

Subject: Leisure and Recreation

Status: For Publication

Report to: Full Council

Date: 26 February 2009

Report of: Chief Executive

Portfolio

Holder Leader of the Council

Key Decision: No – Significant Decision for Full Council

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To update members on the feedback/consultation process in relation to Leisure and to put forward a recommended option for Full Council to agree.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Delivering Quality Services to Customers (Customers, Improvement)
- Delivering Regeneration across the Borough (Economy, Housing)
- Keeping Our Borough Clean and Green (Environment)
- Promoting Rossendale as a cracking place to live and visit (Economy)
- Improving health and well being across the Borough (Health, Housing)
- Well Managed Council (Improvement, Community Network)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 Failing to take a proactive approach to the provision of leisure within Rossendale, could result in a significant financial impact on the Council's overall budget.

4. BACKGROUND AND OPTIONS

- 4.1 Following a request in October 2008 by Rossendale Leisure Trust to increase their grant funding by 40%, a report was presented to 3 December Cabinet outlining the background and some of the circumstances surrounding the reasons for the increase. The meeting requested a further report be brought forward detailing options to manage the worsening financial situation.
- 4.2 A number of financial options were identified for the future provision of leisure service in the Borough. The report of 21 January 2009 (copies available on the Borough Council's website) outlined the background to the issues concerned and detailed seven options (A-G) for consideration with a view that any final decision being made by Full Council.
- 4.3 At the Cabinet meeting on 21 January 2009, over 200 members of the public attended and participated during the public question time. The Cabinet listened to the views and questions of those in attendance and resolved as follows:

"That all options are deferred for Full Council consideration and that consultation commences with immediate effect".

5. ANALYSIS OF PUBLIC CONSULTATION

- 5.1 The Cabinet agreed to a period of consultation and feedback ending on 10th February 2009.

The methodology used to consult was varied and consisted of

- Council's website and public media
 - Public Area Forum meetings
 - Public engagement sessions
 - Individual or group meetings with interested groups/individuals
 - Written communication to a wide variety of groups/stakeholders seeking their views
- 5.2 The aim of the consultation was to encourage citizens, groups and stakeholders to feedback comments and concerns in order that the Council meeting on 26 February could make a fully informed decision.
- 5.3 Feedback has been received by a variety of means eg. e-mail, online feedback form, letter, feedback proforma, via local councillors, meetings, and via Rossendale Leisure Trust who have included their feedback data into this report to ensure completeness of views.
- 5.4 In addition to the feedback received a number of petitions have been referred to the Council and these are referenced below:
- 2900 signatures (approx) to petition opposing closure of the local pools

5.5 Analysis of written and email Feedback

Feedback has been received by the following means:

*e-mail to Councillors	123
e-mail to 'Leisure' inbox/other	76
via Leisure Trust	60
RBC website online forms	28
open letters	290
letters	21
	<u>598</u>

* the same email to a number of councillors has been counted once

The number of references to major issues from that feedback are:

closure of Haslingden pool	306	(37.1%)
closure of Marl Pits pool	319	(38.6%)
closure of Bacup Leisure Hall	19	(2.3%)
healthy lifestyle agenda	62	(7.5%)
impact on swimming lessons	55	(6.7%)
transport issues	12	(1.4%)
financial issues	36	(4.4%)
other	17	(2.0%)
	<u>825</u>	

The category 'other' includes comments related to overall leisure provision, such as athletics, rugby and roller skating, or to requests for specific information.

5.6 Analysis of the Engagement Session - Across the three nights 280 people attended and a full analysis of the events is available on the Council's website and will be sent to those who have asked for a detailed breakdown. The engagement sessions were designed to offer an interactive session thus enabling people to contribute in a less formal manner. These sessions however, complemented the more formal Neighbourhood Forum meetings which were held the previous week.

5.7 Detailed below are the key issues arising from the consultation. As per existing practice, further work will be ongoing reviewing the consultation process identifying any learning points for improving the way the Council consults in the future.

6. Key Themes Arising from Consultation

6.1 Comments received in relation to the need to keep all existing pool facilities open until a new pool is built. The arguments for this are that Marl Pits pool provides a separate small pool for younger children and babies which Haslingden pool does not and also that Marl Pits is equipped to deal with swimmers with multi-abilities eg. adapted changing rooms for swimmer and carer/supporter, special changing bed and poolside hoist.

- 6.2 Many comments have been about the convenience of local facilities in Rawtenstall and Haslingden and the concern of people having to travel to a different part of the borough to access a swimming pool. The additional cost of bus fares is mentioned by several respondents.
- 6.3 A number of comments have concerned the cost of the Rossendale Leisure Trust (RLT) head office and suggest that a reduction in that cost could be used to enhance the existing facilities at Haslingden and Marl Pits. In addition specifically at the engagement sessions there was clearly a view that a review of the present Council/Trust arrangement was needed.
- 6.4 Some respondents have expressed concern about the impact of the possible closure of Marl Pits pool on the possible sports village at the site.
- 6.5 Using the comparator of the Community Leisure Association of Whitworth (CLAW), a number of comments refer to setting up community groups to manage each facility or a group of facilities, as an alternative to RLT.
- 6.6 A number of respondents refer to swimming being a compulsory aspect of key stage 2 within the education agenda and question how this can be delivered within the borough if pool closures go ahead. The impact assessment addresses the issue of accessibility whilst recognising that the statutory responsibility for fulfilling this duty rests with the County Council.
- 6.7 The conflict between the government's healthy lifestyle agenda, particularly childhood obesity, and the possible closure of leisure facilities is highlighted by a large number of respondents.
- 6.8 Specifically during the engagement sessions concern was raised by attendees that the Council would not invest in a new pool and that they did not believe that the Council would fulfil this commitment if a decision was made to reprovide a new pool.
- 6.9 In addition, many people expressed a need to improve income generation from the leisure offer and suggestions included more advertising for all leisure facilities. Suggestions were made that consultation points should be available in all public spaces that are run by the Leisure Trust.

7. Community Impact Analysis

- 7.1 An impact analysis was carried out in relation to the proposed closure of Marl Pits and Haslingden Pools and the closure of Bacup Leisure Hall. Impact assessments are a 'living' document and should be updated to reflect new data or changes in circumstances. All assessments have been reviewed following the consultation and are available on the Council's website.
- 7.2 Haslingden Pool Assessment – issues raised during the consultation period which were not fully reflected in the initial assessment related to the needs of Rossendale Sub Aqua Club. Should it be required this group could be accommodated at Marl Pits or Whitworth Pool.

- 7.3 Marl Pits Pool Assessment – issues raised during the consultation period which although reflected in the initial assessment related to the needs of Tor View School children and the Rays swimming club. Alternative provision has been identified specifically at the Whitworth pool although negotiation would be required in relation to timetabling for Tor View school. However, during consultation both Tor View and the Rays swimming club expressed considerable concern at the closure of Marl Pits pool and the possible reprovision to Whitworth pool with specific reference to the added journey time and the impact this would have. In particular the Rays commented that:

“It must be remembered that each of our members has their own special needs and a journey that may seem short and straightforward to others is a major challenge for many of our members.”

“It must also be remembered that many of our members are dependent on the assistance of either volunteer or paid carers, working on a Sunday afternoon; the additional travelling involved to get to the other pools would make things completely unworkable for most, if not all members.”

- 7.4 Bacup Leisure Hall Assessment – A number of groups came forward during the consultation period expressing concern in relation to their group and ability to use of the hall and these will be reflected in the assessment.

8. Options

- 8.1 Seven options to address the worsening financial position of Rossendale Leisure Trust were identified as detailed in the Cabinet report of 21 January 2009. However, having regard to feedback received during the consultation period an additional option has been identified for recommendation.
- 8.2 In essence this option confirms that no facility will close over the next year and that an independent review of leisure and recreation in the Borough will take place to inform the future approach. This will ensure that the Council does not make a reactive decision on the closure of facilities whilst recognising there are serious issues regarding leisure provision to resolve.
- 8.3 The Council will continue to support the Leisure Trust whilst recognising that the year on year inflation increases cannot be maintained in the long term. Indeed any agreement to Option H should not be taken as an indication of money that the Council will have available this time next year. Once this decision is taken the hard work really does begin.
- 8.4 Many valid comments and concerns have been raised throughout the feedback/consultation process and the Council has listened and is grateful for the input. As a result Option H is the only option recommended for approval.

8.5 Option H

- Agree £513k funding for Rossendale Leisure Trust conditional upon:
- Review of Leisure and recreation comprising consultation on what people feel is a priority, what the Council can afford and most appropriate mechanism for delivering leisure in the Borough
- Establish transition fund to maintain in particular Haslingden and Marl Pits swimming pools above and beyond grant funding, pending the outcome of a review. This will ensure that both pools remain open for a minimum period of 12 months.
- New funding agreement in relation to grant funding and transition fund to be developed and agreed by the Council and Trust by 1 April 2009
- Take opportunity of vacancy freeze and continue to identify savings
- Rossendale Leisure Trust to agree to the early surrender of the lease of Bacup Leisure Hall which will close by 31 March 2010 unless a successful lottery grant award is achieved or take-over by community
- Establish regular Overview and Scrutiny process on Leisure to oversee transition and amend the constitution to accommodate this
- Establish steering group for the development of a new pool
- Establish steering group to develop community approach to Bacup Leisure Hall

8.6 Transition Funding - As reported to Cabinet on 3 December funding has been allocated in relation to Health. Should a transition fund be required Members may wish to reprioritise health spending in order to support leisure. There is currently £175k of health communities funding, as well as £18k of health inequality funding which can be reprioritised. It is anticipated £222k will be required for year 1. If approved the £193k identified from health together with council resources identified in the 2009/10 budget will enable a Fund to be identified.

8.7 As a consequence of not proceeding with health spending as identified above a number of projects will not be supported, specifically:

- Access to free and reduced leisure/swimming for specific groups.
- Support to healthy walker initiative – primarily funded by the Primary Care Trust with £15k funding request
- Additional support funding to assist people with mental health issues

8.8 Comments from Rossendale Leisure Trust

“Rossendale Leisure Trust supports the Borough Council in proposing a new option for the delivery of Leisure in the Borough through 2009. The maintenance of both Marl Pits Swimming Pool and Haslingden Swimming Pool

plus the extension of tenure for Bacup Leisure Hall provides evidence the council have listened to the community and acted with purpose. The Trust also welcomes the proposal to carry out a thorough and independent review to identify the long term needs and priorities for the delivery of Leisure, Recreation and Culture in the Borough, which should lead to a carefully developed strategy for the future provision of the service. Rossendale Leisure Trust will work hard as a major partner to limit risk in areas such as Ski Rossendale and Haslingden Swimming Pool and grow participation in all sections of the community”.

COMMENTS FROM STATUTORY OFFICERS:

9 SECTION 151 OFFICER

- 9.1 In order to continue to operate the Council’s existing five leisure facilities for 2009/10 the Trust has requested a 40% increase (£207k) in the base revenue grant for 2008/09. The Trust has not indicated what their anticipated requirement will be in 2010/11 and beyond.
- 9.2 Cabinet has made a recommendation to Council for an initial budget provision of £50k in the form of a contingency towards a transitional budget. This is based on a prudent observation of the options put to Members and the public. The budget recommendations to Council included a risk assessment of the budget. The risk assessment noted the financial risk of not closing facilities and identified possible sources of funding for additional transitional costs. The report also estimated that the likely cost of delay in closing facilities was c. £180k pa
- 9.3 Based on past experience, a prudent estimate for the cost of a Review of Leisure and Recreation would be in the region of £40k.
- 9.4 The year 1 transitional fund requirement is estimated below. The second table reconciles the value of the transitional fund to the original grant request from the Trust as detailed in 9.1 above:

RLT's estimate of facilities costs for 09/10	720
Vacancy Freeze	(25)
Estimated cost of Review	40
	735
<i>RBC funding:</i>	
Base grant	513
Transitional Fund (year 1)	222

Increase requested	207
Vacancy Freeze	(25)
Cost of Review	40
Transtional Fund (Year 1)	222

- 9.5 The report has identified available resources of £193k. This together with the contingency recommendation of £50k allows for a £21k excess of estimated need in year 1
- 9.6 Should existing swimming facilities remain open during year 2 (2010/11) additional transitional costs are estimated at £182k as follows:

RLT's estimate of facilities	
costs for 09/10	720
Vacancy Freeze	(25)
	695
<i>RBC funding:</i>	
Base grant	513
Transitional Fund (year 2)	182

- 9.7 The above is £161k above estimated resources. The 2009/10 budget papers identify Area Based Grants as a possible funding source. Members may also wish to recommend a repetition of the 2009/10 £50k contingency in year 2. However, Members should note that the above estimates do not provide for any inflation or further cost pressures and indeed possible cost reductions.
- 9.8 Members should be mindful of opportunity costs associated with the above transitional funding strategy. Members should also be mindful that final recommendations for leisure should be based on an affordable and sustainable solution for the future.
- 9.9 For the avoidance of doubt though the above reflects and makes some estimate of future years financial impact, Members are not now approving funding to the Trust for 20010/11 or future years. This is a separate and future matter for Council.
- 9.10 Option H includes the creation of a steering group for the development of a new pool. Amongst other things the group should satisfy itself in any recommendations to Members that a new pool is both affordable and sustainable. In particular any source of finance should recognise the true cost of that finance and its repayment.
- 9.11 The annual revenue requirement for the financing of facilities has in the past been subsidised to some extent by revenue surpluses within Ski Rossendale. In recent years this contribution has seen a dramatic decline to such an extent that it is now becoming a financial drain on resources. Significant capital investment is now required in order for it to meet customer demands and compete with other similar venues. The Leisure and Recreation Review must consider the role and long term future of Ski Rossendale within the current portfolio of facilities in Rossendale.

10. MONITORING OFFICER

- 10.1 Option H will require a new funding agreement and delivery plan to be agreed. If members agree this it is suggested that the signature of this is delegated to the Chief Executive . Rossendale Leisure Trust have agreed that a new varied funding agreement is required for clarity moving forward .
- 10.2 Rossendale Leisure Trust have agreed to the early surrender of the lease at Bacup Leisure Hall .

11. HEAD OF PEOPLE AND POLICY

- 11.1 No Human Resource implications arising from this report

12. CONCLUSION

- 12.1 The consultation/feedback process carried out since Cabinet in January has enabled people to voice their views and acknowledge that there are many complex and difficult issues which need to be addressed in relation to leisure. The option presented will enable work to commence to develop a long term sustainable plan.

13. RECOMMENDATION(S)

- 13.1 Option H is recommended for approval and transition fund of £222k be agreed for 2009/10.
- 13.2 Option H will require a new funding agreement and delivery plan to be agreed . If members agree this, it is recommended the signing of this is delegated to the Chief Executive.
- 13.3 RLT have agreed to the early surrender of the lease of Bacup Leisure Hall in accordance with Option H

14. CONSULTATION CARRIED OUT

- 14.1 Consultation as detailed in the report and background document.

15. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required Yes

Is an Equality Impact Assessment attached Yes

16. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

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Background Papers	
Document	Place of Inspection
Cabinet Reports of 3 December and 21 January 2009.	Website
Leisure White Paper – 2007	Website
Leisure Consultation/Engagement Report	Website
Community Impact Assessments x 3	Website