

ANNEX 1



SERVICE (LEVEL) AGREEMENT

Between

The City of York Council
Economic Development &
Partnerships,
9 St Leonard's Place
York, YO1 7ET

and

Visit York
20 George Hudson
Street
York, YO1 6WR

From the 1st April 2008 to 31st March 2011, subsequently a rolling 3 year agreement subject to annual review.

1. SUMMARY

A contribution (value to be confirmed during the budget setting process) will be paid by City of York Council to the above organisation.

This is a proposed Service Level Agreement (SLA) between the Council and Visit York (the working title of the new Single Tourism Organisation). It complements the Company's Memorandum and Articles of Association and is designed to highlight key issues that the Council will wish to see addressed by the Board of the new company, in return for a rolling three year agreement of financial and staffing support. The Council is fully committed to Visit York, and sees the company as an outstanding opportunity to fundamentally address the city's collective ambition for a successful, thriving visitor economy.

The function of Visit York will be to create the environment through a company limited by guarantee, for the continued development of tourism in York and the surrounding area. This will ensure that tourism remains an effective and successful contributor to the York economy. It will lead on defining and seeking investment to develop the quality of the York product, and market York as a destination to the leisure and business visitor including domestic and overseas markets. The overall ambition for Visit York is designed to help achieve (in fact,

exceed) the Yorkshire Forward target of 5% per annum growth in tourism earnings and allow York to become an exemplar of good practice.

2. SERVICE/ACTIVITY TO BE PROVIDED

The specific activities of Visit York, subject to final confirmation by the newly appointed Chair and Board, are likely to include:

- Setting the strategic direction for the development of tourism in York – led through the Chair and the Board, but with strong input from the Chief Executive
- Aiming to encourage and facilitate transformational enhancements to York's visitor attractions, improvements to accommodation and hospitality provision within the city and influencing inward investment
- Defining and securing public and private sector investment to develop the quality of the York product (including championing investment in the public realm), and its marketing and promotion
- Maintaining and building on the current level of income from the private and public sector funding in order to carry out its core functions – raising funds from the private sector and maintaining investment and commitment from the Council and other public funding agencies
- Specific marketing activity that delivers business to the city of York and the surrounding region through destination marketing, and directly to businesses through VIC services, hotel bookings, the visityork website etc
- Engagement and communication with stakeholders, businesses and service providers. This also includes representation on many outside bodies as determined by the Visit York Board
- Seek to enhance the marketing and packaging of signature events and festivals, evening activities etc that will bring additional staying and high-spend visitors to York
- Pursuing a sustainable, green tourism agenda for the city and its businesses
- Encouraging the take up of employer-focused business support, skills development and training activities and working with the industry and partners on the promotion of careers in the tourism industry
- Commitment to performance management for the benefit of the Visit York Board, and for reporting to stakeholders and businesses

- Ambassadorial function – acting as the voice of tourism for York. Influencing national, regional and local strategies and opportunities for external funding, and working with regional and sub-regional agencies.

The forward strategy of Visit York will be to continue to grow and develop the private sector engagement with the partnership, increasing the level of support, to continue to secure significant investment from the public sector (through City of York Council), and to seek external funding for specific projects, through Yorkshire Forward or other bodies, that will secure the long-term future of York as a premier visitor destination. The future activities of Visit York will be guided by a business plan.

COUNCIL PRIORITIES TO BE ADDRESSED IN THE VISIT YORK BUSINESS PLAN

The Council's funding provides a contribution towards the activities to be set out in a business plan for Visit York, which will be agreed by the company Board. The Council will require Visit York, within the Business Planning process, to address the following activities which are regarded as priorities for the strategic development of tourism in the City, and which the Council has long supported through the current York Tourism Partnership:

- i. Production and/or revision of a Tourism Strategy and Action Plan for the City through consultation and involvement of the Council and other stakeholders;
- ii. Acting on behalf of the City on priorities that enhance York's tourism offer to attract higher added value in the tourism sector and to strengthen the City's function as a tourism gateway to a wider region;
- iii. Developing the quality of the York visitor product, either directly or through influencing and engaging with business interests;
- iv. Ensuring that Visit York has sufficient resources to be able to run its services effectively and maintaining the financial viability of the company;
- v. Ensuring that timely responses are made to consultation from the Council, thereby assisting the Council to fulfil any responsibilities to consult with the tourism industry;
- vi. Helping the Council to achieve its environmental sustainability objectives through Visit York pursuing a sustainable, green tourism agenda for the City and tourism businesses;
- vii. Encourage and facilitate transformational enhancements to York's visitor economy, subject to the development of a business plan for Visit York and the availability of resources;
- viii. Complement and contribute to the work of [York@Large](#), particularly regarding the promotion of major events in the City that will attract visitors;

- ix. Take account of the interests of residents in the development of tourism, including to continue to run the Residents First Weekend or other similar activity;
- x. Provide tourism advice to the Council and other stakeholders on issues such as business skills and training needs;
- xi. Deliver information services to York`s visitors and make best use of destination management systems;
- xii. Provide input, comment and intelligence so that the Council can respond to regional and national tourism policy where the local authority can have an input.

Support for Citywide and Council Priorities:

The Council recognises that this project fulfils several of its stated corporate aims. One of the Council`s strategic priorities is to enhance the economic prosperity of the City`s residents with a focus on minimising income differentials. The Council is committed to working in partnership to achieve its strategic aims through the Local Strategic Partnership, the Economic Development Partnership Board, as well as specific partnerships such as Visit York. It also works with the Local Strategic Partnership to the aims and performance measures agreed with Government through a Local Area Agreement.

3. SERVICE STANDARDS, STATUTORY AND POLICY CONDITIONS

a) The organisation will comply with the following general and statutory requirements:

- Health and Safety legislation: including development and implementation of a Health and Safety policy for the organisation
- Equal Opportunities legislation (including the Disability Discrimination Act 1985, Race Relations (Amendment) Act 2000 requirements: including development and implementation of an Equal Opportunities policy
- Arrange Public liability and employers insurance consistent with the range and manner of services provided
- Development and implementation of a Complaints procedure.

b) The organisation will additionally comply where appropriate with the requirements of:

- the Children Act, public entertainment license, First Aid certificates and Criminal Records Bureau checks.
- Any other standards or requirements appropriate to the services provided.

4. MONITORING CONDITIONS AND ARRANGEMENTS:

- a) **The Council will monitor the performance of the organisation in carrying out the service or activity funded. This may include visits, review meetings, inspection of records and financial accounts relating to the funding with 14 days notice.**

The organisation will submit monitoring reports to the Council as set out below:

b) Performance Indicators

The Council will monitor the activity/service provided by the organisation using the following performance indicators:

Type of measure	Indicator	Format
Quality measures:	<ul style="list-style-type: none"> Investors in People (The Bureau currently has this) 	<i>Confirmation of level maintained; progress achieved</i>
Customer satisfaction:	<ul style="list-style-type: none"> To achieve a 1% increase per annum in visitor satisfaction 	<i>Visitor survey in line with the existing approach (and a possible pan-Yorkshire visitor satisfaction survey due to start in 2008-09)</i>
<p>Objective outputs measures:</p> <p><i>(These are put forward as KPIs, but it is understood that Visit York and the Council will need to review them once the business plan is approved by Board)</i></p>	<ul style="list-style-type: none"> To increase visitor spend per annum by at least the current target of 5% per annum. This target could rise in the longer term To increase the average length of stay by 1% annually To increase the number of jobs created in the tourism sector of the local economy of York through increased visitor spend by a growth of 1% per annum in employment (i.e. the average level of improvement over the past 12 years. Set a target for usage of the Visitor Information Centre 	<p><i>Measurement by economic impact assessment, utilising the long history of evaluation established under First Stop York</i></p> <p><i>To meet the requirement set out in the Local Area Agreement</i></p> <p><i>Measurement by economic impact assessment, utilising the long history of evaluation established under First Stop York</i></p> <p><i>Maintenance of records by Visit York</i></p>

	<p>service (to be confirmed)</p> <ul style="list-style-type: none"> • To maintain private sector membership of Visit York to at least the same level as recent years as experienced by the York Tourism Bureau. <p>To maintain the number of tourism businesses in York engaged in skills development.</p> <p>To maintain the number of training days per annum delivered or facilitated by Visit York to tourism business.</p> <p>To set a return on investment value of publicity generated through marketing and promotional activities.</p>	<p><i>Maintenance of records by Visit York</i></p> <p><i>Maintenance of records by Visit York</i></p> <p><i>Maintenance of records by Visit York</i></p> <p><i>Maintenance of records by Visit York</i></p>
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Qualitative monitoring:

In addition to the above figures, Visit York will prepare a report to the Council on the above or any additional activity/project work within the City of York area – including for example, involvement in partnership working, forums, involvement in national and regional initiatives. This report to be prepared by the end of December each year, to feed the Annual Review process (see e) below)

c) Qualitative information

The organisation will provide an accurate and detailed monitoring report to the Council to demonstrate that the funding awarded has been used for service or activity specified above – to be completed by December in the financial year in question. The Council has the right to request access to financial records and information.

d) Failure by the organisation to submit satisfactory monitoring reports as indicated and by the dates due may result in the Council withholding funding or terminating the agreement.

e) Annual Review

The Council will carry out an Annual Review with the organisation by 31st January. This will include a review of performance as set out in the agreement and the continuing need for the service or activity. The results

of the Annual Review will be used to inform the Council's decision on the continuation of the agreement into the second and third years of the agreement.

f) The Council will provide the organisation with a record of the Annual Review within 14 days of the Annual Review.

5. CITY OF YORK COUNCIL CONTRIBUTION

a) The Council's financial contribution in 2008-09 is subject to the budget-setting process, and funding will be in accordance with financial regulations.

b) The Council will make the payment on receipt of the signed service agreement.

c) The Council will pay the same level of funding for each year remaining of the agreement, subject to a satisfactory Annual Review and also having regard to the following paragraphs.

d) The Council will consider making an additional award for inflation at the end of the first and second years of this agreement.

e) Please note that whilst the Council is committed to fulfilling its responsibilities under this agreement, maintaining the same level of funding and making additional awards for inflation is subject to the Council's budgetary provision.

f) In the event of unforeseen and significant reductions in the level of funding available to the Council the Council may offer either a lower payment or terminate the agreement at the end of the first or second years.

g) In the event of either of these circumstances arising the Council's authorised officer will contact the organisation as soon as practicably possible to discuss options for maintaining levels of service and minimising disruption to the organisation's related operations.

h) The Council will nominate 3 representatives to serve on the Board of Visit York. In the event that the Members of the Company shall seek in a General Meeting to amend the Memorandum and Articles of Association of the Company without the consent of the Council such consent not to be unreasonably withheld and/or to remove a Director or Directors nominated by the Council without due cause, the Council will be at liberty to discontinue its support of the Company from the date of such General Meeting.

i) A senior Officer of the Council will attend Board meetings to advise and support the Company in a non-voting capacity. If requested the Council will provide a reasonable level of information, advice and support to the organisation in connection with this agreement. The organisation should contact the authorised signatory of the Council in the first instance to discuss what support may be available.

j) The Council, through the authorised signatory will meet with representatives of the organisation at least once a quarter to monitor and discuss the agreement. Further meetings may be arranged if appropriate.

k) The Council will agree to second up to four existing posts related to the work of the Company, subject to the provisions of a separate secondment agreement.

6. FUNDING CONDITIONS:

a) The organisation will:

- submit its annual report and accounts at a date to be agreed by the stakeholders.
- inform the Council of any changes to its Constitution, Management Committee or contact representative as soon as practicably possible.
- inform the Council of any changes to its charging policy, staffing arrangements or delivery of the service or activity as soon as practicably possible

b) The agreement may be terminated immediately if there is a material failure by the Organisation to fulfil the terms of this agreement.

c) The Council may require the Organisation to repay all or part of the funding if:

- the funding is not used for the service or activity specified and by the named organisation only, unless the Council feels able to accept that there are legitimate reasons which have presented the obligations being fully met.
- the organisation is not able to provide the service or activity specified to the agreed standard, unless the Council feels able to accept that there are legitimate reasons which have prevented the obligations being fully met.
- In these circumstances, an Action Plan shall be agreed with the Council and shall be implemented successfully by the Company.
- the organisation is wound up or otherwise ceases to exist

d) In using public money, the Company must follow the principle of Council procedures in terms of financial probity, equal opportunities and

best value practice in delivering projects and in the selection and recruitment of contractors – Visit York will devise appropriate procedures to meet these requirements. This will include formally evaluating projects to ensure that best value practices have been used and keeping an audit trail of financial records.

e) The terms of the agreement may be varied or the agreement terminated by mutual consent of the Organisation and the Council.

7. SIGNATURES:

a) This agreement is accepted on behalf of the Organisation by the authorised officers:

Position	Signature	Print name
Date		

b) This agreement is accepted on behalf of the Council by the authorised officer:

Position	Signature	Print name
Date		