

Commissioning Agreement

Between the County of Herefordshire District Council and Visit Herefordshire

Introduction

This Agreement is dated 1st April 2013 made between the County of Herefordshire District Council ("the Council") and Visit Herefordshire Limited whose registered office is situated at 1 King Street, Hereford HR4 9BW (Company No: 06468653) ("VH") as regards outline requirements in relation to the delivery of tourism services within the County of Herefordshire.

The agreement covers financial years 2013-14, 2014- 15 and 2014-15 with the option to renew subject to an annual review of performance and achievement (also see Termination clause).

Purpose of this agreement

This agreement formalises the financial contribution of the Council to the services provided by VH in growth of the Herefordshire Visitor Economy with links to the wider regeneration of Herefordshire, relating to the vision of the Council that :

The County of Herefordshire will be a place where people, organisations and businesses working together within an outstanding natural environment will bring about sustainable prosperity and well being for all.

Required Activity

As being the lead body in the delivery of tourism VH will be expected to conduct the following activity:

- The Tourism and Visitor functions devolved through a schedule of activity outlined in the Commissioning Plan (see Appendix 1) and to achieve the performance objectives, outcomes and indicators within the Plan.

Reporting and Terms and Conditions

VH will provide reports to the Council updating on progress of activities with quarterly meetings to measure progress.

For the financial year 2013-14 monitoring meetings to take place in the following months:

July 2013
October 2013
January 2014

March 2014

Commissioning in the form of a template shown in the schedule below ("Commissioning Plan") and end of year reports ("Commissioning Reports") to be produced 7 days in advance of the said above relevant monitoring meeting as these will be the basis of measuring performance and milestones.

End of year report to be produced for the above said annual meeting in May to include:

- An Annual Return on local performance indicators
- Financial income and expenditure for the year, including draft audited accounts
- Final report on activities and its impact

This agreement may require amendments in the light of experience of implementing its terms. Any amendments will need to be negotiated and agreed in writing by both parties.

The agreement is based on a three year rolling programme, updated annually.

The value of the commission to Visit Herefordshire is :

2013-14 £142,241.05

2014-15 £115,570.85

2015-16 £88,900.66

Legislative Requirements

VH must comply with all relevant legislation and other legal requirements relevant to the provision of the services and without prejudice to the generality of this agreement's indemnity and insurance clause herein must indemnify the Council against all claims brought against the Council arising from the breach by VH of any legal requirements under this clause.

VH will enter separate agreements in the purchase of services (e.g. TIC, legal, financial) or sub-lease of 1 King Street occupancy.

VH will credit and recognise support from Herefordshire Council as a key partner and funder. This will take the form of the Council logo on all appropriate publications, media, website etc. VH will follow the Council guidance supplied.

Insurance and Indemnity

Visit Herefordshire will arrange adequate professional indemnity, employment liability and property insurances to cover such liabilities as may arise in the course of its work.

Termination

Either party may terminate the agreement at any time:

1. By giving three months notice to either party or.
2. By notice of termination to the other party if the other party shall fail or neglect to observe and perform any of its obligations under this agreement having previously been served by the aggrieved party with a written notice of such failure or neglect and failed to remedy such failure with the period specified in that notice (which shall be no less than 28 days).

Resolution of Disputes

Any dispute or difference between the parties about the interpretation or operation of this agreement which cannot be resolved shall be referred for resolution to the Director for Places and Communities of the Council, and the Chairperson of VH who will meet within 14 days of a written request from one party to the other, in good faith to resolve the dispute.

If the parties cannot resolve the dispute through the above process, the dispute may be settled by mediation. Any agreement reached in mediation shall be in writing and be final and binding on both parties. This is without prejudice to either party's right to terminate the agreement in accordance with the termination clause above and/or either party's right to issue legal proceedings.

Service

Any written notice mentioned herein may be deemed to be served on either relevant party to this agreement by being addressed to the following:

Notice to the Council: Geoff Hughes, Director for Places and Communities, Brockington, 35 Hafod Road, Hereford HR1 1SH

Notice to VH: Sir Ben Gill, (Chairman), **1 King Street, Hereford HR4 9BW**

Payment

For 2013-14 to 2015-16 financial year Herefordshire Council will award Visit Herefordshire with payments comprising of :

2013-14 £142,241.05 **2014-15** £115,570.85 **2015-16** £88,900.66

VH will receive four stage payments based on satisfactory progress against the Commissioning Plan of 25%, 30%,30% and 15%

VH will receive four stage payments per annum based on satisfactory progress against the Commissioning Reports of 25 %, 30%,30% and 15% of the total management fee.

In each financial year this will be paid in the first week of April, July, October and January.

Declaration

Signed on behalf of the Council:

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Authorised Officer: Geoff Hughes, Director for Places and Communities

Signed on behalf of VH:

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Authorised Representative: Sir Ben Gill, Chairman

SCHEDULE Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 1	Visitor Information			
Activity Description	Publish annual visitor information either printed or web based to market the county as a destination to visit.			
Performance Objective	Marketing and promotion of the county.			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks	Lack of buy in from tourism operators to support the publications.			
Milestones and review	1st quarter List of promotion and marketing schedule.	2nd quarter Update on planned schedule meeting agreed time table.	3rd quarter % completion of schedule.	Year 1 Schedule complete. Evaluation of effectiveness.
Value	£10,000	£10,000	£10,000	
Performance Targets	Agreement on way forward with brand.			100 businesses participating (baseline: 70). Guides and/or web are self financing.
Performance Results				
Three year view	Year 1 Increase number of businesses participating in the publications and make them self financing.	Year 2 Make a profit from publishing of the guides.	Year 3 Make a 20% profit from the publishing of visitor information.	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 2	Visitor Strategy and Business Plan			
Activity Description	Produce a 5 year Tourism strategy and a 3 year rolling business plan for the county.			
Performance Objective	Leadership, Management and strategy developed			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks				
Milestones and review	1st quarter Agree outline strategy and business plan.	2nd quarter Consultation with businesses on the key objectives of the plan.	3rd quarter Write the strategy to incorporate the comments.	Year 1 Publish strategy.
Value	£10,000	£10,000	£5,000	
Performance Targets		10 consultation events.		Complete five year strategy and three year business plan.
Performance Results				
Three year view	Year 1 Produce the Strategy	Year 2 Implementation of key recommendations.	Year 3 Review of key activities and monitor the delivery of the strategy.	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 3	Research and Data Recording			
Activity Description	Undertake research to measure the volume and value of tourism to the economy of Herefordshire and maintain a data base of businesses in the county.			
Performance Objective	Leadership, Management and strategy developed			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks	There is a risk against not achieving the increased target if there is further downturn in the economy and visitor numbers fall.			
Milestones and review	1st quarter Visitor survey and bed occupancy survey.	2nd quarter Half yearly indicator. Annual update of database	3rd quarter Progress on findings.	Year 1 Annual STEAM report in April. Breakdown of data-base profiles.
Value	£10,000	£5,000	£5,000	
Performance Targets	Base line £430m value of tourism			Increase the value of tourism to £450 million per annum to the economy.
Performance Results				February full figure available.
Three year view	Year 1 £450 million	Year 2 £500 million	Year 3 £550 million	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 4	Food Festival			
Activity Description	Organise an annual Food Festival to promote the produce of Herefordshire.			
Performance Objective	Marketing and promotion of the county.			
Relevant funding and resources	PROJECT <input checked="" type="checkbox"/>			
Risks	Poor weather and low participation from producers.			
Milestones and review	1st quarter Review of venue.	2nd quarter Review number of stands booked.	3rd quarter Report outcomes of the festival.	Year 1 100 exhibition stands. £20,000 of sponsorship.
Value	£10,000	£10,000	£5,000	
Performance Targets		60% of exhibitors from Herefordshire.	Value of media coverage.	Visitor attendance.
Performance Results				
Three year view	Year 1 Establish baseline	Year 2 5% increase	Year 3 5% increase on previous year	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 5	Flavours Awards			
Activity Description	Operate the annual Flavours of Herefordshire Food Awards.			
Performance Objective	Market and promotion of the county			
Relevant funding and resources	PROJECT <input checked="" type="checkbox"/>			
Risks	Lack of buy in from food businesses for the scheme.			
Milestones and review	1st quarter Invitation to businesses to participate.	2nd quarter Judging of the entries.	3rd quarter Review delivery.	Year 1 Awards ceremony, promotion of the winners, publicity via the press.
Value	£5,000	£10,000	£5,000	
Performance Targets			Value of media coverage.	Increase number of businesses participating.
Performance Results				
Three year view	Year 1 50 businesses participating	Year 2 55 businesses participating	Year 3 60 businesses participating.	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 6	Business Assistance			
Activity Description	To provide business assistance to tourism operators in the county especially in relation to the development of visitor offer. To include hotel accommodation in the city and improvement of the accommodation offer across the county. To work with local Tourist Associations and tourism groups in the county.			
Performance Objective	Leadership, Management and strategy developed			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks	Lack of investment from businesses.			
Milestones and review	1st quarter Establish network of LTAs.	2nd quarter Establish business support programme, seeking additional funding.	3rd quarter Implement business support programme.	Year 1 Improve hotel accommodation in Hereford / Hereford surrounds.
Value	£	£	£	£
Performance Targets	Confirm definition of businesses assisted and support.	Implement a framework of support for LTAs.	Imbedded communication within the sector; investigate opportunity for training offer.	Communication and support mechanisms in place.
Performance Results				
Three year view	Year 1 Identify and develop four key service areas that provide advice and support.	Year 2 tbc		Year 3 tbc

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 7	The Discover Herefordshire Centre and TIPS			
Activity Description	To operate the front facing office for Visit Herefordshire and develop a showcase shop to promote Visit Herefordshire members. To also facilitate the TIP network and support TIC operators.			
Performance Objective	To support the visitor experience in the county.			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks	Duplication with other outlets in the city.			
Milestones and review	1st quarter Develop centre as focus of crafts retail and visitor information. Aid TICs in the county.	2nd quarter Identify quality of TIPS, and instigate monthly visits to ensure their quality.	3rd quarter Report on the quality of the TIPS.	Year 1 Aid network of information for visitors in the county.
Value	£10,000	£10,000	£10,000	
Performance Targets		Produce report on the number and quality of TIPS, and where improvements need to be made.	Instigate improvements identified.	Achieve £150,000 of gross sales through the centre.
Performance Results				
Three year view	Year 1 Sales through the centre £150,000.	Year 2 Increase sales to £200,000	Year 3 Increase sales to £250,000.	

Commissioning Template

Service Provider: Visit Herefordshire Year: 2011/12

Activity : 8	Volunteering and placements			
Activity Description	As an organisation provide opportunity for people to gain experience of the tourism trade through fostering volunteering and placements within Visit Herefordshire and the wider tourism industry.			
Performance Objective	Leadership, Management and strategy developed			
Relevant funding and resources	CORE <input checked="" type="checkbox"/>			
Risks	Capacity of organisation.			
Milestones and review	1st quarter 2 volunteers in place for the Discover Hereford Centre.	2nd quarter Provide work placement.	3rd quarter Recruit volunteers to support events.	Year 1 Report on placement and volunteering opportunities.
Value	£2,000	£2,000	£1,000	
Performance Targets	One workplace	Funding sought for one apprenticeship	Promotion of volunteering opportunities.	
Performance Results				
Three year view	Year 1 Volunteering and placement opportunities.	Year 2 Apprenticeship potentially in place.	Year 3	