

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>Corporate Director of Place</b>
<b>Date of Decision:</b>	<b>27<sup>th</sup> June 2017</b>
<b>SUBJECT:</b>	<b>OPTIONS FOR THE FUTURE OF MOSELEY ROAD POOL</b>
<b>Key Decision: No</b>	<b>Relevant Forward Plan Ref: N/A</b>
<b>If not in the Forward Plan: (please "X" box)</b>	<b>Chief Executive approved</b> <input type="checkbox"/> <b>O&amp;S Chairman approved</b> <input type="checkbox"/>
<b>Relevant Cabinet Member(s) or Relevant Executive Member</b>	<b>Councillor Ian Ward, Deputy Leader</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Councillor Mohammed Aikhlaq</b>
<b>Wards affected:</b>	<b>Sparkbrook</b>

<b>1. Purpose of report:</b>
<p>1.1 To review the Cabinet decision made in December 2013 to close Moseley Road Pool at the time of service availability for the newly constructed Sparkhill Pool, due to a request by the National Trust in conjunction with local Community Organisations.</p> <p>1.2 To inform Cabinet of the options available on the future of Moseley Road Pool including capital and revenue cost implications outlining associated risks for consideration.</p> <p>1.3 To obtain approval for the preferred option and to seek authority to proceed with the necessary requirements to deliver the work in the timescale specified.</p>

<b>2. Decision(s) recommended:</b>
<p>That the Cabinet:-</p> <p>2.1 Approves the continued Council operation of Moseley Road Pool until 31<sup>st</sup> March 2018, at a cost of £0.4m to be funded from the Corporate Policy Contingency Budget.</p> <p>2.2 Notes that a further report will be presented to Cabinet in due course detailing an alternative delivery model for Moseley Road Pool from April 2018.</p>

<b>Lead Contact Officer(s):</b>	Steve Hollingworth – Service Director – Sport, Events, Open Spaces & Wellbeing
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<b>3.</b>	<b>Consultation</b>
3.1	<p>Consultation should include those that have an interest in the decisions recommended</p> <p><u>Internal</u></p> <p>Councillor Ian Ward, Deputy Leader and local Ward Councillors for Sparkbrook and the neighbouring Ward of Moseley &amp; Kings Heath have been consulted and agree with the contents of this report.</p> <p>Officers from Sport, Property and Finance and Conservation have had input into the contents of this report and agree with the decisions recommended.</p> <p>3.2 <u>External</u></p> <p>The National Trust has been consulted on the contents of this report. The Friends of Moseley Road Baths and Moseley Road Baths Action Group have been consulted on the future of the building.</p>
<b>4.</b>	<b>Compliance Issues:</b>
4.1	<p><u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p>The recommended decisions within this report are aligned with the councils strategic approaches and corporate priorities. The City Council has adopted a Vision which sees <i>a whole Council focus to make a positive difference every day for citizens of Birmingham</i>. This is supported by four clear priorities which are linked with key drivers of change for its city and citizens, these being Children, Housing, Jobs &amp; Skills and Health.</p> <p>The continuing operation of Moseley Road Baths impacts positively on the Council's priorities of Children, Jobs &amp; Skills and Health. It offers community swimming provision in the heart of Balsall Heath and a means of promoting an active lifestyle to local residents and school children. It can remain a credible (and potentially catalytic) component within a wider heritage corridor, stimulating confidence and allowing time to better explore future economic use, Its continued operation and future restoration would have a positive impact on the City's profile nationally and internationally with the potential to support the City's growing reputation as tourist destination.</p> <p>4.2 <u>Financial Implications</u></p> <p>4.2.1 The financial plans for the Council and the Place Directorate Service (specifically Community Sport and Events) are based on the Sport and Physical Activity Review and Transformation of the Leisure Service Report that was approved by Cabinet in December 2013. This assumed that Moseley Pool would be closed in September 2015 following the completion of the new pool at Sparkhill and therefore there were no resources allocated for Moseley Pool beyond September 2015.</p> <p>4.2.2 The construction of the Sparkhill Pool has been delayed (as detailed in the report and now due to open in June 2017) and as a consequence Moseley Pool has continued to be operated as a local centre. The expenditure for continuing this service formed part of the overall outturn for the Place Directorate – specifically in 2016/17 the net expenditure was £0.39m (representing operational costs of £0.54m and offset by income of £0.15m).</p>

- 4.2.3 The proposal to continue the operation of the Pool until March 2018 whilst alternative options are evaluated will require an estimated funding of £0.4m (assuming similar expenditure patterns to 2016/17) and this is expected to include any repairs and maintenance that are required in the short term. It is proposed that this base budget pressure is funded from the Corporate Policy Contingency.
- 4.2.4 The evaluation of the alternative future options will be assumed to be a net nil cost to the Council for both revenue and capital resources and a capital receipt may be generated from the disposal of the existing site.
- 4.3 Legal Implications
- Under section 19 of the Local Government Act (Miscellaneous Provisions) 1976, the Council has the power to provide such recreational facilities as it thinks fit in its area and under Section 111 of the Local Government Act 1972, the Council may do anything which is incidental to the discharge of any of its functions.
- The requirements of the Data Protection Act 1998 and Human Rights Act 1998 have been taken into consideration in terms of the processing, management and sharing of data involved in these proposals.
- 4.4 Public Sector Equality Duty
- A copy of the Equality Act 2010 – Public Sector Duty statement and equality assessment screening including Moseley Road Pool can be found within the Leisure Transformation's Cabinet Report of 16<sup>th</sup> December 2013.

## **5. Relevant background/chronology of key events:**

- 5.1 Moseley Road Pool is a Grade II\* listed Building and the only Grade II\* pool still in operation as a public pool in the UK. The Pool was opened in 1907 and is owned and has always been operated by Birmingham City Council.
- 5.2 The closure of Moseley Road Pool has been threatened a number of times with the increasing maintenance backlog and associated costs the primary reasons. The flat in the building was last used in 1985 until it was deemed unsafe. The laundry rooms closed in 1977. The 200 capacity spectator gallery in Pool 1 (Gala Pool) closed in 2001 for safety reasons, with the Pool itself closing in 2003 due to identified serious structural issues. The cold water tank was last used in 2003 and the last of the slipper baths closed in 2004.
- 5.3 Pool 2 was closed for 15 months in 2011 to allow for major repairs and now is the only activity area that remains open to the public.
- 5.4 In 2006 a Condition Survey of the pool was undertaken by Rodney Melville & Partners (Conservation Architects) that identified the building having serious and significant issues with the fabric and structural nature of the building and that the decline in the pool's condition was increasing.
- 5.5 An Options Appraisal was undertaken by the Council in 2007 looking into options for both Moseley Pool and the adjacent Library. This report considered three options with approximate costs:

- Option 1 – Mothballing the whole building and undertaking urgent repairs (£5.4m)
- Option 2 – Restoring in full, bringing both pools back into operation and refurbishing the library (£21m)
- Option 3 – Restoring the building and using the Gala Pool for swimming, with the remainder of the building used for dry activities and a refurbishment of the library (£23m)

A comprehensive Conservation Plan was also completed in 2007 as part of this work.

- 5.6 In 2008 a Heritage Lottery Fund (HLF) application was commenced by the Council, however, the application was never approved by Cabinet for submission due to the amount of match funding required.
- 5.7 In 2010 work was restarted on the HLF application which included an estimated cost of £8.8m for repair work. This application was never submitted due to the amount of match funding required.
- 5.8 The work commenced in 2010 was concluded in 2012 and was supplemented by a review of the 2006 Fabric Condition Survey and a supplement to the original condition survey.
- 5.9 In 2012, Acivico provided estimates for four different approaches to the building (all include VAT, but do not include fees or contingencies). These are as follows:

**Option 1 - £11,345,991**

Emergency fabric repair not including non essential or decorative works, improvements to pool1, but not for use as a swimming pool. Maintaining Pool 2 as a swimming pool.

**Option 2 - £11,542,635**

As option 1, but including £200,000 investigative/enabling works.

**Option 3 - £15,045,183**

Full fabric repair to the exterior of the building, including replacing the roof. No allowance for interior works.

**Option 4 - £5,396,500**

Mothball the pool. This would include emergency repairs to the fabric of the building including structural repairs in order to delay deterioration and the erection of a semi-permanent roof structure.

RICS (Royal Institute of Chartered Surveyors) cost indices indicate that all of these estimates will have risen by 27% since 2012 if the building condition has not deteriorated further, which the Council knows has occurred.

- 5.10 A city-wide review of leisure provision by the Council occurred during 2012-2013 resulting in the Sports Transformations Plan being approved by Cabinet in December 2013. This plan and subsequent report confirmed the proposal to close Moseley Road Pool when the new pool at Sparkhill opened. The report stated that this would be September 2015. Due to issues with removal of asbestos and foundation design the construction of Sparkhill Pool has been delayed and is now due to open in June 2016.
- 5.11 Following consultation with School User Groups in April 2017, the Centre Management of Moseley Pool agreed to delay the closure of the Pool until 21<sup>st</sup> July 2017, thus allowing for a full school year of swimming instruction to be completed.

- 5.12 The current condition of the building is poor and declining rapidly. The pool has scaffold in the basement, pool 1 balcony, outside pool 2, caretaker's flat and filter room. Weekly statutory checks are carried out on the scaffold in addition to checks by Acivico on the condition of the building. These checks have recently highlighted issues with corroded structural beams in pool 1 and significant repairs required to the roof. Acivico's estimated cost for these works is approximately £80k.
- 5.13 In 2016 the Moseley Road Baths Action Group (MRBAG) commissioned an appraisal on future options for the pool carried out by The National Trust and the Prince's Regeneration Trust (appendix 1). This was supported and funded by Historic England. The options in this report focused on the building remaining open with differing levels of occupation and activity. The National Trust's view was that if the Pool was to close, even for a short period, the cost of reopening would be significant due to the age of the building and in particular the pool tank and plant.
- 5.14 Since the completion of this report in 2016, a number of organisations have come together to form a coalition of support for Moseley Road Baths led by the National Trust. The Coalition is keen to work collaboratively with the Council on this. The coalition includes Historic England, National Trust, MRBAG, the Friends of Moseley Road Baths, Civic and the World Monuments Fund.
- The Coalition advocates that the building remains open and operated as a swimming pool by Birmingham City Council until the end of March 2018. During this period the coalition will bring forward plans for the short, medium and long term future use of the building and scope out fundraising opportunities. Following due diligence, there will be a further report brought to Cabinet identifying an alternative delivery model that secures the future operation of the pool from April 2018.
- 5.15 The present options available to the Council are detailed in section 6 of this report.

## 6. Evaluation of alternative option(s):

- 6.1 **Close & Make Safe** – This would meet the current Cabinet approval of closing the building in July, when Sparkhill Pool is open to the public. This would be the cheapest option with £30k required for scaffold erection and ongoing annual costs of £25k for inspections to the scaffolding. However, just by boarding the building up with no guarantee of a future disposal will see the continued deterioration of the building and its historic features, increased risk of vandalism, detrimental impact on physical appearance of Moseley Road / Balsall Heath and the risk of creating a long term void given the complexity of the building and further escalating costs of bringing the building back into operation or back to a fully restored state.
- 6.2 **Mothball** – Whilst mothballing the pool decreases the speed of deterioration of the building the cost of this option is likely to be in excess of £5m (See 5.9, Acivico Report 2012). This would include emergency repairs to the fabric of the building including structural repairs in order to delay deterioration, the erection of a semi-permanent roof structure and preparatory interventions. Under this option significant, vulnerable and fragile elements of the building could be protected, However, the risk of vandalism remains as does the detrimental impact on the physical appearance and regeneration of the area, and probability of finding new uses for the building.
- 6.3 **Operate until end of January 2018** – The net expenditure in 2016/17 was £0.39m (representing operational costs of £0.54m and offset by income of £0.15m). Without a current budget the Council would need to fund approximately £0.3m of operating costs and necessary repairs for the Pool to continue to run until the end of January 2018. At this point a transfer would need to be executed for further costs not to be incurred.
- 6.4 **Option 4 Full repair of the building** – The Council's Options Report of 2007 identified the cost of a full refurbishment including both exterior and interior works to be £23m. Whilst this did include some works to the adjacent library it is now widely believed by those consulted on the recent National Trust and Prince's Regeneration Trust Report that this figure may have risen to in excess of £35m. The Council has commissioned an updated fabric condition survey which will provide a more accurate estimate of prioritised costs. This will report shortly.
- 6.5 **Continue to Operate** – The current operational costs of the Pool and the deterioration of a historically significant grade II\* listed building, in addition to the Council's decision to open a new pool less than two miles away are significant barriers to the continued operation of Moseley Road Pool (December 2013 Cabinet approved the closure of Moseley Pool when the new Sparkhill Pool opened to the public).
- 6.6 **The preferred option is Option 3.** Moseley Road Baths is a complex and expensive building, simply closing or even mothballing it makes a future for the building more difficult. In allowing the Coalition time to investigate and pilot new uses for the spaces alongside a viable community swimming operation offers the best available option to the Council. There are additional operational costs, and some inevitable repair and enabling works required, however this time and cost could provide a viable future for Moseley Road Baths a possibility.

<b>7. Reasons for Decision(s):</b>	
7.1	Cabinet had approved the decision to close the building in December 2013, however, Community Organisations supported by the Moseley Road Baths Coalition (National Trust, Historic England, MRBAG, the Friends of Moseley Road Baths, Civic and the World Monuments Fund) have expressed a desire for the continuation of this historic facility, requesting more time to develop a business plan and future operating model.

<b>Signatures</b>		<b><u>Date</u></b>
Cabinet Member	..... Cllr Ian Ward, Deputy Leader	.....
Chief Officer	..... Jacqui Kennedy, Acting Strategic Director of Place	.....

<b>List of Background Documents used to compile this Report:</b>
Cabinet Report 16 December 2013, Sport and Physical Activity Review – Transformation of the Leisure Service.

<b>List of Appendices accompanying this Report (if any):</b>
1. National Trust Options Appraisal Final Report – Moseley Road Baths – September 2016
2. Councillors Consultation
3.

<b>Report Version</b>		<b>Dated</b>	
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