



Report of the Section 151 Officer

Pension Fund Committee - 13 September 2018

Admission Body Application – Freedom Leisure

Purpose:	To approve the admission body application for Freedom Leisure.
Reason for Decision:	To ensure compliance with the Local Government Pension Scheme Regulations 2013 (as amended).
Consultation:	Legal, Finance and Access to Services.
Recommendation:	1.The Pension Fund Committee approves the Admission Body Application of Freedom Leisure, subject to completion of a satisfactory Admission Agreement 2. Officers in the Council’s legal department are given authority to finalise the Admission Agreement as outlined in this report.
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Finance Officer:	J Dong
Legal Officer:	S Williams
Access to Services Officer:	R Millar

1 Background

- 1.1 The Local Government Pension Regulations 2013 permit an Administering Authority to make an admission agreement with :

“a body which provides a public service in the United Kingdom which operates otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest”

- 1.2 The City & County of Swansea Pension Fund already has a number of such employers admitted into the scheme e.g Tai Tarian Housing; Celtic Community Leisure and Rathbone Training

2 Freedom Leisure

- 2.1 Following a procurement exercise undertaken by scheduled employer, City & County of Swansea, Freedom Leisure were awarded the contract to provide leisure management services to Swansea Council. They will be responsible for the operation of the leisure facilities and this includes the day to day operation, staffing, customer service, health and safety, and marketing of the facilities. They will also be responsible for investment in the refurbishment of the facilities and implementation of effective planned preventive and lifecycle maintenance regimes. The contract includes the operation of The LC2; Penlan, Penyrheol, Morryston, and Cefn Hengoed Leisure Centres, Bishopston Sports Centre and Elba Sports Complex. It has been determined that these services satisfy the criteria required for admitted body status under LGPS Regulations.
- 2.2 Wealden Leisure Limited (trading as Freedom Leisure) are a genuine not for profit organisation with HMRC approved exempt charity status. They have an objective of providing high quality and affordable health, fitness and leisure activities to the local communities which they serve. As a genuine charity there are no shareholders to satisfy, no profit margins sought by venture capital holding companies and no share dividends to be paid to anonymous people. Their IPS registration number is 29336R and HMRC Charity Number is XR74015
- 2.3 The contract for services is due to commence on the 1st October 2018.

3 Admission Agreement

- 3.1 Under the contract conditions, it is proposed that the current workforce are transferred under TUPE arrangements from the current employer, The City & County of Swansea to Freedom Leisure. In order to preserve the pension rights of the transferred staff, it is proposed that Freedom Leisure are granted Admitted Body status to the City & County of Swansea Pension Fund. It is proposed that the admission agreement is granted on a closed scheme basis, to include only the named staff in schedule 1 of the admission agreement.
- 3.2 The admission agreement shall require the requisite indemnity bond or sponsoring employer guarantee is secured from the sponsoring employer, the City & County of Swansea. The Administering Authority shall also undertake the appropriate risk assessment of the admitted body, Freedom Leisure.

4 Legal Implications

- 4.1 An Admission Agreement will need to be prepared as outlined in this report with the appropriate indemnity included.

5 Financial Implications

- 5.1 There are no financial implications arising directly from this report

6 Equality and Engagement Implications

6.1 There are no equality and engagement implications arising from this report

Background Papers: None.

Appendices: None.

