

## **CUSTOMER FOCUS SCRUTINY COMMITTEE**

23 June 2025

### **Present:**

Councillor Councillor Catherine Rees (Chair)

Councillors Cookson, Begley, Darling, Fullam, Holland, Hussain, Moore, Parkhouse, Payne, Pole, Read, Snow and Wardle

### **Apologies:**

Councillors

### **Also present:**

Strategic Director for Place, Strategic Director for Corporate Resources, Strategic Director for People and Communities, Head of Legal and Democratic Services & Monitoring Officer, Head of Culture and Leisure, Planning Solicitor and Democratic Services Officer

### **In attendance:**

- Councillor Bialyk - Leader of the Council
- Councillor Wright - Deputy Leader & Portfolio Holder for Corporate Services, Community Safety and City Centre
- Councillor Asvachin - Portfolio Holder for Housing, Homelessness Prevention and Customer Services
- Councillor Foale - Portfolio Holder for Arts, Culture & Tourism
- Councillor Patrick - Portfolio Holder for City Development
- Councillor Vizard - Portfolio Holder for Climate, Ecological Change and Communities
- Councillor R. Williams - Portfolio Holder for City Management
- Councillor Wood - Portfolio Holder for Leisure Services & Healthy Living
- Councillor Harding
- Councillor Haigh speaking on item 4 (Minute No. 63 below) - speaking under Standing Order No. 44

## **62      Declarations of Interest**

No declarations of interest were made by Members.

## **63      Petition: Proposed Closure of Northbrook Pool**

The Chair welcomed everyone to the meeting making the following statement:

“As the new Chair, I would like to say a few words about the purpose of scrutiny and how I see us working together to fulfil our function as members of this scrutiny committee.

A well-functioning Council is open to challenge, open to scrutiny. This is an important opportunity to step back, gain a strategic wider perspective on specific issues, as well as delving down and exploring what we do in detail, with the aim of improving the outcomes for the residents of Exeter, who we serve on this Council.

I believe that this is best achieved when we work together, drawing upon one another's strengths, being open to different perspectives, and drawing upon the collective wisdom of the group. For people to speak openly and honestly, we need to create an environment of safety and trust – an environment in which everyone (fellow Councillors, Officers, members of the public, and guests) is treated with respect.

When people feel criticised, it is natural to become defensive. We have all experience that, I'm sure - wanting to defend what we've done and why we've done it. I'm sure we have also all experienced the difference it makes when people ask us questions that come from a place of genuine interest and collegiality. When we build relationships of trust, we are more able to welcome challenge.

So, I urge us all to phrase our contributions in a way that is focused on achieving our shared aim of improving how we work as a council, and ultimately how we can improve the outcomes for the residents of Exeter. That's what we are here for.

This is not a place for blaming, public shaming and political point scoring, as this creates an atmosphere of anxiety and mistrust. Instead, this is a place for open, honest dialogue and healthy challenge. We are all here for the same purpose and we all want to serve the residents of Exeter to the best of our ability. To do that, we need to work together."

Councillor Moore moved scrutiny procedural rule number 16 requested that any party whip be disclosed.

Councillor Snow stated that he was Labour whip but that his party had not been whipped.

Other party whips all stated that no whip had been issued.

The Chair invited the petition organisers to present their evidence.

Sarah Hornsby presented her evidence making the following points:

- that a more detailed report had been provided to Members ahead of the meeting and that the group had spoken to the Lifesaving Society and swimming teacher;
- asked that Exeter City Council (ECC) reach out to Sport England and the Department of Culture, Media and Sport;
- St Sidwell's Point was fantastic but more liveable cities had developed since it was built and people were less active now as a result of working from home;
- Northbrook served the whole of Exeter;
- The petition group had worked hard researching and had spoken to many people and groups locally as well as further afield;
- hoped that they had proved that Northbrook could generate more income; and
- sought a definite outcome and that internal culture be looked at.

Richard Ilsley, of WEFTE presented his evidence, making the following points:

- Northbrook was an easy target and there was no plan B;
- this targeted an area where people were not confident in challenging authority;
- he was grateful to receive a letter from the Lord Mayor commending the behaviour of petitioners and also to those councillors who had read the testimonies provided;
- he believed that ECC had made their plans for the land leased to them by Northbrook and that planning permission would be sought for the building to be demolished in August which would explain why the pool had been allowed to be run down;
- appreciated this scrutiny meeting but information requests had been delayed and he believed that the pool would become another housing development with little access;
- any money saved would pay interest on St Sidwell's Point on which a lot had been spent already; and

- that the group were angry that money would be spent on Riverside after announcing the closure of Northbrook and the same support was not offered.

Colleen Natola presented her evidence, making the following points:

- that this was Clifton Hill repeating itself but with a consultation secured;
- the outcome of the consultation confirmed their belief that the closure would have a real-world impact;
- buses to SSP were promised but there was no commitment of who would pay for this;
- this closure had not been thought through and she believed that this was a breach of the Equality Act;
- she had spoken to a neurodiversity training organisation and SSP was not a sensory-friendly environment;
- the Education Act mandated swimming and the transportation time would impact schools and swimming would no longer be cost-effective;
- WEFTE and aqua took up 16 hours and SSP would need to find time and she believed this was full and that Riverside would not be able to accommodate;
- there would be no access, affordability, curriculum flexibility and swimming would be eradicated; and
- the current users had managed with the changing rooms as they were, without a disabled toilet and she believed that the £500,000 cost to comply with the DDA was not a contract of good faith or democracy but rather an autocratic system.

The Chair invited Councillor Haigh to speak, having given notice under Standing Order No. 44, who made the following points:

- that the pool remain open but with a practical viable way forward to protect this community asset and ease the budget;
- it was understood that investment was needed but closure would require investment in public health;
- short term support from the Council may be required in considering a charitable community trust model and there were opportunities to involve Devon County Council and work collaboratively with Northbrook Trust;
- income had been constrained by short opening hours and lack of marketing;
- extended opening hours could allow birthday parties to be restored along with school and possibly Larches Swimming club;
- Beacon Heath and East Exeter was growing rapidly and if Northbrook closed then the fastest growing part of the city could be left with no pool which would undermine the aspiration to become the most active city;
- a low-cost inclusive club could serve the community and shape a better future where people have a voice; and
- this ward deserved support and could work together to follow the example of Topsham pool to help it survive not just thrive.

The Strategic Director for Place responded to Members questions making the following point, that the challenges in creating inclusive environments were recognised and efforts were underway to improve accessibility in existing centres

The petition organisers responded to Members questions making the following points:

- they had not been approached to discuss alternative ways to keep the pool open;

- they wanted to keep the pool open even with a broken boiler, no disabled toilet and broken showers;
- there were no figures for footfall;
- swimming at the pool had reopened after the pandemic with a reduced timetable with clubs not booked in and schools less often;
- advertising had online been online and only one poster had been seen and this should have been in a local newsletter and schools;
- the pool had been closed at weekends;
- a good proportion of WEFTE members were over 80 years of age and managed with the issues faced at Northbrook;
- WEFTE had owed the Council up to £7,000 at one time as they hadn't been requested to pay but the money was waiting; and
- a fuller timetable of opening would increase income.

The petition organisers and community were thanked by a number of Members for their time, effort, coordination and for sharing their personal stories.

The Strategic Director for Place presented the report making the following points:

- in February 2025 the Council set a balanced budget with no decision made about Northbrook and since this time the team had compiled comprehensive data to present to the Executive which would take place the following evening;
- there were three key sections: Firstly, Detailed and accurate financial and usage data regarding the pool including targeted efforts to increase usage since 2000 when leisure was brought back in-house. The pool operated at a substantial loss requiring £600,000 subsidy. Significant capital investment would be needed to bring the facility up to modern standards, be fully accessible, and to reduce carbon emissions, would be in the region of £2.1 million. Secondly, extensive consultation with those who would be most impacted had been carried out; and
- there had been open public consultation, surveys of users' groups and follow-up telephone calls and meetings. The results had provided qualitative information which enabled understanding of the impacts of the potential closure and thirdly an Equality Impact Assessment had been undertaken giving a comprehensive understanding of the impacts on pool users and those with protected characteristics and how these could be mitigated.

The Chair stated that she understood that there were recommendations from Members of the committee and asked that questions and discussion took place first in order to seek consensus.

The Strategic Director for Place and Head of Culture and Leisure responded to Members questions in the following terms:

- uptake had been minimal following advertising campaigns;
- campaigns had been targeted via social media which could target geographical areas;
- campaigns had been aligned with wider Exeter Leisure campaigns which had endeavoured to encourage summer holiday use of Northbrook;
- demographic targeting had also been used and work had been undertaken with Members who had delivered leaflets to schools, groups and communities;
- financial implications meant savings were required across leisure services;
- capital costs were estimates, based on known works undertaken at other facilities such as St Sidwell's Point and the Corn Exchange;
- the percentage other tickets would need to rise by in order to keep Northbrook open could be modelled but wasn't information currently held;

- information in the report was verified;
- leisure members chose their home club and that could be changed by emailing at any time;
- schools were engaged as part of the consultation and 12 schools had been worked with and of those 5 were in regard to Northbrook;
- schools were able to use their own swimming teachers at all pools;
- Sport England bid for funding unable to proceed due to proximity to other pools within the city;
- the EQIA set out some detail of the impacts should a decision be made to close the pool and also some of the mitigations but detailed measures would not begin unless a decision was made to close as this would be premature;
- should a decision be made to close the pool there would be a transition and mitigation process which would likely involve a 12-week period to work out what mitigation measures would be;
- the leisure service had skilled and experienced staff who understood how needs could be met within the existing portfolio including potential use of the smaller pool at St Sidwell's Point, they would also engage with focus groups to inform design of mitigation measures and work with those with protected characteristics;
- the Council carried out repairs and maintenance;
- the leisure service was considered as a whole as there were often inter-relationships within the costs of staffing;
- there was an objective to bring leisure services to a cost-neutral position as it was a discretionary service;
- the timetable had been out of action due to Government conditions of the pandemic following which usage across the whole leisure portfolio had been considered and the timetable created from there;
- the timetable was reduced but data not available regarding change of users;
- the report did not include the costs of closing the facility and did not set out a phased approach to works. This would be determined, only if the Council decides to close the pool;
- there was no capital investment programme for the pool; and
- a phased programme of investment had not been considered as the balanced budget had required savings across the leisure portfolio of over £500,000 with officers tasked with identifying how these could be made.

The Chair confirmed that Northbrook Trust were invited to the meeting and read their response as follows:

"Thank you for your invitation to Northbrook to attend this meeting.

Our position is that we have a lease in place with Exeter City Council (ECC) for the swimming pool with 70 years remaining on the duration. Until such time as ECC take a decision on whether they want to enter into discussions with us over terminating the lease, it would not be appropriate for us to have any plans on what may or may not happen to the site in the future. For this reason, we respectfully decline your invitation to participate."

**The meeting took a break at 7:33pm and reconvened at 7:43pm.**

The Chair thanked Members of the Executive for being present to hear discussions of the Customer Focus Scrutiny Committee.

The Monitoring Officer clarified that the Council's obligations under the Equality Act were set out in the report and that Education provisions were a matter for schools.

The Strategic Director for Place, Strategic Director for Corporate Resources and Head of Service Culture and Leisure:

- the Council chose to maintain Northbrook despite not being obliged under the terms of the lease;
- a small section of an email had been shared and additional wording included that any decision would be 'subject to carrying out necessary consultation and an impact assessment';
- staffing costs had increased more than stated;
- £286,000 was the approximate subsidy for Northbrook and on-costs were distributed differently, in order to identify the detailed budget would need to be examined;
- DCC were not invited to attend; and
- in the current two-tier system education was the responsibility of DCC but the Council chose to work with schools and teachers.

The committee heard recommendations from Councillors Holland, Parkhouse, Read and Moore detailed below:

Councillor Holland proposed that the Customer Focus Scrutiny Committee recommend that the Executive defer any final decision on withdrawal of subsidy or closure of Northbrook Pool for a period of six months, to allow a full exploration of a community-led alternative operating model. Specifically, the committee recommends that:

1. A working group be established – including representatives from ECC< Devon County Council, the Northbrook Trust, Sport England, and local community stakeholders – to assess the viability of transitioning Northbrook Pool to a charitable trust.
2. A formal invitation be extended to the local community, through a public call for expressions of interest, to bring forward a costed business case for the operation of the pool under community governance.
3. Devon County Council be asked to confirm their commitment to supporting local school swimming provision, including how this could be delivered through a retained Northbrook Pool.

Councillor Parkhouse proposed that the Customer Focus Scrutiny Committee recommends that the Executive discuss the possibility of community ownership with Northbrook Trust and interested parties including community groups.

Councillor Read proposed that the Customer Focus Scrutiny Committee recommends that before making a decision the Executive request officers create a new business plan investigating working with community and other stakeholders to investigate solutions.

Councillor Moore proposed that the Customer Focus Scrutiny Committee recommends to the Executive that the VAT reclaim be investigated to see how it might be reinvested for a portion to be invested in the future of Northbrook Pool.

The Strategic Director for Corporate Resources responded stating that the team would need to establish the position regarding the possibility of a voucher scheme as he was not a VAT expert and that Council had agreed that the funds would sit in a reserve and in order to change this a request would need to be made to council for a change of use of ear-marked reserves. VAT had been charged under HMRC

regulations which had subsequently been overturned and only half had been received at this point. It was important to note that this would be a one-off amount of money and not a long-term solution.

The Chair invited the Strategic Director for Place to read the email which he had sent on 27 February 2025 which had been intended for leisure colleagues, had detailed information and stated that the decision had been made to manage the closure of Northbrook Swimming Pool, subject to the completion of the necessary consultation and impact assessment.

The Strategic Directors for Place and Corporate Resources further clarified:

- when the budget was set in February levels of income and expenditure for each service gave officers the information to provide services. Sometimes there were legal processes which must be gone through, for example, car park charges required consultation. After all consultation last year, the Executive decided not to make an increase therefore unbalancing the budget whereupon it was necessary to go back and ask Council to identify other savings however in this instance there were savings elsewhere which covered the shortfall;
- parts of the building were a 100 years old and some of the issues were serious fabric issues and it must be considered whether it would be possible to address those issues and what capital investment would be required to do so;
- ECC did not own the building and the committee had heard that the Northbrook Trust had said they would not be prepared to enter discussions until after a decision was made to terminate the lease;
- grant funding difficulties encountered had been heard and Exeter was well-off with regard to swimming pools and the proximity argument remained. The realistic possibilities of grant funding to support a new management model would need to be considered as well as whether ECC was able to provide capital investment;
- should the council decide to close the pool, officers would facilitate a meeting with Northbrook Trust or other interested group to hear their views;
- further work had been done as part of the Exeter Plan, including working closely with Sport England which had determined that there was sufficient provision within the city;
- should there be a six-month delay there would be no in-year savings; and
- regarding community asset transfer it was important to note that this was not the Council's asset and the Council was not empowered to transfer leases.

The Monitoring Officer clarified that absolute detail was not available and that some but not all of the proposals put forward contained a delay and it was not the place of scrutiny to fetter a decision of the Executive.

The Strategic Directors for Place, Corporate Resources and People and Communities and Head of Service Culture and Leisure responded to Members comments in the following terms:

- there would be a phased transition plan which would be scoped and determined should a decision be taken to close the pool, this could take a matter of months;
- VAT detail was not available during the meeting however; funds were set aside in an ear-marked reserve and only Council could re-purpose this as the funds were held to protect the Council;
- the community asset transfer policy was clear and the person applying must be able to provide a business plan which was affordable and sustainable and that the freeholder was willing to accept this; and

- the lease was an older one and therefore not a more usual model.

The Monitoring Officer stated that one proposal did not involve the Executive delaying a response and the savings were required to be made.

Councillor Holland proposed and Councillor Payne seconded that Councillor Holland proposed that the Customer Focus Scrutiny Committee recommend that the Executive defer any final decision on withdrawal of subsidy or closure of Northbrook Pool for a period of six months, to allow a full exploration of a community-led alternative operating model and following a vote was NOT CARRIED.

Councillor Read proposed and Councillor Moore seconded that before making a decision on closure the Executive instigate the community asset transfer policy to investigate alternatives to closure working with the community, other stakeholders to investigate solutions which following a vote was NOT CARRIED.

Councillor Parkhouse proposed and Councillor Snow seconded that the Executive discuss the possibility of community ownership with the Northbrook Trust and interested parties including community groups which following a vote was CARRIED.

Councillor Moore proposed and Councillor Read seconded that the VAT reclaim be investigated to see how a portion might be reinvested in the future of the Northbrook Pool which following a vote was CARRIED.

The meeting commenced at 5.30 pm and closed at 9.20 pm

Chair