



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Public Health, Prevention & Wellbeing
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	Thursday, 9 November 2023

PORTFOLIO/S AFFECTED: Public Health Prevention and Wellbeing

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT: Future of Daisyfield Pools and the impact on users

1. EXECUTIVE SUMMARY.

Daisyfield Pools was closed to the public on 19th August 2023 due to serious health and safety concerns relating to positive legionella readings having been found in various parts of the building and the management and condition of the pool plant, which resulted in the pools being open for use to the public with little or no chlorine in the pools.

(<https://blackburnintranet.moderngov.co.uk/documents/s21500/Daisyfield%20Pool%20closure%20Officer%20decision.pdf>)

Following the Executive Board approval on 7th September 2023 a Final Notice to end all use and occupation of Daisyfield Swimming Pools, Blackburn was served on the Directors of Half Fish HQ CIC on 21 September 2023. The Council took possession of the building and secured the premises on 20th October 2023. (insert web link for the Exec Board report). [EBD1: Executive Board Decision \(moderngov.co.uk\)](#)

A public consultation process took place between Monday 18th September 2023 and Sunday 15th October 2023 to determine the impact on users of the continued closure of Daisyfield swimming pools. An online form was available for users to complete anonymously and paper copies of the consultation form were also available at all 5 libraries, for members of the public to complete. A total of 294 responses to the consultation were received including views from local residents, casual users, parents or guardians of young people who use the pools, local schools, swim clubs, trainee swimmers, and more. The results of the public consultation are detailed in a report which is contained in Appendix 1.

In addition to the consultation process, supporters of Daisyfield Pool started two petitions. One petition was organised on line through change.org and received 2183 signatures. A second petition was handwritten with 206 names, addresses and signatures.

The Council has undertaken measures to mitigate the impact of the ongoing closure of Daisyfield Pools on users, including making changes to the pool programme at Blackburn Leisure Centre, introducing additional swimming lessons and taking steps to ensure that customers attending the women only swimming sessions can do so in a private environment.

A building conditions survey report on the building has been completed which estimates that the Council would need to spend in excess of £3.135M plus VAT to undertake significant repairs and maintenance work to make the building fit for purpose. Spending in excess of £3.135M plus VAT on a swimming pool facility, which was originally constructed in 1905 would not pass a value for money test and it is highly likely that further costs would be incurred in addition to the budget estimate due to the age, size and condition of the building. It is therefore recommended that the building be permanently closed.

The permanent closure of Daisyfield Pools would result in an under-provision of public swimming pool facilities for the residents of the Borough in accordance with the Sport England facilities planning model for public swimming pools. A meeting is therefore planned with senior officers from the Place Directorate, including the facilities team at Sport England in November 2023 to discuss the implications from the closure of the existing Daisyfield Pools facility.

If the Executive Board were to approve a permanent closure of Daisyfield Pools, a further report will be submitted to Executive Board regarding the future of the site.

2. RECOMMENDATIONS

That the Executive Board:

- Note the progress made to terminate the existing arrangement with Half Fish HQ CIC in relation to its occupation and operation at Daisyfield Swimming Pools.
- Note the results of the public consultation and the actions taken and proposed to mitigate the impact of the continued closure of Daisyfield Pools.
- Note and consider the online petition which was organised via the website Change.Org and the hand written petition which has been submitted by supporters of Daisyfield Pools.
- Agree to the permanent closure of Daisyfield Pools due to the poor state of repair and condition of the building and the requirement for significant investment, estimated to be in excess of £3.135M plus VAT, for the required repairs and maintenance.
- Note the planned meeting with senior officers from the Place Directorate and facilities team of Sport England to discuss public pool provision in the Borough and the likely impact on public swimming if Daisyfield Pools was to permanently close.

3. BACKGROUND

At the Council's Executive Board meeting on 7th September, Executive Members noted the serious health and safety concerns at Daisyfield Pools and endorsed the officer's decision to close the building on grounds of health and safety. It was agreed that the existing arrangement with Half Fish HQ in relation to its occupation and operation at Daisyfield Swimming Pools would be terminated.

Executive members were also informed about the building conditions survey report for the site, which highlighted significant repairs and maintenance works required to bring the site up to a useable standard at a cost in excess of £3.135M plus VAT.

Members agreed for a public consultation to be undertaken in relation to the future use of Daisyfield Pools and the impact on current users of the facility if the building remained closed, and that the results of the consultation should be considered at the Executive Board meeting on 9th November 2023.

3.1 Termination of existing arrangements with Half Fish.

On 21 September 2023, a Final Notice to end all use and occupation of Daisyfield Swimming Pools, Blackburn was served on the Directors of Half Fish HQ CIC by the Deputy Director of Legal & Governance, Blackburn with Darwen Borough Council. The Legal Notice stated that Daisyfield Swimming Pools should be handed over to the Council on or before 11:00am on Friday 20th October.

The handover from Half-Fish HQ CIC took place on 20th October with no issues. All the locks have now been changed and the alarms have been reset with the Council's security provider on 24/7 response. The Council's insurance provider has also been made aware of the change in circumstances. The swimming pools have both been backwashed and chlorinated and the pool water circulation system remains operational to prevent the pool water from stagnating.

3.2 Public consultation

The Daisyfield Pools public consultation ran for four weeks from Monday 18th September 2023 to Sunday 15th October 2023. An online form was available for users to complete anonymously and was accessible via the BWDBC website home page and open consultations page. Paper copies of the consultation form were also available at all 5 libraries, for members of the public to complete.

Communications were released on all BwDBC social media pages as well as The Shuttle website. A support session took place at Little Harwood Community Centre on Wednesday 20th September 2023 to aid users in completing the form.

A total of 294 submissions were received from users. This included views from local residents, casual users, parents or guardians of young people who use the pools, Half Fish staff members, local schools, swim clubs, trainee swimmers, and more. The results of the public consultation are detailed below:

Gender - of the 294 submissions, 275 users gave details of their gender.

- the majority of respondents (71%) are female
- 22% of respondents are male
- 1 user identifies as non-binary

Age - of the 294 submissions, 276 users gave details of their age.

- the largest number of submissions came from the 35-49 age group
- combined, the 20-34 and 35-49 age ranges make up 70% of submissions
- the 65-79 and 80+ age ranges make up 5% of submissions
- 1 user was 80+

Post code data – where respondents live

- 50% of submissions were made by residents of BB1 postcodes
- 29% of submissions were made by residents of BB2 postcodes
- other areas represented include Ramsbottom, Chorley, Preston, Chester, Nuneaton, as well as 2 submissions from North Wales and 1 submission from Scotland

Usage data – how often the respondents use Daisyfield Pools

- 66% of users used Daisyfield Pools within 1 month of the closure date
- 16% of users used Daisyfield Pools between 1-3 months before closure

- 16% of users visited Daisyfield Pools 4 or more months before closure
- 5 respondents had never used Daisyfield Pools

User activities – what activities the respondents have taken part in

- 67% of users attended swimming lessons
- 38% of users attended public swim sessions
- 23% of users attended ladies only sessions
- 12% of users attended swimming club sessions
- 12% of users stated they used the pools for other activities, these included mother and toddler sessions, men's and teens sessions, private sessions, lifeguard training, first aid training, mental health first aid training, sponsored swims, various camps and holiday clubs

Modes of travel – how the respondents travel to the pools

- 75% of users travel to Daisyfield Pools by car
- in total, 21% of users either walked or travelled by public transport
- other means of transport used included private coaches and school buses

Impact of pool closure

- 47% of users said that if Daisyfield Pools were to close, they would not continue their activities elsewhere
- 21% of users said they would continue their activities elsewhere
- 30% of users were unsure if they would continue elsewhere

Closing insights

Overall, the majority of respondents are unhappy with the closure. Some of the most common reasons for this include:

- There are few other options in the area with the same offering as Daisyfield Pools. Most pools are busier and more costly
- Parents are struggling to find swimming lessons for their children without long waiting lists
- Other swimming lesson sessions are not tailored to children with additional needs
- There is less availability elsewhere for women's only, men's only and parent and toddler swim sessions. Users also highlighted that these sessions can be uncomfortable at other pools due to the presence of lifeguards of the opposite gender and viewing platforms allowing the public to watch over the pools
- Other pools in the area have communal changing facilities
- Users will miss the sense of community at Daisyfield Pools

A full copy of the report on the results of the public consultation is contained in Appendix 1 to this Executive Board report.

3.3 Actions to be taken to mitigate the Impact of the closure

Cost of participation

A significant number of respondents cited the cost of participation as one of the reasons why they chose to use Daisyfield Pools rather than one of the Council's directly managed swimming pools.

A comparison of the costs of taking part in a range of aquatic activities at Daisyfield Pools and at Blackburn Leisure Centre is detailed in the table below. It is evident that in the majority of cases, the cost of taking part in a range of aquatic activities at Blackburn Leisure Centre is actually lower than the cost of taking part in those same activities at Daisyfield Pools.

Additionally, the Council also provides a range of refresh swim sessions at Blackburn Leisure Centre and Darwen Leisure Centre which can be accessed for just £1.00.

Sessions	Half Fish	Blackburn LC	Comments
Adult Swim / Ladies only swim	£4.75 - However if you buy a Half Fish Supporters Card, you receive £1.00 off per swim.	£4.75	There is no difference in price without a Supporters Card
Half Fish Supporters Card	£10.00 per year	BwDBC provide a re:refresh card free of charge	BwDBC provide a 16.5 hours of re:refresh swim sessions at Blackburn LC which cost £1.00
Children Swimming Lessons	£34.00 for a block of 4 lessons (£8.50 per lesson)	£63.00 for a block of 10 lessons (£6.30 per lesson)	A Direct debit scheme has been introduced for swimming lessons to enable customers to spread the cost of the lessons.
Adult Swimming Lessons	£34.00 for a block of 4 lessons (£8.50 per lesson)	£80.00 for a block of 10 lessons (£8.00 per lesson)	A Direct debit scheme has been introduced for swimming lessons to enable customers to spread the cost of the lessons
Disability Swimming	£8.00 per Adult and Child (up to 11 years old)	£7.65p per Adult and Child	
Parking Permit	£10.00 per year	3 hours of free parking on Feilden Street MSCP	

Women only swimming sessions

A number of respondents to the consultation raised concerns about the women's only swimming sessions and that there was more privacy at Daisyfield Pools as the main pool is not overlooked and that Half Fish always provided female lifeguards for the women only sessions.

There were two women only swim sessions in the main pool at Daisyfield Pools which took place on the following days and times:

Wednesday - 6.00pm to 7.00pm

Thursday – 6.00pm to 7.00pm

There are three women only swim session in the main pool at Blackburn Leisure Centre which take place on the following days and times:

Tuesday - 8.15pm to 9.00pm: casual swimming

Tuesday - 9.00pm to 9.45pm: half pool lane swimming, half pool casual swimming

Friday – 11.00am to 11.45am (started on 3 November)

There have been concerns raised about the lack of privacy for women swimming in the main pool at Blackburn Leisure Centre because the fitness suite overlooks the spectator gallery and main pool and the spectator gallery overlooks the main pool. Blackburn Leisure Centre has arranged to have venetian blinds fitted to the outside of the fitness suite windows so they can be closed when women's only swim sessions are taking place and cannot be adjusted by customers using the fitness suite. Blackburn Leisure Centre are also fitting blinds to the glazed door leading to the spectator gallery and again these will be closed when the women's only swim sessions are taking place. Blackburn Leisure Centre will also lock the spectator gallery prior to the women only sessions taking place so no-one can access the gallery and view the main pool.

Plans are also in place for a site visit to the pool by councillors and some of the women who attended the women only session at Daisyfield Pools to ascertain if any further measures are required to provide a more private environment for customers attending the 'women only' sessions.

There have been difficulties in guaranteeing female only lifeguards to supervise the women only swim sessions at Blackburn Leisure Centre. However, they have recently advertised for permanent and casual lifeguard roles and have received applications from several qualified female lifeguards which provides an opportunity to allocate female lifeguards to supervise these sessions in the future.

Swimming Lessons

Half Fish provide swimming lessons which follow a combination of Swim England and the Swim Teachers Associated awards schemes. The Council provides swimming lessons which follow the Swim England Learn to Swim Scheme for children aged 3 years+ and for adults. In general terms there is little difference between the swimming lessons programme taught at Daisyfield Pools and in the swimming lesson programme taught in the Council managed leisure centres.

Learn to swim lessons are available at Blackburn Leisure Centre and Darwen Leisure Centre at various times throughout the week, Monday to Saturday, with each lesson lasting 25-30 minutes. Since the closure of Daisyfield Pools in August 2023, over 170 children have joined the Council's swimming lesson programme. In November 2023, a new set of swimming lessons will be launched at Blackburn Leisure Centre on Saturdays from 8.30 – 12.30pm, this new set of lessons will enable the site to accommodate an additional 80 children on the learn to swim lesson programme.

Seven schools have also transferred to Blackburn Leisure Centre for school swimming lessons and have booked a total of ten hours of school swimming lessons. We are in discussions with a number of other schools about commencing school swimming lessons in the Spring term 2024.

In addition to the consultation process, the Council has received two petitions submitted by supporters of Daisyfield Pools. The first petition was organised on line through change.org website gained 2183 signatures, the petitioners called upon Blackburn with Darwen Borough Council to take immediate action by allocating sufficient funds towards repairing both the building and plant at Daisyfield pool. They state that by investing in these essential renovations, BwDBC can ensure the continued operation of Half Fish HQ and preserve 'this invaluable

community resource'. The second petition titled 'Save our Pool' was handwritten with 206 names addresses and signatures.

4. Permanent closure of the site

Daisyfield Pools was originally constructed and opened in 1906, the building has undergone various alterations over the years the most significant being the changing block extension in the 1960s and the extensive refurbishment and remodelling in 1996. There are no internal features and barely any external features, which exist in any recognisable sense from the original build in 1905/6, hence the building does not have 'listed' status under planning legislation.

The Growth & Development Department have been undertaking an asset review of key Council assets. Daisyfield Pool was highlighted during this review due to the age of the building as it was originally constructed in 1905.

The findings of the initial surveys raised concerns regarding the physical condition of the building, which warranted a more detailed follow on building conditions report. Capita were commissioned to carrying out building inspections of the site, drone observations of the roof and review information, plans and drawings provided by the Council in order to produce a comprehensive conditions report for Daisyfield Pools.

The building conditions survey provides a budget estimate in excess of £3.135M plus VAT for the required repairs and maintenance to keep the facility and building operational. The budget estimate is based on BCIS, SPONS and Capita's own internal data sets, and does not allow for potential cost beyond the immediate necessities.

Spending in excess of £3.135M plus VAT on a swimming pool facility which was originally constructed in 1905 would not pass a value for money test. It is highly likely that further costs would be incurred in addition to the budget estimate because the cost of building works is expensive in the current economic climate due to inflation and the increasing costs of materials and labour. It is also inevitable that further building work would become apparent and would need to be undertaken, in addition to those identified in the building conditions survey, due to the age, size and condition of the building.

Due to the age and condition of the building and the significant cost of undertaking the repairs and maintenance works required to ensure the building is usable and fit for purpose, it is recommended that Daisyfield Pools is permanently closed. If the Executive Board agree to the permanent closure of Daisyfield Pools, a further report will be submitted to Executive Board regarding the future of the site.

5. Meeting with Sport England

In 2012, Council officers worked with officers from Sport England on a future vision for leisure services which led to the demolition of Waves water fun centre and the building of Blackburn Leisure Centre at a total cost of £13.5m and Witton Park Arena at a cost of £2.5m.

A Sport England facilities planning model for public swimming pools was completed at that time which demonstrated that the Borough had an over-provision of public swimming pool facilities. The closure of Shadsworth swimming pool in 2018 reduced the over-provision but still provided sufficient public swimming pool facilities for the residents of the Borough as recommended by Sport England. The closure of Daisyfield Pools would result in an under-provision of public swimming pool facilities for the residents of the Borough.

The Executive Member and Assistant Executive Members for Public Health and Wellbeing and council officers are scheduled to meet with senior officers from the Place Directorate, including the facilities team of Sport England in November 2023. The purpose of the meeting is to discuss the closure Daisyfield Pools, the reduction in public swimming pool provision and the potential

impact on swimming participation in the Borough, and any support which may be forthcoming from Sport England to assist in mitigating the under-provision.

4. KEY ISSUES & RISKS

- The arrangements with Half Fish HQ CIC in relation to its occupation and operation at Daisyfield Swimming Pools was terminated on 20th October 2023. The Council has taken possession of the building and secured the premises. The building remains closed to the public.
- A public consultation process took place between Monday 18th September 2023 and Sunday 15th October 2023. An online form was available for users to complete anonymously and paper copies of the consultation form were also available at all 5 libraries, for members of the public to complete.
- A total of 294 responses to the consultation were received including views from local residents, casual users, parents or guardians of young people who use the pools, Half Fish staff members, local schools, swim clubs, trainee swimmers, and more. The results of the public consultation are detailed in a report which is publically available.
- The Council has undertaken measures to mitigate the impact of the ongoing closure of Daisyfield Pools on users, including making changes to the pool programme at Blackburn Leisure Centre, introducing additional swimming lessons and taking steps to ensure that customers attending the women only swimming sessions can do so in a private environment.
- In addition to the consultation process, supporters of Daisyfield Pool started two petitions. One petition was organised on line through change.org and received 2183 signatures. A second petition was handwritten with 206 names, addresses and signatures.
- Spending in excess of £3.135M plus VAT on a swimming pool facility which was originally constructed in 1905 would not pass a value for money test and it is inevitable that further costs would be incurred in addition to the budget estimate due to the age, size and condition of the building.
- The permanent closure of Daisyfield Pools would result in an under-provision of public swimming pool facilities for the residents of the Borough in accordance with the Sport England facilities planning model for public swimming pools.
- A meeting is planned with senior officer from the Place Directorate and facilities team at Sport England to discuss Daisyfield Pools and the implications for public swimming in the Borough.

5. POLICY IMPLICATIONS

There is no statutory requirement for Councils to provide swimming pool services, Blackburn with Darwen Borough Council has done so on a discretionary basis, investing over £21m in swimming pool provision at Blackburn Leisure Centre and Darwen Leisure Centres since 2010.

6. FINANCIAL IMPLICATIONS

The Council's Revenue Estimates Summary for the 2015/16 estimated that Daisyfield Pools would operate with a cash limited budget of £419,200. When the pools were transferred to Half Fish, the budget for Daisyfield Pools was removed from the portfolio's overall budget, therefore the portfolio has no revenue funding available to operate Daisyfield Pools.

The Building Conditions report provides a budget estimate in excess of £3.135m plus VAT for the required repairs and maintenance to keep the facility and building operational for the short term only. These are based on BCIS, SPONS and Capita's own internal data sets, and does not allow for potential cost beyond the immediate necessities.

7. LEGAL IMPLICATIONS

The provision of leisure services is a discretionary activity. The Council has powers to provide as it thinks fit and deal with leisure facilities under the general power of competence provided by section 1 of the Localism Act 2011 and section 19 of the Local Government (Miscellaneous Provisions) Act 1976. Currently, the Council already has provisions for swimming at Blackburn Leisure Centre and Darwen Leisure Centre.

The Council needs to ensure that its decision makers are correctly and adequately informed. As such, a timely, adequate and effective consultation has been undertaken with all relevant stakeholders. The outcome of the consultation needs to be considered and taken into account when determining the long-term position and future of the facility.

The decision to permanently close Daisyfield Pools following the consultation needs to consider the attached Equality Impact Assessment and any health implications.

8. RESOURCE IMPLICATIONS

Officer time to secure the site, ensuring the intruder alarm is fully functioning and monitored under the councils existing contracts to allow out of hours security where required. Undertake regular inspections both internally & externally.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

The Council has undertaken a four week public consultation from Monday 18th September 2023 to Sunday 15th October 2023 on the future of Daisyfield Pools.

Blackburn with Darwen Director of Public Health has been consulted on the Executive Board report and the EIA and EIA Toolkit along with the results of the Public Consultation and he has confirmed he is happy with the report and the recommendations.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Joanne Byrne/Martin Eden
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DATE:	26 October 2023
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BACKGROUND PAPER:	Future of Daisyfield Pools and the impact on users
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Appendix 1: Public consultation report on the future of Daisyfield Pools – October 2023