


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u>	
Nuneaton and Bedworth Borough Council – Leisure Management Contract Procurement	
<u>DECISION REFERENCE</u>	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/Constitution/Minute No. etc.)
DO/109/2024 (KH)	Supporting Cabinet minutes: CB115 - 6 th March 2024, CB24 - 26 th July 2023, CB17 - 22 nd June 2022, CB57 - 10 th November 2021 Constitution part 3E.8 (J)
<u>DATE OF DECISION</u>	<u>DECISION MAKER (Name and Job Title)</u>
18th March 2024	 Kevin Hollis Strategic Director – Public Services
<u>RECORD OF THE DECISION</u>	
<p>a) The issue</p> <p>NBBC has been reporting to Cabinet/Council on the BPAH strategic project for several years, following its adopted Leisure Facility strategy. As part of these updates and as separate reports the review of the Leisure Operator Procurement has been updated.</p> <p>Cabinet have approved of the re-procurement the Leisure Operators contract from 2025, to ensure that as from the operation of the new build of the BPAH it would be included within the new contract.</p> <p>b) The Decision</p> <p>To seek approval to detail a period of up to 15 years (10 years with a plus 5 years option) for the Leisure Operators Contract.</p>	

REASON FOR THE DECISION

Due to the proposed new Bedworth Physical Activity Hub and planned work / upgrade to the Pingles heating and boiler modernisation with solar panel installation, a long-term contract of up to 15 years will provide the Council the best opportunity to maximise its financial submission from an Operators Tender procurement exercise. Any Leisure Operator submitting their tender documentation will need to consider their initial capital outlay against its return and the length of the contract. A 15-year period taking into consideration the Cross Party Members Working Group feedback, Leisure Consultants feedback and knowledge of the current market place details that a 10 year, with an option of a plus 5 year contract period is the best option for NBBC.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

Reducing the contract period may well put off potential Leisure Operators in submitting tenders to NBBC, due to the value for money of the contract against the contract period and capital investment required.

WARD RELEVANCE

All

FINANCIAL AND BUDGET IMPLICATIONS

None.

CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

Cabinet Member for Public Services, OSP Cross Party Working Group, Strategic Director – Finance & Governance, Assistant Director for Recreation & Culture & Assistant Director Democracy and Governance.

ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None

IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE (Note if the decision is a non-executive decision, no dispensation can be given).

N/A

EQUALITIES IMPLICATIONS

No specific implications.

HUMAN RESOURCES IMPLICATIONS

None

FINANCIAL IMPLICATIONS

There is anticipated financial savings and possibly capital investment for Leisure Sites, however these will not be confirmed until the Tenderers' bids are awarded, and the new contract commences.

HEALTH EQUALITIES IMPLICATIONS

None arising directly from this decision, but the investment opportunities and new build of leisure facilities will provide greater access to take part in physical activity and also support mental health and wellbeing at all levels across the Borough.

SECTION 17 CRIME & DISORDER IMPLICATIONS

The increase or provision of new facilities or different leisure pursuits will give opportunities for more residents to take part in physical activities. This will support improved outcomes for crime and disorder, whereby opportunities are taken up by young people instead of other less desirable activities.

RISK MANAGEMENT IMPLICATIONS

There are ongoing risk management issues that will need to be managed in relation to the procurement process such as contract risks such as Operator failure or failing to find a successful operator and external impacts such as rising utility costs.

SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

No specific SME & local economy implications.

ENVIRONMENTAL IMPLICATIONS

Within the new Leisure contract there will be the expectation and requirement that the Operator supports all opportunities to provide and increase active travel to the facilities; reduction in operational costs; optimising energy-savings and optimising green technologies wherever possible.

LEGAL IMPLICATIONS

Legal support is being provided to NBBC by Freeth's, who were appointed by formal tender in June 2022 to develop the contract and advise on all legal matters during the process and the Council's Contract procedures Rules (CPR's) will be followed.

ANY OTHER COMMENTS

None.

PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER