

## **East Herts Council Report**

### **Executive**

**Date of meeting:** Tuesday 12 March 2024

**Report by:** Councillor Sarah Hopewell – Executive Member for Wellbeing

**Report title:** Ward Freman Pool Update

**Ward(s) affected:** Buntingford;

**Summary** – To provide an update on Ward Freman Pool following its closure in December 2023 for health and safety reasons.

### **Recommendation/s for Executive:**

- (a) To agree a 6-month postponement in bringing an options report to Executive on the future of the pool**

### **1.0 Proposal(s)**

- 1.1 To allow the community Group to present a business case to Hertfordshire County Council, Executive agree that the options report be deferred to September 2024.
- 1.2 That officers instruct the commissioning of a condition survey.

### **2.0 Background**

- 2.1 In December 2023 due to health and safety concerns raised and demonstrated by the council's contracted operators of the site a decision was taken to close the pool whilst further evaluation of options took place on the future of the pool.
- 2.2 Officers proposed that an options appraisal would be undertaken and presented back to Executive in spring 2024.

- 2.3 Since the announcement of the closure in December 2023, East Herts officers have been in dialogue with officers from Hertfordshire County Council regarding the options for the pool. HCC are the freeholders of the pool and as such agreement has to be reached with them on a future option.
- 2.4 Buntingford residents and the wider community have expressed a strong desire to form a community group to run the pool going forward.
- 2.5 HCC have agreed to consider a community led business plan, Should HCC consider the plan viable, they will enter discussions to look at the viability, risks and liability in more depth.
- 2.6 HCC have asked the Community group to submit a business plan to them by the end of February 2024.
- 2.7 The community group have not yet submitted a business plan, but work continues to progress this work, HCC are aware of the delay.
- 2.8 For EHC to examine and make recommendations, the council needs to be in possession of all facts. This means waiting on HCCs decision on whether it will enter discussions with the Community group with regard to securing a lease arrangement.
- 2.9 In addition, EHC officers have been instructed to commission a condition survey of the pool now that it is drained and more easily accessed. This survey will, in turn, inform the viability of the pool's future.

### **3.0 Reason(s)**

- 3.1 Until this is clear, EHC is unable to present options and it is therefore proposed that a full report is deferred for 6 months to enable HCC and the Community group to conclude a direction of travel.

### **4.0 Options**

- 4.1 Defer full options appraisal reporting on the future of Ward Freman pool until no later than September 2024 -RECOMMENDED
- 4.2 Continue with the production of a report now, making assumptions on options – NOT RECOMMENDED

4.3 Do nothing – although the pool is currently ‘mothballed’ it continues to be a liability for both EHC and HCC with an annual liability of £96k – NOT RECOMMENDED

## **5.0 Risks**

5.1 The more time that elapses before a decision is taken, the greater the risk of the pool falling into further disrepair.

5.2 There is an ongoing financial liability for both EHC and HCC

5.3 The longer the uncertainty remains around the future of the pool, the greater the effort and cost needed to reinstate pool use, should that be the outcome of the options appraisal.

## **6.0 Implications/Consultations**

6.1 HCC have been kept informed of and been involved in discussion regarding the future of the pool as freeholder of the site.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

The budget for Ward Freman pool is net expenditure of £140k per year. By mothballing the pool there is a saving of £44k. The pool will remain in care and maintenance until such time as Hertfordshire County Council determine the community bid to operate the pool. If the County Council opts to allow the community to operate the pool then East Herts £140k expenditure will no longer be required to subsidise the pool on an ongoing basis. Members have indicated they may wish to use the budget to

provide pump priming finance to the community group should they be successful in becoming the operator of the pool. Should the community not be successful then East Herts will need to reach a mutually agreed position with Hertfordshire County Council to bring the joint use agreement to an end. The agreement can only be mutually ended otherwise it will run until 2031. The council will be jointly liable with Hertfordshire County Council for remedial works to return the pool to the agreed condition (although Hertfordshire County Council is unlikely to claim dilapidations as they are liable for 40% of the costs and if the pool is not transferred to the community then the County Council is likely to opt to close the facility.

#### Health and Safety

Yes, but heavily mitigated through the pools closure and mothballing, including the drainage of the pool.

#### Human Resources

No

#### Human Rights

No

#### Legal

Yes – East Herts Council is party, along with HCC, to a joint use agreement for the pool, meaning that East Herts Council must ensure it meets its obligations under the agreement for as long as it persists.

Hertfordshire County Council is the legal owner of the freehold of the pool.

#### Specific Wards

Yes

## **7.0 Background papers, appendices and other relevant material**

7.1

Contact Member

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