

Appendix 1

Leisure Partnership Report

1 Executive Summary

This report has been prepared by the Corporate Issues and Partnerships Overview and Scrutiny Panel and relates to a review of Bath and North East Somerset Council's Partnership with Aquaterra Leisure for the provision of Leisure Services to the Community.

The objectives of the review, have been to

- understand the leisure partnership agreement and how it is being delivered, paying particular attention to the effectiveness of:
 - i. consultation with users with particular concerns
 - ii. service provision to meet the needs of specific groups
- examine what opportunities exist to improve its application and delivery, within the context of the Council's objectives and priorities and wider community and leisure issues
- Identify learning points with regard to effective partnerships that may inform any future Council Partnership arrangements

The Panel found that The Partnership has succeeded in delivering a range of improvements to the Council's Leisure Provision that the Council could not have provided alone. Therefore, it is achieving its primary aim to secure long term best value for the Council.

However, the Panel feels that, from its inception, the Partnership failed to recognise Bath and North East Somerset Council's commitment to provide inclusive services to the whole community and that it has not so far fully recognised a broader, pre-existing customer relationship with the wider community of Bath & North East Somerset. The Panel believes that the Partnership should champion the values of the Council, including those relating to social inclusion and has made the following recommendations

- a) The partners should revisit their core values to evaluate whether these are being applied in their fullest sense in this Partnership so that a spirit of Partnership with the whole community can be engendered.
- b) The Partnership should take active steps to address weaknesses in its approach to stakeholder communication
- c) That the provision assisted access, e.g. discounts for casual users who are either elderly or on low incomes be reconsidered
- d) That any proposed changes to facility usage by clubs should only be implemented following consultation, negotiation and mutual agreement to ensure that Clubs continue to enjoy the same levels of service as before the Partnership came into existence.

- e) That, to increase general accessibility to swimming facilities, the Partnership investigates
 - i. the potential of increasing general pool temperature which may improve the accessibility of pool water to a wider cross section of the community at all times without jeopardising health or pool plant.
 - ii. Identifying alternative swimming provision for disabled swimmers to be made available at no extra cost to these swimmers.
- f) That the Partnership;
 - i. review its arrangements for service delivery to ensure that it continuously improves standards of provision and is fully responsive to the needs of the community
 - ii. consults the local community on its current and future plans and provides opportunities for debate and agreement before decisions are taken
 - iii. measures the potential and actual impacts of decisions

This Panel resolves to revisit the implementation of these recommendations within the next six months.

2 Background

On 1st July 2003, Bath & North East Somerset Council entered into a Partnership arrangement with a not for profit service provider, Aquaterra Leisure for the management of

- Bath Sports and Leisure Centre,
- Keynsham Leisure Centre,
- South Wansdyke Sports Centre,
- Bath Pavilion,
- Culverhay Sports Centre,
- The Riversuite; and
- Entry Hill and Approach Golf Courses.

The Partnership was designed primarily to secure long term best value for the Council by

- saving at least £250K pa – (partly through 80% mandatory NNDR relief, plus VAT advantages),
- investing in facilities,
- developing management / staff,
- securing long-term best value for the Council.

Significant progress has been made in achieving these primary objectives.

Changes in policy and service delivery by Aquaterra at Sports Centres have provoked considerable public and media attention, particularly from individuals and community groups who perceive that they have been adversely affected by changes to their service provision. Because of this,

the Corporate Issues and Partnership Overview and Scrutiny Panel have conducted an in depth review of the Council's Partnership with Aquaterra.

3 Scope

The objectives of this review have been to:

- understand the leisure partnership agreement and how it is being delivered, paying particular attention to the effectiveness of:
 - i. consultation with users with particular concerns
 - ii. service provision to meet the needs of specific groups
- examine what opportunities exist to improve its application and delivery, within the context of the Council's objectives and priorities and wider community and leisure issues
- Identify learning points with regard to effective partnerships that may inform any future Council Partnership arrangements

4 Approach

To achieve its objectives, the Panel has:

- Considered the background and content of the agreement,
- Received the views of the partners to the agreement – ie, the Council's Executive Member for Tourism, Leisure and Culture, relevant Council officers and Aquaterra.
- Reviewed contract management, relations with the media and public and public perception of the Council's leisure services; and
- Considered the views of stakeholders and gathered evidence about the issues and concerns voiced,

5 Findings

5.1 General

The Panel recognises that the Council's Partnership with Aquaterra has brought about a number of improvements to the Leisure Service, particularly at Bath Sports Centre;

- The new Gym,
- Refurbished café and reception area,
- Health suite, including sauna and steam room,
- New exercise area,
- Refurbished changing facilities.

In addition, a number of non-physical improvements have been made. These include

- Marketing & publicity
- Membership schemes

- Discount schemes for regular users
- Introduction of Customer Panel
- Improved complaints system
- Introduction of on-line booking systems

The Panel is also aware that Aquaterra has to secure savings to reinvest in facilities. The Panel is concerned that the Partnership's efforts to deliver services to the broadest spectrum of the community possible have had significant negative impact on some minority groups.

5.2 Terms of Reference: Objective 1; - *“understanding the leisure partnership agreement and how it is being delivered, paying particular attention to the effectiveness of:*

- i. consultation with users with particular concerns*
- ii. service provision to meet the needs of specific groups”*

5.2.1 Statement of Panel's Perceptions

The Panel received a generalised presentation from the Council's Operations Director on the Partnership. The Panel needed to understand the rationale and scope of the Partnership and what had been achieved to date and future plans..

The Panel also needed to better understand the level of investment required to provide Sports and Leisure Facilities. This information had to be gleaned through the process of this review.

A Member of the Panel who has significant contract management experience also undertook a review of the Contract document itself.

On the basis of these activities, there is a better understanding of the Partnership agreement and how it is being delivered. The Panel commends the Partnership for the achievements and improvements it has made to date, nevertheless, the Panel believes that further improvements should be made to some of the services provided to certain minority groups.

The Panel believes that the Partnership has not so far fully recognised a broader, pre-existing customer relationship with the wider community of Bath & North East Somerset.

This has been manifested through

- 1) An early failure of the Partnership to communicate fully with local stakeholders, particularly existing service users (irrespective of whether they are specifically named in the Partnership agreement) in relation to proposed service changes.
- 2) A perception that the Partnership is less accountable to the public than as if the Council were managing the facilities itself.
- 3) Significant discounts have been made available to regular users compared to the position before the Partnership started. However, concessions and discounts for elderly users and casual users on low incomes have been withdrawn.

The Panel further believes that the Partnership should champion the values of the Council, including those relating to social inclusion.

The Panel understands that the appointment of Aquaterra as a partner was contingent in part on Aquaterra applying its stated commitment to **“promote increased disadvantaged access and use”** and to be **“inclusive to all sectors of the community irrespective of income and background”**

5.2.2 Recommendations

- a) The Partnership should consider and address the following concerns and issues of the Panel
 - Whilst the volume of users at the sports centres may be increasing the range of users may be decreasing
 - There is a perception that the prime motivation for entering into the Partnership was to achieve financial targets and that the Partnership is aware that this might result in reduced levels of service or make facilities less attractive to certain users
- b) Each of the partners should revisit their core values to evaluate whether these are being applied in their fullest sense in this Partnership so that a spirit of Partnership with the whole community can be engendered
- c) The Partnership should take active steps to address weaknesses in its approach to stakeholder communication
- d) That the provision for assisted access, e.g. discounts for casual users who are either elderly or on low incomes be reconsidered

5.2.3 Specific Issues and Recommendations Relating to Swimming Clubs and Disabled Swimmers

The Panel is aware that providing services to such a broad spectrum of stakeholders, as it believes is required by the Partnership, presents a number of challenges. This has been well demonstrated through the ongoing debate with disabled swimmers and swimming clubs.

Swimming Clubs

The Panel considers that the swimming clubs provide a valuable community service and that there should be no compromise on service provision for children. At the outset of this review, the Panel was very concerned that income generation appeared to be given a greater priority than access to facilities for independent voluntary swimming clubs. The Panel is particularly pleased, therefore, that the Partnership has taken steps to better engage with the clubs on an ongoing basis. Aquaterra has now clearly communicated that the use of facilities by clubs will remain unchanged except through mutual agreement.

5.2.4 Recommendations

In support of this position, the Panel strongly recommends that any proposed changes to facility usage by clubs should only be implemented

following consultation, negotiation and mutual agreement to ensure that Clubs continue to enjoy the same levels of service as before the Partnership came into existence.

Disabled Swimmers

The situation regarding disabled swimmers and pool temperatures is far more difficult to resolve and the Panel recognises that there is no clear answer to the issues being raised.

Disabled swimmers cite custom and practice and a requirement for the Partnership to be fully inclusive under the Disability Discrimination Act as reasons for raising pool temperature on at least one day per week (presently Thursday).

The Partnership is working to temperature guidelines set by the Pool Water Treatment Advisory Group (PWTAG) and cites issues around pool safety and the possible detrimental impacts of increased temperatures on the majority of able bodied swimmers and on some disabled swimmers. In addition increased temperatures have a significant and adverse effect on pool plant, the fabric of the pool building and result in a notable increase in the presence of harmful bacteriological agents.

The Panel recognises that the current situation is not satisfactory and believes that there is potential for flexibility and compromise. Research undertaken as part of this review indicates that there may be scope to increase general pool temperatures by up to 2 degrees Centigrade which, whilst not the practice in Islington (Aquaterra's base), is the practice of neighbouring pools in the locality.

Pool	Average pool temperature degrees C/F
Kingswood	29/84
Bishopsworth	29/84
South Bristol	30/86
Wells	30-31/86-88
Frome	28-29/82-84
Bath	27-29/81-84

It should be noted that these pools do not raise water temperatures to accommodate the needs of disabled swimmers.

5.2.5 Recommendations

The Panel recommends that, in order to increase general accessibility, the Partnership investigates

- a. the potential of increasing general pool temperature which may improve the accessibility of pool water to a wider cross section of the community *at all times* without jeopardising health or pool plant.
- b. Identifying alternative swimming provision for disabled swimmers to be made available at no extra cost to these swimmers. This investigation should include exploring;
 - i. The use of Culverhay Pool

- ii. the possibility of working with the Primary Care Trust (PCT) to develop a GP referral scheme which could finance alternative provision for more severely disabled people. This could include free or subsidised transport to a more suitable facility in the Bath area and/or access to the Spa

5.3 Terms of Reference: Objective 2; *“Examine what opportunities exist to improve its application and delivery, within the context of the Council’s objectives and priorities and wider community and leisure issues”*

5.3.1 Statement of Panel’s Perceptions

Maximising income streams is a key priority of the Partnership but must not be the only consideration in service provision.

There is scope for improving the application and delivery of the Partnership to better meet the Council’s aspirations, priorities and objectives.

The Partnership must ensure that leisure facilities are provided for the whole community. The health, safety and welfare of users is of paramount importance.

The Panel recognises that users have differing needs and that the Partnership must mitigate against risks.

Alternative approaches to service delivery may better meet the needs of the wider community without compromising their, health, safety and welfare with reference to The Health and Safety at Work Act 1984.

5.3.2 Recommendations

The Panel recommends that the Partnership;

- a. review its arrangements for service delivery. It has begun to address this with the Customer Panel but must ensure that it continuously improves standards of provision and is fully responsive to the needs of the community
- b. consults the local community on its current and future plans and provides opportunities for debate and agreement before decisions are taken
- c. measures the potential and actual impacts of decisions

5.4 Terms of Reference; Objective 3; *“Identification of learning points with regard to effective partnerships that may inform any future Council Partnership arrangements”*

The Panel believes that there are lessons to be learned about effective and successful Partnership working.

- 1) Partners should clearly demonstrate that they understand and support each other’s objectives and are working together to translate their individual objectives into a common aim and are striving to achieve the same goals.

- 2) Partners should demonstrate that they share the same core values in terms of commitment to the wider community. Any requirement to make a financial return should be secondary to this.
- 3) There should be an explicit commitment to working together. A successful relationship will ensure that the partnership;
 - works to the benefit of both partners,
 - is responsive and adaptable to changing community needs
 - provides the community with an improved service

5.4.1 Recommendations

The Panel requires the Partnership to acknowledge, accept and apply these lessons.

6 Conclusions

The Panel feels that, from its inception, the Partnership failed to recognise Bath and North East Somerset Council's commitment to provide inclusive services to the whole community. However, the Panel recognises and welcomes the steps so far taken by the Partnership to address this failing

The process of this review has provided an opportunity for the Partnership to revisit, evaluate and address this failure. It has also taken into account the views of all stakeholders in order to make recommendations for improvement within the spirit of the Partnership.

The Corporate Issues and Partnership Overview and Scrutiny Panel would like to thank all the participants in this review for giving of their time and for their openness.

The Panel believes that this review has demonstrated the valuable role of Overview and Scrutiny in enabling the voice of the public to be heard. On their behalf, we commend this report to the Executive Member and to the Full Council on the premise that our recommendations will be taken forward and acted upon.

This Panel resolves to revisit the implementation of these recommendations within the next six months.