

Application Number: 15/007

Nominated Asset: Temple Cowley Pools

Site Address: Temple Road, Cowley, Oxford, OX4 2EZ

Ward: Cowley Marsh

Applicant: Save Temple Cowley Pools Campaign

Recommendation: The Head of Planning and Regulatory is recommended to:

1. Agree that the Nominated Asset should **not** be included on the City Council's Local Assets of Community Value Register.

Background to Report

1. The Localism Act and the Assets of Community Value Regulations set out the opportunities and procedures to follow for communities wishing to identify assets of community value and have them listed.

2. The City Council is able to list a nominated asset if, in its opinion:

The actual current use (not an ancillary use) of the building or other land is one that furthers the social wellbeing or social interests of the local community; AND

Is it realistic to think that there can continue to be non-ancillary use of the building or other land that will further the social wellbeing or social interests of the local community (whether or not in the same way as the current use).

OR

There was a time in the recent past when an actual use (not an ancillary use) of the building or other land is one that furthered the social wellbeing or interests of the local community; AND

it is realistic to think that there is a time in the next 5 years when there could be non-ancillary use of the building or other land that would further the social wellbeing or social interests of the local community (whether or not in the same way as before).

3. These definitions have been taken from the Government's Regulations. There is no national guidance as to what the key terms in these definitions mean. It

is for the nominating body in the first instance to argue why it considers the nominated asset meets the definition in the Regulations.

4. If the owner objects to their property being placed on the List, they have a right in the first instance to an internal review by the City Council of this decision.

Nomination

5. The Save Temple Cowley Pools Campaign asked to re-nominate Temple Cowley Pools for inclusion as an Asset of Community Value. Temple Cowley Pools was previously on our list of assets of community value, but was removed from the list following a relevant disposal. A plan of the nominated area is attached to this report.
6. The Save Temple Cowley Pools Campaign has argued that:
 - The building dates from 1987 and comprises a 25m 8-lane competition pool, learner pool, diving pool, sauna, steam room, exercise studio and gymnasium.
 - Up until its closure in December 2014 it was a well-used facility.
 - The centre is seen as a vital part of Oxford's fabric, and was of huge value to the community, as demonstrated through a number of petitions calling for the pool to be kept open, including the first in 2010 that had over 12,000 signatures.
 - Its situation close to other facilities in Cowley enabled people to combine a visit to the pools with a visit to other amenities.
 - The pool was valued by many different groups of the community including: the disabled because of access via a permanent set of gently shelving steps (rather than a hoist); Muslim women, because there had been Tuesday evening women only sessions (hugely valued by women in the Muslim community concentrated mainly in the area from Temple Cowley to the Plain); the elderly, for whom swimming is an important form of exercise because of its low body impact; local schools who were able to avoid costly transport by walking to the facility.
 - The Pools was used by people locally. A survey carried out by the Campaign to Save Temple Cowley Pools in 2011 found that 65% of users either walked or cycled to the centre. The Pools were also used by people on their way to and from work and also at lunchtimes, as it was either close to where they work or close to their commuter route to work.
 - Published information on maintenance costs, combined with user numbers as published by the City Council, demonstrate that the facility could be operated as a going concern, particularly as there are so many groups that have such a high dependence on the centre for their health

and fitness. There were 250,000 visits to the pool in 2009. With the increasing population in the area and if all facilities were brought back into use, this could grow further. Condition surveys carried out in 2008 concluded that the centre could continue to operate for at least another twenty years with only modest investment of under £3million. The nominator considers that Temple Cowley pools, run by another organization, could continue to operate.

- The nominating body considers that the City Council's decision to close the facility does not mean that it is unrealistic that Temple Cowley Pools could continue to support the social wellbeing and social interests of the local community, if operated by another organization.

Response to consultation

7. Catalyst Housing was contacted about the nomination. They point out that the site has been closed since December 2014, and operations have been transferred to the Leys Pools and Leisure Centre. The site is allocated for residential development in the adopted Sites and Housing Plan (February 2013). The definition of an asset of community value includes that it is realistic to think that there will be a use that furthers social wellbeing and interests in the next five years. Catalyst say that there is no realistic prospect of Temple Cowley Pools re-opening as a swimming pool and gym; it is now allocated in the development plan to be re-developed for residential development and the land is now held by Catalyst on the basis of a long lease.

Assessment

8. The Save Temple Cowley Pools Campaign is eligible to make a nomination as an unincorporated group with membership of at least 21 local people.
9. The Council must consider whether Temple Cowley Pools meets the definition of an Asset of Community Value as set out in section 88 of the Localism Act, ie in this case that was in the recent past in a use that furthers the social wellbeing or social interests of the local community and also that it is realistic to think that there will be non-ancillary use of the building or other land which will further the social wellbeing or social interests of the local community (whether or not in the same way).

Whether the current use furthers the social wellbeing or social interests of the local community

10. Temple Cowley Pools was clearly a valuable resource to many. The facility provided a location for activities enjoyed by individuals who live locally, including those belonging to a variety of groups in the community. Many of these are noted by the nominator, including the elderly who may find swimming a particularly valuable form of exercise.
11. The facility also provided many formal exercise classes that allowed

people from the local community to meet. These include water workouts, aqua aerobics, yoga classes and aerobics classes for those aged 50+.

12. Temple Cowley Pools is a facility that was well used by the local community. It is a facility that was important to individuals in the community and to groups such as school children and the disabled. It also worked as a place for members of the local community to come together in formal group classes. Having been closed for little over 1 year it can therefore be said to have been in a use in the recent past that furthered the social wellbeing and social interests of the local community.

Whether it is realistic to think that, in the next five years, there can be a non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

13. As well as considering whether the recent use of Temple Cowley Pools furthered the social well-being or social interests of the community, it is also necessary to consider whether it is realistic to expect that, in the next five years, there could be a non-ancillary use on the site that furthers the social well-being or interests of the community.
14. The site of the Temple Cowley Pools is allocated in the City Council's Sites and Housing Plan for residential development. Policy SP54 says that planning permission will not be granted for any other uses.
15. Since the previous decision to list the Pools as an asset of community value the Pools has closed and a 999 year lease has been transferred to Catalyst. Catalyst is intending to develop the site for housing, which is the use allocated for the site in the Sites and Housing Plan. There is a clause in the lease whereby the land would be transferred back to the Council if Catalyst fails to gain planning permission. However, given the allocation of the site for housing and the fact that a housing company holds a 999 year lease on the site, there is not a realistic enough chance that a use that meets the definition of an asset of community value will be present on the site in the next 5 years.

Decision

I confirm that:

Nominated Asset: Temple Cowley Pools
Site Address: Temple Road, Oxford.

Should not be an Asset of Community Value.

Name: Patsy Dell
Title: Head of Planning and Regulatory

P. Dell

Date: 27th January 2016

Background Papers: Nomination application.

Contact Officer: Patsy Dell
Extension: 2356
Date: 27th January 2016



