

EAST HERTS COUNCIL

EXECUTIVE – 19 JULY 2016

REPORT BY EXECUTIVE MEMBER FOR HEALTH AND WELLBEING

LEISURE FACILITIES STRATEGY

WARD(S) AFFECTED: All

Purpose/Summary of Report

- To outline the issues and options in respect of the management, and sustainability of three joint use leisure facilities and two wholly owned sites operated by East Herts Council.
- The report highlights significant risks in terms of capital and revenue funding for the joint use sites.

<u>RECOMMENDATIONS FOR EXECUTIVE:</u> That:	
(A)	the comments of Community Scrutiny Committee be received;
(B)	the proposed direction of travel outlined in paragraphs 2.70 to 2.72 and the programme of work outlined in paragraphs 2.73 – 2.76 be approved;
(C)	subject to recommendation (B) above, a progress report is provided to the Community Scrutiny Committee at its meeting on 22 November 2016; and
(D)	the work of the Task and Finish Group be extended to consider progress in developing the work streams over the next 6 month months as outlined in paragraph 3.2 of the report submitted.

1.0 Background

1.1 The purpose of this report is to identify the strategic framework for the future provision of leisure facilities and services provided by

East Herts Council. It takes account of the Council's priorities and the terms of reference provided by the Community Scrutiny Committee.

- 1.2 The Environmental and Leisure Services Plan for 2015/16 contains an action requested by the Executive to 'Develop a Strategy for the Council's Leisure Services'. This is needed in order to:
- a) address the public health issues identified in the Health and Wellbeing Strategy through leisure and recreation;
 - b) develop a direction of travel and longer term strategic plan for the management and operation of indoor and outdoor recreation facilities;
 - c) improve the long term financial sustainability of the service in the context of increasing financial pressures on local government; and
 - d) optimise the opportunities to work with local communities and partners involved in sport, recreation and health.

1.3 At its meeting in November 2015 the Community Scrutiny Committee resolved that a Task and Finish Group (T&FG) be established to provide advice to Officers on the development of a leisure strategy aimed at determining the future of leisure facility provision and services over the next 10 years.

1.4 **Essential Reference Paper B** is a copy of the report presented in November 2015. This provides much of the essential background information and should be re-read conjunction with this paper.

2.0 Report

2.1 The report limits its scope to the provision of services provided by East Herts Council. This is deliberate because the issues concerning these facilities are pressing. However, the T&FG is aware that physical activity and sport is provided through an array of organisations. Work is currently taking place to develop a wider Open Space and Sports Facility Assessment and the outcomes of this study will inform any final decisions in respect of facility development proposals.

- 2.2 Physical activity is of vital importance to all sections of our communities. Regular physical activity leads to improved physical and mental health. It can reduce the risk of major illnesses, such as heart disease, stroke, type 2 diabetes and cancer by up to 50% and lower the risk of early death by up to 30%.
- 2.3 People participate in sport and physical activity for a number of reasons. Competitive sport is important for some people with the health benefits being a contributory factor. Many older people get involved in sport primarily for the social value and sense of community. Most parents are keen that their children swim well for safety reasons. Increasingly people take exercises to stay fit and healthy while others aim to reduce stress.
- 2.4 Providing good quality facilities is important. Many people have to motivate themselves to take part in physical activity and there are a range of barriers such as work, family commitments and confidence.
- 2.5 Maintaining public swimming across 5 facilities has been a significant achievement for East Herts Council. Very few authorities of similar size have achieved this. Their continued operation will in many respects be a greater challenge. This report highlights a number of significant risks which will compromise their future operation if nothing is done to address them. This is not a simple matter. There are significant complexities and buy-in will be needed from some key partners. The Task and Finish Group is firm in its view that these risks should be confronted with the objective of maintaining continued operation.
- 2.6 If the issues outlined in the report are not confronted then it is possible that some facilities will face eventual closure. However, if the council faces the challenges the probability of this outcome will be significantly reduced.
- 2.7 The report highlights significant opportunities to develop facilities at the Council's wholly owned sites at Grange Paddocks and Hartham. This work is important in order to reflect current leisure demand, demographic and societal changes. These opportunities need to be developed in tandem with work at the joint use sites to ensure a cohesive approach in terms of supply and demand.
- 2.8 The aim of the leisure strategy is to create a strategic framework and direction of travel so that leisure facility provision is sustainable, meets the needs of local communities and removes

barriers to participation. The Strategy will have implications in terms of:

- a) Direction of travel in respect of infrastructure
- b) Leisure Management delivery options
- c) The relationships with schools and Hertfordshire County Council.
- d) The specification of Council's leisure management contract with particular regard to the Council's Health and Wellbeing objectives.

2.9 The Vision

The vision for leisure facilities across East Herts is one of enabling everyone to have the opportunity to participate. The Council has a pivotal role in providing pay and play opportunities which cannot be provided through other sectors. In this context the suggested vision is as follows:

2.10 *The Council will provide attractive facilities available to the whole community which complements the wider provision of recreation opportunities in the community and voluntary sector. In addition, it will ensure that leisure facilities contribute fully to the health and wellbeing objectives of the Council.*

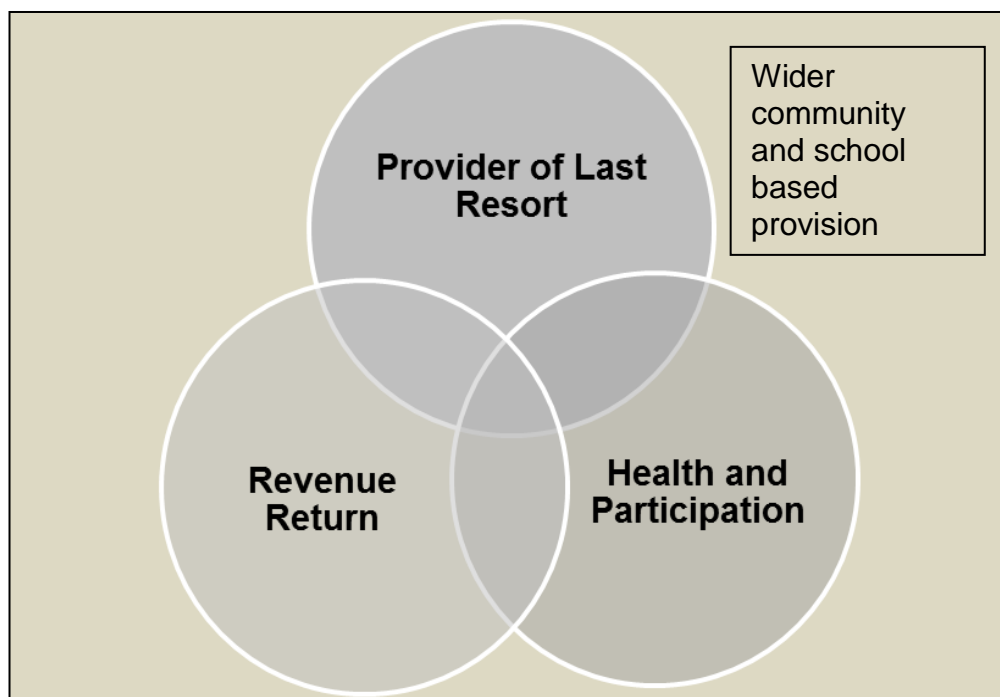
2.11 The aims of the Strategy are as follows:

- a) To achieve closer integration with the objectives and processes of the health sector through a range of commissioning links. This will include for example electronic patient referral and delivery of specific programs where there is an identified health need such as weight reduction and mental health.
- b) To achieve closer integration with the voluntary sector, town and parish councils. The aim would be to close the gap between contract delivery and the work being carried out by the voluntary and community sector.
- c) To provide outreach programs linking indoor leisure facilities to outdoor and community based activity, recognising the rural character of the district.
- d) To align leisure services delivery to the demographic trends and population growth recognising that the council

imports and exports leisure demand to adjoining authorities.

- e) To reduce barriers to participation and improve customer satisfaction.

2.12 The Task and Finish Group (T&FG) has been be mindful of the significant range of facilities provided by the community, voluntary and school sector. The strategy aims to complement rather than compete with this provision. In this context the T&FG considered why the Council provides leisure facilities particularly as local authorities are under increasing financial pressure. The diagram below outlines the principal rationale for facility provision.



Provider of Last Resort

2.13 The Council provides swimming pools because it is considered to be a priority for people of all ages to be able to swim on a 'pay and play' basis. If the Council did not support the provision of public pools there are no other organisations able to fill the gap. The private sector provides swimming pools but it is not commercially viable to do this on a 'pay and play' basis.

2.14 The Council supports the operation of 5 swimming pools built in the 1970's and this represents approximately 50% of total footfall into the leisure facilities provided by the council. However it is increasingly difficult to maintain their quality in the context of:

- a) Increasing financial pressure on EHC's revenue budget
- b) Consumer choice allied to car ownership which enables people to drive to more attractive facilities.
- c) Significant capital investment requirements
- d) Limitations in respect of school funding
- e) Growth in demand for Gyms and Group exercise
- f) There is a small but consistent decline in demand for swimming. This mirrors a national trend.

2.15 Revenue Return

The council has invested in the provision of leisure facilities over the last 10 years in conjunction with SLM principally through the provision of health and fitness and studio facilities. This now represents 40% of total footfall and has been successful in reducing operating costs. It also contributes significantly to the Council's health and wellbeing agenda however gyms operate in a competitive environment and require regular investment if their market position is to be maintained.

2.16 Health and Participation

A key concern for the Council is to enable people to live active and healthy lives which includes those who are most vulnerable. The Council cannot provide facilities for every activity but this does not mean it should not provide any. This issue can be reconciled through the provision of indoor and outdoor multi-sport spaces which can meet a range of demand and cover their initial capital costs over a period of 7 to 10 years.

2.17 Financial Overview

The financial issues and associated risks are a key consideration. These are outlined within Essential Reference Paper C. The Council's Medium Term Financial Plan (MTFP) indicates the need to find significant ongoing efficiency savings over the next three years. This is a significant challenge particularly in the context of non-statutory services such as leisure provision.

2.18 The Councils indoor leisure facilities fall into two categories. Joint use provision and facilities owned outright by the council. The owners of the joint use sites are listed below.

Facility	Owner
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Fanshawe Pool and Gym Ware	Chauncy School
Leventhorpe Pool and Gym Sawbridgeworth	Leventhorpe School
Ward Freman Pool Buntingford	Hertfordshire County Council (HCC)

- 2.19 Ward Freman Pool continues in the ownership of HCC. The schools adjudicator had determined that the school pool had been built by Hertfordshire County Council for use by all local schools not just for the use of Freman College. The adjudicator had therefore determined that it was a County Council asset which should not transfer to the ownership of the school.
- 2.20 EHC occupies the sites on the basis of a licence within the Joint Use Agreements which authorises it to manage and maintain the sites. Hartham Leisure Centre and Grange Paddocks, located in Hertford and Bishop's Stortford respectively, are owned by East Herts Council.
- 2.21 All the sites are managed through a Leisure Management Contract with Sports and Leisure Management (SLM) which expires on 31st December 2018.
- 2.22 The agreements with the schools and HCC were signed between 1975 and 1977 and are based on 60 years however the buildings have only a 30 - 40 year life expectancy. The current agreements do not come to an end until 2035 and 2037. Consequently the various parties to the agreements have currently unfunded capital liabilities for the next 20 years.
- 2.23 These concerns do not affect Grange Paddocks and Hartham Leisure Centres as these sites are not operated under a partnership agreement. Their ownership lies entirely with the East Herts Council. However, any proposed development would need to comply with planning regulations and include flood risk mitigations as both of these sites are located on flood plains.
- 2.24 The priorities of schools and Hertfordshire County Council have become increasingly focused on education and academic attainment. Consequently their commitment to invest in the joint use facilities, beyond basic maintenance, has become progressively more limited. The creation of Academies changed the financial dynamic with responsibility for the pools being

transferred to the Leventhorpe and Chauncy Schools. The County Council continues to fund its share of maintenance costs at Ward Freman. The Joint Use Agreements require that all costs are spilt between the schools/HCC and EHC on a 60/40% basis. This was based on the proportional allocation of time between use by pupils during the school day and the community at other times. When the facilities were owned by HCC the investment appraisals were aligned with the broader aims of the County Council. The objectives of the schools are more narrowly defined and this has an impact on their willingness and ability to invest capital in the sites. The effect of this has been to force EHC over the last 2 to 3 years to adopt a 'make do and repair' approach with little investment being made to improve the fabric of the buildings. There are items of plant which will have to be replaced soon if the sites are to remain operational.

- 2.25 The schools have indicated that their commitment to supporting the dual use facilities is conditional upon continuing government funding. Their perception is that this is at risk. It is difficult to quantify this but if school and HCC funding is withdrawn there would be an immediate shortfall of revenue funding in the order of £250k per year. The effect at each site is summarised below:

2014/15 Outturn

Pool	<u>(Surplus) / Deficit (£)</u>	(Surplus) / Subsidy per visit (£)
Fanshawe	(88,974)	(0.94p)
Leventhorpe	98,370	2.29p
Ward Freman	115,489	3.82p
Current Subsidy	£124,885	

- 2.26 The above table is a summary of the detailed analysis within **Essential Reference Paper C**. It shows that Fanshawe pool and gym is currently covering its costs, but there is a very significant deficit on the running costs at Leventhorpe and Ward Freman pool.
- 2.27 The net cost of running Leventhorpe Pool and Gym is currently just under £98,400 per year. The cost of running Ward Freman Pool is £115,500. These figures are the pure operating costs and

exclude EHC's corporate overheads and capital charges.

2.28 The subsidy per visit figure is derived by dividing the total net cost by the total number of customer visits. This excludes school use and is therefore the amount that Council Tax Payers are paying towards each individual visit.

2.29 If the revenue contribution from the schools / HCC were to cease it would result in the following worst case scenario position:

Projected Position based on 2014-15 outturn

Pool	<u>(Surplus) / Deficit (£)</u>	(Surplus) / Subsidy per visit (£)
Fanshawe	(8,690)	(0.09)
Leventhorpe	181,207	4.22
Ward Freman	207,478	6.87
Potential Subsidy	379,995	
Potential additional Cost	<u>£255,110*</u>	

* The above analysis is intended to show direct operating costs attributable to the operation of the facilities. It therefore does not include capital charges and support service costs.

2.30 If the Joint Use sites are to remain viable it will be very important that the Council maintains a good working relationship with the schools. The facilities remain in their ownership and they will be key stakeholders in developing solutions.

2.31 The same risks do not apply to Grange Paddocks and Hartham. The principal risk at these sites is a progressive divergence between growing customer demand and existing provision. In addition the Council needs to find a way to respond to the growth in population and demographic changes taking place locally.

2.32 The financial overview of the two sites owned by the council is as follows:

Pool	<u>(Surplus) / Deficit (£)</u>	(Surplus) / Subsidy per visit (£)

Grange Paddocks	(39,829)	(0.14)
Hartham	(20,109)	(0.07)

2.33 To address these risks it will be necessary to develop a sustainable business case for each site based on a sound legal framework.

2.34 **Strategic Options**

The Task and Finish Group (T&FG) has considered four strategic options based on the following criteria:

- a) Health and Wellbeing Objectives
- b) The Council's Medium Term Financial Plan
- c) Reputational and Financial Risk
- d) Customer demand and leisure trends
- e) Current and anticipated demographic changes

2.35 **Option 1 - No Change**

This option is presented primarily to outline the likely scenario if the Council takes no action. It represents a baseline against which other options may be considered.

2.36 The 'No Change' option does not address the difficulties associated with the lack of capital investment particularly at the Joint Use facilities. Furthermore the risk that school revenue funding may be cut or reduced at short notice cannot be addressed through this option.

2.37 The best case scenario is that there will be no change to government funding for school agreements. This would cover day to day management costs but would not address the fundamental problem of refurbishment and replacement of plant. EHC has been delaying plant replacement.

2.38 The worst case scenario is that government funding is withdrawn from the joint use pools leading to an immediate shortfall in the revenue funding outlined above. EHC would be faced with some difficult choices at short notice. Continued operation would result in a significant increase in costs to EHC at a time when the Council's budgets anticipate an overall reduction.

2.39 The best case scenario would lead to the same conclusion but it would be played out over a longer timeframe as the council progressively struggled to maintain the facilities without the necessary capital investment.

Option 2 - Limited Change

2.40 This option envisages that the Council would invest in the refurbishment of changing rooms, upgrading of the pools and investment in pool plant at Joint Use Sites. In addition the new leisure contract would permit incoming contractors to invest in gym facilities.

2.41 The assumption behind this option is that the Council would accept that capital funding will not be forthcoming from the schools and HCC and EHC determines that it will make up the difference.

2.42 This option would address a range of customer concerns. It would also enable the council to invest in renewing plant and other 'invest to save projects.' This could include energy management projects or the development of a business case for improved gym facilities.

2.43 This option would be conditional upon a lease being granted to replace the existing licence.

2.44 This option would be attractive from the Health and Wellbeing perspective. It would be popular with customers and the local community.

2.45 The major weakness with this approach is that If the schools subsequently withdrew or reduced their revenue funding for the reasons outlined above the council would find itself in a very difficult position. The decision matrix for EHC becomes problematic because the Council would need to take into consideration the capital investment that it had made previously in addition to the revenue implications.

2.46 In terms of financial and reputational risk this is probably the least favourable option.

Option 3 - Joint Use Rationalisation

This option is based on reducing financial exposure and risks outlined above. There are two sub options:

a) Convert the swimming pools to gym or studio space.

b) Facility closure.

2.48 Conversion to Alternative Use

The Council could seek to negotiate converting the swimming pool of at least one site to an alternative leisure use. This could include a gym with an associated studio space. There would be other options such as a space for gymnastics, judo or other martial arts.

2.49 The advantage of this approach is that it is more likely to be financially sustainable and would support the Council's Health and Wellbeing objective. There are significant costs attached to the operation of swimming pools which are not present in health and fitness facilities.

2.50 There are disadvantages. The opportunity to participate in swimming is valued locally and this would be viewed negatively. There would be an immediate problem in terms of supply and demand with schools and clubs being forced to look for alternative places. Some casual swimmers would use other facilities but inevitably some would give up swimming. Swimming is more popular with older people so the impact on this group would be greater.

2.51 Facility Closure

The Task and Finish Group is very anxious to avoid this scenario if possible.

2.52 The advantages are that the council would reduce its financial exposure and risk. It would also improve the viability of other nearby sites as some people would relocate. However, it may also lead to exported demand to neighbouring districts.

2.53 The financial performance of Fanshawe Pool and Gym is good so there is no threat to this site. However, the same is not true of Leventhorpe or Ward Freman which make significant losses.

2.54 Inevitably there would be a loss of opportunity for people to participate locally. There would be reputational risk as this action would be contrary to the Council's stated objectives and the council's key partners in delivering health programmes would be concerned. For example the Council was recently successful in

obtaining funding from Sport England to improve access to sporting opportunities, including swimming.

2.55 The mechanism for closure would be for the Council to give notice that it intended to withdraw from a Joint Use Agreement. Theoretically the schools could continue to operate the facilities without EHC support but this is highly unlikely. It would be necessary to work with schools to ensure that the facilities were closed in a manner which left them safe.

2.56 The supply and demand issues would be the same as those indicated above with difficulties encountered in accommodating schools and clubs at alternative sites. Casual swimming could probably be absorbed.

2.57 **Option 4 - Supply and Demand Management**

2.58 This option is based on maintaining a balance between supply and demand. It envisages that the Council makes key strategic investments in capacity at the sites not subject to joint use agreements while at the same time developing alternative management options at the Joint Use sites. This is the preferred option of the Task and Finish Group.

2.59 The Council would arrive at a point where significant investments had been made at the Bishop's Stortford and Hertford leisure facilities while the options for the Joint Use Sites had been fully explored.

2.60 The options at each Joint Use site are likely to differ significantly but could include:

- a) Transfer of management to a community based organisation with or without some form of financial support from EHC. The Council would seek to obtain the continued funding from local schools. However in all circumstances a key requirement would be a long term lease to replace the current licence.
- b) Combined management of Council and school leisure facilities as one operation, delivering benefits to both parties in terms of economies of scale. This would be subject to agreement with schools.
- c) EHC retaining management control of the sites and the development of a business case to improve the financial

performance at each site. The scope for this may be limited owing to the physical constraints at some of the sites and the demand for services from the local community

- 2.61 Option 4 would enable the Council to address issues to do with anticipated population growth together with demographic changes and leisure trends. It would also allow time for the Council to develop alternative solutions at the Joint Use Sites. The arrangements are likely to vary according to local circumstances however the business model would need to be sustainable and carry less risk than the current model. It would require buy in from a range of key partners and stakeholders.
- 2.62 The option of developing and improving the two wholly owned sites would complement other emerging plans particularly in Bishops Stortford in respect of population growth, town centre redevelopment opportunities and parks and open spaces initiatives.
- 2.63 In addition to developing the sites the Council would aim to let a new leisure management contract which would require contractors to deliver on the objectives outlined above.
- 2.64 A key objective in the new contract would be to ensure greater flexibility to deliver the Council's Health and Wellbeing objectives so that it can respond to new challenges as they emerge during the period of the contract. In addition the contractor will be required to engage fully with a range of partners including Clinical Commissioning Groups and the voluntary sector.
- 2.65 While the above approach will place greater demands upon contractors this would be offset by the opportunity to operate and manage updated or replaced sites with greater income potential.
- 2.66 A key part of the business case for leisure facilities would be based on a capital investment programme by the Council which would result in a lower revenue subsidy being required to support the facilities. Discussions with the incumbent contractor suggest that this is deliverable. Further work needs to be undertaken to establish the best use of capital in terms financial objectives and the achievement of other Health and Wellbeing objectives.
- 2.67 A primary objective of the Leisure Facility Strategy is to align the operation of the leisure facilities with the Health and Wellbeing

Strategy. In practical terms this means supporting partnership objectives such as:

- a) Reducing the number of people attending for hospital visits
- b) Tackling mental health problems particularly loneliness among older people.
- c) Enabling people to connect with weight loss programmes
- d) Enabling GP's and other health professionals to refer people to various programmes operating within facilities through streamlined processes.
- e) Reaching out to people in rural communities
- f) Encouraging exercise in parks and open spaces through a wider range of activities.

2.68 A link is provided here to the Council's Health and Wellbeing Strategy.

<http://www.eastherts.gov.uk/media/24244/East-Herts-Health-and-Wellbeing-Strategy-2013-2018/PDF/3648 - Health and Well Being Strategy 2013-2018 for web.pdf>

2.69 The above list is not comprehensive however committing to these outcomes requires firstly that the basic infrastructure is secured from a financial and legal perspective. The next step is to ensure that the Council's new Leisure Management Contract builds on this foundation by fully articulating what contractors will be required to do and be held accountable for achieving.

Proposed Direction of Travel

2.70 The Task and Finish Group concluded that Options 3 and 4 presented the only viable way forward. However, the group wish to emphasise that Option 4 was the preferred approach as they firmly believe this option is the one most likely to achieve the Council's objectives and desired outcomes. It provides the best opportunity to maintain and develop the current service and creates the opportunity conditions necessary to deliver the Councils Health and Wellbeing objectives. The group was mindful of the Council's Medium Term Plan financial objectives which require significant financial savings to be achieved. However, they wish to emphasise that Option 3 should be retained as a reserve position in the event that all other options have been fully explored and proved to be not viable alternatives.

- 2.71 In order to develop an outline business case based on option 4 further information is required. It is proposed that this will be obtained through the work programme outlined below.
- 2.72 The programme of work based on Option 4 would include the following key elements. While these have been listed in sequence much of the work will take place in parallel.

Work Programme

Stream 1 - Joint Use Sites

- 2.73 The development of outline business cases for the management and operation of the Joint Use Facilities.
- a) To negotiate with schools and HCC to replace the joint use agreements with a more secure legal framework. The outcome of these negotiations will depend upon the circumstances prevailing at each site. However, any capital investment by EHC would need to be coupled by security of tenure.
 - b) To explore a range of management delivery options with schools, HCC and other key stakeholders.
 - c) To develop proposals which support the Council's Health and Wellbeing objectives.
 - d) To undertake a review of the current infrastructure to identify ways in which the buildings can be improved from a customer, business case and environmental perspective.
 - e) To bring forward a business case for the continued operation of swimming pools or if this is not feasible, alternatives based on Option 3.
- 2.74 Subject to members agreeing this proposal a detailed project plan including financial implications will be developed to map the direction of travel and key milestones.

Stream 2 - Hartham and Grange Paddocks Leisure Centres

- 2.75 The development of an outline business case for the management and operation of the above sites would include;

- a) A programme of work including a study is undertaken in order to consider options for the upgrading or replacement of the above sites, so that they can address the challenges referred to in this report and in ERP B. This would include the provision of detailed and costed infrastructure plans.
- b) The above work would include consultation with key stakeholders such as the CCG, Customers, Management Contractors and organisations involved in the planning process.
- c) An appraisal of the infrastructure options based on:
 - I. Capital costs
 - II. Revenue impact
 - III. Contract management arrangements
 - IV. Contribution to Health and Wellbeing Objectives
 - V. Risk assessment

2.76 The above options appraisal will take into account the Open Space and Sports Facility Assessment currently being undertaken and other plans such as the current work in respect of Bishop's Stortford Town Centre.

Stream 3 - Health and Wellbeing

- 2.77 The development of initiatives through the new leisure management contract which enable the operation of leisure facilities to address key issues identified within the Council Health and Wellbeing Strategy.
- a) Further work to identify models of existing best practice which can be utilised effectively within East Herts.
 - b) Further engagement with health professionals to streamline processes and develop initiatives which address health inequalities.
 - c) Obtaining leisure and legal advice on ways in which to include health and wellbeing initiatives within a contract to secure performance and outcomes.
 - d) Engagement with partners to develop effective measures which encourage cycling, walking and extensive use of open spaces to promote healthy activity.

- e) Engagement with the leisure industry to identify ways in which outreach programmes can be developed in rural areas.

3.0 Implications/Consultations

3.1 The implications and consultations are covered within the report and within **Essential Reference Paper A**.

3.2 The Task and Finish Group felt that a further report should be provided to the Community Scrutiny Committee at its meeting in November. In addition they felt that there would be benefit in the group being retained on an ongoing basis to act as a sounding board and to monitor progress over the next 6 months. The group has developed a significant understanding of the subject matter over the last 6 months.

3.3 Conclusion

The Task and Finish Group wished to emphasise that the work programmes represent a major step forward. They are ambitious. They wish to create the opportunity conditions which encourage people to take part in physical activity regularly. However capturing imagination, commitment and enthusiasm of people requires facilities and services which are relevant to their lives. This report is about developing the foundations which enable this to happen. Maintaining momentum is now the key challenge and the Task and Finish Group is keen to see that this is maintained.

Background Papers

None

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