

**Rochford District Council**

**Public Private Partnership Contract**

# **Information Memorandum**

**March 2001**

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# 1 Introduction

This Information Memorandum (IM) is provided by Rochford District Council (the Council) in relation to the recent OJEC notice issued by the Council and is for the use of parties who wish to be considered for inclusion on the shortlist for its Public Private Partnership (PPP) Contract.

The Council has been working with PMP Consultancy in the development of this project.

The Council is seeking a contractor to operate leisure facilities in Rochford, over a period of up to 25 years.

## 2 Rochford District Council's Aims and Objectives

### 2.1 Background to the District

Rochford is a semi-rural District in Essex with a population of nearly 80,000 within over 33,000 households. The principal town is that of Rayleigh but other important centres are Rochford, Hockley, Hullbridge and Great Wakering. There are also a number of villages of varying sizes. The District has retained much of its rural character and a large proportion lies within the Green Belt.

There are 3 main line stations serviced by the Great Eastern Railway and this has led to the expansion of Rayleigh, Hockley and Rochford as dormitory towns within the District for London based employment. In general, the District is a net exporter of workers to London, Southend on Sea, Basildon, Chelmsford and Thurrock.

The populations main characteristics are summarised below:

*Aging*      The population is ageing, with 47.1% of residents aged over 40 years, compared with 45.3% nationally.

*Affluent*    The district is relatively affluent. Only 4.0% of the population are unemployed, compared with 5.5% nationally and 54.9% of the population are in professional, managerial/technical or skilled non-manual occupations compared to 50.9% nationally. According to the Government's 1998 Index of Local Deprivation, Rochford ranks 223 of 354 Local Authority Districts in terms of social and economic deprivation. There is also a high percentage of owner occupation. The overall impression therefore is one of general affluence but there are pockets of deprivation that are amongst some of the worst in Essex.

*Mobile*      In spite of poor public transport in areas of Rochford District, mobility of the population is extremely good. This is due to the high level of car ownership among residents. Within the District 77.6% of households have one car or more (the national average is 66.6%) and 32.7% have two or more cars.

The following table details the propensity of residents to participate in sporting activities. It shows that the propensity to participate in many activities is above average with the exception of tennis, rugby and squash. Participation in fitness/heath is significantly above the national average. The proportion of Rochford residents with 'no interest in sport' is significantly below the GB average indicating an active catchment population.

Activity	Results as % of the district population	Results as % of GB population
Fitness/ Health	26.4%	19.7%
Football	22.0%	19.7%
Golf	12.0%	12.0%
Rugby	5.5%	8.0%
Squash	2.9%	3.1%
Swimming	24.3%	23.0%
Tennis	2.4%	5.1%
No sports interest	31.2%	35.4%

## 2.2 Leisure and Culture Strategic Objectives

The main objective of the Council's Leisure Strategy, which runs from 1997 – 2001 is to *'ensure that the full potential for leisure pursuits is achieved. This includes maintaining existing and generating new and better sporting, artistic and recreational activities for the local community'*.

Following extensive consultation, the working party responsible for compiling the strategy identified six key areas which they consider to be of the utmost importance to Rochford:

- Key Area 1 Facilities
- Key Area 2 Participation
- Key Area 3 Young People
- Key Area 4 Voluntary Sector
- Key Area 5 Information
- Key Area 6 Art, Entertainment and Cultural Activities.

Key objectives for the Council, of relevant to the future leisure contractor include:

### *Participation*

- increase awareness of existing activities
- ensure access to existing activities and facilities
- ensure all sections of the community are catered for
- facilitate casual participation
- increase awareness of the health benefits of exercise
- promote health and fitness in the community

### *Facilities:*

- provide indoor bowls facility in the district
- support provision for a full-size STP
- identify a suitable location for a public golf course
- investigate the possibility of converting one or more squash courts for alternative use
- investigate the possibility of relocating fitness suite at Park Sports Centre to gymnasium
- refurbish reception area of Park Sports Centre
- resurface hard surface at Great Wakering Leisure Centre
- replace windows in pool hall, Clements Hall Leisure Centre
- refurbish toilet areas in Mill Hall
- improve lighting and sound system in main hall at Mill Hall
- improve lighting in car-park at Park Sports Centre
- improve wheelchair access/exits at Mill Hall

- refurbish toilets in Castle Hall
- investigate possibility of providing internal connection door from Carriage Room, Freight House
- resurface car-park at Freight House and mark out parking bays
- install air conditioning in Freight House
- install air conditioning in Mill Hall
- install air conditioning in Rochford suite, Main Hall and squash courts in Clements Hall Leisure Centre
- investigate the possibility of providing an athletics track.

### **2.3 Leisure Options Review process**

PMP Consultancy were commissioned by the Council in May 2000 to undertake a detailed review of the Council's leisure provision, with a particular focus on the six indoor facilities.

In partnership with the Council, PMP developed leisure policy objectives (both general and facility specific), identified a series of options for the preferred mix of leisure facilities and activities in Rochford and identified delivery options.

A copy of the full report is available to be examined at Rochford District Council and key sections of the report are provided in Appendix A.

### **2.4 Commitment to Best Value**

The Council's Best Value Performance Plan (March 2000) detailed the Council's Best Value Review Programme and how the Council aim to use the programme to improve its services.

The Action Plan for Leisure and Contract Services includes the review of the existing leisure contract and the preparation of the new contract, with completion of the latter for tender by March 2001.

The Council is committed to implementing the outcomes of this review and is keen to work with partners to support the Best Value requirement of continuous improvement and the strategic aims to emerge from the review.

Key extracts from Council minutes relating to the Leisure and Contract Services Best Value Review are provided in Appendix B.

### **2.5 Current Facilities Operation**

Leisure Connection (Circa Leisure at the time) was awarded the contract to manage Clements Hall Leisure Centre, Park Sports Centre, Great Wakering Sports Centre, Mill Hall, Freight House and Castle Hall. Leisure Connection is subsidised by the Council in the form of a yearly management fee. Leisure Connection's contract with the Council has been extended until March 2002. It is the Council's intention to continue with these contractual arrangements governing the management of the facilities until the PPP initiative commences.

### **3 Details of Proposed project**

#### **3.1 The proposed project**

The Council has a contract with Leisure Connection plc for the management and operation of its leisure facilities. The contract is due to expire on 31 March 2002, and is central to the Council's leisure provision.

Originally set up on 1 April 1989 for a period of five years, the contract has now been in place for eleven years, having been extended. In order to comply with Best Value, the Council has recognised that it will need to demonstrate they have satisfied the compete element before deciding on the best way to deliver the service in the future.

The six facilities are in need of substantial maintenance (estimated to be £1.7 million in the next ten years) in order to keep the facilities running to their current standards. However, they have a tired appearance and require modernisation if they are to meet public expectations of high quality leisure opportunities in the district, and withstand increasing competition.

The Council is facing on going financial pressures. For example, 50% of its overall net budget is spent on contracts, resulting in reduced flexibility, with the leisure contract costing a management fee of £175,000. In addition to this the Council pays rates and maintenance costs.

Consequently, the Council is seeking ways of improving leisure services in the District to meet the leisure needs of residents through a new leisure contract. In renegotiating the contract the Council has the following objectives:

- to contribute no more than and preferably reduce, existing revenue support to leisure facilities
- to introduce or maintain a degree of certainty in the annual financial outlay associated with any service provision and specifically address the issue of contributions to the repair and maintenance of the facilities
- maintain some level of local sports/ arts facility provision.
- In-house management of the currently contracted facilities is not an option
- achieve investment in leisure including maintenance
- protect interests of target group/ residents whilst maximising revenue from other users
- improve the quality of leisure services within leisure facilities in the District
- improve level of outreach work in local communities e.g. arts/ sports development
- recognise value of leisure in relation to crime and disorder, social inclusion, health and regeneration.

The options for the facilities have been developed against the background of these objectives:

- develop a PPP contract for all the facilities currently operated by Leisure Connection, with the possible exception of Castle Hall, which may be operated by the local community. The PPP is likely to be a minimum contract length of 10 years and will ideally be a full maintenance and repairing contract. The responsibility for rates is likely to be retained by the Council
- attract investment in Clements Hall Leisure Centre to refurbish and extend current provision, ensuring continued provision of the current range of facilities as a minimum. Synthetic turf pitch provision will also be considered (unless provided at Park School)
- the Council are keen to redevelop Park Sports Centre on its existing site and to include sports hall, fitness studio, dance studio/ multi-purpose room, three squash courts, soft play/ crèche, 4 tennis courts/ hard play and a synthetic turf pitch (unless provided at Clements Hall) within the new facility. This may be a combination of refurbishment and new build, but will depend on the current negotiations with the County Council.
- refurbish and maintain the three halls and Great Wakering Sports Centre.
- the PPP contract will be developed in accordance with the following principles, but should be sufficiently flexible to encourage bids:
  - a minimum contract length of 10 years, but with the ability to offer up to 25 years in order to encourage capital investment in and diligent maintenance of the Council's assets
  - the maintenance and repairing responsibility is passed to the private sector
  - the private sector should have the commercial freedom to set market prices, with the Council setting limited core prices for sports development activities and disadvantaged groups. These prices will be developed as part of the specification
  - the private sector will provide space for arts and sports development activities (level and times to be determined) and will also fund an arts and sports development officer, to be employed by the Council.
  - the contractor will operate a leisure card (for the benefit of residents and disadvantaged people)
  - the contractor will comply with Best Value and work with the Council to undertake a fundamental review every five years
  - maximise the commercial use of Freight House for conferences, seminars, weddings, etc.

These proposals are considered to be the Council's objectives and the Council are keen to hear from companies who are interested in delivering some or all of these objectives.

It is anticipated that the service specification will be developed on these core principles and interested parties should indicate in their expressions of interest, their views on these key principles.

### **3.2 Existing Indoor Leisure Facilities**

#### ***Clements Hall***

Clements Hall was constructed in 1979 and is located in the centre of the District in Hawkwell, on the periphery of Rochford. It is a good site, with reasonable access, patronised by well over 500,000 customers.

In the last three years, user figures at Clements Hall have not shown a clear pattern. Usage in 1998/1999 was higher, at 544,065, than either 1997/1998 or 1999/2000. 1999/2000 figures were slightly higher than those of 1997/1998. The first quarter of this year shows a significant increase in swimming and badminton. 50% of members live outside the district, with many coming from Southend.

This facility provides the 'sporting focus' for the whole of the District and includes squash courts, swimming pool, sports hall, floodlit tennis courts, trim trail, outdoor training area, projectile room for cricket, sauna, steam room, fitness suite, crèche facilities and fully licensed bar and restaurant.

Due to its age it has required, and continues to require, considerable expenditure on maintenance.

The external entrance is not particularly inviting, but the foyer is spacious with a pleasant "hotel style" reception. It is surrounded by a large car park. Like most of the facilities, access is mainly by car. Internally, the appearance of the centre is acceptable. The staff maintain a reasonable level of cleanliness considering the age and design of the building. It is let down more by matters of detail, with poor finishes and areas of unrepaired damage. Substantial refurbishment should be considered.

The building is structurally sound. The main problems relate to design – for example, the café is in the wrong place; the swimming pool needs "leisurising"; and the projectile room could be utilised for other activities.

Overall, Clements Hall is an extremely comprehensive, busy, flagship leisure facility.

#### ***Park Sports Centre***

The Centre forms part of a now vacant school in Rayleigh, which dates from about 1976, but, with 65,000 users per year, it is still reasonably well used and includes 4 squash courts, a main sports hall, gymnasium, fitness suite, floodlit tennis courts and outdoor training area.

Its problem is that it is awkward to get to, and as a result, many Rayleigh residents prefer to use Clements Hall. It is also in a declining state of repair given the closure of the school and uncertainty regarding the future of the site.

However, the site has the potential to serve Rayleigh residents better than other facilities. With investment, access to the whole range of facilities and sensible opening hours, this could be a well-used facility.

The Council has a dual use agreement with Essex County Council on the use of Park School until 2005, and the car park until 2001. The Council has a long lease, until 2037, on the use of the site for squash courts, which are housed in a separate building.



Negotiation with Essex County for part of the site to refurbish and build new facilities is currently underway. Any new or refurbished facility should incorporate a sports hall, health and fitness, three squash courts and possibly a synthetic turf pitch, requiring a site size of 3 - 3.5 acres.

### ***Great Wakering Sports Centre***

This facility was funded by the Sports Council in circa 1976. It is a small community facility and whilst the sports hall is in good condition the rest of the centre is poorly decorated and in need of better maintenance. It is not very well used with only 18,000 visits a year (and usage is declining annually) and opens at 3pm on a Friday due to “lack of demand”. However, local people want to retain the facility.

### ***Mill Hall***

Mill Hall is a 1960/1970s building with meeting rooms, state of the art video projection equipment, café and large hall with stage. It is sited close to Rayleigh town centre. It is flat roofed, with a “municipal” appearance, although it has been part refurbished recently and is quite attractive inside.

Mill Hall is mainly used for community purposes. However, it is the only facility in the district for holding events, and as a result tries to be all things to all people. It is not meeting the demand which exists, and requires greater focus.

Mill Hall has enjoyed increasing patronage in all three bookings categories (club, social and meetings) in the last three years. Its recent refurbishment by the Council may help to improve usage further.

Mill Hall has the potential for better programming, including the development of arts and entertainment.

### ***Castle Hall***

Castle Hall is a small community hall with limited parking, located in a residential area of Rayleigh. It is popular for community activities, such as playgroups and birthday parties but has little potential for any other leisure use.

The Council may opt to remove this facility from the contract and offer it to local community management, depending on the level of interest in operating the facility.

### ***Freight House***

Freight House is situated adjacent to Rochford Railway Station, on the edge of the town centre. It is a unique building, inside and out, with quality fixtures and fittings and a dedicated staff.

It is the most commercially orientated of the three halls and is publicised by Leisure Connections as a meetings and conference centre rather than a community hall. It is also popular for weddings. It has the potential for realising additional income, whether it be through selling off the building or by focusing on commercial business.

The level of bookings at Freight House has been relatively static over the last three years.

## **4 Risk and Financial Issues**

### **4.1 Risk Allocation**

The Council will allocate risk to the party best positioned to manage it. A perceived advantage of the PPP arrangement is partly attributable to the Council's partner taking on significant elements of the risks involved. Prospective partners are invited to suggest how they would allocate risk, including:

- Planning )
- Design ) If appropriate
- Construction )
- Financing
- Management and operation.

### **4.2 Capital**

The Council anticipates the project to be orientated around redevelopment at Park Sports Centre, refurbishment at Clements Hall Leisure Centre and general refurbishment and maintenance at the other facilities. There has not been a capital value attributed to the associated works as yet, indeed the Council are keen to receive proposals for the refurbishment work from interested parties.

It has been identified that an investment of £1.7 million would be required simply to maintain the facilities over the next 2-5 years. At this stage, the Council are keen to understand the level of capital investment (and its implications on the revenue) that private sector partners are willing to consider.

## **5. Financial information about Rochford District Council**

### **5.1 Financial Information relating to the Existing Contract**

This section sets out a description of the existing contract and the current financial arrangements appertaining to it:

- the management fee currently paid to the contractor is £175,000 per annum. This rises with inflation, and will increase by a further £8,000 as a result of the operation of a crèche. Thus, the contract cost in 2001/2002 is likely to be in the region of £185,000-£190,000
- the contractor is responsible for the day to day management of Rochford District Council's six leisure facilities, and retains all income generated
- the Council has negotiated hire charges with the Contractor for those community groups who can demonstrate a commitment to book any of the halls on 10 occasions or more per year. This charge will remain unchanged until the end of the current contract. The Contractor has pricing freedom on other areas
- the contractor is responsible for all costs with the exception of the business rates and maintenance, the majority of which borne by the Council. The business rates for the facilities are £210,900 for the year 2000/2001

- maintenance costs have been increasing significantly in recent times. £194,600 was included in the Council's budget for 2000/2001. It is estimated that around £1.7m needs to be spent on planned maintenance in the next 10 years to maintain current standards. This excludes Park School. The majority of the expenditure will be required by Clements Hall, in 2003/2005
- a further sum of between £30,000 and £50,000 per annum is needed for responsive repairs at Clements Hall. The plant is mostly original
- the Council estimates that the total cost to the Council for the six facilities, including the management fee, maintenance, rates and central recharges, is in the region of £600,000 per annum
- during the last 11 years, Leisure Connection has invested approximately £800,000 in Clements Hall. The investment has produced improvement in a variety of areas including a refurbished reception area, a new changing village for the swimming pool, and new fitness equipment. A recent injection of £220,000, in exchange for a year's contract extension, repaired the swimming pool roof and replaced ducting etc, renewed the synthetic turf pitch, replaced the energy management system and refurbished the café
- the contractor also contributes £10,000 per annum to the Council's Sports Development Officer post.

Detailed income and expenditure figures are unavailable for the facilities, however Appendix C provides past usage and attendance figures for the facilities.

## 5.2 Political Constitution

The political make up of the Council is as follows:

Political Party	No of Members
Labour	9
Conservative	19
Liberal Democrat	9
Independant	3
<b>TOTAL</b>	<b>40</b>

## 6. Procurement Process and How to Apply

### 6.1 Summary of the Process

Interested parties should firstly confirm that they are eligible according to the issues set out in Appendix D. If eligible, bidders must respond in writing to the questionnaire set out in Appendix E by 12 noon on Friday 18 May 2001 providing five copies to:

Jeremy Bourne  
 Rochford District Council  
 Council Offices  
 South Street  
 Rochford  
 SS4 1BW

All responses must be returned in a plain envelope bearing one of the address labels provided. The envelopes MUST NOT carry any names or mark identifying the bidder.

The Council may not consider responses received in envelopes not bearing an address label. This also applies to responses not received in the form indicated, or not received by the closing date and time indicated.

No responses are to be submitted by facsimile or electronic mail.

Should firms wish to collaborate to form consortia, a response to the questionnaire should be submitted on behalf of the consortium as a whole, giving details of the constituent parties where required. Potential partners shall supply such further information as the Council may reasonably require in this regard in addition to that already specified in this IM. The Council will evaluate the information supplied by respondents. Respondents may then be asked to provide further clarification of that information and may be interviewed or invited to make presentations to the Council and its advisers. It is not intended that respondents should incur significant expense in developing their proposals at this stage.

The Council intends to hold a briefing session for interested parties in week commencing 16 April 2001 (to be confirmed). The purpose of this session will be to:

- enable interested parties to learn more about the Council's requirements
- demonstrate the commitment of the Council
- allow interested parties to meet members of the Council's project team.

Bidders should notify the Council when responding to the OJEC advertisement as to whether or not they intend to be at the briefing sessions.

Rochford District Council reserves the right not to accept any bid, to negotiate or otherwise with its potential suppliers and to vary its requirements for the project.

We have set out an indicative timetable, which endeavours to keep the stages of the procurement process to a minimum. It should be noted that all dates in the timetable overleaf are indicative (except for the dates of despatch of the OJEC notice and the deadline for receipt of requests to be selected to negotiate in response to the IM. Rochford District Council reserves the right to vary this timetable and will notify interested parties if they do so.

Key stage	Estimated completion date
Issue OJEC Advert	12 March 2001
Issue Information Memorandum	12 March 2001 onwards
Receive Expressions of interest etc	14 May 2001
Select Shortlist of Bidders	25 June 2001
Issue Invitation to Tender	27 August 2001
Bid Responses	December 2001
Select Preferred Bidder	December 2001
Final Negotiations and Due Diligence	December 2001/ January 2002
Contract Close	January 2002

It is requested that bidders should comment on this timetable when completing the questionnaire in Appendix E .

## 6.2 Qualification and Selection Process for the Shortlist

Using the information submitted, a long list of interested parties will first be determined, taking account of the prospective partners:

- eligibility
- ability to meet the minimum economic and financial standards
- ability to meet the minimum technical standards.

Submissions from potential Private Sector Partners (PSPs) who meet the above criteria will be evaluated and a shortlist selected. The following issues will be relevant to the Council's determination of the shortlist to whom Invitation to Negotiate documents will be sent:

- **Management** – a clear management structure for the project. Commitment in terms of appropriate skills, time and resources, plus a demonstrably successful and profitable experience in delivering similar services elsewhere together with a sound understanding of PPP and leisure development
- **Financial standing** – the ability to fund the work that will be required of the PSP and to raise the finance required to deliver the project (if appropriate)
- **Proposal** – the attractiveness to Rochford District Council of the initial proposals, particularly with reference to deliverability, potential capital investment and Best Value
- **Track Record** – evidence of experience relevant to the project and an understanding of the principles behind PPP and the management of public sector leisure facilities.

If necessary a short-list will be determined on the basis of how those parties on the long-list best meet the above criteria.

### **6.3 Invitation to tender**

Rochford District Council proposes to select at least six short-listed bidders and to send to each of them an Invitation to Negotiation (ITN) to be confirmed in 2001. Together with the ITN, information will be provided with the aim of reducing the due diligence work that needs to be carried out by the short-listed bidders. This will include:

- project draft agreement and operating agreement
- service specification
- operational information.

All of the above will be subject to negotiation.

### **6.4 Enquiries**

All enquiries should be made in writing to:

Helen Robson  
PMP Consultancy  
Birtley Courtyard  
Birtley Road  
Bramley  
Guildford  
Surrey  
GU5 0LA

Tel: 01482 890772  
Fax: 01483 890773  
E-mail: [helenr@pmpconsult.com](mailto:helenr@pmpconsult.com)

A written response will be sent to any enquiry. All exchanges must be kept strictly confidential by bidders, their advisers and their consultants. Bidders will be asked to enter into confidentiality agreements should it become appropriate to release confidential information.

Where responses to enquiries provide further information or clarification in relation to the project, Rochford District Council will also communicate such information to other interested parties. The confidentiality of prospective proposals will be respected.

### **6.5 Disclaimers**

All interested parties should read the disclaimers set out in Appendix F.

### **6.6 Submission Conditions**

The conditions and restrictions set out below shall apply to any responses made to this IM.

### **6.6.1 Membership of Consortia**

Where a prospective PSP is a consortium, the membership of the consortium and the principle relationship between the members may only be changed with the prior consent of Rochford District Council once the response has been received. However, by submitting a response to this IM, all prospective partners will be taken to have consented in advance to any changes in the composition of other bidding consortia at any stage in the process without specific reference from or consultation / discussion with Rochford District Council.

### **6.6.2 Sub- contracting**

Applications will be considered from organisations that wish to sub-contract some of the services, providing the sub-contractors meet the performance criteria set out in the contract document and are acceptable to Rochford District Council.

### **6.6.3 Contact with Rochford District Council**

All contact with Rochford District Council shall only be made through methods identified in this document. No contact shall be made with other Councillors, officers or employees of Rochford District Council or any other authorities or statutory bodies in relation to this proposed contract without the prior written consent of Rochford District Council.

### **6.6.4 Canvassing**

Any prospective PSP who directly or indirectly canvasses any member or official of Rochford District Council, or their legal or financial advisors, concerning the award of the contract, or engages in any corrupt practice involving Councillors or officials of Rochford District Council or their advisers will be disqualified.

### **6.6.5 Confidentiality**

All prospective PSPs must treat all information and documents issued by the Council and their advisers as private and confidential and the express written consent of the Council must be obtained prior to release of these documents to any third party.

### **6.6.6 Non-collusion**

Prospective PSPs are expressly and strictly prohibited from discussing with each other any aspect of their responses to this IM or otherwise exchanging information or colluding in respect of the contract. Any prospective PSPs who fail to comply with this requirement will be disqualified.

### **6.6.7 Preparation of Responses and Tenders**

Rochford District Council will reimburse no expenses incurred by the prospective partners in preparing responses or tenders.

### **6.6.8 Right of Rejection**

Rochford District Council reserves the right to reject any or all of the responses and to discontinue the contract award procedure.

Rochford District Council reserves the right not to award a contract and are not bound to accept the lowest price of any tender.

## **7 Appendices**

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