

Report to: Lead Member for Resources and Climate Change

Date of meeting: 08 November 2022

By: Chief Operating Officer

Title: Ringmer Swimming Pool, Ringmer; Outcome of the public consultation

Purpose: To review and fully consider the outcome of the public consultation in respect of the future swimming provision at Ringmer Pool.

RECOMMENDATIONS

The Lead Member for Resources and Climate Change is recommended to:

- 1. Note the findings of the public consultation on the future swimming provision at Ringmer Swimming Pool that took place between 23 May – 15 August 2022;**
 - 2. Agree to decommission the pool from 31 December 2022 and permanently cease provision of swimming facilities at Ringmer pool should no financially viable option be available and committed to by that date (including the approval of any legal documentation required);**
 - 3. Delegate authority to the Chief Operating Officer to carry out all actions necessary to give effect to the recommendations in this report, including either the decommissioning of the pool or agreeing to implement an alternative viable approach at no detrimental impact to the council, as detailed in the report.**
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1 Background

- 1.1** Ringmer Swimming Pool (the Pool) is located on the site of King's Academy, Ringmer. East Sussex County Council (ESCC) has freehold ownership of both the pool and the Academy site. In 2011, the school converted to Academy status - Ringmer Pool was not part of the conversion.
- 1.2** The Pool was constructed in 1981 and was in operation until September 2020 when the Pool was closed due to major failure of significant plant and equipment infrastructure at the property.
- 1.3** Historically, the Pool was used by King's Academy, Ringmer and other local primary schools during school term time hours and was open for community use outside of term time and school hours.
- 1.4** This joint use asset has previously been managed under a concession contract to Wave Leisure (WL) Trust. There have been several contract extensions over the last five years, primarily due to lack of interest from other leisure concession operators (there is low income from community use).
- 1.5** There is currently a Contract for Services in place with WL until March 2023 (3 month notice period) to ensure Health and Safety compliance.
- 1.6** Leisure services are the remit of District and Borough councils in East Sussex. ESCC's interest in the Joint Use premises has therefore been as property owner and not as a direct leisure commissioner or provider.
- 1.7** An Expression of Interest exercise on the ongoing use of the site was carried out in 2021. The invitation was extended multiple times to maximise the opportunity for parties to respond. ESCC engaged with local stakeholders, including Ringmer Parish and Lewes District Councils, throughout the process. Stakeholders were aware of the process and deadlines. One business case was submitted from a Leisure Provider which included Heathfield and Uckfield Leisure Centres. The submission was considered to be unviable as it required significant levels of ongoing financial support from ESCC, whereas ESCC has no remit to provide leisure services.

- 1.8 On 20 April 2022, the Lead Member for Resources and Climate Change (LMRCC) considered a report relating to the future of the Pool. The Lead Member noted the outcome of the expressions of interest, including the additional financial support that would be required in the running of the swimming pool as a community facility. The Lead Member approved a 12-week public consultation exercise. The purpose of the consultation was to give a further opportunity for organisations/stakeholders to submit their views, including sustainable and viable operational models. The public consultation ended on 15 August 2022 and this report provides an analysis of the outcome of the public consultation, including an updated Equality Impact Assessment and sets out the proposed next steps.
- 1.9 ESCC notified the District and Parish Council at the outset of the public consultation for their comments.
- 1.10 The Options set out in the consultation were:
- A. Close the pool permanently.
 - B. Keep the pool open.
 - C. Consider alternative viable proposals for alternative usage of the building.

2 Supporting information

Summary of the results of the public consultation

- 2.1 The final public consultation analysis report is attached as Appendix 1. The public consultation was conducted on the Council's 'Citizen' webpage with hard copies of the public consultation available at County Hall and Lewes Library.
- 2.2 An Equalities Impact Assessment has been undertaken and a summary of the outcome is appended (Appendix 2).
- 2.3 In total there were 229 responses. All responses were online (i.e., no paper copies). Respondents could identify themselves in multiple ways, with the largest groups being residents (90%), parent/carers (36%) and visitors (6%).
- 2.4 Prior to 2020, 34% of the total respondents regarded themselves as frequent (weekly or more often) users of the Pool. A similar number (33%) considered themselves to be regular (1-3 times per month) users prior to 2020; 17% of respondents identified themselves as occasional users of the Pool, with 16% of respondents as non-users. 49% stated that they last used the pool in 2020 but were interrupted by the pandemic; 25% used it 2019-20; 12% last used it before 2019; and 14% have never used it.
- 2.5 When asked if respondents had used alternative District or Borough Council authority leisure facilities within East Sussex in the last 12 months, 56% said they had used Lewes Leisure Centre with some respondents using Eastbourne, Uckfield and Hailsham.
- 2.6 When asked if respondents had used other non-local authority swimming facilities instead of using Ringmer Pool (private leisure centres, member of hotel leisure facilities in the area), 42% said they had.
- 2.7 For those that had used non-local authority swimming facilities, there were a wide variety of responses with Pells Pool (Lewes), Giles Leisure and the Horsted Health Club (at the East Sussex National hotel resort) being frequently referred.
- 2.8 Participants were asked whether they would be able to use alternative services instead if Ringmer Pool were not to re-open. Various options were given, and the responses were: Crowborough 44%; Lewes 64%; Hailsham 9%; Other 13%; Not Answered 25%.
- 2.9 When asked about agreement to the permanent closure of the pool, the responses were as follows: Strongly Agree 0.87%; Agree 1%; Neither Agree or Disagree 2%; Disagree 7%; and Strongly Disagree 90%.

- 2.10 Conversely, an option to keep the pool opened gave the following responses: Strongly Agree 90%; Agree 7%; Neither Agree or Disagree 2%; Disagree 0.44%; Strongly Disagree 0.44%.
- 2.11 169 responses were forthcoming when asked for ideas or suggestions for making the future of the Pool financially sustainable. These were varied but recurring responses are summarised below:
- Extended community opening hours with a wider range of facilities / activities
 - Better advertising
 - Various suggestions for community management / staffing
 - New pricing structure / subscription model
 - House builders' contribution
 - Fundraising / grants
 - Reprioritisation of public investment to include the pool
- 2.12 Respondents were asked about the option of 'using the facility for a different purpose (i.e., not as a swimming pool)'; and 'what other community facilities could be offered at the site?' Responses needed to bear in mind that any such proposals should take account that the facility is located on the Academy site, which means that appropriate steps would be needed to safeguard pupils from members of the public accessing the facility via the Academy.
- 2.13 There were 116 responses to this question with a wide range of suggestions. Frequent themes are summarised as follows:
- Keep the swimming pool / put more work into keeping the pool viable
 - Community facility / gym / youth space / indoor skate park
 - Challenge to the safe-guarding concerns because of where the pool is situated on the site i.e., at the front
 - Gift to the Academy
 - Fitness / leisure facility
- 2.14 Respondents were then asked to describe ways in which permanent closure of the Pool, or the two other options identified above, would or might particularly affect persons with any of the following protected characteristics: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. There were 136 responses to this summarised as follows:
- Lack of opportunity for all groups
 - Negative impact on those without access to private transport / limited financial means
 - Negative impact on those with Special Educational Needs (SEN) considerations (smaller size of the pool seen as a positive for this group)
 - Negative impact for those with disability / mobility issues

Asset of Community Value

- 2.15 Ringmer Pool is now listed as an asset of community value as defined under Localism Act 2011. Lewes District Council are the local authority for administering the register. Some public and privately owned buildings and land in Lewes District and Eastbourne can be nominated as Assets of Community Value by community groups if certain criteria are met. Lewes District Council notified the County Council on 01 August 2022 that Ringmer Parish Council has been successful in meeting the criteria for Ringmer Pool to be listed as an asset of community value. If ESCC wished to dispose of Ringmer Pool, it would need to ensure that Ringmer Parish Council were notified formally to allow up to six months for the Parish Council to work up a business case and funds. The Council currently does not intend to dispose of this asset but the definition under the Localism Act, also defines "dispose" as a grant of a lease over 20 years. Therefore, if the Council was to grant a lease over 20 years to a third party it would need to be aware of the requirements to notify the Parish Council, as the asset is listed.

Financial Implications

- 2.16 As set out in the previous expression of interest process, no viable and sustainable options for continued community use of the swimming pool came forward by the closing date. Similarly, the public consultation did not result in any new proposals for a viable and sustainable alternative

operating model. However, a potentially viable option was submitted by Lewes District Council which the Council has viewed as worthy of further exploration and discussions are still ongoing.

2.17 A brief assessment of the financial and commercial implications for each of the options considered through the consultation are set out below. More detailed analysis is set out in an exempt item later in the agenda.

- Option A – Close the Pool permanently
The Council has a modest budget to support the community use of the swimming pool. If the use was ceased, there would be some initial budget pressures for ESCC as a result of one-off decommissioning costs along with ongoing holding costs. However, once any alternative arrangements for the building were agreed, this would result in a long term overall saving for ESCC.
- Option B – Keep the Pool open
If this option is pursued, there would be a substantial increase in the costs for managing the pool for community use which would have to be borne elsewhere to ensure that ESCC was able to remain within budget.
- Option C – Consider alternative viable proposals for the use of the building.
As outlined above, the consultation responses provided a number of suggestions relating to changes to the operating model; however, none of these offered a financially sustainable model for continued community use. Even with the proposed changes, significant financial resources would be required to maintain the ongoing use of the pool.

2.18 In addition, a number of the suggestions were received through the consultation which are not considered feasible on a college site for a number of reasons, primarily due to safeguarding requirements. King's Academy Ringmer has historically had sole daytime use of the pool and in considering any alternative proposals, future curriculum use would need to be a consideration. Ringmer Parish Council did not submit a proposal under option C.

Key impacts and mitigations (including Equality Impact Assessment)

2.19 It is recognised that any closure of swimming facilities in Ringmer may impact different residents in different ways and in making a final decision on these options the Lead Member is required to have due regard to the duties set out in Section 149 of the Equality Act 2010. Equality impacts have been considered in relation to all proposals to identify any adverse impacts that may arise disproportionately for people sharing legally protected characteristics, as defined in the Act. The public consultation explicitly asked whether any specific impacts in relation to these characteristics are identified and a record of these findings is provided in Appendix 2.

2.20 Summary of the potential equality impacts identified by respondents:

- Limited public transport to alternate facilities, potentially disproportionately affecting younger and older people, disabled people and carers, and those living in rural areas ('rurality' is additional focus for ESCC);
- Health impacts (physical and mental health), specifically for disabled people, older and younger people (especially those with SEN and/or who are neurodivergent);
- Increased loneliness and isolation, particularly for older and disabled people;
- Impacts on women who may have more caring responsibilities and limited time and/or income to access alternate venues.

2.21 Impacts are identified in relation to a number of the legally protected characteristics, such as age (older and young people), disability (mental, physical, sensory and neurodiversity), pregnancy/maternity, and sex (women) and for some people sharing these characteristics.

Mitigations identified if the pool remains closed include the following:

- The national curriculum requirement to provide swimming instruction in Key Stage 1 or 2 remains a duty on schools.
- Engagement with the alternate venues to identify sessions aimed at older, younger and disabled people or to encourage development of these.
- Other clubs, sports and activities are available to improve health and alleviate isolation.

- 2.22 Respondents also proposed better provision/subsidising of bus routes or a shuttle bus to alternate venues, replicating activities in another venue, better advertising of the pool and its offer, or simply keeping the pool open (most responses proposed this). However, it is not proposed to implement any of these proposals as they are not considered to be financially sustainable.

Analysis of public consultation and next steps

- 2.23 A summary of the results from the public consultation has been outlined earlier in this report. In respect of the 229 responses, 34% were regular users of the pool and 56% of the respondents had visited other public run leisure centres in East Sussex within the last calendar year too. 50% of respondents had visited alternative public run leisure centres in East Sussex in the last year. The vast majority were at other urban centres in Lewes, Eastbourne, Hailsham and Uckfield. 42% of respondents had also accessed alternative non-local authority private sector leisure facilities.
- 2.24 It is clear from those who completed the questionnaire, a significant number of respondents access other leisure facilities in the surrounding area and there are alternative swimming pools near to Ringmer which have been used by residents.
- 2.25 Through the Expression of Interest process in November 2021, the Council sought to identify a viable and sustainable provider to run the pool facilities; however, this identified that continued community use would result in substantial increased costs. The public consultation has provided some key information about how respondents are accessing a range of leisure facilities outside of Ringmer and other surrounding areas.

3 Conclusion and reasons for recommendations

- 3.1 The public consultation on the future swimming provision at Ringmer Swimming Pool has not yet resulted in a sustainable, viable alternative option for the continuation of the operation of the swimming pool.
- 3.2 Therefore, taking into account the wider public consultation outcomes, the outcome of the expression of interest exercise carried out in 2021, the equality impact assessment, and the financial implications detailed in this report and the exempt report later on in the agenda, it is therefore recommended to decommission the pool from 31 December 2022 and cease the swimming provision at the Ringmer site. However, this could be reconsidered if a financially viable agreement is committed to by LDC before this date. If a financially sustainable option is brought forward at no detrimental impact to the Council, and the associated legal documentation is approved, it is recommended that this alternative option is pursued.
- 3.3 The Lead Member is recommended to delegate authority to the Chief Operating Officer to carry out all actions necessary to give effect to the recommendations in this report.
- 3.4 ESCC will continue to engage with King's Academy Ringmer in ensuring that the building remains Health & Safety compliant whilst the next steps for the building are being considered.

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Chief Operating Officer

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Local Members
Ringmer – Councillor Johnny Denis

Appendix 1 - Public Consultation survey summary
Appendix 2 - EQIA impact assessment statement