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Award

Deed of Variation of Leisure Operating Contract

London Borough of Barking and Dagenham

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-063477

Procurement identifier (OCID): ocids-h6vhtk-044c8f

Published 8 October 2025, 5:48pm

Section I: Contracting authority/entity

I.1) Name and addresses

London Borough of Barking and Dagenham

Town Hall Square, 1 Clockhouse Avenue

Barking

IG11 7LU

Email

samantha.woolvett@lbbd.gov.uk

Country

United Kingdom

Region code

UKI52 - Barking & Dagenham and Havering

Internet address(es)

Main address

<https://lbbd.bravosolution.co.uk>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Deed of Variation of Leisure Operating Contract

II.1.2) Main CPV code

- 92610000 - Sports facilities operation services

II.1.3) Type of contract

Services

II.1.4) Short description

The London Borough of Barking and Dagenham (the Council) intends to enter into a deed of variation with Sports and Leisure Management Limited (SLM) in relation to the Leisure Operating Contract dated 12 September 2024 in order to appoint SLM as the Council's agent in delivering the leisure services at the Council's core leisure centre facilities.

The core leisure centre facilities include:

- Abbey Leisure Centre
- Becontree Heath Leisure Centre
- Jim Peters Stadium

Date of proposed modification is 1st November 2025.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £15,578,938

II.2) Description

II.2.2) Additional CPV code(s)

- 92000000 - Recreational, cultural and sporting services
- 92600000 - Sporting services

II.2.3) Place of performance

NUTS codes

- UKI52 - Barking & Dagenham and Havering

II.2.4) Description of the procurement

The London Borough of Barking and Dagenham (the Council) intends to enter into a deed of variation with Sports and Leisure Management Limited (SLM) in relation to the Leisure Operating Contract (Contract) dated 12 September 2024 in order to appoint SLM as the Council's agent in delivering the leisure services at the Council's core leisure centre facilities.

The core leisure centre facilities include:

- Abbey Leisure Centre
- Becontree Heath Leisure Centre
- Jim Peters Stadium

Date of proposed modification is 1st November 2025.

II.2.5) Award criteria

Cost criterion - Name: price / Weighting: 60

Cost criterion - Name: quality / Weighting: 30

Cost criterion - Name: social value / Weighting: 10

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

This voluntary ex ante transparency notice (VEAT Notice) gives notice that the Council is entering into a deed of variation (Variation) to make certain changes summarised in this VEAT Notice. A procurement procedure is not necessary on the basis that the award of the Deed of Variation of the Contract is permitted pursuant to Regulation 72 of the Public Contracts Regulations 2015.

The Contract is for the operation and management of the Council's three leisure centres to ensure the Council can provide quality and affordable leisure services for the residents within the borough, maintain the facilities and provide a financial return to the borough to invest in core services.

The Contract will be varied to adopt an agency model for the future operation and management of the three sports and leisure facilities. Under the current Contract, SLM acts as Principal in the supply of leisure facilities to the public. Under the new agency model in the Variation, SLM would make supplies to the public as an Agent of the Council so that it is the Council providing leisure services to the public through its Agent.

This modification is being made in accordance with regulation 72(1)(e) of the Public Contracts Regulations 2015 on the basis that it is not substantial within the meaning of regulation 72(8). The proposed modification does not constitute a substantial modification and is permitted by regulation 72 of the Public Contracts Regulations 2015 because:

(a) the modification does not render the Contract materially different in character. The Variation concerns the same type, scope and nature of services which will be delivered at the same Council facilities to the Council's residents. The Contract was already for the operation of the Council's leisure facilities and the Variation makes contractual changes

to establish an agency model so that SLM provides the Council's statutory leisure services to the public on the Council's behalf and other ancillary modifications. This generates VAT savings.

(b) the modification does not introduce conditions which would have (i) allowed for the admission of other candidates, (ii) allowed for the acceptance of another tender, or (iii) attracted additional participants in the procurement procedure. Delivering the Council's statutory leisure services as agent rather than outsourced contractor will not affect the physical operation of the leisure centres. The change to an agency model for VAT purposes does not change the service requirement or the way in which those services are provided, and is unlikely to have changed the outcome of the procurement.

(c) The modification does not change the economic balance in favour of the contractor in a manner which was not provided for in the initial contract. The new agency model and associated VAT benefits does not impact on SLM's operating costs and management fee under the Contract, which remains reflective of market costs. The agency model will provide a greater return than previously anticipated.

(d) the modification does not extend the scope of the contract.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2024/S 000-030053](#)

Section V. Award of contract/concession

Title

Deed of Variation of Leisure Operating Contract

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

12 September 2024

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Sports and Leisure Management Ltd (SLM)

2 Watling Drive, Hinckley

Leicestershire

LE10 3EY

Country

United Kingdom

NUTS code

- UKF22 - Leicestershire CC and Rutland

National registration number

2204085

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £15,578,938

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.3) Additional information

The Council appointed SLM to provide the leisure services pursuant to the Contract and Leases for the management and operation of the Council's three leisure centres.

The Contract Period is 10 years from 15 September 2024. The Council will be entitled at its absolute discretion to extend the Contract Period on the same terms for a further period or periods of up to 5 years making a total possible Contract Period of 15 years.

The Council intends to enter a deed of variation with SLM to modify the Contract to appoint SLM as the Council's Agent.

The Deed of Variation will set out the scope of the agency appointment and the extent to which SLM will act as the Council's agent. SLM shall be appointed as the Council's Agent to provide the leisure services and maintenance of the Council's facilities but shall continue to carry out other services (specifically, the provision of food, beverages and retail services) as an outsourced supplier to the Council.

The Deed of Variation does not materially alter the risk position of the parties.

The Agent shall receive a variable management fee and reimbursement for its operating costs in providing the agency services.

The Council is guaranteed a Guaranteed Minimum Return of the revenue received each year on the Council's behalf having regard to the operating costs and management fee payable to the Agent.

The Agent shall have a licence to occupy each of the Council's facilities.

Date of proposed modification is 1st November 2025.

VI.4) Procedures for review

VI.4.1) Review body

The High Court

London

Country

United Kingdom

