

Bolsover District Council

Executive

October 3rd 2016

Creswell Leisure Centre Future Options
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Report of the Joint Assistant Director - Leisure

This report is public

Purpose of the Report

To consider the future options of Creswell Leisure Centre following the cessation of the site as a swimming facility.

1 Report Details

1.1 Background to this proposal

Following the decision by BDC to 'cease the current operation' at the existing Creswell Leisure Centre and the relocation of swimming activity to an alternative site, the existing building currently held in trust by the Council could potentially be at risk of being lost as a leisure facility given the financial challenges faced by the District Council and its subsequent strategic leisure facilities programme.

This situation does however present an opportunity for the Council to transfer custodianship of the facility and charitable scheme to a new set of trustees and for the facility to be developed for an alternative use.

At Executive on Monday 1st February 2016, it was resolved that the;

0757. CRESWELL LEISURE CENTRE PROPOSALS

(1) Formation of a steering group and the proposed membership to explore the future options for Creswell Leisure Centre be approved.

(2) The steering group develop an appropriate business case for future usage of Creswell Leisure Centre for Executive to consider by October 2016.

1.2 The Proposal

The proposal (see background papers at foot of this report) is built around the vision for a new set of trustees and volunteers along with paid staff to continue to deliver the aims of the existing charitable scheme under which the facility is presently operated. The new trustees would include the wider community, volunteers and organisations more local to the facility, lead by the Elmtown with Creswell 'Big Local' group and including;

Elmton with Creswell Parish Council, Creswell History Group with the potential for others to also contribute.

Once developed, the aspiration of the facility will be that it encourages;

- broader engagement from all sections within the local community,
- promotes physical activity,
- promotes social interaction,
- promotes learning,
- promotes health and wellbeing,
- provides employment and training opportunities,
- contributes to community cohesion and a sense of pride in the place where our residents live.

The new '*Creswell Wellbeing and Heritage Centre*' would include a facility mix that reaches out to people with a wide and varied activity and product portfolio which caters for the whole community.

The re-designed facility will be made up of the following elements;

- Retention of the existing gym facilities (20 stations) and one squash court
- Removal of the swimming pool to create a large flexible 'hall'
- Introduction of technology and interactive equipment
- Soft Play area
- A mining heritage experience
- A traineeship programme
- A kitchen and coffee bar
 - Supporting healthy eating courses
 - A super kitchen

1.3 Current Situation

The Council currently hold the Creswell Leisure Centre as trustees pursuant to a charitable scheme dated 23rd July 1954. The scheme requires the Council to "hold the said property upon trust for use as public swimming baths for the benefit of the inhabitants of the Rural District Council of Clowne and the neighbourhood". In order to use the property for another purpose the Council would need to apply to the Charity Commission to amend the scheme. In doing so the Council would need to identify a suitable alternative charitable purpose for the building.

Rather than using the building for alternative purposes the Council could look at selling the premises. This would require the consent of the Charity Commission and the Coal Industry Social Welfare Organisation (CISWO). If the property was sold then the proceeds must be held on trust and used "in connection with the social wellbeing, recreation and condition of living workers in and about coal mines as the Charity Commission may approve".

Given the above, it is feasible that the '*Creswell Wellbeing and Heritage Centre*' could become a very appropriate alternative.

Discussions have been held with CISWO recently who expressed their support for the new proposal. Discussions are ongoing with the Charities Commission at present with regard to the proposal.

2 Conclusions and Reasons for Recommendation

- 2.1 Executive has previously approved officers to work with others to identify options for the future use of Creswell Leisure Centre.
- 2.2 This facility has the potential to remain an important positive contributory element of the community of Creswell and surrounding areas, with the correct facility mix, management, operation and partnership working, there could be a re-invention of the facility which has the potential to become an even more valuable asset to the community than the existing facility today.
- 2.3 The facility and product mix has the potential to reach a greater number of users from a greater cross section of the community by providing a more diverse and varied programme.
- 2.4 The facility and product mix has the potential to significantly improve the experiences and lives of those who choose to use it in many ways including but not limited to physical activity, social interaction, health, education and learning.
- 2.5 Failure to establish a 'sustainable' alternative use would put the facility at risk of closure and the loss of a community facility.
- 2.6 Community consultation has established that there is significant support in the local community for the proposal.
- 2.7 Recent discussions with CISWO have established their support for the proposal.
- 2.8 Whilst discussions are ongoing with the Charities Commission at present with regard to the proposal, there is confidence that should BDC elected members agree, the charitable scheme detailed previously, could be either transferred to another group or the trustees of the existing scheme could be changed to include local people as described earlier.

3 Consultation and Equality Impact

- 3.1 A District wide consultation upon the decision to cease the current operation at the Creswell facility has been undertaken previously. In addition, a community consultation event was held on 7th April 2016 to discuss the proposals outlined in this report and detailed in the attached business case. 73% of those who completed a feedback form said they approved the proposals.

An equalities impact assessment (Appendix B) has been created and will be used as a dynamic document which will inform the actions throughout.

There are no negative equality outcomes relating to this new proposal.

4 Alternative Options and Reasons for Rejection

- 4.1 BDC to continue to operate the proposed new facility – **rejected** as the management and operation of such a focussed charitable scheme ought to be run by the community it is set up to serve.
- 4.2 The facility to cease operating completely – **rejected** as this facility has the potential to become a valuable community asset generating a number of outcomes that are beneficial to the community.
- 4.3 BDC to sell the facility – **rejected** as this facility has the potential to become a valuable community asset generating a number of outcomes that are beneficial to the community.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 The new facility at Clowne is due to open in January 2017, the current operations at Creswell are proposed to cease on Friday 2nd December 2016.
- 5.1.2 The staff currently employed at Creswell will be transferred and become part of the Clowne team once the new facility opens as part of the structure recently approved at Full Council on 13th July 2016.
- 5.1.3 The projected capital cost for the proposed refurbishment/redesign of Creswell Leisure Centre is **£0.51m**. (£0.49m works and £0.02m working capital)
- 5.1.4 The projected revenue/operating budget for the redesigned facility is a surplus generating approximately **£0.05m p.a.** (projected budget is for an indicative year once business is established). It is envisaged that this surplus will provide sustainability to the facility and scheme allowing trustees to continue to invest resources into actions to further their charitable aims going forward.
- 5.1.5 Subject to both Executive approval and other partner agreement, it is anticipated that the capital financing of the scheme will be made up of contributions from both the District Council and potential future trustees along with any grant funding that continues to be sought;
 - £0.35m - Elmtown with Creswell 'Big Local' group
 - £0.1m - BDC from existing budgets (capital programme and revenue budget for 16/17)
 - £0.05m - DCC Community Priorities Grant (subject to approval)
 - £0.01m - Public Health partners
- 5.1.6 As the future of Creswell Leisure Centre was unknown at the time of producing previous reports and business case relating to the Enhanced Facility at the Arc, the subsidy reduction sum identified as a saving of £0.160m following the 'ceasing of current operations' at the existing Creswell facility, will be impacted upon if Executive approve financial support for the scheme.

5.2 Legal Implications including Data Protection

5.2.1 The current legal position is:

Bolsover District Council hold the baths pursuant to a charitable scheme dated July 1954;

- The baths are to be used “as public swimming baths for the benefit of inhabitants of the Rural District of Clowne and the neighbourhood”
- We cannot sell without the consent of the CISWO and the Charity Commission;
- Any sale proceeds must be used for purposes connected to “the social well-being recreation and condition of living of workers in or about coal mines as the Charity Commissioners may approve”

5.2.2 Recent discussions with CISWO have established their support for the proposal.

5.2.3 Whilst discussions are ongoing with the Charities Commission at present with regard to the proposal, there is confidence that should BDC agree, the charitable scheme detailed previously, could be either transferred to another group or the trustees of the existing scheme could be changed to include local people as described earlier.

5.3 Human Resources Implications

5.3.1 The new facility at Clowne is due to open in January 2017, the current operations at Creswell are proposed to cease Friday 2nd December 2016.

5.3.2 The staff currently employed at Creswell will be transferred and become part of the Clowne team as part of the structure recently approved at Full Council on 13th July 2016.

5.3.3 A process of assimilation will take place with the staff currently employed at Creswell being transferred to the new Clowne facility once open.

6 Recommendations

6.1 That Executive approve;

a) that BDC supports the new facility redesign proposal and whilst remaining trustees make an application to the Charities Commission to amend the existing scheme to include new trustees from the local community including the wider community, volunteers and organisations more local to the facility, lead by the Elmtown with Creswell ‘Big Local’ group and including; Elmtown with Creswell Parish Council, Creswell History Group with the potential for others.

b) that £0.1m be allocated to this project as the Councils contribution, this to be met from existing capital and revenue budgets for Creswell Leisure Centre for 16/17.

c) the ceasing of current operations at Creswell Leisure Centre on the 2nd December 2016.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Yes
District Wards Affected	Directly – Elmton with Creswell Indirectly - all
Links to Corporate Plan priorities or Policy Framework	

8 Document Information

Appendix No	Title
N/A	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
New Creswell heritage and Wellbeing Centre 5 year business case – available on the Members portal.	
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Report Reference –