

## Appendix 9

### Risk Register - Leisure Futures

Ref	Title	Risk Description	Opp / Threat	Cause	Consequence	Risk Treatment	Date Raised	Owner	Gross		Current			Target		Comments	Control / Mitigation Description	Date Due	Action Status	% Progress	Action Owner
									P	I	P	I	Score	P	I						
	Control / Influence on Service	Reduced control of the service due to being outsourced	Threat	External provider not properly engaging with members and stakeholders		Reduce	01/11/23	Hagan Lewisman	4	3	3	2	6	2	1		Ensure that there is a robust contract in place, regular monitoring and that members are involved with local decision making				Dave Morrell
	Deterioration of Service	Deterioration of the standard delivered (customer service and Maintenance) over the lifetime of the contract.	Threat	Provider focuses elsewhere. Turbulence in the external environment.	Reduced level of service for local people and reduced participation	Reduce	01/11/23	Ian Brooke	4	4	4	3	12	2	2		Ensure that there is a robust contract in place, regular monitoring take places and a strong client team.				Hagan Lewisman / Dave Morrell
	Financial	The external provider is unable to achieve their business forecasts and asks for a change in contractual arrangements	Threat	External factors such as pandemics, utility pricing or a bid that was unrealistic.	Financial impact to OCC and or service reduction to cut costs that impact service quality.	Reduce	01/11/23	Ian Brooke	4	4	4	4	16	2	2		Scoring of bids includes an element on how deliverable is the business plan. Ensure robust contract in place and strong, well skilled client team.				Hagan Lewisman / Dave Morrell
	Mobilization / Transition	During the handover from existing to new supplier there could be complications or delays which could impact facility operations	Threat	Complications around contract or handover	Delay to opening and/or additional cost to OCC	Reduce	01/11/23	Hagan Lewisman	4	3	4	3	12	1	1		Ensure robust contract in place and that new providers mobilisation plan is deliverable. Internal transition plan and risk register.				Dave Morrell / James Baughan
	Not awarding	Cabinet / Council disagree with the recommendations in the report	Threat	Councillors unable to accept the recommendations	We would need either retender the service or bring it in house at short notice. Both would lead to facility closures until they can be sorted.	Reduce	01/11/23	Ian Brooke	3	5	3	5	15	2	3		Ensure that a robust tender process takes place alongside an internal comparator to ensure that the recommendation provides excellent value to the Council. Keeping Councillors informed through briefings. Explore extension with current contractor.				Annette Osborne / Hagan Lewisman / Dave Morrell
51	Challenge	Risk of legal challenge from unsuccessful bidders on the process	Threat	If bidders feel the process has not been fair and legal	Legal action leading to cost, delays and service disruption.	Reduce	04/12/23	Ian Brooke	2	4	2	4	8	1	4		Ensure procurement process is robust and in line with law and best practice. Regular and timely communication with bidders.				Annette Osborne
	Invest to saves	Invest to saves proposals not being accepted, or effectively delivered	Threat	If Invest to save proposals are not deliverable either practically or politically	Financial impact to assumed management fee	Reduce	04/12/23	Ian Brooke	3	3	3	3	9	1	3		Work with the preferred bidder to ensure they are deliverable and identify early in the process the impact if not deliverable. Explore suitable alternative options. Member engagement, and stakeholder conversations.				Ian Brooke
	Contract management	Robust contract management not being in place at the start of the contract	Threat	Lack of resource and prioritisation	Contractor not adhering to contractual obligations. Productive relationship not forming with the new operator.	Reduce	04/12/23	Ian Brooke	2	4	2	4	8	1	2		Ensure that adequate time and focus is given to ensuring contractual obligations are fulfilled. Ensure contract is robust including Pamesh.				Hagan Lewisman / Dave Morrell
	Negotiations	Preferred bidder tries to negotiate a different contract and management fee to the one they have submitted as their best and final offer.	Threat	Industry practice.	Financial impact on assumed management fee income	Reduce	04/12/23	Ian Brooke	2	4	2	4	8	2	2		Ensure that draft contract and service spec are robust and that we are clear on the process for negotiating with preferred bidder.				Raheela Ali / Annette Osborne
	Vat Implications	We have been presented with different ways of accounting for VAT within the bids.	Threat	Industry practice	If an operators VAT model was challenged there could be financial implications to the Council	Reduce	04/12/23	Nigel Kennedy	2	3	2	3	6	2	1		Ensure that any changes in legislation on how VAT is applied that the risk remain with the operator and not the council.				
	Inclusive access	Pricing and concessions are not effective at increasing usage in target groups.		Operator focusses on full paying customers	Leisure centers not playing their role in tackling inequalities	Reduce	04/12/23	Hagan Lewisman	3	3	2	4	8	2	3		Concessions have been shaped through dialogue. Changes may need to be made to improve the concessionary offer.				Hagan Lewisman / Dave Morrell
	Partnership	Effective partnership not formed with the new operator	Threat	Ineffective governance	Contract does not deliver its target outcomes	Reduce	04/12/23	Ian Brooke	1	3	1	4	4	1	2		Well-designed governance				Ian Brooke
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