

## **Pool Audit Report – Timeline Compendium**

### **INTRODUCTION**

When former Council Leader John Coombes was elected Conservative leader in November 2002, he had no previous experience of running a council.

He had only been a councillor for three years, and he had not held public office.

He never understood public services. To all intents and purposes he shunned them. He consistently gave the impression they were businesses that were run so badly they didn't make a profit. He believed the propaganda that council staff were all inefficient.

Nowhere was this more clear than in the case of Fylde's swimming pools. He simply couldn't understand why they weren't run as profitable businesses.

If he'd have had more experience, he would have known that there isn't a municipal pool in the country that runs at a profit. They run as public services. Like all public services, they exist because the community agree to fund something that no individual, family or club could afford to provide on its own. And to do so, they require a (relatively small) contribution from each household.

But throughout his tenure as Leader, Cllr Coombes' inexperience meant that he kept attempting things which, in reality, never had any hope of succeeding. His ignorance in these matters cost Fylde's taxpayers dear in wasted cost and aborted schemes, and the swimming pools debacle was just one example.

After he won the 2003 election, he set about trying to make the pools 'pay' but he couldn't.

There followed a process of increasing the entry charges - to increase profitability, and decreasing hours and maintenance - to minimise costs.

The higher charges he imposed simply reduced the user numbers; there was almost no promotion or re-investment, and a vicious circle of decline took root - until maintenance and reinvestment in the pools had all but stopped, and the subsidy needed had become unaffordable.

In 2004 a formal 'Best Value Review' on leisure provision in Fylde concluded that of the options available, the swimming pools should be placed within a trust operated by the Fylde Coast YMCA.

This proved not acceptable to the Council, so a team of consultants was engaged to assess alternative delivery options.

They concluded the Council should enter into negotiations with the YMCA regarding management of the pools.

Still not satisfied with what they were being told (probably because it would cost about the same as if the Council was running the pool itself), in 2006/7 the Council decided to put the pools out to tender to 'test the market'. All the bids except one were higher than the Council's own staff were ALREADY costing.

The YMCA submitted the lowest tender (but only by about £15,000 because of their charitable exemption on business rates)

Fylde didn't award the tender to anyone. They sought further discussions to reduce the subsidy that the YMCA had said it needed to run the pool

Then came the huge Streetscene loss, and Fylde's need to make enormous savings. At the March 2008 budget meeting, amid unprecedented scenes of public anger, the Conservative majority voted to close the pools.

They were closed on 31 July 2008. But the public outcry would not die down.

A year later the St Annes Pool would re-open in a process that was itself flawed.

This is our version of the story of the process to re-open St Annes Pool - as seen from a number of perspectives or sources.

## **THE PROCESS TO REOPEN ST ANNES POOL**

### **May 2009 (Source: counterbalance article)**

In May 2009 the Gazette reported Fylde Cabinet was prepared to take out a £500,000 loan to help the YMCA to take over the St Annes Pool. John Coombes said *"This is the culmination of much hard work and the future looks much better for swimming in Fylde, which is what everyone wanted."*

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### **26 June 2009 (Source: counterbalance article)**

counterbalance reported we had heard the YMCA had walked out of a meeting to discuss the future of St Annes pool. We couldn't verify this, but the story we heard was that FBC had been trying to screw the cost down and had implied that if the YM couldn't come up with a better offer, they had another interested party waiting to talk with them. At that point it was alleged that the YM team said, in effect, they didn't negotiate with a gun to their heads and left the meeting.

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### **9 July 2009 (Source: Lytham St Annes Express)**

Then on 9th July, the Express said ***"YMCA has rival in pool reopen bid"***

*"The YMCA faces a rival bid to operate St Annes Swimming Pool the Express can reveal. Firm interest has been lodged by a Lancashire operator which, like the YMCA is said to have experience in running leisure facilities."*

*"John Coombes said "We now have two proposals that we need to consider and we feel we have two very strong, legitimate proposals which we can move forward quickly"*

*"A report outlining both bids is due to be published this week and will be submitted to Cabinet members for consideration."*

*"Cllr Coombes would not be drawn on the identity of the unknown bidder, but said that both proposals would provide a significant saving for the cash-strapped authority "It's a credible organisation, put it that way, and an organisation that has experience in this field. It's a leisure provider from another part of Lancashire"*

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### **17 July 2009 (Source: Fylde Borough Council Press Release)**

#### **Council Dives in to Pool Proposals**

*External operators will be asked to submit their bids for the management of St Annes Pool after Fylde Borough Council's Cabinet last night agreed to explore the re-opening of the facility.*

*The pool was closed last year after the council decided external financial constraints meant some non-statutory services had to be cut back in order to balance the budget. Thanks to the successful hand over by the Borough Council of Kirkham pool to the YMCA the Cabinet decided that it should continue to explore options regarding St Annes so that public swimming provision can be restored to the area.*

*At the meeting details of the two current proposals were discussed along with note of at least two more interested parties. All offers would be considered on the basis of minimising any future financial support from the council but it was felt that the desire to reinstate the pool was great enough to warrant the options being put out to the market.*

*Councillor Susan Fazackerley, Cabinet Member for Leisure and Culture, said: "Although we have no statutory obligation to provide a swimming facility, we always try to provide our residents with the services they feel are important. We closed the pool with a very heavy heart last year as we felt it was the right thing to do in response to falling attendance and increasing financial demand in other areas. I am now pleased that there seems to be so much interest in re-opening it."*

*Council officers will now set in motion a tendering process with interested parties putting forward their propositions. The council will be looking at the timescales and cost of the proposals and will be judging them on their ability to meet Council objectives.*

*Cllr Fazackerley concluded: "We will be working hard to speed up the tendering process as we want to see St Annes Pool up and running as soon as possible. Having said that, it would be foolish not to explore all the avenues and hopefully come up with the best scheme and one that will be the most cost-effective for our council taxpayers".*

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## **17 July 2009 (Source: counterbalance article)**

Back in 'Snippets June 09' we said we knew something was in the wind for the pool but it was being kept quiet. We'd had a wink from an insider. The YM had had their nose pushed out, and a new player was at the table. We thought at the time it might be a company called 'Pulse' but it turns out it may not have been them this time

It's a local man who, amongst other things, runs a leisure and fitness club in Chorley....

Quite correctly, he has identified the pool alone cannot generate a surplus of income over cost, and will always needs a subsidy. But he has a workaround. We understand his plan is about what we would call 'added value'.

This is something you might expect from someone who comes from a leisure marketing background.

The idea is that you create or add-in services and facilities that seem to add a great deal of value, but cost relatively small amounts to provide.

So what was the proposition that he made?

Well, we understand it involved demolition of the internal office and storage space to the left of the main entrance (the rooms alongside the road between the pool and Pleasure Island). In this space he would put some cardiovascular fitness equipment. Other minor internal changes would see a steam room and sauna added, with spectator capacity moved upstairs.

In addition to this he wants to be able to offer the use of the Council's bowling greens, tennis court and pitch and putt course all within a single annual 'Fitness Club' membership fee. We understand existing users could carry on as at present on a pay-as-you-go or contract arrangement, but he thought the idea of a leisure pass for all facilities would make people think the low cost a month would be worthwhile buying for a re-invigorated swimming pool.

For that, he says he will let you go swimming, use the fitness equipment, sauna etc, play bowls or tennis or mini golf whenever you want.

So what sort of a subsidy does he want from the Council? (Remember that the YMCA were talking around £120,000 to £160,000 a year). We understand he wanted a one off payment of around £250,000 (probably towards the re-opening costs) and agreement on the use of the supporting facilities. After this he would stand any ongoing subsidy cost himself. He would do all the repairs to get the pool going again and staff it and run it with no further payment from the Council.

We understand he had also said he hoped and expected to be able to make a contribution to the Council after a few years of operation.

We also understand he would have allowed the over 60s and under 16's to continue to have free swimming as per the Government's plan (This is now difficult to achieve at St Anne's because all the money from the Government grant is being paid to the YMCA as part of the scheme to keep Kirkham open, so there is no Government cash available to support St Anne's, but he was prepared to offer this facility at his own expense).

Crucial to his plan was timing. He is a marketing man, and he knows that all fitness club memberships renew in the post-Christmas period. After the Christmas dinner comes the guilt and the manic desire to lose weight. This is when people will sign up for fitness schemes.

But anyone with a seasoned eye reading the report to Cabinet would see the report is a triumphant exercise in back-peddalling.

The key issue in the gobbledygook hiding the real meaning of the report is the decision about which "model of operation" to use.

In plain English this means two things. Firstly, whether the Council themselves should specify what they are prepared to accept, or whether they should be open to the offers and suggestions from others and, secondly, whether they are only prepared to offer the swimming pool on its own as the service to be tendered, or whether to allow some other measure of 'value added' service to be included (fitness suite and other leisure services like Bowls and Tennis and so on).

A bystander might be tempted to say they have picked his brains and are about to nick his idea, but get into bed with another partner to do so.

That could be why none of his proposal is mentioned in any detail. In time it will look as though his offer never existed.

It also looks to us as though the Cabinet report has been written and re-written several times - some paragraphs appear to refer to figures that are no longer in the final report. And it's conclusion leads very clearly toward an option to put the pool out to a sort of quasi-tender where you assess the 'suitability' of some potential bidders then enter into a dialogue with one or more of them to jointly agree what can be done.

This process typically uses what appears to be an objective 'scoring' system that first weights a range of issues about the company - like their financial standing,

management structure, experience and so on. Each of these characteristics is scored say 10%, 20% or 30% or whatever of a total 100%, then you evaluate each company against the matrix to come up with a preferred company, and you then choose which one you want to work with based on that.

It appears to be a wholly objective way because at the end you can say 'company A' scored 98 and 'company B' scored 70 or whatever (so A is obviously better than B).

But it isn't at all objective.

Like so much of the approach of this administration it's a con. There is no proper price-based tendering, even though the report makes it look as though this is the aim. The administration chooses what features to assess, and they choose what weighting to give them. So when it comes time to evaluate them by numbers, the one you wanted all along has come up trumps (simply because you structured the questions and the weighting to make sure they did). But it LOOKS as though you have an objective system.

As the report itself concludes, "This process would clearly lead to the project being prolonged by a number of months and may require the Council - in the meantime - to re-commission the pool to prevent serious deterioration. This will clearly incur capital costs that are not budgeted for" (They're probably planning to use the Heeley Road windfall if that materialises quickly enough, or some of the £700,000 loan they have just signed up to over the next 25 years).

So there you are, according to the report, Mr X was to be kicked into the long grass

We don't know enough of the details of Mr X's 'added value' proposals nor the impact of them on existing users of the other leisure facilities to be able to make the assessments. It may be they would not be acceptable. Neither do we know his financial standing or where his money for this would come from. So it may be there are uncertainties enough to justify a ditching of the proposal....

We suspected that the Commissar was trying to screw down the subsidy needed by the YMCA, and probably used the threat of a competitor to try and pressure them. We heard they had walked out of that meeting.

That would leave just Mr X's plan on the table.

We suspect it must have some aspects that are not appealing - whether they are the extending of the plans to other leisure facilities, or whether it is the financial arrangements or some other aspect we don't know. But if the Council feels it can hold it up as a credible offer, the YM probably won't like the idea of a competitor fitness setup in the town (which would impact on their income), and the Commissar might think this gives him a stronger hand in negotiation. It looks very much as though that is the direction he is following.

He also claims to have had two other expressions on interest in the last few days. We suspect that's just what they are, expressions of interest, not a real offer, but they do at least provide him with enough cover to decently refuse Mr X's offer and set up a quasi tendering exercise. After all, the one thing that wasn't decided at the Politburo Cabinet was whether the tender would limit options to the pool alone, (in which case we believe only the YMCA will be in with a shout), or whether to open it up to allow consideration of tenders that include 'value added' peripheral leisure facilities.

That decision looks as though it will be made out of sight.

We're quite happy to predict that if it is anyone who opens the pool, it will be the YMCA. But sadly, we suspect the deterioration in the pool building will have gone so far that it may not be feasible even for them to open it.

We think this proposed 'tendering' exercise is just a blind.

Fylde did a full-blown formal tendering of the pool that culminated in a report to Cabinet in November 2007. That found that the YMCA could run the pool for £12,000 a year less than the Council, but only because as a charity they don't have to pay 80% of the business rates that everyone else (including the Council) has to pay in respect of the pool.

The next nearest commercial tender was £100,000 higher than it cost the Council to run the service in-house.

We quite accept that things will have changed a bit since then. The Commissar got rid of all the staff at the pool, so an incoming operator today wouldn't have to accept them on their existing terms and conditions as a TUPE transfer, so a new operator could pay something closer to peanuts. But interestingly, if Fylde retains ownership of the pool in this instance (as they say they are going to) there might be an issue about which Health and Safety standards for the required number of pool attendants and lifeguards apply (some private sector pools don't have to have as many as a municipal pool does), and how Fylde's business rates, capital charges and overheads are going to be allocated, so it could be that the prices will be lower than the 2007 tenders, and that's probably what they are banking on.

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**15 July 2009 (Source: Extract from FBC Cabinet Agenda Report)**

*"Options discussion*

*4) Essentially there are two current alternatives that have been presented to the Council. The first option is a proposal put forward by an existing charitable operator working locally on the Fylde coast.*

*5) The second option is proposed by a private leisure operator who is currently providing similar services in other parts of Lancashire & the north-west.*

*6) Within recent days further expressions of interest have been received from other existing private leisure operators in the region. This provides an indication that it may be possible to minimize the public subsidy which may be needed to re-open the swimming facility in St Annes. Should Members therefore wish to pursue the prospect of re-opening St Annes pool it would be necessary to undertake a market testing exercise on the lines described from paragraph 16 below.*

*7) Such a tendering exercise could include a consideration of the following matters -*

- Agreed objectives and outputs*
- Accountability through an agreed governance structure*
- An agreed risk management plan*
- Agreed timescales for re-commissioning and opening*
- Flexibility on ownership to ensure the future interests of FBC are recognised."*

*"Legal Considerations*

*16) The further private interests indicate that the Cabinet needs to consider a structured approach to what has now developed into a competitive procurement process. The first step should be to decide whether the Cabinet wishes to progress with any of the proposals, to agree on the outcome it would like to see from the process and to agree a model of operation.*

17) Having identified the preferred model of operation, the council should invite bids based on that model. Recreational, cultural and sporting services are part B services under the Public Contract Regulations 2006. This means that the full range of EU procurement requirements do not apply to them. However, the general principles of the common market such as transparency and free access do apply.

18) If the council is unable to identify a preferred model of operation at this stage, it may wish to enter into a process mirroring the "competitive dialogue" procedure under the EU regulations. This allows an authority to undertake a prequalification process and then invite short listed candidates to participate in a dialogue process during which any aspects of the project may be discussed and solutions developed. Whatever process is used, the council will need to satisfy itself that it complies with its fiduciary duties and is fair and transparent.

19) The above would clearly lead to the project being prolonged by a number of months and may require the council, in the meantime, to re-commission the pool to prevent serious deterioration. This will clearly incur capital costs not budgeted for."

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**NOTE:** at this point the Cabinet had: already sought to negotiate with the YMCA to run the pool; it had received independent advice from external consultants on what to do with the pool; and it had previously put the pool out to tender - all to no avail.

Now it had just two \*offers\* on the table, the YMCA and Mr Ellis. Together with its background, Fylde had complete legitimacy to continue discussions with either or both of these parties to effect a conclusion, but it chose not to do so.

Instead it relied on 'further expressions of interest it had received in the last few days' to introduce another, second, tendering process.

We would not have been surprised to find those expressions of interest in the last few days before the Cabinet report were triggered by calls to other leisure companies in order to justify the tendering process.

These two aspects of Fylde's behaviour are the reason that counterbalance has maintained all along that the Council did not want Mr Ellis, and he was never going to get the tender come hell or high water.

In our view, using the cloak of legitimacy afforded by a supposedly objective evaluation process that was anything but, Fylde set out to find reasons to reject him.

If that was not the case, they would have embraced him with open arms as soon as he made his offer that was lower than anything they had previously received.

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## **15 July 2009 (Source: Verbatim transcript extracts from Cabinet meeting)**

Susan Fazackerley

*"There have been criticisms made of activities behind the scenes as it were, involved in the preparation of this report, and the proposals contained therein. So to hopefully make matters a little clearer, discussions about St Annes Pool in recent months have generated some competing interests from would-be operators, and what we are seeking to do, via the Cabinet report, is to implement an objective framework through which these competing interests can be assessed to make sure that if the pool is to re-open, it does so in a manner which is in the best interests of the local community, and is also fair to the operators who have expressed interest. It's as simple and uncomplicated as that, and I can assure you that there has been no secret agenda or dubious and suspect negotiations taking place to my certain knowledge. The Leader has referred to some, well, notes, is the way that I would describe from a certain member of this Council, and I'm sure Councillors present will*

know to whom I referring and I would like to comment briefly on those. I would like to stress, that it was only at the 11th hour, that interest has been shown in operating the pool from other organisations, apart from the YMCA, and a private operator who contacted the Council some months ago and whose proposals have been shown to the two portfolio holders involved in the re-opening consultations and the Leader of the Council. Obviously when this operator visited the Town Hall with his ideas, they had to remain highly confidential, as they went into great financial detail which could not be bandied about at this stage. To quote Councillor Coombes response to this particular Councillor if I may, "If I was a businessman, presenting a business plan, the last thing I would want is for 51 councillors to see it before I was clear about what the selection process was for the future operation of the pool. I would not be giving all my ideas and costings to a group of people that could inadvertently pass them on to other interested parties". And as I say, to my knowledge only a couple of leading officers, Councillor Small, the Leader and I, have seen this information, which is how it should be at this stage. And this, fellow councillors, is what forced us into a tender process. And far from it being what he perceives as cloak and dagger, it is precisely in the interests of transparency that this is the path we are intending to go down, to give all interested parties a bite at the cherry. The portfolio holders concerned and the Cabinet are determined to get this right and ensure that any potential bidders for the operation of any of our facilities can put forward their plans with the confidence they will remain confidential, and be given considered, even handed determination. But members can be assured that they will see the final proposals which may be received in due course, probably as an exempt item. "

**Deputy Leader Roger Small:**

"I want to make something very, very, clear. There are no secret deals with any parties at this stage. Yes, Cllr Fazackerley and I have sat down with the YMCA on preliminary discussions, but we have never, ever got to the point of actually going looking at detailed figures. We've never actually gone that far. And obviously, once we've got an external party that's also interested in that, I think we'd be extremely foolish not to actually consider that. Because the arrangement with the YMCA would be on a similar arrangement to what's happening currently in Kirkham, in that we would be working in partnership, but we would have to provide a considerable subsidy each year, that, frankly, colleagues, we don't have. And, you know, I don't want to put a huge damper on this but I think it is important that I do stress to you, we are in the middle of a recession that's going to be long. I've had talks with Government Office North West in recent weeks, and obviously, settlements in terms of public authorities are going to be harsh over the next few years. And so we have to look very carefully as to what we commit future large scale sums of money to. Now, looking at the two options, like you I live in St Annes, my two children learned to swim at St Annes Pool, so I have a certain affection for that, and I made that heavy-hearted decision to close that pool at the time because of the reasons as stated - that frankly, we could not afford to run it, but we now have an opportunity. It hasn't been bulldozed, it hasn't been sold, there haven't been any secret deals. There is now an opportunity, that we think is a realistic opportunity, to explore a re-opening. But a re-opening that can be sustained, because the people of this town, my wife, my children, my friends, my neighbours would not want to see a situation where St Annes Baths re-opens just to close again in six months time. So, it is, we have, a kind of imperative that we explore all angles in an open and honest way, and I too kind of slightly, erm, I know there was a question which I was looking to answer about, obviously things being leaked. I can assure you and I think most people in this room, including members at the back know me well enough to know I have never leaked anything in my whole career as a councillor and I wouldn't dream of doing so because I find it deplorable. And I do think in those particular cases, it doesn't help matters when stories like that are leaked, because obviously, the important thing is that we can re-open that pool, whether its with a leisure centre attached or whether its with a kind of err, public sector, or whether its with a priv - but we can re-open that pool, and it's sustainable, at a cost that is manageable, and one that's there for

*a number of years to come. So in terms of doing that, I'm quite happy to second Councillor Fazackerley."*

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**15 Jul 2009 (Source: Extracts from FBC Cabinet Minutes)**

*"Councillor Fazackerley (Leisure & Culture Portfolio Holder) presented the report which dealt with the potential options and the projected costs for the possible re-opening of St Annes pool and outlined"*

*"Should Members therefore wish to pursue the prospect of re-opening St Annes pool it would be necessary to undertake a market testing exercise. Such a tendering exercise could include a consideration of the following matters -*

- Agreed objectives and outputs*
- Accountability through an agreed governance structure*
- An agreed risk management plan*
- Agreed timescales for re-commissioning and opening*
- Flexibility on ownership to ensure the future interests of FBC are recognised"*

*"The first step should be to decide whether the Cabinet wished to progress with any of the proposals, to agree on the outcome it would like to see from the process and to agree a model of operation.*

*Having identified the preferred model of operation, the council should invite bids based on that model. Recreational, cultural and sporting services are part B services under the Public Contract Regulations 2006. This meant that the full range of EU procurement requirements did not apply to them. However, the general principles of the common market such as transparency and free access did apply. Whatever process was to be used, the council would need to satisfy itself that it complied with its fiduciary duties and was fair and transparent."*

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**23 July 2009 (Source: Lytham St Annes Express)**

***"Rivals battle to save pool"***

*"Four rival operators are in the running to operate the pool which closed last year"*

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**30 July 2009 (Source: Extracts from Pre Qualification tender documents)**

*"Leisure (Swimming Pool) management and development opportunity in the town of Lytham St Annes."*

*"Only companies who can demonstrate the experience, commitment, quality, capability and vision to manage and operate the facility over a five year period will be included in the tendering process."*

*"The Authority is seeking innovative proposals from tenderers and a customer focussed approach towards implementing their proposals whilst ensuring that the facility provides a safe environment and minimises the financial contribution requested of the Council"*

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**July 2009 (Source: counterbalance article)**

*Speaking in July 2009, Cllr Coombes told the Gazette "Hopefully all this will be all concluded before the snow is falling"*

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**3 August 2009** the leisure opportunity was advertised in the 'Official Journal of the European Community '

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**14 August 2009** Potential tenderers were invited to attend a 'Suppliers day' to see the pool etc

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**19 August 2009** (Source: Gazette)

*"Nine firms are now in the running to take over St Annes pool. Council bosses are now in the middle of a tendering process with nine companies now bidding to take over"*

*Coun Sue Fazackerley said "We've had nine expressions of interest so far. Six companies or organisations have now had a look around the pool alongside officers of the council."*

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**28 August 2009** Deadline for the original Pre-Qualification Questionnaire to be returned by interested parties

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**NOTE:** It is not clear how many (if any) PQQ's were received by the closing date. Although no one spotted it at the time, (and the Council clearly didn't want to publicise it) at the 'suppliers open day' a key concern was raised. The five year contract included in the 'Official Journal of the European Community' notice was seen as being too short to make the pool profitable, and that this would mean that few of the potential suppliers would bid. Following this feedback a revised notice was published in the 'Official Journal of the European Community' on 8 September 2009 setting out a 12 year contract instead.

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**3 September 2009** (Source: Lytham St Annes Express)

**"Plug pulled on St Annes Pool Bid"**

*"In a statement to the Express the YMCA said that over the last five years the YMCA had been dedicated to public swimming and had tried very hard to work with the Council to find a solution for St Annes Pool in which local people and local interests were predominant. It continued "The YMCA's involvement began in 2004 when Fylde Borough Council underwent a Best Value Review on leisure provision within Fylde. The conclusion was that the swimming pools should be placed within a trust operated by the YMCA. Not excepting (sic) this outcome, council chiefs then contacted a team of consultants to review the provision and assess alternative delivery options. The conclusion was that the Council should enter into negotiations with the YMCA regarding management of the pools. Not satisfied, the Council then tested the market for interest in 2007 and placed the pools out to tender. YMCA was the lowest tender but it was still not offered the pool."*

*The final setback for the YMCA came in August this year [2009] when Fylde re-opened a second tendering process.*

*YMCA chief executive John Cronin said "We are extremely disappointed that we have had to pull out of the St Annes pool bid. We believe our knowledge and long standing commitment to the community is well placed to successfully run and manage St Annes pool in partnership with Fylde Council. However to run the pool as a public swimming pool as we intended would not be possible with the funding and conditions outlined in the latest bidding process"*

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**8 September 2009** (Source: Gazette)

**"Plug pulled on pool bid"**

*"The future of St Annes swimming pool remains uncertain after one of the leading bidders to take over the facility pulled out. The YMCA which already runs Kirkham pool had wanted to re-open the promenade baths with the Council paying a subsidy. But when Fylde Council announced right to take over the pool were up for grabs a host of other flooded in and the Council was forced to enter a tendering process to look for the best value for money deal. The YMCA withdrew saying it was "extremely disappointed" with the way matters had been handled. Town hall leisure boss Susan Fazackerley said today it was "inexplicable" the YMCA was not prepared to take part in the tendering process. She said "Word got round in leisure operating circles and we were approached by several other national operators so we were legally obliged to enter a tendering process""*

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**Early September 2009** (Source: counterbalance article)

In early September 09, in a surprise move, the YMCA said it was pulling the plug on its bid to run the pool and decided not to submit a tender. In a statement they said ".. we feel to run the pool as a public swimming pool as we intended would not be possible with the funding and conditions outlined in the latest bidding process"

Councillor Fazackerley told the Gazette it was *"inexplicable the YMCA was not prepared to take part in the tendering process."*

Then the matter was delayed again as the council applied for two Sports Regeneration grants worth £500,000. Councillor Fazackerley told the Gazette this was a *"fantastic opportunity to secure external funds to renovate the pool."* It was fantastic. The grant did not materialise

Then one of the bidders went public with his plans.

Councillor Fazackerley said it was inappropriate to comment.

She said to the Gazette *"There are at least half a dozen other parties who have expressed interest and the deadline for the submission of their plans is mid November."*

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**24 September 2009** (Source: Lytham St Annes Express)

**"YMCA springs back into frame to run pool" Exclusive by James Riley"**

*" Fylde Coast YMCA has sensationally re-entered the race to take over St Annes swimming pool. The charity withdrew its bid earlier this month after a breakdown in talks with Fylde Council. The YMCA blamed the funding and contract conditions laid out in the bidding process which made the project unworkable. But after the Council extended the deadline for interested parties until September 28th a fresh bid has been submitted. Executive Director John Cronin told the Express "The primary reason in our decision to pull out of the initial bidding process was that we felt the contract length offered was not sufficient to ensure public swimming was a viable option. The reopened tender includes an extended contract length and we are working hard to submit a business plan which offers an affordable solution safeguarding the sustainability and future of St Annes pool for the local community.""*

*"News of the YMCA's renewed interest came as another of the mystery bidders was revealed. Health centre boss and St Annes resident Richard Ellis has spoken of his exciting plans for the facility"*

*He said "If our bid is successful the new leisure centre will operate on a non-profit making basis for the sole benefit of the local community"*

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### **Late September 2009 (Source: counterbalance article)**

In late September, the YMCA came back into the frame after the contract period was lengthened in a reopened tendering process.

Councillor Fazackerley told the Gazette *"Tender documents will be sent out to our shortlist of preferred organisations soon. We will then choose the response that is best for the pool and for the residents using it"*

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**29 September 2009** Revised deadline date for the Pre Qualification Questionnaires to be received from interested parties.  
(based on the longer 12 year contract period)

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**NOTE:** Six Pre-Qualification Questionnaires from different suppliers were received and evaluated.

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### **12 November 2009 (Source: Gazette)**

*"The reopening of St Annes Pool has been delayed while Council Chiefs hunt for the right firm to take over."*

*"A list on nine bidders including charities and private companies was drawn up. But the Council is yet to decide on a preferred bidder and the process is into its fourth month. Councillor Susan Fazackerley said the delay was to ensure the best possible deal. She said The evaluation panel for the pool tender process has initially assessed companies that have registered interest. Detailed evaluation is nearly complete to ensure that those parties who will be invited to submit bids are suitably experienced and financially sustainable."*

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**17 November 2009** The evaluation of the Pre-Qualification Questionnaires was completed

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**7 December 2009** Issued Invitation to tender to short listed bidders

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**NOTE:** After the evaluation, all six bidders were invited to tender, even though it was later shown that the evaluation results had shown that only two firms had been judged good enough to be allowed to tender, (and Mr Ellis was not one of these two).

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### **10 December 2009 (Source: Lytham St Annes Express)**

The Express reported that the pool will reopen despite not getting a £500,000 grant application rejected by Sport England. "Nine organisations have registered an interest in taking over the running of the pool - controversially closed in 2008 - and a selection process is taking place". Susan Fazackerley said "Tender documents will be

sent to our shortlist of preferred organisations soon. We will then choose the response that is best for the pool and for the residents using it.

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**11/12/09 (Source: Fylde BC Press Release)**

*The final phase of the process to find a new operator for St Annes Pool is underway.*

*Tender documents are this week being sent to the companies that were short listed from the first round of the process. These documents outline the criteria that organisations must fulfil and what is expected in terms of plans for the site. Several companies have been asked to tender out of those that came forward to register their interest.*

*Councillor Susan Fazackerley explained: "We have spent quite some time painstakingly reviewing the companies that registered their interest in the site. The ones we feel are best suited to run such a site of this nature and size, have been asked to submit their plans. I am hopeful that out of these we will then find someone that will reopen the pool in the coming year."*

*Amongst the criteria the council will be looking at is the financial implications to the council. Once tenders are in, officers will be recommending to members which of the tenders the council can afford (if any) and which offers best value for money.*

*A bid for funding from Sport England has been unsuccessful so this will not be considered as part of the process.*

*Cllr Susan Fazackerley, Cabinet Member for Leisure and Culture, said: "It is unfortunate that we have been unsuccessful in securing the extra funding that would have helped us rejuvenate the pool before a new operator moved in. However it will not deter us in our efforts to reopen the facility. Tender documents will be sent to our shortlist of preferred organisations this week and we will choose the response that is best for the pool and for the residents using it."*

*Tenders are expected to have been received by late January.*

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**25 January 2010** [Deadline for Bidders raise clarifications](#)

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**26 January 2010** Potential bidder 'Parkwood Leisure' – withdrew from the bidding process via e-mail

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**1 February 2010** Potential bidder 'Active Nation' – withdrew from the bidding process via e-mail

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**1 February 2010** [Tender receipt deadline and tenders opened](#)

'Sport and Leisure Management' withdrew by submitting a "No Bid" tender

'Wigan Leisure Trust' withdrew by submitting a "No Bid" tender

This left the YMCA and Mr Ellis with valid bids.

But Mr Ellis had not been judged capable in the pre-qualification evaluation so there was really only one valid bid - the YMCA

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**3 Feb 2010 (Source: Gazette)**

*"For months businesses and charities have been putting together business plans and proposals on how they would run the pool as the Town Hall look to privatise and re-open the facility... A Fylde Council spokesman said "The tendering period closed on Monday and a number of bids have been received. They will now be evaluated during February and will be considered as part of the budget setting exercise."*

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#### **4 Feb 2010** (Source: Lytham St Annes Express)

Reported that the bids were all in and they include the YMCA. *"Fylde Council bosses have said there are "many" interested parties but would not release the actual number saying the information is "commercially sensitive"*

*Cllr Sue Fazackerley said "We have given a direction to the tenderers. They have all been given the facts and the figures and have visited the facility. We have told them they will have to run the pool well and in a cost effective fashion. We hope that will be the case"*

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#### **8 February 2010** First Meeting to evaluate the tenders

The panel for assessing the Tenders comprised the:

- Director of Strategic Development;
- Head of Leisure Services;
- Principal Estates Surveyor; and
- Senior Accountant (Technical)

in 'support' of this panel were the:

- Procurement Officer
- Amateur Swimming Association,
- Portfolio Holder
- Member Procurement Champion

However only the four panel members were responsible for making the recommendation.

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#### **11 February 2010** (Source: Lytham St Annes Express)

##### ***"Pool bid may be sinking"***

*"Two bids to relaunch the pool before the summer are on the table and the chosen operator was expected to be announced within weeks. But the Express has been told both would require a substantial amount of cash from the Council to keep the baths afloat in the future"*

*Councillor Roger Small said "There are two firm bids and they are very complicated because you are dealing with something you have to look at in a sustainable future. We have got Myerscough Business Centre looking at the details for us"*

*A disappointed Coun Susan Fazackerley said "We were hoping somebody would tender at no cost to the Council - there's going to be a substantial cost"*

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#### **Feb 2010** (Source: counterbalance article)

This month (Feb 10) Fylde had received "All the bids from those wanting to run the pool" Fylde Council bosses were reported as saying there were "many" interested

parties but would not release the exact number because that was "commercially sensitive".

There were two.

We suspect they were the YMCA and the private sector chap with the fitness suite from the previous summer. So again, we were no further forward.

Last week, The Express reported gloom and doom. Cllr Roger Small said "There are two firm bids and they are very complicated" adding that financial support would be required from the Council, and it would be "a substantial amount".

Councillor Fazackerley was less guarded and said "We were hoping that someone would tender at no cost to the Council - there's going to be a substantial cost ....both want a very large sum of money from the Council and a continuing subsidy over the course of the lease...."

The Gazette report of this week's Cabinet meeting quoted Cllr John Coombes as saying the Council was approaching final negotiations with two external bidders. He was also quoted as saying "We've said all along it was our intention to go out to the market and see if there was a more cost effective way to run the pool. We've now made a decision to go ahead with that course of action"

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**23 and 24 February 2010** Clarification Meetings held with bidders

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**18 March 2010** Second Evaluation meeting

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**20 April 2010** Notification sent to suppliers

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**20 April 2010** Produce Evaluation report

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**20/04/10 (Source: Fylde Borough Council Press Release)**

### **YMCA recommended to run St Annes pool**

The YMCA is being recommended to take over the running of St Annes pool.

A report will be considered by Fylde Council's Cabinet on Wednesday 28 April when a decision will be made as to whether to support the YMCA bid. Councillors are being recommended to adopt the YMCA bid to run the pool for 12 years.

The pool closed in mid-2008 and about £12,000 has been spent in recent months to start recommissioning the building. Works included tiling repairs, repairs to central heating boilers, repairs to pumps and electrical repairs to pool lighting.

The recommended YMCA bid includes opening the pool for swimming for 60 hours per week, a degree of free swimming for under-16s and over-65s as at Kirkham Pool.

If the YMCA bid is accepted by councillors next week, the pool will open in mid- to late-summer. The report being considered by councillors also proposes refurbishment to the pool, to include work on the changing rooms, the reception area, plant and equipment and external works which will take place between May and July.

Fylde Council agreed a budget in March to reopen the pool. The money set aside includes up to £475,000 of capital to refurbish the pool. The baths will then require an ongoing revenue subsidy from Fylde Council in subsequent years.

The YMCA costings are based on conservative usage predictions.

Possible other improvements to the entrance area will be considered in the future.

Mr John Cronin, director of Fylde Coast YMCA, said: "We are delighted to be recommended to run St Annes Pool and await the final decision to be approved by the Fylde councillors and YMCA board of trustees.

"Fylde Coast YMCA is dedicated to public swimming and providing young people with the opportunity to learn to swim. The YMCA will do our utmost to safeguard the sustainability and future of the pool for the local community. I urge residents to maintain their support for the pool by making regular use of it."

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**28 April 2010** Cabinet meeting to appoint successful supplier

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**7 May 2010** (Source: counterbalance article **Who's in the Swim?**)

counterbalance published a detailed analysis of the two tenders (that had been set out in the secret report to Cabinet). This showed that Mr Ellis' bid would have cost considerably less than the YMCA bid but the Council had rejected it saying they did not believe he could do it for that price.

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15 May 2010 Contract awarded to YMCA

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