

Report to Cabinet

15 March 2023

Subject:	The Future Use of Smethwick Swimming Centre
Cabinet Member:	Cabinet Member for Regeneration & Growth Cllr Hughes
Director:	Director for Regeneration and Growth Tony McGovern
Key Decision:	Yes
Contact Officer:	Hayley Insley, Planning Regeneration Team Leader hayley_insley@sandwell.gov.uk Clinton Felicio, Senior Planner clinton_felicio@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to test the market and advertise the site at Thimblemill Road, Smethwick on the open market to ascertain if there is any commercial or other interest to purchase the site, subject to any planning consents that may be required for change of use
- 1.2 That the Director for Regeneration and Growth be authorised to work with a community consortia, The People's Orchestra, in parallel with recommendation 1.1, to allow the group 3 months to develop proposals to determine their projects viability and allow them to undertake a business planning exercise to confirm whether they are able to take on the premises under a Community Asset Transfer.
- 1.3 That in connection with 1.2 above, a further report be submitted to the Cabinet in June 2023 which will outline the disposal options identified through market testing and full details of the community-led option.





2 Reasons for Recommendations

- 2.1 Following the Cabinet decision made on 31 January 2018 (minute 18/18 refers) Smethwick Swimming Centre is due to close in summer 2023 when the leisure provision will be located at the new Sandwell Aquatics Centre, Smethwick. A working group of officers from Planning, including the Conservation Officer, Strategic Assets and Sports Strategy was created to look at options for the future use of the building. The working group assumption is that no other Council service will have use for the building once it closes and the Council cannot afford to retain the building. The listed status of the building constrains uses to those that would interfere least with its significance as a designated heritage asset and consequently appropriate uses are limited. Proper maintenance of such buildings is both necessary and potentially costly.
- 2.2 The Council has the opportunity to support the People's Orchestra, a community based non-profit organisation to convert the building into a music venue. This change of use would provide a 'community development and training hub' and concert hall, ensuring the building is retained as a community venue. Such a use could be expected to be compatible with the conservation of the building's significance. However, it will likely involve the Council underwriting building related revenue risk in the short to medium term. A building condition report from 2020 estimated that the cost of annual building maintenance is approximately £98,000; meaning the building would clearly be a financial liability to the Council. Additionally, the assessment states that £100k (at 2020 prices) will be required immediately to secure the building, £385k will be required within two years and £650k within five years.
- 2.3 Despite this opportunity the facility is substantial and will require significant investment in the short term to renovate and adapt to changing use. The People's Orchestra is dependent on funding from the West Midlands Combined Authority to produce a viability report, to de-risk the site and to enable operational community use whilst further funding applications are progressed to deliver phases of a build programme. As there is a risk of the funding bids being unsuccessful it is recommended that the Council also explores expressions of interest from the open market.

3 How does this deliver objectives of the Corporate Plan?



	<p>Strong Resilient Communities</p> <p>Supporting the People’s Orchestra to convert the building to a music venue and community hub ensures the Council retains the building for a community use and expands the arts and cultural offer in the Borough.</p>
	<p>A Strong and Inclusive Economy</p> <p>The People’s Orchestra has the status of a national provider organisation (NPO) with the Arts Council. As part of their Delivery Plan for 2021-24 the Arts Council identified Sandwell as a priority place which their investment and engagement is low. Supporting the People’s Orchestra’s proposal will provide the opportunity to bring investment into the Borough and increase employment and skills.</p>

4 Context and Key Issues

- 4.1 Smethwick Swimming Centre is located approximately half a mile from Bearwood Town Centre. The building originally opened as Thimblemill Baths in 1933 as a two-season facility, with swimming in the spring/summer months and concerts during the winter. It is an exceptionally fine building and a complete example of the ‘Moderne’ style of architecture. Reflecting this, and the wealth of high quality Art Deco internal features, the building is statutorily listed as Grade II.
- 4.2 The site does not have a primary allocation in the Site Allocations and Delivery Development Plan Document (SAD DPD) however, any proposal for alteration would need to respect the qualities of the Listed Building - both external and internal including retention of original features and would be likely to require listed building consent assessed against other policies in the Local Plan. A building was added to the rear of the baths during the 1960s and it is likely that the removal of the later structure would be acceptable. A flat is located on the site - 67 Thimblemill Road - which currently has a sitting tenant living within the premises. It is likely that the tenant will need to be rehoused in HRA stock.
- 4.3 [The People’s Orchestra](#) is a community based non-profit organisation recognised by the Arts Council which has over ten years’ experience of delivering arts-based training and development programmes. They work



closely with the Sandwell schools music service and have a track record of obtaining external funding for employment and training for residents of the Borough. They currently rent office, rehearsal and performance space in West Bromwich Town Hall, alongside hiring other spaces for rehearsal and performance. Therefore, they require a large, flexible space to continue to deliver their existing activities and expand their offer.

- 4.4 The People's Orchestra's proposal is the conversion of the Smethwick Swimming Centre building into a fully accessible 420+ seat venue and community development and training hub which will also provide space for local community groups and organisations. They plan to continue to tackle socio-economic challenges in the borough while also addressing the Arts Council England's priority to develop arts and cultural engagement in Sandwell. Due to the size of the proposed venue any change of use will be required to provide sufficient parking provision.
- 4.5 The proposal is dependent on successful bids from multiple funding streams including an initial grant from the West Midlands Combined Authority for a feasibility report and a further proposal of £1.3m to the underspend from the Commonwealth Games to de-risk the building allowing them to operate during phased building works in line with funding availability. It is therefore likely the Council will be required to underwrite a significant amount of the maintenance of the building for a minimum of two years and a viability study will scope out the extent of the issue.
- 4.6 Should the People's Orchestra not be able to lease the building by Q4 2024 there may be a possibility that the West Midlands Historic Building Trust acquires the building lease and takes on the People's Orchestra as a tenant. The West Midlands Historic Building Trust is a registered charity who act as a not for profit developer to secure long term sustainable futures for at risk listed buildings and can provide support to the People's Orchestra throughout the project.

5 Alternative Options

- 5.1 The Council has the option of solely advertising the site on the open market and disposal of the site subject to planning consent for change of use. This option may provide a capital receipt however the Council would have minimal control over the future use of the building and will



not benefit from the potential socio-economic and cultural investment into the Borough. The Council, as a local planning authority, would still determine applications for listed building consent where the new owners proposed works that required listed building consent. This might be expected to make the building less attractive to some investors.

5.2 The Council has the option of working with another community sector organisation to convert the building into another use. Clearly organisations whose proposed uses would impact minimally on the building’s heritage significance would be preferred. If the Council were to choose this option, it is likely that the organisation would request for the Council to underwrite a significant part of the maintenance costs.

6 Implications

Resources:	Should the Council choose to support the People’s Orchestra, the Council may be required to underwrite maintenance costs of the building, the exact figure will be confirmed in the viability study.
Legal and Governance:	<p>There are no specific immediate legal or statutory implications arising from the proposal outlined in this report.</p> <p>The Council’s Sale of Land and Buildings Protocol requires the Corporate Landlord to be responsible for the management of land and premises required for operational purposes, which includes:</p> <ul style="list-style-type: none"> • Ensuring that the council’s operational property portfolio is fit for purpose, sustainable and in good repair; • Identifying assets surplus to council requirements; • The formulation of business cases relating to the rationalisation and continued improvement of the council’s operational property portfolio.



<p>Risk:</p>	<p>Option – advertise on the open market</p> <ul style="list-style-type: none"> • No market interest • Compliance with Financial Regulations the sale of Council building and assets protocol • Offer price does not align to independent valuation <p>Option – Support The People’s Orchestra</p> <ul style="list-style-type: none"> • Funding from WMCA • Funding from other sources • Vacant space at West Bromwich Town Hall • Implications if any re Providence Place music school • Risk of underwriting maintenance costs from the Council • Interest from Orchestra ceases • WMHBT does not acquire the building <p>All options</p> <ul style="list-style-type: none"> • Security of vacant site • Delays with Sandwell Aquatics Centre • Delays with planning • Rehousing tenant flat
<p>Equality:</p>	<p>The People’s Orchestra specialise in supporting disadvantaged communities and deliver extensive participatory programmes. They will target groups least likely to access arts engagement in Sandwell with a focus on those from low socio-economic and global majority groups.</p>
<p>Health and Wellbeing:</p>	<p>As part of their Delivery Plan for 2021-24 the Arts Council identified Sandwell as a priority place which their investment and engagement is low. Supporting the People’s Orchestra’s proposal will allow them to bring investment into the Borough and increase wellbeing for residents.</p>
<p>Social Value:</p>	<p>The People’s Orchestra is a community based non-profit organisation recognised by the Arts Council and provides employment and skills opportunities for local people.</p>



Climate Change:	Adapting and reusing the building will contribute to reducing the Borough's carbon emissions and will help to meet the targets set out in the Council Climate Change Strategy.
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7. Appendices

- Site Plan

