

**Appendix 1: Table of amended Deed of Variation clauses**

|   | <b>Deed of Variation change</b>  | <b>Current terms of the contract</b>   | <b>Notes</b>   |
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| 1 | That a new Deed of Variation is entered into, which should be effective from 1 October 2020.   | A Deed of Variation agreed between the parties and signed on 22 May 2020 provided additional funding to Parkwood Leisure to cover the impact of the Covid-19 pandemic from 21 March 2020 until 30 September 2020. This was in line with government guidance. | The additional funds provided by the Council were not required and have been returned.   |
| 2 | That the Deed of Variation gives contractual flexibility up to 30 September 2021.  |  | If support is required beyond 30 September 2021 another Deed of Variation will be required. If this is the case it could have greater implications for the Council, because this is the current date for the end of the furlough scheme, so a separate committee decision will be needed for this. |
| 3 | That the following KPIs be varied to give greater flexibility in the recovery phase: <ul style="list-style-type: none"> <li>The attendance targets be amended to 50% of the allowable capacity (not the total capacity) reported on average across the calendar year.</li> </ul> | The contract has some other key obligations which will remain in place. These are: <ul style="list-style-type: none"> <li>Customer satisfaction rate above 60%</li> <li>An annual pantomime is delivered (this falls beyond the variation</li> </ul>         |  |

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|  | <ul style="list-style-type: none"> <li>• The requirement for 4 new professional programmes to be delivered is suspended. As per paragraph 2.8 this may not be possible in 2021.</li> <li>• The obligation to have no gap of greater than 45 days in the programme is removed. With one or two cancellations by promoters this may not be achievable in the variation time period.</li> <li>• Every agreed genre to be delivered is varied to a range of genres being delivered, based on what is available from promoters.</li> <li>• The provision and promotion of a digital programme of activities is added to the contract.</li> <li>• Outdoor performances, where possible, are prioritised. This is linked to the CRF bid as per paragraph 2.13.</li> </ul> | <p>period but planning will be ongoing during the variation period</p> <ul style="list-style-type: none"> <li>• All building, maintenance and repair obligations remain in place.</li> </ul> |  |
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