

**TEXT OF SAVE SEATON POOL SUPPORTERS' LETTERS TO CHIEF
EXECUTIVE OF PCC**

24/2/06

Dear Mr. Keel,

I am a regular user of the Seaton swimming pool and find the decision made by the Cabinet in November to close the facility quite beyond comprehension and would like to make a few points if I may.

1. Plymouth has one of the largest rates of childhood obesity in the country. This is being targeted by the Local Exercise Action Plan, one of your five year plan objectives, as a multi-million pound National collaboration between yourselves and Plymouth Primary Care Trust. I am sure you are aware that one of the primary recommendations of this initiative is to encourage swimming for year 9 pupils and free swimming has been provided in order to achieve this at pools in the town. Seaton pool is identified in the action plan as one of only two sites in the city where this initiative is making progress.
2. Given the proposed redevelopment of the Central Park facilities and the upheaval this will inevitably cause, common sense dictates that any closure of the Seaton facility should not precede this work as, to do so, would deprive the city of vital resource.
3. Article 10.3 item (b) of the constitution (Functions Of The Monitoring Officer) states:-
Ensuring lawfulness and fairness of decision-making. After consulting with the Head of Paid Service and Responsible Finance Officer, the Monitoring Officer will report to the full Council if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

The cabinet made the decision to close the pool without full awareness of all the available facts and this could be considered maladministration. I would ask you as Chief Executive to investigate this as a matter of urgency.

4. It is my considered opinion that the paper from Mr. Clive Stringer, upon which the decision to close the pool at the November cabinet meeting was based, was not presented in a balanced way and did not consider any potential options to keep

the pool open. For example, the possible options of a charitable trust or private enterprise should have been considered. This contradicts Article 11.2 Principles of decision making, in particular items b, d, e and, most importantly, item f:-

All decisions of the Council will be made in accordance with the following principles:-

- (a) Proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) Consultation and due consideration of professional advice from officers;
- (c) Respect for human rights;
- (d) A presumption in favour of openness;
- (e) Clarity of aims and desired outcomes; and
- (f) Explaining what options are available and giving reasons for the decisions taken.

No consultation was undertaken prior to the cabinet meeting, no option appraisal was carried out to identify potential future financial feasibility of the pool given the commercial investment in the locality, no community impact assessment was included and no options to involve third party agencies were considered. This was a classic "paper written to justify a decision" rather than a true discussion paper. Again, as Chief Executive Officer I urge you to review this decision.

I would very much like to read your opinions on this matter.

Yours Faithfully