

THE MORAY COUNCIL**RULES FOR THE MANAGEMENT OF SPORTS OR LEISURE CENTRES INCLUDING SWIMMING POOLS**

The Moray Council (hereinafter “the Council”) in accordance with the terms of Section 112 of the Civic Government (Scotland) Act 1982, hereby make the following Management Rules to regulate the use of and the conduct of persons while in any sports and leisure centres, including swimming pools, owned, occupied or managed by the Council or otherwise under their control:-

1. Interpretation of terms

In the construction of these Rules of Management, the following expressions shall have the meanings hereby assigned to them, that is to say:

- (a) “The Council” means The Moray Council as constituted by the Local Government (Scotland) Act 1973.
- (b) “Authorised Officer” means the Corporate Director of Education and Social Care or any other person appointed by the Corporate Director of Education and Social Care as an Authorised Officer.
- (c) “Duty Officer” means the senior member of staff on shift at the facility, authorised in this capacity on behalf of the Council.
- (d) “The Sports or Leisure Centres” means all Sports or Leisure Centres within The Moray Council under the control and management of The Moray Council and covers all facilities within and pertaining to such Centres.
- (e) “Facilities” means all of the Moray Council’s Sports or Leisure Centres facilities including buildings, premises, land, playing area(s), swimming pools, shower or changing area(s), toilets, spectators’ area or gallery, cafeteria or grounds and fixtures and fittings.
- (f) “Games Area” means all areas within the sports or leisure centres with snooker, pool tables, tennis table etc.
- (g) “Swimming Pool” means any Swimming Pool owned, occupied or managed by the Council or otherwise under the Council’s control.
- (h) “Bathers” means any person using any of the swimming pool facilities within the Building.
- (i) “Capable Swimmer” means any person able to swim a length of the pool using any stroke in a reasonable style and is capable of treading water, unaided, for two minutes.

2. Regulation and admission of the public

- (a) The hours of opening and closing the premises shall be fixed by the Council who reserve the right to alter the same at any time.
- (b) Other than with the consent of the Authorised Officer, every person, or group of people, except a duly authorised member of the Council shall, before using any Sports or Leisure Centre's facilities either:
 - a. Obtain from reception, by payment of the current rate, a ticket authorising the use of an area which has been designated as suitable for the activity requested, or
 - b. Produce a valid ticket relating to special activity prices or schemes as may be determined from time to time by the Council entitling such person to admission to such Sports or Leisure Centre's facilities.
- (c) No person shall, except at the discretion of an Authorised Officer remain in any of the facilities for a longer period than that for which the facility has been booked. Any person wishing to use the facilities for an extended period must pay the Authorised Officer the amount due for the extended period.
- (d) The Council reserves the right to refuse admission to any person, group or organisation in accordance with these management rules.
- (e) No person shall enter without the permission of an Authorised Officer or wilfully remain within a Sports or Leisure Centre at any time when the same is closed to the public.
- (f) Members of the public are excluded from all areas so designated by appropriate signs, regulations and oral instructions as are in force from time to time.

3. Exclusion of vehicles

No member of the general public may bring any bicycle or other wheeled vehicle or conveyance into the premises except with the consent of the Authorised Officer and in such circumstances, the member of the general public is required to carry out any instructions of the Authorised Officer as to where the bicycle, wheeled vehicle or conveyance requires to be situated and any other instructions relative thereto. In the case of an invalid wheelchair, the Authorised Officer will permit such access to the premises as is practical.

4. Exclusion of animals

No person shall admit any animal to the building with the exception of Guide Dogs under the control of their owner.

5. Dress

- (a) Individuals should ensure they are dressed appropriately when undertaking their chosen sport or leisure activity.

- (b) No person shall wear shoes within the area of the games area which may be harmful to the floor surface. No person shall enter the games area if it is considered by staff that their shoes may be harmful to the floor surface.

6. Protection of privacy

- (a) No person shall at any time by disorderly or improper conduct, disturb, interrupt or wilfully intrude upon or interfere with the privacy of any other person in the proper use of any Sports and Leisure Centre, playing area, shower or changing area, spectators' area or gallery, closet, box or compartment, or grounds.
- (b) No person shall, by forcible or improper means, seek admission to any Sports or Leisure Centre's facilities, at any time when the same shall respectively be occupied by the number of persons authorised to use, at one and the same time, such Sports or Leisure facilities.
- (c) Other than with the express written consent of the Authorised Officer, based on medical grounds, no male over eight years of age, whether or not, accompanied by a responsible adult female shall enter or use any shower or changing area, closet, box, toilet compartment or any passage thereto which shall be reserved or appropriated by the Council for the use of females only.
- (d) Other than with the express written consent of the Authorised Officer, based on medical grounds, no female over eight years of age, whether or not, accompanied by a responsible adult male shall enter or use any shower or changing area, closet, box, toilet compartment or any passage thereto which shall be reserved or appropriated by the Council for the use of males only.
- (e) The exception to the rules at paragraph (c) and (d), above, involving the Authorised Officer's express consent, in writing, will only be required in cases where other measures cannot be taken in order to accommodate the medical needs of that person.

7. Prevention of damage

- (a) Every person shall, at all times, exercise reasonable and proper care in the use of any facilities.
- (b) No person shall, at any time wilfully, carelessly or negligently break or injure or improperly interfere with any lock, valve, pipe work, machinery or other equipment in connection with any Sports and Leisure Centre or wilfully, carelessly or negligently injure, deface, disfigure or defile any facility.
- (c) No persons shall, at any time, wilfully, carelessly or negligently, injure, destroy or improperly use any item of equipment supplied or hired for his / her use.
- (d) No person shall remove from a Sports or Leisure Centre any item of equipment either hired from or provided by the Council for participation of any sport or activity

and where appropriate, every person shall return these to the reception office immediately after use.

8. Prevention of nuisances

- (a) No persons shall at any time anywhere within a public Sports or Leisure Centre use obscene, indecent or offensive language or behave in an obscene, offensive or disorderly manner.
- (b) No persons, unless otherwise authorised, shall bring or cause to be brought into any Sports or Leisure Centre any alcoholic liquor and no person who is in a state of intoxication due to alcohol, drugs or solvents shall enter or remain in a public Sports or Leisure Centre.
- (c) Other than with the express permission of the Authorised Officer, the public use of electronic devices is forbidden unless used in such a manner that only a person in close proximity to the electronic device can hear it.
- (d) No persons shall at any time wilfully or improperly obstruct, disturb, interrupt or interfere with any Officer or servant of the Council in the exercise of his duty in connection with any Sports or Leisure Centre or any person or servant of any person employed by the Council in the execution of any work in connection with the Sports or Leisure Centres.
- (e) Spitting on any playing surface is strictly forbidden.
- (f) No person shall smoke tobacco or any other substance including e-cigarettes in the facilities, which includes facility grounds and parking areas.
- (g) All rubbish must be disposed of or recycled in the appropriate bins and none should be left on the premises.

9. Prevention of injury

- (a) No person shall wilfully or improperly interfere with any other person using the facilities provided by the Council or behave in such a manner as to endanger their own or other person's safety.
- (b) No person shall disobey any instructions given by a member of the staff to ensure the safety and comfort of all persons using the premises.
- (c) No person shall bring into the premises any object or objects which may be considered by any member of the staff to be dangerous.

10. Licensed functions

- (a) Any group or individual hiring or using any facilities for the purpose of a licensed function require to comply with any legislation currently in statute at time of use or hire, appertaining to Health and Safety and the preparation, handling and serving of alcohol and related items under their control.

- (b) Any group or individual hiring or using the facilities shall further require to comply with any instructions, verbal or written, issued by the Duty Officer or his nominee in regard to use of said facilities.
- (c) Any group or individual, following the hire or use of facilities, shall leave said facilities in a safe and clean condition following use.
- (d) It is the responsibility of users of facilities for licensed functions to remove any or all equipment or materials belonging to said user, brought in for the sole purpose of the function catered for, within an agreed timescale and any storage materials or equipment awaiting use or uplift shall be at the risk of the user.

11. Special provisions

- (a) Any person wishing to give instructions in sport or other activity for any monetary or financial gain must make an application in writing to the Council for the Council's written permission and such permission will be subject to any conditions the Council wishes to impose. Permission will be granted at the absolute discretion of the Council.
- (b) Any person wishing to organise games or competitions must make an application to the Director of Education and Social Care for permission and such permission will be subject to any conditions.

12. Miscellaneous

- (a) No child or group of children under thirteen years of age will be allowed to book or use the facilities unless accompanied by a responsible person or attending a properly organised and supervised club, class, coaching session or private recreational activity.
- (b) No person under thirteen years of age will be permitted to enter and use the fitness room.
- (c) Other than with the consent of the Authorised Officer, all bookings must either be paid for in full at the rate specified for use or in accordance with any special or promotional schemes as offered by the Council.
- (d) Cancellations of bookings can be taken up to the start time of the booking and can be accepted in writing by e-mail. All bookings will be charged at full cost if not cancelled in advance.
- (e) No person shall carry out instruction of martial arts skills without the permission of the Director of Education and Social Care and must at all times be properly supervised by a qualified instructor in possession of a current coaching certificate from the appropriate National Governing Body approved and recognised by Sportscotland.
- (f) Use of trampolines will be at the sole discretion of the Duty Officer and must at all times be properly supervised by a qualified instructor in possession of a current

coaching certificate from the appropriate National Governing Body approved and recognised by Sportscotland.

- (g) No person shall carry out instruction in gymnastics skills without the permission of the Duty Officer and must at all times be properly supervised by a qualified instructor in possession of a current coaching certificate from the appropriate National Governing Body approved and recognised by Sportscotland.
- (h) The charges for admission and for hire and purchase of items are as published by the Council and may be varied without notice from time to time.

13. Swimming Pools

The following rules will apply to swimming pools:

No person shall:

1. Enter the water unless in the presence of a lifeguard qualified member of staff or volunteer if appropriate.
 2. Use a camera or video equipment, without first obtaining permission from a Duty Officer.
 3. In the interest of hygiene, all bathers must wash thoroughly before entering the pool.
 4. Bring or cause to be brought into the building any spirits or alcoholic liquor or enter the building under the influence of drink or drugs.
 5. Smoke cigarettes, e-cigarettes or any other substance in any part of the building, car parks or premises, either inside or out.
 6. Bring bottles or glass into any of the facilities.
 7. Deliberately pollute the Swimming Pool water.
 8. Use offensive or indecent language or conduct themselves in a disorderly or violent manner or in any way annoy or disturb other facility users.
- (f) Other than with the express written consent of the Authorised Officer, based on medical grounds, enter a dressing room which is reserved for the opposite sex; children eight years and under may, however, where admitted into the Building, enter a dressing room reserved for the opposite sex if accompanied by a responsible person over 16 years of age. The exception to this rule involving the Authorised Officer's express consent, in writing, will only be required in cases where other measures cannot be taken in order to accommodate the medical needs of that person.
9. No child under eight years of age will be admitted to the building or to the swimming pool during public sessions unless accompanied by a responsible person over 16

years of age and must be supervised in the building at all times and whilst using the pool.

10. One adult may directly supervise no more than two children under eight years old, at one time and must remain in the water with the children they are supervising at all times.
11. Swimming pool users shall follow any instruction issued by the Duty Officer.
12. The Duty Officer on site will be at any time be entitled to refuse admission to any person to the Swimming Pool or the building in the interest of public safety.
13. No person shall run along the poolside.
14. Fighting, ducking and dive-bombing are prohibited.
15. No person shall proceed to the deep end of the swimming pool or use the diving board / aqua slides unless he / she is a capable swimmer. The Duty Officer's decision shall be final.
16. No person shall chew / eat in the swimming pool.
17. Head first entry is not permitted in water depths of less than 1.5 metres as indicated by appropriate signage.
18. Swimming competitions cannot be held during normal swimming session times. Designated days / times are available for hire and will be allocated at the discretion of the Duty Officer.
19. Persons wearing swim wear will not be admitted to the foyer area or corridor of the building.
20. Bathers may not wear face-masks, snorkels, flippers or the like other than anti-chlorine goggles during public sessions. However, certain face-masks, snorkels, flippers and others are allowed in fun sessions. These may be subject to inspection by the Duty Officer.
21. Opening hours and session times shall be notified by the Council from time to time and may be extended or curtailed as may be necessary for the efficient running of the pool by the Council or by a Senior Officer on their behalf.
22. The charge for admissions and for sale of items are as published by the Council, and may be varied without notice from time to time.
23. The Council will not be responsible for loss or damage to wearing apparel or valuable or any other belongings of any person who enters the building.
24. The Council will not accept responsibility for any valuables or other articles left in the facilities. It is the responsibility of the owner to use the lockers provided. Valuables and other articles are left at the owners' risk.

25. During public sessions, games, races or swimming examinations / competitions are forbidden unless previously sanctioned by the staff.
26. No person shall use the pool during public sessions for the purpose of running a business unless a formal agreement has been made. Permission will be granted at the absolute discretion of the Council.
27. Applications by persons or organisations for Hire of the Pool shall be made to the Director of Education and Social Work on the appropriate application form.

14. Expulsion and exclusion

- (a) Where an Authorised Officer of the Council has reasonable grounds for believing that a person has contravened, is contravening or is about to contravene the management rule, he / she may expel that person.
- (b) Where an Authorised Officer of the Council has reasonable grounds for believing that a person is about to contravene the management rule, he / she may exclude that person.
- (c) The Council may decide that a person who has persistently contravened or attempted to contravene these management rules and is, in the Council's opinion, likely to contravene them again, shall be made subject to an exclusion order under Section 117 of the Civic Government (Scotland) Act 1982. The exclusion order shall be for such period as the Council may determine, not exceeding a year.
- (d) Any person on being required to leave the building or facilities by an Authorised Officer and failing to do so, or being a person who is excluded or subject to an exclusion order, who attempts to enter any building or facilities, shall be guilty of an offence under Section 118 of the Civic Government (Scotland) Act 1982 and may be fined on summary conviction.

15. Rules not to affect employees in the performance of their duties

Any act necessary to the proper execution of his / her duty in the premises by any Officer of the Council or by any person employed by the Council shall not be deemed an offence against any of these rules.

16. Commencement

The foregoing Management Rules shall, in terms of Section 112(8) of the Civic Government (Scotland) Act, 1982 come into operation on *****, the date of their execution and shall, unless earlier revoked, continue in force for a period of ten years from that date.