



Supplement for

OVERVIEW AND SCRUTINY COMMITTEE - THURSDAY, 29TH FEBRUARY, 2024

Agenda No    Item

8.    Sport England Swimming Pool Support Fund Phase 2 (Pages 3 - 36)

Purpose

The Chair requested that this item is added to the agenda for pre-decision scrutiny.


Recommendation

That the Committee scrutinises the report and agrees any recommendations it wishes to submit to the Executive on 6 March 2024.

Invited:

Councillor Tim Sumner, Executive Member for Leisure and Major Projects  
Andy Barge, Assistant Director - Communities



 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and Date of Committee</p>	<p><b>EXECUTIVE – 6 MARCH 2024</b></p>
<p>Subject</p>	<p><b>SPORT ENGLAND SWIMMING POOL SUPPORT FUND (PHASE 2)</b></p>
<p>Wards Affected</p>	<p>ALL</p>
<p>Accountable Member</p>	<p>Councillor Tim Sumner – Executive Member for Leisure and Major Projects Email: <a href="mailto:tim.sumner@westoxon.gov.uk">tim.sumner@westoxon.gov.uk</a></p>
<p>Accountable Officer</p>	<p>Andy Barge – Assistant Director, Communities. Email: <a href="mailto:andy.barge@publicagroup.uk">andy.barge@publicagroup.uk</a></p>
<p>Report Author</p>	<p>Jacqui Wright – Business Manager, Leisure and Wellbeing Email: <a href="mailto:jacqueline.wright@publicagroup.uk">jacqueline.wright@publicagroup.uk</a></p>
<p>Summary/Purpose</p>	<p>To seek approval for the Council to enter into an agreement with Sport England for the acceptance of a grant from the Swimming Pool Support Fund (SPSF) Phase 2; and for the Council to draw down funding awarded to Chipping Norton Lido, acting in its capacity as lead authority for the delivery of the SPSF.</p>
<p>Annexes</p>	<p>Exempt Annex A – Capital Grant Agreement (CGA)</p>
<p>Recommendations</p>	<p>That the Executive Resolves to:</p> <ol style="list-style-type: none"> <li>1. Approve the acceptance of the SPSF Phase 2 grant awarded to West Oxfordshire District Council, valued at £243,328, to install rooftop solar PV (Photo Voltaic) and energy saving showers at the Windrush Leisure Centre, Witney.</li> <li>2. Delegate authority to the Director of Finance to draw down and deploy the SPSF Phase 2 grant awarded to Chipping Norton Lido Ltd, valued at £84,366, to install solar PV and an air source heat pump.</li> </ol>
<p>Corporate Priorities</p>	<ul style="list-style-type: none"> <li>• Putting Residents First</li> <li>• A Good Quality of Life for All</li> <li>• Responding to the Climate and Ecological Emergency</li> </ul>

	<ul style="list-style-type: none"> <li>• Working Together for West Oxfordshire</li> </ul>
Key Decision	YES
Exempt	Partially – Exempt Annex A, Capital Grant Agreement (CGA)
Consultees/ Consultation	<ul style="list-style-type: none"> <li>• WODC Climate team</li> <li>• GLL (Greenwich Leisure Limited) Better</li> <li>• Chipping Norton Lido Ltd</li> </ul>

## **1. EXECUTIVE SUMMARY**

- 1.1** Following a competitive process West Oxfordshire District Council and the Chipping Norton Lido Ltd. have been successful in securing the award of grant funding from the Swimming Pool Support Fund (SPSF) Phase 2.
- 1.2** Acceptance of the grant award from the SPSF is reliant on meeting the Sport England terms and conditions for the grant scheme. The terms and conditions have been reviewed and, where relevant, associated risks are included in this report.

## **2. BACKGROUND**

- 2.1** The government's SPSF has been allocated to local authorities in England as a support package for public leisure facilities with swimming pools and is split into two phases. 'Phase I – Revenue' was made available through a competitive bidding process to support facilities with swimming pools that were facing increased cost pressures, leaving them most vulnerable to closure or significant service reduction. The Council successfully secured approximately £350,000 in Phase I. 'Phase II – Capital' was made available through a further competitive bidding process to enable capital interventions to be made to improve the energy efficiency of public facilities with pools in the medium to long term.
- 2.2** Following the announcement of the second phase of the grant scheme in September 2023, a series of interventions were considered for each of the sites in the District. A deadline for submission of applications was also announced for 17th October 2023.
- 2.3** The interventions were considered by officers from both the leisure and climate teams, with GLL Better supporting with utility data provision and quotations for works. This coordinated approach ensured any proposals put forward were complementary to any submissions under the Public Sector Decarbonisation Scheme (PSDS).
- 2.4** SPSF Phase II was also opened to all swimming pools which were not in the ownership, or management, of the District Council but that provided public swimming on a pay-as-you-play basis. District Councils were asked to act as the lead authority for these pools and to compile and submit applications on their behalf where necessary.
- 2.5** An approach was made to each of the eligible pools in the District, and as a result Chipping Norton Lido also worked up an application and returned this for inclusion in the bidding process.
- 2.6** A condition survey of the roof at the Windrush Leisure Centre will be completed as part of the surveying and design phase of the proposed solar panel installation. As condition surveys for this site would then be conducted in autumn 2024 as part of the upcoming Asset Management Strategy, this roof survey will be completed in the same format to feed into this workstream and to prevent any duplication of surveying.

## **3. SPSF AWARD DETAILS**

- 3.1** Funding bids totalling almost £754,000 were developed and submitted for the following sites in the District;
  - Carterton Leisure Centre

- Chipping Norton Leisure Centre
- Chipping Norton Lido (bid submitted by Lido management team)
- Windrush Leisure Centre, Witney
- Woodstock Outdoor Pool

**3.2** Sport England received a high level of interest in the grant fund, which totalled over 700 facility applications and a total funding ask of four times the funding available.

**3.3** Having assessed all of the applications submitted against the criteria and objectives of the fund West Oxfordshire was successful in securing grant awards for the Windrush Leisure Centre and Chipping Norton Lido.

**3.4** The following table shows details of the awards offered, and their respective purpose.

Site	Site Owner	Site Operator	Intervention	Funding Value
Windrush Leisure Centre	WODC	GLL Better	Solar PV	£228,624
			Water/Energy saving showers	£14,704
Chipping Norton Lido	WODC	Chipping Norton Lido Ltd	Solar PV	£16,764
			Air Source Heat Pump	£67,602

#### **4. SPSF FUNDING OBJECTIVES**

**4.1** The objectives of the Phase 2 – Capital SPSF grant are listed below:

- Reduce the energy consumption level of facilities in receipt of funding, compared to baseline, and support the leisure sector to transition to a position of environmental and financial sustainability
- Minimise the closure of swimming pool provision, where funding has been provided, to a site to prevent gaps in public leisure provision emerging
- Reduce the carbon output of facilities in receipt of funding, compared to baseline, in line with the government's Net Zero by 2050 objectives
- Prioritise support in those areas of greatest socio-economic need (as evidenced by Index of Multiple Deprivation level), where all other factors are equal

**4.2** For the purposes of the SPSF grant, a pool must offer public pay-as-you-swim sessions to be eligible and this offer must be significant enough to be considered part of the local public swimming provision by the local authority. Private hire of a swimming pool was not considered to be public access.

## **5. SPSF TERMS & CONDITIONS OF GRANT**

- 5.1** The full detail of the terms & conditions of the Capital Grant Agreement (CGA) can be seen in Exempt Annex A.
- 5.2** A summary of the key points of the CGA terms & conditions is included below:
- 5.2.1** In agreeing to receive the funding offer from the SPSF the District Council will be entering into a Capital Grant Agreement with Sport England.
- 5.2.2** The Council is eligible to enter into the CGA as it is a local authority which owns public swimming pools and has arrangements with third parties who operate public swimming pools on its behalf.
- 5.2.3** As the local authority has arrangements in place with third parties who operate public swimming pools on its behalf and such swimming pools will receive funding under the CGA, Sport England, the local authority, and the third-party operator may be required to enter into a Grant Adherence Agreement (GAA) on or around the date of entering into the CGA.
- 5.2.4** The total Capital Grant is £327,694, broken down per Facility (as set out in 3.1)
- 5.2.5** The Eligible Expenditure items for which the Capital grants may be used are:
- material and labour costs to undertake the Capital interventions which were applied for (as set out in 3.1)
  - directly associated professional and technical fees for the delivery of the Capital interventions
- 5.2.6** In accepting this grant the local authority is committing to ensuring the continuing operation, or procuring the operation, of the facilities for the following terms:
- Windrush Leisure Centre - 10 years
  - Chipping Norton Lido - 3 years
- 5.2.7** The local authority must obtain Sport England's approval if it wishes to close or limit the availability of any of the facilities before the end of the relevant facility term. Sport England will consider a request for this approval acting reasonably and taking into account the local authorities plan for the provision of public access to swimming facilities in its local area.
- 5.2.8** The funding needs to be spent by 31 March 2025.

## **6. SUPPORTING OBLIGATIONS**

- 6.1** The full detail of supporting obligations to ensure grant adherence can be seen in the terms & conditions of the CGA can be seen in Exempt Annex A.
- 6.2** A summary of the key points relating to supporting obligations is included below.
- 6.2.1** Sport England will require the local authority (or the appointed operator) to supply details of actual financial performance, actual visits and participation, and actual utilities and chemicals consumption on a quarterly basis in the format designated on Sport England's Moving Communities platform, with the preference that this information is provided in an automated manner
- 6.2.2** At least one representative from each Facility will be required to complete an online environmental management training course with the approved training delivery partner, Right Directions, within six months of the commencement of the CGA. There will be no

charge for the first representative to attend this training, however attendance of additional representatives will be subject to charges that will be borne by the local authority or its appointed operator

**6.2.3** The local authority, or its appointed operator, will comply with the requirements of an environmental management review, which will be conducted by Right Directions, and may include:

- The delivery of a written environmental management report/audit
- An inspection/survey of the Facility
- Facility ‘mystery environmental visits’ (unannounced mystery shopper type inspections)

**6.2.4** The local authority and the appointed operator will be asked to consider the findings of any review with Right Directions (referenced 6.2.3). Reasonable endeavours will then be made to implement any recommendations communicated during this review, and the findings of the review will be recorded on Sport England’s Moving Communities platform.

**6.2.5** The local authority is committed to providing to Sport England a strategic plan for leisure and active wellbeing at the Facilities, aligned with the then upcoming Sport England Sport Strategy, by 1<sup>st</sup> April 2025. Work has commenced on this element of work and the completed Strategy is due to be completed in June 2024, ready for adoption by the Council.

## **7. ALTERNATIVE OPTIONS**

**7.1** The Council could choose to reject the grant award offer from Sport England, which would lead to a loss of the potential capital investment into the facilities and the consequential improvements that would be gained in terms of a reduction in energy consumption and a reduction in carbon production.

**7.2** The Council could also look to make an enquiry into whether the grant can be accepted in two phases, namely for the Chipping Norton Lido element first then with the Windrush Leisure centre element, following further Council consideration. As this is not an offer that Sport England have suggested an enquiry of this type could result in a delay or refusal of this option. This, in turn, could lead to the funding being held until a final decision is made by the Council.

## **8. CONCLUSIONS**

**8.1** If the grant offer to the Council is accepted, then next steps can be taken to deliver the outcomes and benefits proposed with the capital interventions.

**8.2** Council Officers will continue to liaise with Chipping Norton Lido to confirm that their capital interventions are in compliance with the grant offer, and to subsequently deliver the funding, acting in their capacity as designated lead authority.

**8.3** A detailed roof survey and electrical installation survey will be commissioned for the Windrush Leisure Centre to confirm the suitable next steps for the Solar PV installation.



- 8.4** The Solar PV installation will form a composite part of future proposals for the PSDS3C decarbonisation project.
- 8.5** Delivery of the capital interventions at the Council managed Windrush Leisure Centre will allow further review of the data provided to establish the extent of benefits and gains in financial, consumption, and carbon emissions terms that will be a key feature in demonstrating the facilities future contract value.

## **9. FINANCIAL IMPLICATIONS**

- 9.1** If the award from Sport England is accepted this will represent a total investment into West Oxfordshire leisure facilities of £327,694 to enable capital projects at the Windrush Leisure Centre and Chipping Norton Lido that will enable them to operate at a lower cost.
- 9.2** The amount awarded to Chipping Norton Lido is a defined sum of £84,366. The Council will be acting as a conduit to provide the funds and will have no liability for any cost variations should the Lido project be achieved above/below budget.
- 9.3** The amount awarded to the Windrush Leisure Centre is £243,328. As the Council will be utilising this fund to complete a capital project at the site there will be limited associated costs to enable completion of the project. These could include:
- **Surveying Costs.** The next stage of the project will be to complete physical surveys to the roof and electrical system at the site to allow the proposed Solar PV concept to be drawn into a formal design for installation.
  - **Enabling/Interconnectivity Costs.** Following the surveying of the site there may be additional costs involved with connecting a new Solar PV installation into the buildings existing electrical system.
- 9.4** If the surveying process reveals a substantial additional cost will be required from the Council to complete the works that cannot be met with existing budgets, then the grant award would need to be returned to Sport England as the project will be deemed not to be financially viable. In the event that the capital grant is therefore unwanted, there is a mechanism written into the CGA to facilitate this.
- 9.5** As a direct benefit of the installation of the capital interventions there will be a reduction in the cost of utilities imported to the facility. These benefits will be recorded in the initial phases of the installation and will help to ensure that services remain affordable under the leisure contract with GLL, thus preserving the provision of the services in accordance with the grant objectives.
- 9.6** The ongoing benefit of the capital intervention will also be that whichever management vehicle is chosen for the next term of the leisure contract (with the existing contract due to run until August 2027) the sites improved financial efficiency will be reflected in its contract value at that time.

## **10. LEGAL IMPLICATIONS**

- 10.1** The offer of a grant award from Sport England is accompanied by their requirements for applicants to adhere to certain terms & conditions, the key elements of which are noted in

this report. (refer to sections 5,6, and 11) which will have some legally binding implications on the Council.

- 10.2** Under the upcoming Asset Management Strategy workstream should the future of the Windrush Leisure Centre be considered then the security of tenure required for this site at 10 years for grant award, will need to be given consideration. Much of the risk to the Council, should this event occur, will be mitigated as the likely timeline for replacement or refurbishment would run through most, if not all, of this 10-year term. Sport England have also provided an option for discussions to be held in the medium term should the facility provision be reconsidered – which will be over-arched by their aim to ensure that swimming pool provision is maintained in the District.
- 10.3** As the operators of the facilities are already bound by the current contractual arrangements, or in the case of Chipping Norton Lido Ltd. have confirmed that they will be able to adhere to the requirements, to provide reporting and monitoring data there is no additional legal risk to the Council in opting to receive the grant award.

## **11. RISK ASSESSMENT**

- 11.1** There are a few associated risks with the acceptance of the grant award offer from Sport England, however these are minimal and can be managed so as not to detract from the significant benefits that the Capital Interventions can offer.
- 11.2** It should be noted that if during the development stage of the capital interventions a risk or risk factor that is unpalatable to the Council arises then Sport England can be notified of the concern, and if necessary, the grant fund offer can be returned.
- 11.3** A summary of these risks is included below, and further detailed information would be compiled under the project governance should the capital interventions go ahead.
- **Facility Closure.** Should the facilities not remain open during the agreed delivery term (3 years for the Chipping Norton Lido and 10 years for the Windrush Leisure Centre) consultation would need to take place with Sport England with regards to a potential clawback of the approved funding. This clawback discussion would be linked to the term that the capital interventions had been delivered for and would focus on ensuring that future provision of swimming pool access was still made available for the community.
  - **Roof structure deemed unsuitable.** If the detailed survey of the roofscape at the Windrush Leisure Centre demonstrates that the site is unsuitable in its present condition for the Solar PV install a decision would need to be made on whether to invest in measures to increase its structural integrity; or to install on a different structure such as car ports. This decision would be made on a cost: benefit appraisal basis. Any delays could also impact on the need to spend the funding by 31 March 2025.

- Planning permission obligations or restrictions. Once a detailed design has been put together for the solar PV installations at the Windrush Leisure Centre and Chipping Norton Lido it will be necessary to confirm whether planning permission is required for the facilities. Designs will be composed to mitigate any breach in planning conditions (i.e. by keeping panels close to roof surfaces and out of eyeline where practical)

## **12. EQUALITIES IMPACT**

**12.1** The acceptance of the grant award from Sport England will have no affect or impact on equality legislation or human rights law.

## **13. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

**13.1** Collectively, the interventions for Windrush Leisure Centre and Chipping Norton Lido are projected to reduce building emissions by approximately 13% and 58% respectively as a result of reduced energy and water use. The water saving measures for the showers are also important from a water security perspective, which is important given the leisure centre's location in an area of water stress.

**13.2** As the proposed equipment will need to be manufactured and installed, there will be a carbon footprint associated with this (known as embodied carbon). However, over the lifetime of both leisure sites, the savings in operational emissions should outweigh the embodied carbon impact. This cannot be calculated without manufacturer specifications and contractor information, which will not be known until after procurement.

**13.3** The solar panels for Windrush Leisure Centre will generate approximately 92,000 kWh of electricity to be consumed on site, or 20% of the building's electricity use. This would save 24 tonnes of CO<sub>2</sub> emissions per year, equivalent to just under 6% of total building emissions.

**13.4** The water-efficient showers for Windrush Leisure Centre will save 29 tonnes of CO<sub>2</sub> emissions per year, which is a reduction of approximately 7% of total building emissions.

**13.5** The Air Source Heat Pump for Chipping Norton Lido should cover the heat requirements for the pool for the 130 days it is open during the summer. As such, it will reduce carbon emissions by 18 tonnes of CO<sub>2</sub> per year.

**13.6** The solar panels for Chipping Norton Lido will generate approximately 12,326 kWh of electricity a year, meeting 19% of the building's electricity demand. This will save 7.4 tonnes of CO<sub>2</sub> emissions per year.

**13.7** To mitigate other environmental impacts, contractors will be required to reduce their waste and avoid any material going to landfill, where possible.

13.8 A breakdown of the social and environmental impacts is presented in the figure below:



Key	Impact	Action
	Significant and/or long-term positive impact identified.	No changes needed.
	Slight or short-term positive impact identified.	No changes needed but could be reviewed to improve.
	No net change or not applicable.	No changes needed but could be reviewed to improve.
	Slight or short-term negative impact identified.	Review to identify possible improvements.
	Significant and/or long-term negative impact identified.	Changes needed before proceeding. If changes are not possible, justification is required.
	Responses incomplete.	Please return to assessment and answer all questions in this section.

## 14. BACKGROUND PAPERS

### 14.1 None

(END)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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