event of more stringent standards being set by PWTAG guidance, Sport England and/or the Health and Safety Executive during the period of contract, the Operator shall adhere to these more stringent standards. The “Pool Water Guide” produced by the Pool Water Treatment Advisory Group provides a broad code of practice to which the Council expects the Operator to adhere

Any failure by the Operator to maintain the appropriate standard of swimming pool water quality may result in prosecution or other action by the Council’s Environmental Health Officer

The Operator shall ensure swimming pool water contains approved quantities of disinfectant to ensure bacteria and pollution is immediately neutralised. Additionally, it must be chemically balanced so as not to cause discomfort through its effect on eyes, nose, throat or skin. The quality of the water must be tested at a frequency to ensure public safety at all times.

The Operator shall ensure that all pool water is of the level of quality and temperature stipulated within the following:

Pool Water temperature (centigrade)	Main Pool 27 – 29 Learner/ Teaching Pool 30 – 32
Pool Water temperature following backwash (centigrade)	Main Pool 26 – 29 Learner/ Teaching Pool 29 - 32

The Operator shall ensure that the pool water is maintained in a ‘balanced’ condition. The Operator shall ensure that a balanced water test is taken weekly, duly recorded and action taken to ensure that the pool water is ‘in balance’, corrosion is eliminated, precipitants do not form and the water is safe for pleasant bathing conditions.

The Operator shall ensure that the pool water is tested for PH and free Chlorine in accordance with the Swimming Pool Hall Data Sheet every 3 hours, with the initial test each day before the pools are brought into use. The Operator shall ensure that complete records are kept of all readings, date, time and type of test and retained on site for a minimum of 6 months. These shall be available for inspection by the Council's Representative at any time.

The Operator shall ensure that the filters are backwashed as recommended in the relevant plant maintenance instructions to ensure that the water quality is maintained at the required standard. A pool water dilution rate of 30 litres per bather per day is a CIMSPA recommendation. Standards shall be maintained in line with the up to date CIMSPA recommendations and industry standards.

In the event of more stringent standards being set by the Sports Council and/or the Health and Safety Executive during the Contract Period, the Operator is recommended to adhere to these more stringent standards.

The Operator shall ensure that monthly bacteriological tests are undertaken.

Any failure by the Operator to maintain the appropriate standard of swimming pool water quality may result in prosecution or other action by the Council’s Environmental Health Officer

All relevant Zones shall have adequate pool water quality in accordance with the following:

pH value	7.2 - 7.8
Alkalinity	120 – 180 mg per litre
Calcium hardness	150 – 200 mg per litre
Total Dissolved Solids	1500 – 2000 mg per litre
Free Chlorine	<2 mg per litre
Sulphate	<360 mg per litre
Clarity	Bottom Visible
Total coliforms	<0 per 100ml
Faecal coliforms	<0 per 100ml
Pseudomonas	<0 per 100ml
Total visible count @ 22 C	< 100 per ml
Total visible count @ 37 C	< 20 per ml

Reporting Requirements

The Operator shall record areas of failure and where required provide these to the Council.

1.30 CCTV and Security

Required Outcome

Leisure facilities that are secure and a system that provides a safe level of security to users during their visit, but which does not compromise the personal privacy of Users getting changed.

Performance Standards

All relevant Zones within the leisure facilities shall have adequate security arrangements in place. Where provided, CCTV shall be maintained according to the manufacturer's specification and operated in line with a system that provides a safe level of security to Users during their visit but which does not compromise the personal privacy of Users getting changed.

The Operator shall ensure compliance with the Information Commissioner's Code of Practice issued under the Data Protection Act 1998.

The Operator shall at all times be responsible for the total security of the leisure facilities which includes land, buildings, structures and amenities, as shown on the Site Plan[s], together with plant rooms, machinery, equipment, fixtures, fittings and furnishings, and any item of stock.

The Operator shall utilise the security systems installed or provided at the leisure facilities and shall be fully responsible for its proper maintenance and function. In the event of any alarms or security devices or radios being removed or becoming non-operational or non-maintainable, the Operator shall replace the same with a suitable alternative or security device.

The Operator shall where possible ensure all external and internal CCTV security cameras are operating correctly within the leisure facilities at all times.

The Operator shall be responsible for the safe keeping of any keys to the leisure facilities and the maintenance of a key register. The Operator shall ensure that a list of key holders, together with their addresses and telephone numbers is available to the Council and the Police if required. The Operator shall update the list whenever changes are made and at least quarterly.

The Operator shall hold a list of names, addresses and telephone numbers of members of the Operator's staff who are on a 24 hour call out contact to the Police, and alarm companies prior to the Commencement Date. This list shall be immediately up-dated by the Operator as circumstances require on the appointment of, resignation of etc. or change to any member of staff on the list.

The Operator shall ensure that only authorised personnel are admitted to any plant areas containing specialist equipment and machinery, e.g. water treatment and boiler rooms.

The Operator shall ensure that a zoned intruder detection system in order to enhance the security of the whole of each of the Facilities is fully operational.

The Operator is responsible for the total security system and its maintenance and shall retain and utilise the existing system.

The Operator shall ensure that appropriate out of hours key holders are appointed to respond to intruder alarms.

Reporting Requirements

The Operator shall submit details of any failure to maintain the required Performance Standards set out above as part of the Performance Monitoring Report.

1.31 Staffing

Required Outcome

Each facility must have sufficient and suitably qualified staff to provide the services required by this Services Specification and all relevant Legislation, relating to the swimming pools.

Staff employed or licensed or permitted to offer personal training services within the leisure facilities or to deliver coached activities and courses must be qualified to the appropriate level according to the Governing Body for the sport/activity.

In respect of all staff employed or seeking employment, the Operator shall comply with the provisions of all relevant employment legislation including Equal Opportunities and the EU Working Time Directive.

The Council considers that TUPE will apply to the Contract and that all staff employed by the Council in delivering the leisure services within the scope of the Contract will transfer to the Operator under the current TUPE regulations.

The Operator shall support the placements of work experience students across the leisure facilities. The Operator shall ensure they have full procedures in place for the organisation of work experience students and that there is a responsible adult to whom the students can refer at the leisure facilities.

The Operator shall support the VISPA volunteering programme and shall have a policy which is in line with the Council's volunteering policy.

Performance Standards

The Operator shall ensure that as a minimum, staffing levels are appropriate to the size of the leisure facilities, the activity and delivered by suitably trained personnel.

The Operator shall ensure compliance with the guide "Managing Safety in Swimming Pools" dated 1999 and the subsequent Local Council Circular supplement note dated 2005.

The Operator shall ensure compliance with Governing Body requirements with respect to staffing.

The Operator shall provide a list of named staff with the necessary professional and technical competence as appropriate to fully discharge the requirements of this Services Specification in a safe and efficient manner.

The Operator must meet the Disclosure and Barring Scheme requirements as detailed in the Agreement in relation to all staff employed in relation to the provision of Services including any third party club or coach.

The Operator shall ensure that appropriately qualified persons or sub-consultant companies carry out all maintenance works.

The Operator shall ensure compliance in respect of all persons employed or seeking employment with the provisions of all employment Legislation including equal opportunities, the EU Working Time Regulations and the national minimum wage. The Operator will also have regard to the Council's position in respect of paying the Living Wage and ensure that the same arrangements are implemented within the company.

The Operator shall be entirely responsible for the employment and conditions of service of its employees and shall implement a scheme for the continued assessment and development of staff. The Operator shall therefore ensure that, through individual staff training plans where applicable to each role, staff undertakes regular training (including refresher and advanced courses) to achieve qualifications relevant to their role. The Operator shall ensure that this is appraised annually.

The Operator is encouraged to offer apprenticeships in the leisure facilities to local residents.

The Operator shall employ sufficient qualified and experienced staff to ensure a high standard of service and customer care at all times. Accordingly it will be necessary for the Operator to employ sufficient reserves of staff to provide these high standards in times of sickness, leave, training and other absence from work.

The Operator shall at all times, employ sufficient numbers of qualified staff for durations of duty in accordance with the standards as outlined in the HSE "Safety in Swimming Pools".

The Operator shall ensure that all employed lifeguards are inducted correctly and suitably qualified, with Ongoing Training undertaken as a mandatory requirement.

The Operator shall employ sufficient staff, coaches and instructors currently qualified for all activities where coaching or instruction takes place or specific qualifications are required as set by appropriate National Governing Bodies of Sport.

The Operator shall ensure that staff employed as lifeguards attend a minimum of 2 hours training per month as a condition of employment. This applies to full time, part time and casual staff. Exceptions can be made for seasonal staff, however, checks will be required before they commence their employment again, to ensure they are suitable for the position.

The Operator shall maintain detailed training records to include attendance at lifeguard training sessions.

The Operator is to have a defined Children's and Vulnerable Adults policy. The Operator must undertake the appropriate DRB checks in accordance with their policy and all current regulation at all times

The Operator shall nominate a designated safeguarding officer to be a liaison point with the Council and should be available to attend Safeguarding Meetings as appropriate.

Training should satisfy all legislative and industry best practice requirements, particularly for lifeguards and sessions/lessons where instruction is provided.

The Operator should demonstrate its approach for measuring and improving staff satisfaction

Reporting Requirements

The Operator shall inform the Council of its training plan for all existing staff and any proposed additional staff.

Part 2 – Service Specification for the Provision of Sports Development Activities

Strategy Vision

The purpose of Sports Development is to improve access and participation for all and make sport and physical activity a part of everyone's life.

Objectives

In order to deliver the vision the following objectives have been identified:

- To work in partnership to support and develop sporting activities and opportunities that will enable people to participate
- Reduce barriers to participation for identified target groups
- Support local sports clubs and organisations to enhance their provision
- To increase the number of volunteers
- To provide high quality provision that meets the identified needs of the growing local community

Club Accreditation

The Sports Development Team is committed to developing and supporting voluntary sports clubs to achieve the Sport England Clubmark accreditation and National Governing Body accreditation.

The accreditation is a quality standard that clubs can achieve to demonstrate a number of criteria is in place including qualified coaches, child welfare, health and safety, recreation and competition and plans for the future. Many clubs in the district have achieved this award and they are mapped below.

Schedule 3 – Services Specification

GET ACTIVE

To introduce and develop sport and physical activity for all people, using taster sessions, courses, events and local partners.

OBJECTIVE	ACTION
<p>1. Develop and provide opportunities for young people to take part in sport and physical activity</p>	<p>a. Organise, deliver and evaluate school holiday programme activities in target areas b. Offer a programme of after school clubs across the district using Sports Development coaching staff, volunteers and club coaches c. Support inter primary and secondary school competitions, festivals and tournaments in a variety of sports</p>
<p>2. Develop a network of local partners</p>	<p>a. Promote the Activo, Activo 60, Xperience and Corporate Schemes b. Develop and deliver workplace health initiatives and participation programmes leading to festivals and tournaments c. Investigate sponsorship opportunities within the partnership of local events and competitions</p>
<p>3. Increase the number of Newark and Sherwood residents participating in 3 x 30 minutes of physical activity per week</p>	<p>a. Promote the Activo, Activo 60, Xperience and Corporate Schemes b. Support and develop local events to promote health and well-being, delivering Body MOTs and physical activity opportunities c. Review the Active People Survey using the Diagnostic Tool d. Promote the opportunities available to 50+ groups and develop further activities to encourage participation e. Promote coach education courses to encourage more participation and becoming more active f. Review Leisure Card users that participate 2 times per week and target to increase to 3 times per week g. Promote and develop the Sport England CSAF project to engage non users across the 7 identified areas h. Engage children and young people in 'Doorstep Sports Clubs' in Bridge and Boughton wards</p>
<p>4. Support and promote independence in older people</p>	<p>a. Organise, deliver and evaluate a number of seated exercise classes b. Organise a Chair Based Exercise Workshop to train volunteers to deliver classes in the community c. Work in partnership to promote independence in older people and opportunities for staying active d. Organise and deliver alternative activities as part of the Sport England CSAF project e.g. walking football, ballroom dancing</p>

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BE INCLUSIVE

To provide, develop and improve opportunities for disadvantaged groups including disabled people, low income, eastern European, women and girls and rural isolation.

OBJECTIVE	ACTION
<p>1. Develop and support opportunities for disabled people to be more active</p>	<ul style="list-style-type: none"> a. Identify clubs in the district to develop opportunities for disabled people b. Support the Newark and Sherwood School Games Organisers in the delivery of the Nottinghamshire School Games events c. Identify activities in leisure centres and ensure equal access d. Develop a boccia league for day centres and schools e. Support groups and day centres to produce an annual programme of activity and events f. Support the work of the Disability Development Forum g. Allow exercise groups and sessions to be accessible within the GP Referral scheme
<p>2. Develop opportunities for disabled people to gain qualifications and experience in sport and physical activity</p>	<ul style="list-style-type: none"> a. Identify individuals from client groups to complete Sports Leader, National Governing Body and generic courses b. Identify clubs/opportunities to provide placements
<p>3. Develop and support diversionary opportunities in target areas for young people</p>	<ul style="list-style-type: none"> a. Organise, deliver and evaluate a programme of diversionary activities including the Sports Activity For Everyone (SAFE) project in 7 identified areas across the district and 'Doorstep Sports Clubs' b. Utilise figures from Community Safety to identify areas for activity and run these alongside the Notts CC Targeted Support Team. c. Co-ordinate opportunities for young people in communities to avoid duplication d. Provide information regarding exit routes and other activities to encourage lifelong participation e. Work alongside Positive Futures to engage young people in positive activities across Hawtonville
<p>4. Develop and support minority groups to increase physical activity levels</p>	<ul style="list-style-type: none"> a. Identify community groups that cater for women and girls, black minority ethnic, travellers and the eastern European population and promote the activities available b. Develop and support physical activity for target groups and encourage integration into existing clubs and activities c. Develop a network of communication with key contacts from target groups d. Conduct a survey to the groups to identify and deliver new activity in partnership with other agencies e. Develop promotional material for physical activity opportunities in large print and alternative languages f. Encourage and identify individuals from target groups to complete National Governing Body Awards or instructor qualifications

Schedule 3 – Services Specification

GET INVOLVED

To develop and increase the number of sports leaders, coaches, officials and volunteers in the district that provide opportunities for participation in sport and physical activity.

OBJECTIVE	ACTION
<p>1. To increase and develop the number of volunteers involved in sport and physical activity</p>	<ul style="list-style-type: none"> a. Identify volunteer recruitment opportunities and events b. Support and encourage clubs to recruit volunteers c. Provide opportunities for young people to gain experience in leading activities and supporting events through the VISPA Volunteering Scheme and National Citizen Service d. Review the Active People Survey using the Diagnostic Tool e. Deliver sports leader courses for young people aged 14-19 engaging in anti-social behaviour f. Proactively promote and recruit parents and carers into volunteering opportunities g. Utilise 'Make a Difference Day' and National Volunteer Week 1st – 7th June to recruit, promote and share good practice of volunteering h. Provide support and training to accredited walking groups in the district to help recruit and train walk leaders
<p>2. Deliver an annual coach education and training programme for coaches, volunteers, leaders and officials</p>	<ul style="list-style-type: none"> a. To conduct an audit of the needs of district based clubs b. To conduct an audit of other providers of NGB courses and develop a co-ordinated programme c. To host 3 generic courses per year d. To deliver 3 sports leader courses per year e. To deliver a programme of sports specific 'bolt on' courses for sports leaders f. To investigate and attract funding from the Skills Funding Agency to deliver further courses in the district
<p>3. To promote the grant aid opportunities available to district based coaches and volunteers</p>	<ul style="list-style-type: none"> a. Conduct an audit of the current grant aid available to residents of Newark and Sherwood b. Develop the grant aid information on the Sports Development Unit web pages c. Circulate information to clubs on an annual basis d. Produce and circulate a funding newsletter to clubs, schools and community groups e. Plan, organise and deliver a Funding Roadshow specific for sport and physical activity f. Support clubs and organisations in their applications for funding

RAISING THE PROFILE

To market and promote sport and physical activity and the importance of active living to the community through websites, District Sports Review and newsletters

OBJECTIVE	ACTION
1. Develop and maintain informative web pages linked to partner organisations	<ul style="list-style-type: none"> a. Identify district based sports clubs with websites b. Increase information regarding support available c. Proactively promote the website details to encourage usage
2. Plan and organise the District Sports Review and Awards Evening	<ul style="list-style-type: none"> a. Engage partners and local press to promote the nomination process b. Recruit volunteers to support the delivery of the event c. Nominate all winners to the Nottinghamshire Sports Review d. Ensure coverage is maximised in the local media
3. Market and promote the Sports Development Unit and activities available within the district	<ul style="list-style-type: none"> a. Develop and support District based events in order to promote the opportunities available b. Purchase promotional items that will promote the services offered c. Produce and circulate Members newsletters to share good practice and achievements

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ACTIVE COMMUNITIES

To increase participation by developing and supporting activity in rural areas and community facilities

OBJECTIVE	ACTION
<p>1. Establish partnerships with community groups to develop further local opportunities</p>	<p>a. Develop the Newark and Sherwood Sports Council further to share information and provide workshops to upskill community groups</p> <p>b. Continue to support and develop the following groups to achieve their aims and objectives; Fernwood Sports Association, Ollerton and Boughton Sports Forum, Southwell Sports Forum, The New Newark Youth League, Cricket Development Group and the Newark Sports Association</p> <p>c. Develop a network of communication with community groups to share information and circulate good practice</p> <p>d. Establish the Newark and Sherwood Walking Group Forum to engage our established walking groups and share best practice</p> <p>e. Support and share information with district based Youth Councils in order to develop opportunities for young people</p>
<p>2. Empower parish councils and community groups to develop activity programmes locally</p>	<p>a. Circulate example project details and information to Parish Clerks</p> <p>b. Identify links with local schools</p> <p>c. Identify local facilities that can be used for physical activity</p> <p>d. Conduct an audit of the user groups of parish/village facilities and community centres</p> <p>e. Identify 2 communities per year to hold 'roadshow' events regarding health, sport and leisure</p>
<p>3. Work in partnership with schools to develop community access to facilities</p>	<p>a. Highlight the possibilities through the School Sports Partnership</p> <p>b. Conduct an audit of the current user groups of school facilities</p>
<p>4. Offer support and advice to parish councils and community groups to obtain funding for local sport and physical activity projects</p>	<p>a. Develop the Sport and Physical Activity Forum further to share information to community groups</p> <p>b. Develop a network of communication with community groups to share information and circulate good practice</p>
<p>5. Work with partners and local health services to increase participation and reduce health inequalities across the district</p>	<p>a. Continue to work in partnership with the districts GP surgeries to develop the GP referral, strokeability and seated exercise programmes</p> <p>b. Develop further links with the Newark Hospital specialist teams to increase awareness and the number of referrals for our community based cardiac rehabilitation, strokeability and pulmonary rehabilitation sessions.</p>

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CLUBS FOR LIFE

To improve and support the current sporting infrastructure of voluntary clubs, promoting the value of Club Mark accreditation, sustaining school to club links and accessing funding.

OBJECTIVE	ACTION
<p>1. To encourage all district based sports clubs with junior sections to work towards Sport England Club Mark or the relevant NGB Accreditation</p>	<p>a. Promote the club accreditation process through leisure facilities, club forums, websites and other promotional material b. Offer advice and support to clubs c. Organise an annual programme of courses that are the minimum requirements to achieve accreditation i.e. SCUUK courses d. Support clubs to write club development plans and constitutions</p>
<p>2. Develop and establish more links between schools and clubs</p>	<p>a. Promote NSDC and Sport Nottinghamshire websites b. Produce flyers promoting exit routes/club opportunities to distribute to participants after all events c. Support the SGO's to identify local clubs and establish links d. Identify clubs to link with schools through the Satellite Clubs programme</p>
<p>3. Offer support and advice to clubs regarding funding opportunities</p>	<p>a. Deliver an annual programme of seminars for volunteers, coaches and leaders b. Develop a network of communication with clubs to share information and circulate good practice regarding funding c. Promote the usage of the sports equipment loan scheme</p>
<p>4. To work with local partners and agencies to assist with the development of existing and new club facilities</p>	<p>a. Ensure partners are represented on new project developments i.e. New Leisure Centre for Newark, Newark Sports Hub</p>
<p>5. Support clubs to develop by offering grant aid schemes</p>	<p>a. Promote NSDC, NCC Community Fund and other grant aid schemes to local clubs to develop more activity</p>

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DEVELOP AND IMPROVE

To raise standards of providers through recognised quality assurance schemes, monitoring and evaluating programmes and specific action plans.

OBJECTIVE	ACTION
<p>1. Ensure Service Level Agreements and contracts are in place and reviewed and monitored regularly</p>	<p>a. Deliver the SLA's and contracts with NCC Public Health, New College Nottingham and Sport England relating to external funding secured</p> <p>b. Hold 6 monthly meetings with the partners to review the programme</p>
<p>2. Review and produce a succession document regarding sport and physical activity development in Newark and Sherwood</p>	<p>a. Consult with group representatives regarding achievements</p> <p>b. Consult with other agencies regarding achievements</p> <p>c. Develop a draft document for circulation and comments</p> <p>d. Produce final draft and circulate to partners</p>

Part 3 – Performance Framework

1. Introduction

Good performance management is active, dynamic and aims for continuous improvement. In partnership with Newark & Sherwood District Council Active4Today is committed to providing excellent service and aspires to not only performing up to the performance standards required but in exceeding them.

Mutual trust, understanding, openness and clear and coherent communications are important to good relationship management and Active4Today will demonstrate this through both formal and informal reporting.

This document has two key elements.

The 'Performance Framework' and the 'Reporting Requirements' of Newark & Sherwood District Council.

2. Performance Framework

The Performance Framework set by Newark and Sherwood District Council is based around the three strategic themes of:

- Healthy Lifestyles
- Accessible Facilities
- Financial Viability

These are the strategic themes by which the council will manage the performance of Active4Today. Under these strategic themes there are strategic outcomes with supporting success criteria and performance indicators. These are laid out in the table below. The supporting success criteria and performance indicators will be reviewed annually to ensure that they continue to support the strategic themes and outcomes.

In terms of the key groups identified under the first two themes, it has been identified from Public Health England publication – Health Profile 2013 for Newark and Sherwood District Council that these key groups are:

- Childhood Obesity
- Women's Health (with a particular focus on woman of a retirement age)
- Early deaths from heart disease and strokes
- Areas of deprivation within the District

3. Areas of Deprivation

The work of the Sports Development Team will be in some part dictated by the grants available and the restrictions contained there within. However, where work is not dictated by grants a focus will be centred around identified areas of deprivation. It is also planned that Leisure Centres which

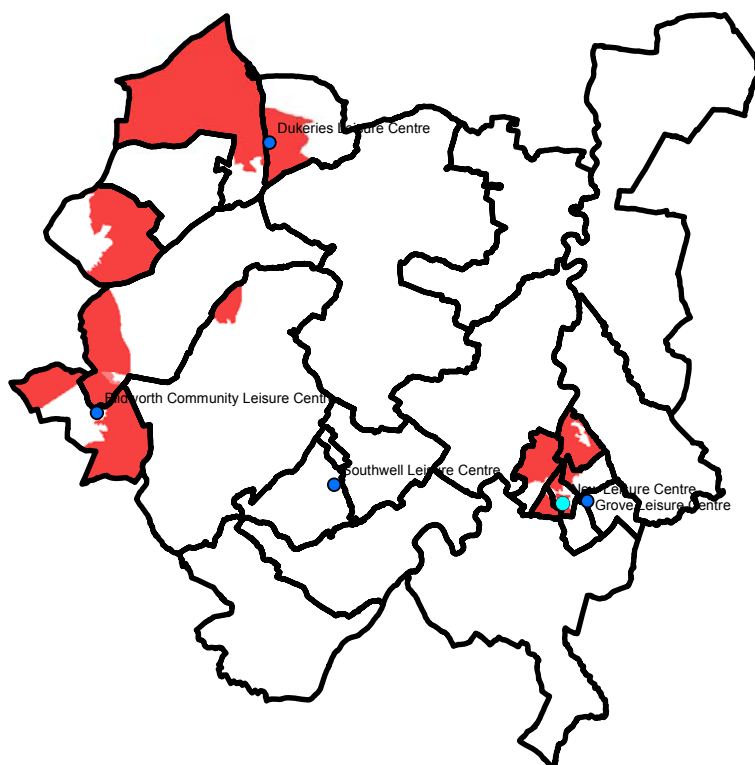
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have a catchment area that includes areas of deprivation will have a planned programme of engagement activity and appropriate incentives and pricing to enable access to services.

Indices of deprivation are an important tool for identifying the most disadvantaged areas in England. There are seven identified areas of deprivation within a multiple index of deprivation. For the purposes of this performance framework it has been identified that Health Deprivation and Income Deprivation are the key to indices. These figures are provided by the Department of Communities and Local Government.

Health deprivation measures premature death and the impairment of quality of life by poor health. It considers both physical and mental health. The indices examine morbidity, disability and premature mortality but not aspects of behaviour or environment. Income deprivation is a combined count of income deprived individuals.

To aid monitoring of provision of service, programmes and initiatives within these areas it is planned to physically map activity to areas of deprivation. The map below shows the areas of deprivation in relation to health and outcome indices. Activity will be indicated on the map with appropriate narrative as explanation.



4. Performance Indicators

Within the following tables is a range of performance indicators linked to the council's strategic outcomes. Active4Today will provide information relating to the specific performance indicators. These have been carefully selected to ensure that each data set contributes to a meaningful picture of how the company is performing in relation to the outcomes set by the council. It is important to not over burden the company with data collection which does not contribute to

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telling the picture of how well the outcomes are being achieved. Some of the indicators listed are currently being collected and have baseline data with which to compare. Others relate to information that leisure services collect but are not normally reported on. Some have national benchmark information which can be used and some have no current data set for comparison but this will be accumulated over time. Outcome based performance monitoring is now widely used and within that is the opportunity to provide narrative based performance evidence.

Healthy Lifestyles

Strategic Outcome	Suggested Success Criteria and Performance Indicators	Period	Collection	Target
Focus on Key target groups	<ul style="list-style-type: none"> • % of Children participation in sport and active recreation • No of Leisure Centre Users – Women Aged 65 and over • No of Leisure Centre Users – Children 	Month	Sport England	N/A
		Month	No baseline	Data Only
		Month	Covalent	3234 (aim to max)
Increased awareness of Leisure Offer	Active4Today to provide narrative on what they are delivering to support this strategic outcome	Quarter	Narrative comparison	N/A
Improved Health Outcomes	<ul style="list-style-type: none"> • No. of customers with long term health conditions recruited onto referral programmes <p>From the Governments Public Health Outcomes: (it is to be understood that the leisure and sports development services will contribute but are not directly responsible for improvements in these areas).</p> <ul style="list-style-type: none"> • Excess Weight in 4-5 year olds within the District • Excess Weight in 10-11 year olds within the District • Life Expectancy at 65 (Females) within the District • Under 75 mortality rate from all cardiovascular diseases – Male • Under 75 mortality rate from all cardiovascular diseases – Female 	Quarter	Covalent	250 pa (aim to max)
		External data, as available	Via GOVT Website data http://www.phoutcomes.info/	N/A
Provision of a balanced program of activities and increased participation	<ul style="list-style-type: none"> • Membership Retention rate • Membership Turnover Rate • No of Leisure Centre Users - Total • No of Leisure Centre Users - Male • No of Leisure Centre Users - Female • % of Adult participation in sport and active recreation • Membership Base - Total – Adult • Membership Base - Total – Child • No. of Active Card holders as a percentage of the total residents (increased participation) 	Month	Covalent	Data Only Y1
		Month	Covalent	Data Only Y1
		Month	Covalent	Data Only Y1
		Month	Covalent	Data Only Y1
		Month	Covalent	Data Only Y1
		Month	Covalent	Data Only Y1
		Month	Covalent	6468
Month	Covalent	3120		
Quarter	Covalent	Data Only Y1		

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	Active4Today to also provide narrative on what they are delivering to support this strategic outcome, including examples of the program provided and the level of athletes using the facilities. Participation to be identified separately for leisure centres and sports development.	Quarter	Narrative	N/A
More active Communities	(see information relating to areas of deprivation) <ul style="list-style-type: none"> • No of Leisure Centre Users – Deprived Areas – Total • No of Leisure Centre Users – Deprived Areas – Women Aged 65 & over • No of Leisure Centre Users – Deprived Areas – Children • No. of community clubs & societies hires • No of community groups supported • No. of participants on community outreach programmes mapped to Deprived Areas 	Quarter Quarter Quarter Quarter Quarter Quarter	Covalent Covalent Covalent Covalent Covalent Covalent	Data Only Y1 Data Only Y1 Data Only Y1 Data Only Data Only Data Only

Accessible Facilities

Strategic Outcome	Suggested Success Criteria and Performance Indicators	Period	Collection	Target
Increased Customer Service and Increased Customer Satisfaction	<ul style="list-style-type: none"> • No. of Web bookings • No. of Customer Complaints - Stage 1 • No. of Customer Complaints - Stage 2 • % Customer Satisfaction - Total • % Customer Satisfaction - Dukeries • % Customer Satisfaction - Grove • % Customer Satisfaction - Blidworth • % Customer Satisfaction – Southwell 	Month Quarter Quarter Quarter Quarter Quarter	Covalent	Data Only 20 (aim to min) Data Only Y1 90% (aim to max) As above As above As above As above
Improved customer engagement	<ul style="list-style-type: none"> • Customer Online Engagement - No. of Social Media Engagements • Customer Online Engagement - No. of Website Hits 	Quarter Quarter	Covalent Covalent	Data Only Data Only Y1
Increased accessibility for disability groups	Active4Today to also provide narrative on what they are delivering to support this strategic outcome.	Quarter	Narrative	N/A
Removing barriers to participation	<ul style="list-style-type: none"> • No. of Members claiming Benefits • No. of Members - Leisure Centre - Aged Over 65 – Total 	Quarter Quarter	Covalent Covalent	Data Only Y1 Data Only Y1

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on	<ul style="list-style-type: none"> No. of subsidised initiatives sports development and leisure centre, separately identified and mapped to areas of deprivation. <p>Active4Today to also provide narrative on what they are delivering to support this strategic outcome including pay & play usage.</p>	Quarter	Covalent	Data Only Y1
			Narrative	N/A

Improved Financial Viability

Strategic Outcome	Suggested Success Criteria and Performance Indicators	Period	Collection	Target
Reduced Management Fee by 2020	Value of Active4Today management fee Active4Today to profile budget to performance on key expense and income lines.	Annual Month	Finance systems	Budget target
Utility usage	Measure utility usage to base usage for each Leisure Centre	Quarter	Meterage	Base usage
Delivery of VFM Leisure Facilities	% Data Quality errors % Facility Utilisation – Instructor Lead Activities Staff costs as a % of Total Cost Average number of Sick days per FTE % Staff Turnover	Quarter Quarter Quarter Quarter Quarter	Covalent Covalent Covalent Covalent Covalent	Data Only Y1 Data Only Y1 Data Only Y1 6.25 annual Data Only Y1
Increased Partnership Working	Active4Today to provide narrative on what they are delivering to support this strategic outcome	Annual	Narrative	N/A
Instantly Identifiable Brand	Active4Today to provide narrative on what they are delivering to support this strategic outcome	Annual	Narrative	N/A
Benchmarked data	To subscribe and participate in national benchmarking and provide data against all national benchmarked indicators.	Quarter (need to check how often released	Covalent	As provided

Within the financial viability reporting it should be understood that the council's identified accountant shall monitor the budget income and expenditure against profile on a monthly basis. This information will be presented to the Council's authorised officer to inform his discussions with the MD of the company, and it will be at the discretion of the council's authorised officer to bring ad hoc reports to the Leisure and Environment Committee regarding any variances to the profiled budget as appropriate. Financial performance will form part of all scheduled reports presented to Leisure and Environment Committee.

Financial information reviewed monthly between the council's authorised officer and the MD and will give reassurance to the council that the company is performing as expected or better. Any substantial variations will be highlighted at each month as will any accumulative trend. This will

Schedule 3 – Services Specification

enable the council to make key strategic decisions based on the predicted and actual financial performance of Active4Today.

Active4Today will consider its financial position as appropriate at its board meetings.

4. Reporting Arrangements

Active4Today will utilise a range of performance measures and outputs to maximise the understanding of the business and to enable full business planning. These will include all of those detailed in the performance framework and others it feels necessary.

There are two reporting mechanisms for these measures; informal and formal.

All formal reports will be approved by the board of Active4Today prior to submission to the council.

Informal reporting

This will take place on a monthly basis between the Council's authorised officer and the Managing Director of Active4Today. These meetings will be pre-planned with a flexible agenda. These meetings will review statistical data available but will importantly also address any other issues that have or are arising. The close and informed partnership will ensure service delivery and contractual obligations are being met as expected by both parties. These meetings can be in person or via conference call, other parties can attend as appropriate and brief action notes will be made at each meeting.

This does not preclude further informal discussion at any other time.

Formal reporting

As required

Any serious health and safety incidents and any safeguarding issues which are dealt with by Active4Today should be reported formally to the council's authorised officer or other senior office of the council, as well as the appropriate responsible body within one working day.

Annually

Performance Outturn Report

Annually a report will be produced which will compare expected performance against the performance framework to actual performance. This will include full year end financial information. It will also include all performance in respect of items included in the previous year's business plan. It will further include any third party contracts for which the company has had responsibility for managing on behalf of the council.

The annual report shall also consider any repairs and maintenance undertaken on the assets. It will also review the pension's related finances and any exercised discretions.

This report will be prepared in conjunction with the officers appointed by the council to manage the contract with Active4Today.

Business Plan

A business plan for the following year shall be presented annually. A draft version of the business plan will be presented each October; this will enable a discussion on the outcomes, outputs and

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strategic direction of the company with the council. A final business plan will be presented each January.

The timescales for the business plan reports may be changed for business need of either the council or Active4Today and must fit with the council's budget timetable.

As a minimum the business plan must address the following areas:-

- Pricing framework and planned pricing initiatives
- Planned changes to staffing structure or terms and conditions
- Planned changes to core services and any planned service initiatives
- Financial planning for the year (and overview planning for following 5 years) to fit with the council's budget setting timetable and setting the management fee for the year ahead.
- Marketing strategy for the following year
- Stakeholder engagement plan for the following year
- Planned changes to core policies (ref contract schedule 12; parts 1 & 2)
- Planned programme framework, including operating hours

Reporting Cycle

It is proposed that the Managing Director and Council's authorised officer would jointly present formal reports to the Leisure & Environment Committee four times per year. The table below shows the indicative reporting cycle.

Month	Leisure and Environment Committee	Active4Today Board
April	Performance update	
May		Produce final accounts to be incorporated into the group account element of Council's statutory accounts.
June		Performance Outturn (end of year report) Performance update
July	Performance Outturn (end of year report) Performance update	
August		
September		Draft Business Plan
October	Draft Business Plan Performance update	
November		Company AGM
December		Final Business Plan
January	Final Business Plan Performance update	
February		
March		

Part 4 – Pricing Framework

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PRICING FRAMEWORK

The pricing framework details the approach to pricing that Contractor will follow. All subject to annual review.

Areas of consideration

Pricing falls into 6 main categories

1. Membership prices
2. Pay and play prices
3. Instructor led classes
4. Hires
5. Consumables
6. Sports Development

Membership Prices

This relates to the core adult and junior membership categories currently in operation. These are Activo (adult membership) and Xperience (junior membership). All forms of membership shall continue unless a business need is identified and addressed within the annual business plan. Sub categories of the above memberships can be introduced by Active4Today in a bid to undertake promotional and targeted groups e.g. 60+, GP referrals.

Any restructure of membership and proposed price change to core prices, should not be undertaken without discussion with the council's authorised officer and should be addressed within the Annual Business Plan. Concessions currently offered within the membership framework shall continue.

Pay and Play Prices

A full range of pay and play activities are currently provided. The company shall ensure that all the current provision available through a pay and play offer remain available. Any proposal to remove some items from the pay and play offer should be addressed within the Annual Business Plan. It is understood that pay and play activities are likely to be subject to offers, incentivised activities and targeted promotions and therefore prices for these should remain flexible to enable the company to deliver an effective business model in a reactive manner.

Instructor Led Classes

A wide range of classes are currently provided within the leisure offer and the company should continue to offer a value for money range of instructor led classes. The pricing for the classes is currently a standard price for all classes. The programming of the classes is reflective of demand spikes in the context of other demand for that space. The company shall continue to provide a full range of instructor led classes at a standard price.

Hires

Hires are available in three parts.

Hire of equipment is available at all leisure facilities and the provision of this shall continue to enable those less able to purchase equipment to take part in all activities. The hire of equipment also encourages those trying a sport or activity for the initial period of participation.

Schedule 3 – Services Specification

Hire of rooms and spaces within the leisure centres. These spaces are currently available at a range of prices applicable to the venue, space and equipment. Support for community groups should continue to be provided and should remain in line with the current range of prices available. The current provision for a reduced rate applicable to affiliated clubs for block bookings should remain and should continue to be reflective of the standard hire rate for a space/room.

Hire for events is currently limited to availability of space and venue. Priority, where applicable, should continue to be given to the support of clubs and community groups and their ongoing commitment. Market rate is applied to hires for events and this should continue to be the case.

Consumables

A small range of leisure related items are available to purchase via the leisure centre reception areas. This small but essential offer should continue, with an emphasis on value for money. Best cost price for items should be sought and selling price should be within market forces application as appropriate.

Vending is currently provided through a contract, and is dealt with in a separate section of the specification.

Sports Development

The work of the Sports Development Team is provided through:

- a.) Grant funded initiatives for which each grant has a specific set of conditions which must be adhered to
- b.) A set of core activities provided by the team

Whilst the majority of the work undertaken by the Sports Development Team does not include a charging element, there are occasions where special requests by established bodies are appropriate for charging. These should all be examined on an individual basis and where appropriate a suitable charge applied.

