

Transferring Ownership – a council's perspective



The big drivers for change are normally associated with a view being taken on the whole life costs of a pool, the age and condition of the pool, changes to local authority pool stock and changes to the demographics of the local population around a pool. The local authority's decision will often, therefore, be strategic. Local authorities will need to be persuaded to transfer the asset in good or better than existing condition.

A council will take a view as to whether it is a good idea to transfer a pool. This will normally be based on a basket of carefully weighted factors such as:

- Whether the new owners appear to be capable of running a sustainable business. If this is not likely, it could result in even greater cost to the local authority at a later date because the new owners/operators could be seeking financial support from the authority or, if the pool fails, it could result in the council taking back control of it
- The length of the trial period which will be extended to the new owner/operator
- The degree of access that all members of the community will have to the pool
- Whether the new owner/operator is likely to be able to fund the pool in the years ahead
- Whether the new owner/operator has a sufficiently robust business plan in place
- If the pool could be converted to another use for the community
- The value of the land and the relationship between this value and other projects the council has in mind. Councils often fund new projects through selling property and then receiving the benefits of an infrastructure levy

Local authority support is likely to be forthcoming if your aims match the strategic community objectives of the local authority disposing of an asset. A local authority will also seek to determine whether:

- The service provided will complement existing services
- The service will be seen as extra to or a replacement for what is already provided
- The future owner will match the best value aspirations of the authority and also match its policy on equality and diversity and the like

Often councils arrive at the decision that it is not viable to transfer a pool and it is better to close it. This may be due to a number of factors. Typically, if the condition survey is particularly adverse showing considerable structural faults; if the pool has a history of low attendances and it looks unlikely that new management would be able to turn this around; or if there is poor local support for retaining the pool.

Many councils will have an established policy on disposals and transfers and some will have published documents which can be used to guide all stakeholders



Transferring – A Schools' Perspective

A school may be considering the closure of the swimming pool due to high running and maintenance costs, and the limited offer it has to the community at large for wider programmes.

A school is unlikely to be able to transfer swimming pool freehold outright as the land the swimming pool sits on will be part of a wider school campus. With this integral relationship it also becomes difficult to totally separate the operation especially as older school pools run off the same heating systems as the rest of the school and therefore identifying true running costs is often difficult. However it is sometimes possible, layout permitting, for a school swimming pool to be run separately under a lease.

Any negotiations for a lease to an individual, trust or company, must be made direct to the school governors. Understanding their motivation and challenges faced will enable a more successful bid to operate the school swimming pool under an alternative arrangement.