

# **STATES OF JERSEY**

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## **AQUASPLASH SWIMMING POOL COMPLEX, WATERFRONT, ST. HELIER: PUBLIC USE AT WEEKENDS**

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**Lodged au Greffe on 22nd May 2006  
by the Connétable of St. Helier**

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**STATES GREFFE**

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to request the Minister of Education, Sport and Culture to take steps to ensure that both the main pool and the leisure pool in the Aquasplash swimming complex on the Waterfront are available for general public use on Saturday and Sunday afternoons all year round from 1st July 2006.

CONNÉTABLE OF ST. HELIER

## REPORT

It is with some trepidation that I bring this proposition to the States. First of all, because it may be considered by some to be a trivial matter which the States should not be concerned with. (However, I have tried in vain to resolve the matter through correspondence with the pool operator, via a direct request to the Minister, and have also attended a meeting on the subject at the Department on 12th May, 2006; secondly, because I have been impressed with the overall operation of the Leisure Pool and the wide range of clubs and users for which it caters; thirdly, because in 1999 I sought to rescind the whole project but withdrew the proposition at the eleventh hour – this report and proposition may, therefore, be taken as an admission that I was wrong not to pursue the rescindment motion.

That, however, is in the past. The fact remains that the States were persuaded in P.92/1999 to create at considerable expense a public swimming pool on the Waterfront which is now, in my opinion, being privatised by stealth; a much-needed indoor pool from which the public are frequently barred on weekend afternoons in order that the pool operators can hire it out for private parties. Having done some research into the matter, it seems plain to me that there is less public access to the main pool on the Waterfront now than there was when it was a States-run facility at Fort Regent. Significantly, there is currently better provision for unrestricted public swimming at Les Quennevais pool, which continues to be operated by the States, than there is at the Aquasplash.

For the sake of clarity, and for the benefit of States members who have yet to avail themselves of the facilities offered at the Aquasplash, I have attached the current timetable as Appendix 1. The 'lane swimming pool' is what I refer to as the main pool; the leisure pool areas include the small indoor and outdoor facilities. Three periods are shown relating to school terms/holidays, and the allocation to different users of the two pool areas is indicated by coloured squares with a key. The times at which the general public are able to use the main pool for lane swimming are shown in yellow, while they are also able to use the pool for general swimming (without the pool being divided up into lanes) during the times shown in blue. Where a blue square has a black P superimposed, the pool operator is indicating that the particular pool may be hired out for private parties during this time. While the operator does not as far as I know hire out both sections of the pool at the same time, which could occur on Saturday afternoons according to the brochure, the main pool is frequently hired out for parties. These usually involve the roping-off of the whole area of the main pool so that inflatable devices can be provided for those attending the parties.

I would describe myself as fairly typical of adult swimmers who find the leisure pool area rather too crowded for comfort. Having very shallow sections it is ideal for novice swimmers, and at weekends there will be a lot of youngsters enjoying the wave machine, the water fountains and the outdoor whirlpool effect. I have noticed how parents of small children will take it in turns so that one parent or guardian will stay with the child or children in the leisure pool while the other enjoys 'a proper swim' in the main pool (whether the lane dividers are in place or not.) The leisure pool is simply too small and usually too crowded for anyone to swim for any distance.

However, in my experience there is little choice on weekend afternoons other than for adults having to stay in the leisure pool areas while a relatively small number of 'paying customers' have the much larger main pool to themselves. Perhaps not all adults find prolonged confinement in the leisure pool as purgatorial as I do, but I have spoken to visitors who have been disappointed to find that they cannot have a 'proper swim' because their family visit to the Aquasplash has coincided with a private hiring.

The needs of tourists are also relevant, given that the new pool was largely funded out of the Tourism Development Fund. During the Easter holidays my family enjoyed the use of a modest publicly-run pool in a small town in mid-Wales, and I could not help noticing that as a tourist to Wales, I was offered the chance to swim every afternoon on weekdays and for longer periods at the weekends.

I maintain that the level of service to the public that my proposition is seeking is the minimum that should be provided. It is surely reasonable that on the whole (and one accepts that there will be galas and charity events which will, from time to time, require restricted access to the facilities) a local family or a family on holiday in Jersey should be able to avail themselves of the varied opportunities for swimming on weekend afternoons. After all, they have paid their entrance fee: is it fair that they should discover that an important part of the leisure experience has been cordoned off in order that the operator can maximise the income generating potential of the facilities? By all means hire out the pool in the evenings, I would say to the operator, but not at such times as

weekend afternoons when, especially if the weather is poor, families are likely to want to enjoy an afternoon at the Waterfront pool.

The draft Strategic Plan contains a number of hints that the Council of Ministers is going to be asking us to accept the privatisation of more activities currently provided by the States: if the example of the Fort Regent swimming pool is anything to go by, I think we need to view all such moves with considerable concern.

The correspondence which I have had with first with the pool operators and subsequently with the Minister is attached (with permission) in Appendix 2.

The following comments have been made by the Minister of Education, Sport and Culture in relation to the financial consequences to the States arising from this proposition –

1. If the Proposition is successful, there will be a minimum of £10,000 shortfall on the budget for parties in 2006. To date, party income is exceeding budget and this figure could be approximately £11,000 in 2006 if current trends continue. The Budget figure for the whole year is £20,000.
2. There are 16.5 years left on the contract and, if these figures are projected forward, this means that there will be an additional £330,000 deficit over this period. This does not take account of increases in prices over that period.
3. Income does not change if the pool is used for pay and play at these times. Users merely have less space but it does not have an impact on attendances.
4. There have been 6 complaints regarding the closure of the main pool for children's parties since the opening in 2003. Two of these have been registered by the Constable of St. Helier.
5. The contract with SERCO is such that any deficit beyond agreed levels will be paid for by the States. Following the first 3 years of operation, it is clear that this deficit will exist despite the best efforts to reduce this. As a result it is clear that any increase in loss of revenue will be picked up by the States.

There are no manpower consequences.

## Pool Programme Summer Term

(including Autumn Term to 30/9)

**Lane Swimming Pool**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Leisure Pool Areas**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Opening Times**

Monday 6.30am - 9.30pm  
 Tuesday 6.30am - 9.30pm  
 Wednesday 6.30am - 10.00pm  
 Thursday 6.30am - 9.30pm  
 Friday 6.30am - 10.00pm  
 Saturday 8.00am - 8.00pm  
 Sunday 8.00am - 8.00pm

**Diving Sessions**  
 Sunday 1.00pm - 2.30pm

**Flumes and Outdoor Pool are open**  
 Mon to Fri 3.30pm - 6.00pm  
 Saturdays 11.00am - 6.00pm  
 Sundays 10.00am - 6.00pm

## Pool Programme Autumn/Winter Term

**Lane Swimming Pool**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Leisure Pool Areas**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Opening Times**

Monday 6.30am - 9.30pm  
 Tuesday 6.30am - 9.30pm  
 Wednesday 6.30am - 10.00pm  
 Thursday 6.30am - 9.30pm  
 Friday 6.30am - 10.00pm  
 Saturday 8.00am - 8.00pm  
 Sunday 8.00am - 8.00pm

**Diving Sessions**  
 Sundays 1.00pm - 2.30pm

**Flumes and Outdoor Pool are open**  
 Saturdays 11.00am - 6.00pm  
 Sundays 10.00am - 6.00pm

## Holiday Pool Programme

**Lane Swimming Pool**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Leisure Pool Areas**

	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10
Monday																	
Tuesday																	
Wednesday																	
Thursday																	
Friday																	
Saturday																	
Sunday																	

**Opening Times**

Monday 6.30am - 7.00pm  
 Tuesday 6.30am - 8.00pm  
 Wednesday 6.30am - 7.00pm  
 Thursday 6.30am - 8.00pm  
 Friday 6.30am - 7.00pm  
 Saturday 8.00am - 7.00pm  
 Sunday 8.00am - 7.00pm

**Diving Sessions**  
 Monday/Wednesday/Friday 3.00pm - 4.30pm  
 Sunday 1.00pm - 2.30pm

**Flumes and Outdoor Pool are open**  
 Monday to Sunday 10.00am - 6.00pm

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----- Original Message -----

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**From:** [Simon Crowcroft](#)  
**To:** [james.shepherd@leisure.serco.com](mailto:james.shepherd@leisure.serco.com)  
**Cc:** [margason@jerseywaterfront.je](mailto:margason@jerseywaterfront.je)  
**Sent:** Saturday, February 18, 2006 5:06 PM  
**Subject:** lane pool party closures

Hello James

For the second time in recent weeks a Saturday afternoon trip to the pool with my family has been spoilt by the closure of the lane (main) pool for private parties. I note from the leaflet that this is likely to happen every Saturday between 1pm and 5pm (6pm holidays) and between 2.30 and 5pm on Sundays (6pm holidays).

I spoke to a number of other families today who were as dismayed as I was by the fact that a large number of swimmers were crowded into the relatively small areas of the leisure pool and outdoor swimming area.

This was not what was promised when Fort Regent pool was shut down and a new pool for public use developed on the Waterfront, and I do not think it is acceptable given the amount of public money that was used to create the pool.

I look forward to receiving your assurance that the main pool will not be closed to the public in future at weekends during the periods listed for public use.

Thanks

Kind regards  
Simon Crowcroft

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From: james shepherd [mailto:[james.shepherd@leisure.serco.com](mailto:james.shepherd@leisure.serco.com)]  
Sent: 06 March 2006 09:15  
To: Simon Crowcroft  
Subject: Re: lane pool party closures

Simon

Further to our meeting last week I have looked at the situation to which you refer, we have bookings on both Saturday and Sunday afternoons now though until April which means that I cannot look at any immediate changes. However this period will be used to establish any adjustments to the programme that we make in light of your comments. We will survey our customers and members during this period and use this to establish the way forward.

Kind regards

James Shepherd  
Serco (Jsy) Ltd  
T: +44 (0) 1534 876175

M: +44 (0) 7797 818165  
E: [james.shepherd@leisure.serco.com](mailto:james.shepherd@leisure.serco.com)

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**From:** [Simon Crowcroft](#)  
**To:** [james shepherd](#)  
**Cc:** [p.horsfall@jerseymail.co.uk](mailto:p.horsfall@jerseymail.co.uk)  
**Sent:** Monday, March 06, 2006 4:58 PM  
**Subject:** RE: lane pool party closures

Thanks James, but this isn't satisfactory at all. The pool belongs to the Jersey public and I can't sit idly by and allow it to be outsourced. I need your agreement that no further bookings will be taken that take away the public use of the main pool in the times specified in your brochure from the beginning of April, and that bookings taken in April that compromise public use will be rescheduled, otherwise I am afraid this is going to get political!  
Am ccng this to the Chairman of WEB as I don't want him to think I am trying to be a nuisance, and know that he will be aware of the need to ensure an adequate level of public access.  
Kind regards  
Simon Crowcroft

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**From:** [james shepherd](#)  
**To:** [Simon Crowcroft](#)  
**Cc:** [p.horsfall@jerseymail.co.uk](mailto:p.horsfall@jerseymail.co.uk)  
**Sent:** Monday, March 07, 2006 15:57 PM  
**Subject:** RE: lane pool party closures

Simon

I have to disagree with your comments, I feel that this is an appropriate move to make, far better than to simply cancel bookings without notice. I have checked our bookings to see exactly how many we have for the remainder of the year. At this time we have bookings through to October, March is fully booked, April to date we have approximately 40% of the available time booked.

Please remember that, as I indicated when we met, the programme that has been in place currently has not changed since we opened in July 2003, throughout this time the leisure pool has always been available for public use whilst we have allowed the 25m pool to be booked for children's parties on Saturday and Sunday afternoons, this I believe reflects the uses for which the pool was designed. Throughout this time we have only experienced the occasional complaint from members of the Jersey public with regard to this. You know as well as I do that it is impossible to satisfy all of the people all of the time. As I also indicated we have recently introduced some additional public use activities in the main pool on a programme basis during the holiday weeks, this is something that we are looking to introduce at weekends too and so will affect the programme within the 25m pool. It is also worth noting that the 25m pool is unavailable for public use (ie families) during programmed lane sessions, swimming lessons and club use periods, surely this is no different as at the end of the day the community is benefitting through every activity that we offer?

My aim as pool operator is to provide a swimming facility that meets the needs of the whole community in as many ways as possible whilst minimising the financial support that the States of Jersey provides us, Serco receive a fixed management fee as per the management agreement between WEB (ie the States of Jersey) and Serco and so all the benefits of increasing revenues against controlled costs are passed back to the public of this island. This means that we seek to combine public use with maximised revenue and minimum expenditure all day, every day, to work to operate the pool as efficiently as we possibly can to minimise the cost to the taxpayer which I hope as a publicly elected representative you support now, and will continue to do so. In 2005 we generated revenues of £21000 through children's parties which I do not believe we would have generated at the same times simply by allowing members of the public to use the 25m pool as part of the admission price for the leisure pool, outdoor pool, flumes, sauna and steam. I anticipate that 2006 will see revenues for children's parties increase to between £25-28k during these times due to demand and the type of party options available.

I have copied my reply to David Bisson at ESC and Rafe at WEB to keep them in the loop and look forward to hearing your's or Pierre's comments in order that we can agree any further actions.

Kind regards

James

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**PARISH OF ST. HELIER, TOWN HALL**

**TELEPHONE (01534) 811820**  
**FACSIMILE (01534) 872157**  
**EMAIL: constable@posh.gov.je**

**P.O. BOX 50,**  
**ST. HELIER,**  
**JERSEY. JE4 8PA**

29<sup>th</sup> March 2006

Senator Mike Vibert  
Minister of Education, Sport and Culture  
Education Department  
PO Box 142  
St Saviour  
JE4 8QJ

Dear Minister

Swimming pool closures

In recent months I have on several occasions on weekend afternoons gone to the leisure pool swimming complex on the Waterfront with my family membership cards only to find that my access to the main 'lane' pool has been removed by its use for private parties. Being compelled to stay within the relatively small and crowded areas of the leisure pool and outside swimming area while the main pool is being

occupied by a dozen or so partygoers hardly represents a democratic use of the available space. Parents to whom I spoke on these occasions were similarly bemused by the arrangement, although one of them, being a visitor to the Island, shrugged his shoulders and said that there was probably some good reason for it.

The tourism issue is extremely relevant – it was the Tourism Development Fund that contributed £10.9 million to the construction of the pool, and I would have thought that the ability of a family of visitors to get full use out of the facility at the weekends would be the *sine qua non* of any management arrangements. I have visited pools while on holiday elsewhere with my family which have been open for public bathing every afternoon of the week, and certainly at weekends.

I have corresponded by email with the management of the pool but have not received the assurances that I have requested that this practice would cease as soon as possible, certainly from 1<sup>st</sup> May this year. Rather I have been told that the pool operator has no choice but to maximise the income of the pool through private hirings. This seems to me to amount to the privatisation of a publicly owned asset by the pool operators.

You will recall that the development of the Leisure Pool went ahead despite some concerns that it would prove to offer best value to the Island. In P92/1999, para 4.3, an assurance was given that there would be 'a competition pool to replace the Fort Regent pool', while under the benefits of the proposal listed in para. 6 are 'saving of up to £4.5 million in not replacing Fort Regent pool ... major wet weather facility in an accessible location ... provides local people with a quality and variety of leisure facilities ...'

For comparison purposes I have established that Les Quennevais pool has much better public access to its main 'lane' pool (and a much less complicated timetable altogether), while Fort Regent's swimming pool offered public swimming at weekends between 10am and 4pm on Saturdays, and between 11am and 5pm on Saturdays. Given that the States accepted P.92/1999 on the basis that the pool facilities at Fort Regent were to be replaced, I think that this strengthens my argument.

I note that since I first raised my concerns with the pool management in mid-February that they have continued to market the main pool for private parties. Nor am I persuaded by the argument that this practice has been going on for several years. As the party product has been marketed I suspect that the situation has worsened, in respect of the public's ability to enjoy the full range of swimming facilities at weekends, and it is only now that a States' member has become involved that the inequity of the situation has been brought to light.

I look forward to receiving your assurances that this restriction on public access to the main pool in the Aquasplash complex will be lifted as soon as possible.

Yours sincerely

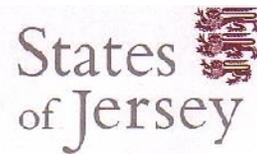
Simon Crowcroft

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**Education, Sport & Culture**

P O Box 142, Highlands Campus  
St Helier, Jersey, JE4 8QJ  
Tel: +44 (0)1534 509347  
Fax: +44 (0)1534 509343



Our ref : MV/PJN

Mr Simon Crowcroft  
Connetable  
Parish of St Helier  
Town Hall  
P O Box 50  
St Helier  
Jersey JE4 8PA

7<sup>th</sup> April 2006

Dear Connetable

**Swimming Pool Closures**

Thank you for your letter dated 29<sup>th</sup> March regarding the use of the leisure pool on the Waterfront.

I am sorry that you have been unable to access the pool as you would like to but it is my understanding that under the terms of the existing agreement Serco can operate the pool as it sees fit.

My Department has taken over the monitoring of the contract that Serco signed with the States through negotiation with WEB. This involves reporting on financial performance, authorising payments and ensuring that Serco operate the pool safely.

The day to day operation of the pool including opening hours, charges and booking is the responsibility of Serco. There is nothing in the contract that prevents Serco from holding parties which is normal practice in many community facilities. I am informed that these took place at Fort Regent before its closure. Whilst I understand your frustration I also understand Serco's effort to maximise revenue and minimise the cost to the taxpayer.

Yours sincerely

A handwritten signature in blue ink that reads "Mike Vibert".

**Senator Mike Vibert**  
**Minister of Education**  
**Sport & Culture**

direct dial: +44 (0)1534 509437  
email: m.vibert@gov.je  
www.gov.je