

REPORT TO CUSTOMER FOCUS SCRUTINY COMMITTEE

Date of Meeting: 23rd June 2025

Report of: Ian Collinson – Strategic Director, Place

Title: The Proposed Closure of Northbrook Swimming Pool

Is this a Key Decision?

Yes

Is this an Executive or Council Function?

Executive

1. What is the report about?

1.1 To advise Members on the impact of the proposed closure of Northbrook Swimming Pool.

1.2 A report which recommends closure of the Northbrook Swimming Pool will be considered by the Executive on the 24th of June 2025, based on key income and expenditure reports, data gathered following public consultation and an Equalities Impact Assessment (EQIA).

2. Recommendations:

2.1 That the Customer Focus Scrutiny Committee consider the report of the Strategic Director for Place in relation to the proposed Closure of Northbrook Pool.

3. Reasons for the recommendation:

3.1 To inform Members of the financial and legal implications, community consultation and Equalities Impact Assessment, relating to the potential close of Northbrook Swimming Pool.

4. What are the resource implications including non-financial resources:

4.1 If a decision is made to keep Northbrook Swimming Pool open there will be financial implications in other service areas as further savings would need to be found from the general fund. In addition, there would need to be considerable capital investment in the building to bring it up to Equality Act 2010 standards which would include disabled access and increased toilet and changing facilities. The age and design of the building and a considerable challenge and a significant contributory factor in the capital investment required to upgrade the facility to modern standards.

5. What are the legal aspects?

5.1 In order to consider the proposals in relation to the Northbrook swimming pool, a public consultation process has been undertaken as set out in this report. Where a public consultation process is undertaken, then the responses must be conscientiously taken into account before a final decision is made.

5.2 The provisions of the Equality Act 2010 must be applied in considering the impact of closure of the leisure facility on protected groups so that the council can demonstrate compliance with the public sector equality duty under section 149 of the Act. Members will note that an equality impact assessment has been undertaken and is attached to this report.

5.3 Section 149(1) of the Equality Act 2010 sets out the public sector equality duty and requires public authorities in the exercise of their functions to have ‘...due regard to the need to-

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [the] Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.4 Section 149(3) and (4) further explain the nature of ‘due regard’ for the advancement of equality of opportunity:

Section 149(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to-

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation of such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.6 The relevant protected characteristics for the purposes of the Public Sector Equality Duty are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5.7 The duty to advance equality of opportunity under section 149(1)(b) involves specific considerations which include removing or minimising disadvantages connected to a protected characteristic, meeting the distinct needs of people with protected characteristics and encouraging their participation in public life or activities where they are under-represented. So, for example, the needs of a disabled person may require specific steps which take into account their disabilities.

5.8 The public sector equality duty requires public authorities to incorporate Equality Act considerations into the decision-making process. Public authorities need to ensure that decisions are informed by an understanding of the potential impact on individuals with protected characteristics.

5.9 The application of the public sector equality duty has been extensively considered by the courts which have emphasised that the duty must be exercised with rigour, in substance and with an open mind.

5.10 Members will also note the following cases.

5.11 In the high court case of *R (Law Centres Federation Ltd t/a Law Centres Network v Lord Chancellor* [2018], Andrews J set out the requirements in considering the public sector equality duty:

The duty is personal to the decision maker, who must consciously direct his or her mind to the obligations; the exercise is a matter of substance which must be undertaken with rigour so that there is a proper and conscious focus on the statutory criteria and proper appreciation of the potential impact of the decision on equality objectives and the desirability of promoting them...

5.12 In the high court case of *R(Hurley) v Secretary of State for Business, Innovation and Skills* [2012] Elias LJ stated that:

The concept of 'due regard' requires the court to ensure that there has been a proper and conscientious focus on the statutory criteria...the decision maker must be clear precisely what the equality implications are when he puts them in the balance, and he must recognize the desirability of achieving them, but ultimately it is for him to decide what weight they should be given in the light of all relevant factors

5.13 In the high court case of *R (Williams) v Caerphilly County Borough Council* [2019] Swift J, in referring to the cases set out above, stated that:

...when deciding whether or not a public authority has complied with the s 149(1) obligation there is no one-size-fits-all answer. The context and substance of the

decision in hand is important, and the issue for the court is always whether, in the context before it, there is evidence that the decision-making process was informed by the required due regard.

5.14 The central issue for members is to ensure that they give ‘proper and conscientious consideration of the public sector equality duty criteria.’ That requires members to engage with the possible consequences of the closure of the leisure facility.

5.15 Accordingly, in addition to giving due regard to issues such as the availability of the provision of other leisure facilities and distances when compared to this facility, members are also required to give due regard to the effect of closure on those with protected characteristics. For example, this would include consideration of users of the facility generally and, in addition, particular categories of user with protected characteristics, such as the protected characteristics of age and disability, and, for example, the challenges that older and disabled users of the facility would encounter in attempting to get to alternative leisure facilities if this facility were to close.

5.16 Under section 20 of the Equality Act 2010 the Council is required to make reasonable adjustments to premises where any physical feature (or lack thereof) would place a disabled person at a substantial disadvantage compared to a person who is not disabled.

5.17 Equality Act 2010: The closure of Northbrook Swimming Pool may impact vulnerable groups, such as children, the elderly, or people with disabilities. The Council has taken time to consider the potential impact of closure on these groups and is confident that some provision within other centres can be offered; providing a suitable, safe environment (see Appendix C).

5.18 Supplier Contracts: Prior to contracts with third parties and suppliers being terminated the Council will assess any financial or legal consequences of early termination.

6. Report details (including financial information):

6.1 On 25 February 2025, the Council took a decision to set a balanced budget. No decision was made to close Northbrook Swimming pool. However, a range of measures were identified where savings could be made across Leisure Services, including this facility.

6.2 Between December 2024 and January 2025, the Council conducted a resident survey as part of its budget setting consultation. Residents were asked to state to what extent they agreed/ disagreed with a series of statements on service areas the Council was considering investing or disinvesting in. In response to the question “How could the Council reduce costs?” all 6 options saw higher levels of disagreement than agreement. However, agreement was highest for ending grant funding to independent arts and culture organisations (32%) closely followed by reducing the subsidy on council run leisure facilities (30%). On further analysis the data showed that there was higher agreement on reducing the subsidy on the six council run leisure facilities

amongst those aged 65 or over, females, non-white ethnic groups and Exeter City Council housing tenants. There was higher disagreement from younger people aged 24-44, males, those from a white ethnic background and those who did not have a disability or long term condition and those living in areas of lower deprivation.

6.3 Despite extensive efforts to drive income and footfall at Northbrook Swimming Pool since the leisure services were brought back in house in 2020, usage and revenue figures have seen little improvement. Combined with a projected increase in repairs, on-going costs to maintain the building alongside budgetary pressures across the Leisure service, the future management of the building by the Council has become unsustainable.

6.4 Northbrook Swimming Pool is a 19-metre community facility located in the Mincinglake and Whipton ward area of Exeter.

6.5 Northbrook Swimming Pool is part of the Council's broader leisure portfolio and was brought back in-house in September 2020 following many years of management by a private company.

6.6 At the time of writing this report, the facility currently has 83 registered monthly or annual members, all of whom benefit from access to other council-run swimming pools, including Riverside Leisure Centre and St Sidwell's Point (see Appendix A).

6.7 In addition, at the time of writing this report, there are 636 registered casual users (since 2020) who pay per session and likewise have access to the wider leisure offer (see Appendix A). For comparison, Exeter Leisure has 57,300 casual users accessing the wider portfolio.

6.8 There are six schools currently using Northbrook Swimming Pool, totalling 10.5 hours usage per week during school term time.

	Amount (£)
Membership Revenue	105,798.56
Casual User Revenue	34,446.51
Block Booking/Club Revenue	59,913.06
General Maintenance and Repairs Costs	66,845.12
Operational Costs	819,444.00
Total Subsidy	686,130.99
Carbon Emission Reduction Quoted Cost	850,000.00
Upgrading to Industry Standards Quoted Cost	700,000.00
Compliance with the Equality Act 2010 Quoted Cost	550,000.00

Total anticipated capital expenditure**2,100,000**

Table: Total income and expenditure since 2020 and predicted expenditure to bring Northbrook Swimming Pool to compliancy.

6.9 Since 2020, Northbrook Swimming Pool has generated a total of £105,798.56 in membership revenue, £34,446.51 from casual user visits and generated a block booking/club revenue total of £59,913.06 (see Appendix A). It should be noted that an earlier Freedom of Information request regarding the full financial details of Northbrook Pool, initially omitted the block booking income. This oversight was subsequently corrected, and the revised information was reissued accordingly.

6.10 Over the same period, the pool has recorded 5,617 member visits and 6,842 casual user visits (see Appendix A).

6.11 A total of 13 targeted sales and marketing campaigns have been delivered since 2020, aimed at attracting new members and increasing engagement from existing users (see Appendix A).

6.12 Additionally, three membership price changes have been implemented, increasing from £15 to £29.80, and subsequently to £30.70, to boost membership income.

6.13 Despite sustained promotional efforts and pricing adjustments, growth in both usage and revenue has remained limited. This information forms a critical part of assessing the future viability and strategic direction of Northbrook Swimming Pool.

6.14 General Maintenance and Repairs: To date, a total of £66,845.12 has been spent on general maintenance and repairs to keep the building operational (see Appendix A). However, the building now requires extensive repairs, which go beyond routine maintenance.

6.15 Operational Costs: The total expenditure to date for staff pay, premises, supply services, and transport amounts to £819,444 (see Appendix A). This ongoing expenditure continues to add significant pressure to the budget.

6.16 Deficit Subsidy: To date, a deficit subsidy £686,130.99 has been provided by the Council to cover the shortfall between operating costs and revenue, ensuring the continued delivery of essential services.

6.17 Carbon Emission Reduction: To achieve a 72% reduction in carbon emissions, an estimated investment of £850,000 is required (see Appendix A). This investment is crucial for meeting environmental standards and reducing the facility's long-term operating costs.

6.18 Upgrading to Industry Standards: To bring the facility up to a reliable and efficient operational industry standard, an investment of approximately £700,000 is needed, factoring in inflation (see Appendix A). This would cover the necessary upgrades to ensure the building is both safe and effective for public use.

6.19 Compliance with the Equality Act 2010: It was noted during an internal audit by the EDI Taskforce Group that Northbrook Swimming Pool is non-compliant in relation to the Equality Act 2010 as there are no disabled facilities on site for either staff or public. Northbrook Swimming Pool requires major investment to ensure the building

meets the requirements of the Equality Act 2010 by providing a disabled changing room and platform lift of **£450,000 - £550,000** (see Appendix A).

6.20 Under the Equality Act 2010 (in the UK), or similar legislation in other jurisdictions, public facilities are required to be accessible to people with disabilities. Northbrook Swimming Pool is non-compliant in relation to the Equality Act 2010 as there are no disabled facilities on site for either staff or public. Northbrook Swimming Pool would require a significant investment of £450,000–£550,000 (excluding maintenance requirements) to meet the requirements of the Equality Act 2010 through the addition of a disabled changing room and platform lift (see Appendix A).

6.21 Exeter Leisure members have access to other facilities within the Council's leisure portfolio. Northbrook Swimming Pool is part of a wider leisure service offering pools at both Riverside Leisure Centre and St Sidwell's Point Leisure Centre.

6.22 If a decision is taken to close Northbrook Pool and the closure results in redundancies or a reduction in staff, the Council will utilise its Organisational Change Policy to ensure any process complies with employment laws regarding redundancy, severance pay, and consultation with affected employees.

7. Public Consultation and the EQIA

7.1 Public Consultation and engagement

7.1.1 A consultation was undertaken with those people who would be most impacted if a decision was made to close Northbrook Pool. In line with Exeter City Council's Consultation Charter, the consultation was open for a 6-week period, from 11th March to 22nd April 2025. To understand how people would be impacted, a predominantly qualitative approach to the consultation was required. The Consultation Report, attached as Appendix B, contains full details of the consultation process and results. It highlights how the consultation was delivered, how the qualitative data was analysed, and what themes arose from the data that was explicitly related to the impact of a potential closure.

7.1.2 A survey and focus groups were undertaken to provide information about the reasons for the potential closure and to gather feedback on potential impacts.

7.1.3 In total 322 respondents completed the survey and the four focus groups were attended by 35 people. It should be noted that the 35 people came from the 322 survey respondents, they were not 'new' to the consultation. Within the survey, respondents were asked if they would prefer to have a telephone conversation with the team, rather than attending a focus group, to tell us more about how a closure would impact them. In the survey 75 people said they would like to receive an individual telephone call from the consultation team. Of the 75 only 44 gave contact details that would allow a call to take place. In total 30 calls were successfully made to those who had requested one.

7.1.4 The Quantitative demographic information from the survey is set out in full in the Consultation Report, attached as Appendix B. The team also monitored social media channels to observe what was being said that related to the impacts of a potential closure to Northbrook Swimming Pool. Additionally, all information coming into Exeter City Council via email, and which related to the impact of a potential closure to Northbrook were collated.

7.1.5 The qualitative data coming from the free text survey questions, verbatim note taking from the four focus groups, social listening, and individual telephone calls were combined into one data set for analysis. The themes are presented in the Consultation Report under three overarching categories:

Contextual – the role of Northbrook Swimming Pool in people's lives

Specific impacts – the impact of a potential closure on people's lives

Specific barriers – barriers people face to attending a different council pool

7.1.6 The potential closure of Northbrook Swimming Pool is a strongly emotive subject within the user groups who took part in the consultation. It is clear from the themes which emerged from the qualitative data, that if the pool closes, it will have real-world impacts on many of those users. A consultation of this type is going to attract user groups who have a strong connection to the subject matter, but this does not diminish the findings that have come out of the process, because they are the people the Council needed to hear from so that it could become more informed and ensure that no assumptions are made about the feelings of users.

7.1.7 Within the 322 people who took part, older people, school children (including those with SEND), carers, the elderly and lower income families are likely to be most impacted by a closure. While some barriers people face to access a different swimming pool in the city (St Sidwell's Point and Riverside), may be overcome by working with particular groups (e.g. schools) to find a resolution, other barriers would be difficult to overcome and as referred to in the consultation report. This is because some of the issues highlighted in the Consultation Report are deeply connected to people's life experiences, such as affordability, mobility issues, and time associated with travelling further distances with the city. Additionally, other barriers fall outside of the Councils control, such as unreliable public transport, and so there are limited options to drive improvement.

7.1.8 Should the decision be made to close Northbrook Pool, the Council will undertake to implement a Transition Plan to enable the most vulnerable groups of people to access other leisure facilities in Exeter. This Transition Plan will be informed by the EQIA, which is discussed in the next section of the report.

7.2 Equalities Impact Assessment (EQIA)

7.2.1 The Council has undertaken a thorough and comprehensive EQIA, and is attached to this report as Appendix C.

7.2.2 The Council recognises that the proposed closure of Northbrook Pool does have an impact on certain user groups, specifically in relation to disability, sex, age and neurodiversity as referred to in the consultation report. The Council is committed to taking appropriate steps to mitigate these impacts as part of the Transition Plan and to ensure that the needs of affected groups are considered as part of the decision-making process.

7.2.3 Should the decision be made to close Northbrook Pool, the Council will carry out a full audit of current activity within the leisure portfolio to identify potential gaps in

provision for all protected characteristics and certain other groups, with a focus on the involvement of local groups in shaping any alternative provision.

7.2.4 Within the relevant services, the Council will ensure the views of people of all protected characteristics and certain other groups are captured and used to help identify future priorities for sport and leisure activities, within available resources.

8. How does the decision contribute to the Council's Corporate Plan?

8.1 The decision will align with the Council's Corporate Plan by contributing to a well-run council.

8.2 The Council will encourage and support the local community and its residents to utilise alternative leisure facilities and engage in new and inclusive activities which will be introduced to their local area.

8.3 The closure of Northbrook Swimming Pool will contribute to the Council's aim to reduce carbon emissions from council buildings and services.

9. What risks are there and how can they be reduced?

9.1 The risks associated with closing Northbrook Swimming Pool include the potential loss of members, reputational damage to the Council due to the closure, and the challenge of accommodating current block and club bookings at other facilities. The following methods will reduce the risks associated with closing Northbrook Swimming Pool.

9.2 Member Communication and Transition Support

9.2.1 Proactively support current members by offering seamless access to other leisure centres within the portfolio, such as Riverside Leisure Centre and St Sidwell's Point Leisure Centre. To encourage continued engagement and loyalty, provide thoughtful incentives, such as exploring loyalty membership opportunities, extended access periods, or exclusive member benefits, ensuring members feel valued and supported during the transition.

9.2.2 Maintain open, honest, and timely communication with all members and users throughout the closure process. Share regular updates well in advance, clearly outlining the reasons for the closure and emphasizing the advantages of alternative facilities. A transparent and empathetic approach will help build trust, reduce uncertainty, and foster a positive experience during the change.

9.3 Reputation Management

9.3.1 Engage users in a well-structured communications campaign to explain the rationale for the closure. Emphasize the continued commitment to providing high-quality leisure services at other facilities.

9.3.2 Community Engagement initiatives to familiarise current users with the alternative provisions.

9.4 Managing Block and Club Bookings

9.4.1 Relocation of Bookings: Work closely with the clubs and groups currently using the pool to find alternative suitable venues.

9.4.2 Provide Additional Resources: If the demand at other leisure centres increases due to the closure, consider adding additional temporary sessions or extending hours to accommodate the increased bookings.

9.4.3 It should be noted that an earlier Freedom of Information request regarding the full financial details of Northbrook Pool, initially omitted the block booking income. This oversight was subsequently corrected, and the revised information was reissued accordingly.

9.5 Financial and Logistical Planning

9.5.1 Gradual Transition: If possible, phase out services at Northbrook Swimming Pool gradually to allow users more time to adjust, rather than an abrupt shutdown. This gives people a chance to transition to other centres without a significant disruption to their routines, for example through familiarity sessions and utilisation of a Welcome Host who will provide general awareness and signposting and support in overcoming any barriers where possible. Furthermore, where feasible every attempt will be made to transition existing session times across to alternative facilities.

9.5.2 The Council will actively engage local community groups and users to help shape any alternative provision, ensuring that the views and experiences of current users are fully captured and inform the transition process.

10. Equality Act 2010 (The Act)

10.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs.
- Foster good relations between people by tackling prejudice and promoting understanding.

10.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impact on all members of the community.

10.3 In making decisions the authority must consider the potential impact of that decision in relation to age, disability, race/ethnicity (including the Traveller community), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

10.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention (see Appendix C).

11. Carbon Footprint (Environmental) Implications:

11.1 The recommendation to close Northbrook Swimming Pool will have a positive carbon/environmental impact on the Council's aim to reduce carbon emissions.

12. Are there any other options?

12.1 Northbrook Pool to remain open - if Northbrook Swimming Pool were to remain open a minimum of £2.1 million investment from the Council, will be required to maintain and improve the facility and make the facility DDA compliant (See Section 8). Further investment would also be needed to increase revenue and use across a wider geographic area, which would result in an increase in operational costs related to staffing and extended opening hours.

12.2 Given these significant expenditure requirements, it is evident that Northbrook Swimming Pool necessitates substantial investment to remain operational. Without this investment, it will not be sustainable to continue operating the facility in its current state.

Director: Ian Collinson

Author: Catherine Hill

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report: -

- Public Consultation report (2025)
- Currie & Brown Decarbonisation Strategy Report (2003)
- Randall Simmonds Condition Survey (2001)
- Equality Impact Assessment (2025)

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