

COMMITTEE: EXECUTIVE
DATE: 15 DECEMBER 2009
SUBJECT: BROOMHILL SWIMMING POOL
PORTFOLIO HOLDER: COUNCILLOR TERRY
DIRECTOR: JONATHAN OWEN

Short description of report content and the decision requested:

This report looks at potential future options, listed below, for the Broomhill Pool and invites Executive to decide upon its preferred option. The options are;-

Option One – Full Restoration

Option Two – Disposal of the site (i.e. seek expressions of interest from interested parties in reopening as a leisure facility)

Option Three – Incorporate into park and retain as a leisure/historic feature

Option Four – Maintain Status Quo and review in 2014

Option Five - Demolish the site and return to parkland

*This report has been prepared by Tim Snook, Operations Manager for Sport,
Tel:ext3505 - Email:tim.snook@lpswich.gov.uk;*

This report was prepared after consultation with:

Mark Hunter

David Wolton

Pauline McBride

The following policies form a context to this report:

(all relevant policies must also be referred to in the body of the report)

Transforming Ipswich

This report is a key decision included in the Forward Plan

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(papers relied on to write the report but which are not published and do not contain exempt information –

1. Ipswich Borough Council Draft Culture and Leisure Needs Analysis.
- 2.
- 3.

OTHER HELPFUL PAPERS

(papers which the report author considers might be helpful – this might include published material)

1. Executive report E/04/01 dated 13th July 2004
2. Executive report E/05/33 dated 23rd August 2005
4. Executive report E/06/138 dated 3rd April 2007
5. Executive report E/07/83 dated 19th February 2008
6. Executive report E/08/52 dated 16th December 2008
7. Broomhill Trust website – <http://www.savebroomhillpool.org/>

1. Introduction

- 1.1 This report seeks to update Executive on further developments at Broomhill and follows on from the Report to Executive on 7th April 2007 (E/06/138) which covered the Broomhill Trust Feasibility study and, in December 2008, Report E/08/52 which dealt with the condition of all swimming pools owned by Ipswich Borough Council, namely Crown Pools, Fore Street and Broomhill.
- 1.2 On 23rd August 2005 Executive decided to support Broomhill Trust (BPT) in its bid to secure funding from third party(ies) for the cost of redeveloping the pool by funding a feasibility study. The Trust then were given go ahead to make a Heritage Lottery Fund (HLF) bid at Executive on 7th April 2007.
- 1.3 Executive had committed to holding £1m capital towards development costs of the pool, until the end of December 2009, subject to BPT securing the necessary capital funding from third party(ies) to redevelop the pool and the appropriate level of partnership funding for the future operation of the pool.
- 1.4 BPT submitted the bid to Heritage Lottery Fund (HLF) in March 2008 and after a site visit in July 2008 by the HLF, the Trust received a letter in September 2008 from HLF stating that they had been unsuccessful in their bid for funding.
- 1.5 As a result of the decision by the HLF and the need to carry out work to Crown Pools, a report on all 3 pools was presented to Executive in December 2008. At that meeting it was agreed to undertake necessary work to Broomhill Pool pending a longer-term review, at an estimated cost of £60,000, taking into account health and safety issues. Over the past three years the site has had new palisade fencing, in an effort to reduce a number of anti social visits to the facility (vandalism and drug use). The pool now has a cover put across the water to make the area safer in case of unauthorised entries.
- 1.5 Following the failed bid for funding by BPT, Executive requested officers to explore a number of options for the pool and to consult the BPT. The options ranged from supporting BPT to present a further bid to the HLF for funding towards re-opening the Broomhill Pool for swimming, to returning the facility to parkland. A table setting out high level options can be found in 2.9.

2. Background

- 2.1 Broomhill Pool was Listed Grade 2 on 24th August 2001. The Council was not consulted in advance either as owner or as local planning authority, as is now customary. The Pool is considered by English Heritage and the 20th Century Society to be a well-detailed and carefully integrated example of an urban lido.

In the light of significant alterations from the original design, in some cases made many years prior to Listing; including demolition of the clock tower above the entrance block, changes to the grandstands and changing facilities and other minor cumulative changes (and because other equally merit-worthy buildings had been declined protection for lesser alterations); the Council

queried the Listing at the time it was made but the Secretary of State declined to rescind the decision.

- 2.2 In September 2002 the Council decided to close the pool at the end of a 5-year extended life that the pool had been given by structural engineers after remedial work had been carried out in 1997. In September 2003 the BPT was established following closure of the pool.
- 2.3 The report to Executive E/05/33 (23rd August 2005) gave the BPT the opportunity to develop robust proposals for refurbishing the pool and bringing it back into use, in addition to setting out future ownership and management arrangements as part of the detailed business plan. The council approved the commitment of a capital sum of £1 million subject to a suitable and robust scheme being developed and approved which secured the long-term future of the pool.
- 2.5 The high level options within this report have been produced in discussion with the BPT over the last 9 months.
- 2.6 Option Description

2.7.1 Option One – Full Restoration

To support BPT in re-opening the pool by making a further application to HLF.

BPT has revised the business plan, which it produced in 2007 and the figures have been checked and independently verified by Castons and PKF (Appendix 1). Officers understand that it is a requirement of HLF that any bid would need to be a joint bid by IBC and BPT. In making an application IBC would need to underwrite or provide a guarantee on:

- i) Any shortfall in capital funding – expected to be £225,000;
- ii) Provide a £1M guarantee up until the end of 2011;
- iii) Project delivery; and
- iv) Operational sustainability (see appendix 2).

Listed Building Consent would be required for full restoration as alterations to the existing structures would be required to reinstate features lost some years before the Listing was confirmed. Any such application would need to be referred to the Government Regional Office after consultation with English Heritage.

2.7.2 Option Two – Disposal of site

As requested Officers were asked to place an Expression of Interest advertisement in leisure property magazine and Estates Gazette. There was a good initial response and further information has been sent out to 16 companies, of these, 3 companies have requested time to produce further information and proposals to present to the Council. They have been given until 10th February 2010 to submit their proposals (see appendix 3).

The BPT indicated that they are confident that at least one of the companies will be presenting a solid proposal, including how it will be funded to IBC by 10th February.

The site would be redeveloped to its original use or as a leisure facility through the normal planning processes and then managed by a private operator.

IBC could either sell the freehold or provide a long-term lease. Existing covenants will need to be adhered to within any proposal established.

2.7.3 Option Three – Incorporate into park and retain as a leisure/historic feature

This option would ensure the main structure of the grade 2 listed building would remain but would be developed into an area that is incorporated into the park and could include play equipment, planting, adult gym plus paddling pool etc.

The costs for this option are very difficult to predict as the final choice of improvement options have yet to be agreed but would be in the order £1.5 to £3 m.

This option would provide an alternative leisure facility using the existing facility.

Listed Building Consent would be required for any selective demolition of parts of the building and any such application would need to be referred to the Government Regional Office after consultation with English Heritage. If the demolitions were substantial they might be taken as contrary to government policy as set out in more detail in Option Five below.

2.7.4 Option Four – Maintain Status Quo and review in 2014.

Work has been completed through Building and Design Services to cover the pool and secure the diving board structure.

The pool is now safe and stable and this option would give time for the economy to improve and more HLF funds available post 2012.

2.7.5 Option Five - Demolish the site and return to parkland

Remove the structure of the pool and cover with soil and planting.

To put this Option in Context, No Listed buildings have been demolished in Ipswich since 1994 (15 years) and on seven in 30 years- three from accidental fires. This has been because of the Council's active stewardship. In the same period buildings-at-risk in Ipswich have been reduced by 96% through active intervention. As the pool was relatively recently Listed it is unlikely to be delisted (especially as the suitability for Listing was queried in 2001 (see para

2.1). Demolition would therefore be seen to reflect badly on the Council when it has so successfully protected/rescued other historic buildings in the town

Government policy on this issue is clear and is therefore set out in full as follows. “the Secretaries of State would not expect consent to be given for the total or substantial demolition of any listed building without clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and these efforts have failed; that preservation in some form of charitable or community ownership is not possible or suitable (see paragraph 3.11); or that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition. The Secretaries of State would not expect consent to demolition to be given simply because redevelopment is economically more attractive to the developer than repair and re-use of a historic building, or because the developer acquired the building at a price that reflected the potential for redevelopment rather than the condition and constraints of the existing historic building.” (Planning Policy Guidance Note 15: Planning & the Historic Environment paragraph 3.17.

If total demolition were proposed a formal Public Inquiry would be very likely, the outcome of which might not be predictable. The Twentieth Century Society, which is a statutory amenity society and instrumental in getting the building Listed, might be expected to contest the demolition vigorously.

2.8 Options Appraisal

Option	Estimated Capital Costs	Estimated Revenue costs (Predicted)	Options appraisal	
			Advantages	Disadvantages
Option 1 – Full restoration.	Approx. £3.625M ¹	Approx. Surplus of £7 to 34k p.a.	<p>It provides another leisure facility for the town.</p> <p>It should be noted that a Culture and Leisure Needs Analysis is currently being produced and the Sport England FMP suggests that there is enough water space in Ipswich, but quality needs to be improved.²</p>	<p>The BPT would need the support of IBC both financially and with officer support and time, with a considerable financial contribution to the capital costs. Given that the lottery funds are reducing and there is little other public funding available this could be between £3 - £4M in order for the project to be successful.</p> <p>It is reliant upon gaining a substantial grant from Heritage Lottery Fund to</p>

¹ This sum is subject to a complete review of the BHT business plan and financial review of the plan proposed.

² A complete sport needs assessment is currently being carried out by IBC for the entire Borough, this report will include the need for swim space.

				<p>be successful and will be up against other applications within the region and country for a limited pot.</p> <p>Reliant on Listed Building Consent being obtained via the Government Regional Office.</p>
<p>Option 2 – Disposal of the site i.e. seek expressions of interest from interested parties in reopening as a leisure facility.</p>		Nil	<p>This would regenerate a community building.</p>	<p>If successful the facility would provide another competing pool facility especially in the summer months.</p> <p>There are listed building matters to be considered.</p>
<p>Option 3 - Incorporate into Park and maintain as a leisure facility/historic feature</p>	<p>Approx. £1.5 to £3m</p>	<p>Approx. £TBC³</p>	<p>The range of options can be varied to include more or less options depending upon cost implications.</p> <p>It could still allow for the pool to be brought back into use at a later date, but at a high additional cost.</p> <p>Provide community focus to an area in town and improve leisure facilities.</p>	<p>A financially challenging option that will have a small annual revenue cost implications.</p> <p>The figures include a cost for the upgrading of the plant and equipment, mains services and the foul and surface water drainage.</p>
<p>Option 4 – status Quo (review position in 2014).</p>	<p>Approx. £60,000</p>	<p>Approx. £5,000</p>	<p>Reduces site risk and allows for it to be redeveloped at a later date.</p> <p>The annual revenue would cover trespass damage that present a danger to the public based upon risk analysis.</p> <p><u>Funding has already been approved for this option and work is underway to make safe the site.</u></p>	<p>No repairs or major work will be done with this option.</p> <p>The longer this is left potentially increases the costs of developing it at a later date.</p> <p>Funding would need to be provided in the revenue budget for this.</p>
<p>Option 5 – Return to parkland.</p>	<p>Approx. £1.7M</p>	<p>Approx. £TBC</p>	<p>The cost of converting the area into part of the parkland or hard ground parking for local residents gives a potentially better use of the land.</p>	<p>In order to demolish the site the facility an application would need to the Secretary of State to de-list which is thought unlikely to succeed but would be likely to be a lengthy process. More</p>

				likely would be a statutory Public Inquiry both of which would be costly options for IBC.
--	--	--	--	---

Please note that the above figures include Professional fees, legal fees, planning and building control fees. These are based upon 20% increase to the figures quoted.

Costs are current at 3rd Quarter 2009 (3Q2009) and should be rebased using BCIS tender price indices or similar when considering the budget for the project.

3. Policy Context

- 3.1 There is clear recognition that cultural and recreational activities make a significant contribution to overall quality of life. Improving quality of life for people who live in, work in or visit Ipswich lies at the heart of both the One Ipswich Community plan and Transforming Ipswich, the Council's own vision.
- 3.2 Swimming is one of the Government's target sports to reduce obesity and is one of the nation's most popular participatory sports, which will increase general health and fitness, whilst promoting social integration. The council has recognised this by recently investing in the 2 indoor swimming facilities at Crown Pools and Fore Street as they are used throughout the year unlike Broomhill.
- 3.3 Broomhill swimming pool is a Grade II listed building and a fully refurbished facility would support the Council's aim under Vibrant Ipswich to protect, enhance and interpret the town's historic buildings and designated conservation areas. However, given the financial pressures upon the Council it has to prioritise its responsibilities and is currently doing this by committing its investment to Crown Pools and Fore Street.
- 3.4 The seasonal aspect of Broomhill as a Lido excludes it from Sport England's Facility Planning Model calculations, which forms part of the Leisure and Cultural needs survey. The current planning model shows that there is a slight oversupply of swimming provision within Ipswich. Experiences of the market from consultants who carried out the Leisure Needs survey is that private operators are typically not interested in outdoor pool provision as their 'financial sustainability is too contingent on the weather'.
- 3.5 Investment in this way would reduce investment available for other council priorities.

4. Performance Monitoring

- 4.1 That the chosen option for Broomhill is implemented and an action plan is produced detailing the work and timeline for this to be carried out so that an update report can be brought to Executive at a later date.

5. Risk Management

5.1 The main risks associated with this decision are financial, health and safety and the loss of a community facility.

The level of risk to health and safety has been reduced due to the remedial work that has been carried out to the site.

Risk	Impact of risk, if it occurred* (Scale of 1-4) 1 – Catastrophic 4 - Negligible	Probability of risk occurring* (Scale A-F) A- Very likely F - almost impossible	What is the council doing (or what has it done) to avoid the risk or reduce its effect?
The financial risk to the council differs between each option. The least risk associated is to the status quo option. The options that include re-opening the pool, changing to a leisure feature within the park or demolition carry a high capital cost. The options to support the BPT and Expressions of interest could have revenue cost implications for underwriting if things fail.	2	B/C	The Council have provided funds from capital to secure the site in the short-term and the status quo option is minimal risk. If the other options are considered, the risks for each will need to be considered further and a decision made on whether the Council would agree to underwrite costs if they fail.
Health and Safety issues with the Pool. All options will need to consider the H&S issues with each.	3	C	The H &S risks associated with the status quo and review in 5 yrs option have been minimised through the Council spending capital on covering the pool and erecting new security fencing around the whole facility.
Loss of a Community Facility. Three of the proposed options will bring new community use to the pool.	3	C	The status quo risk means that the facility is the only option that does not have community use, however, the facility has been closed for the last 7 years.

The demolishing and return to parkland option would be a risk, but it would provide a different community use.			
--	--	--	--

6. Environmental Impact Assessment

6.1 Option 1.

Adoption of this option will have negative impacts on the environment through increase in private transport to the site and increase in CO2 emissions through additional energy use which will have an impact on the Council's carbon reduction programme affecting N1185 and N1186.

Option 2

This option will increase energy use in Ipswich and will have a minor effect on N1186.

Specification of what will be provided will have significant variables.

Option 3

This option would mainly have a positive affect on the environment in that it will bring back in use a community facility and use very little energy.

Option 4

The status quo option and 'do nothing' for 5 years will have a minimal effect on the environment.

Option 5

The option of returning to parkland would have a mainly positive effect on the environment. There would be a loss of embodied energy in the buildings if demolition as well as the energy use for demolition and disposal of the building waste.

7. Equalities and Diversity Implications

- 7.1 Equality Impact assessments are part of the legal duties set out in the Race Relations Amendment Act and are also included under the new Disability Equality duty and Gender Equality duty. An Impact Assessment is a proactive step to ensure wherever possible preventative measures are taken to avoid discrimination or unfairness on any grounds before it occurs.

- 7.2 The decision to close the Pool was taken a number of years ago. The Equality Impact Screening of the Options has indicated no negative impact as a result of the proposed decision before Members today and an Equalities Impact Assessment will form part of the detailed investigation into the preferred Option.

8. Financial Considerations

- 8.1 This report seeks guidance on which of the “high level” options outlined in paragraph 2.8 of this report should be pursued. The options at the current time are indicative and as such do not lend themselves to the preparation of a detailed financial table, indicating the comparative revenue cost per Band D taxpayer, at this stage.
- 8.2 There are significant challenges in ensuring that the current capital programme is fully funded and approved schemes are currently subject to further scrutiny. Any proposed new schemes will have to be considered carefully in the context of limited funding availability.
- 8.3 The current economic situation and the prospect of reductions in Government Grant, mean that setting a balanced budget for 2010/11 and future years is challenging. One of the reasons Broomhill Pool was closed was that it was making significant deficits each year, and this would need to be considered carefully if option 1 was chosen.
- 8.4 The BPT operating model is attached (appendix 2). It shows an operating profit annually for the first 5 years. When the pool closed it was operating at a loss and officers have concerns as to whether the income and expenditure projections are achievable, however the BPT are confident from their consultants advice that these figures are achievable and are actually quite conservative.

9. Conclusions

- 9.1 On 3rd April 2007 Executive decided to make available the fund of £1M provided that BPT had secured funding for the necessary capital funding from party(ies) for the cost of redeveloping the pool by December 2009 and subject to obtaining the appropriate level of partnership funding for the future operation of the pool. The time period in respect of that fund expires in December 2009. On 16th December 2008 Executive decided that works were required to provide for further safety measures, covering the pool and securing of the diving boards.
- 9.2 Officers have worked up a number of high level options and have consulted BPT on the options set out in this report. Should Executive indicate a preference for any of the option(s), Officers could undertake further work in order to bring back to Executive detailed, fully costed proposals.

10. Recommendations:

- 10.1 That Executive consider the high level options set out in paragraph 2 and determine which option(s) to pursue including commissioning any further reports.**

Reason: The council needs to make a decision based upon the leisure/cultural needs survey. The project is taking a lot of officer time and this needs to be costed into the chosen option.

- 10.2 That Executive note that the Borough Council offer of £1 million to support the BHT efforts to refurbish the pool expire on 31st December 2009 and that any future application for support would be subject to the usual budget setting procedures.**

Reason: The council has financial pressures on both capital and revenue and as part of the medium term plan needs to consider this project either as part of it or remove it.