

## CLAIR HALL

REPORT OF: Assistant Chief Executive  
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Wards Affected: All  
Key Decision: Yes  
Report to: Cabinet  
Monday 14<sup>th</sup> September 2020

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### Purpose of Report

1. Following agreement by the Council, at its meeting on 19<sup>th</sup> August 2020, to remove Clair Hall from the Leisure Management contract with Places Leisure (PL), this report provides information on the operational and financial issues affecting Clair Hall as a result of the Covid-19 pandemic and seeks a decision to permanently close the facility and commence work on the future regeneration of the site.

### Recommendations

2. **Cabinet are recommended to:**
    - (i) **agree to the continued and permanent closure of Clair Hall with immediate effect;**
    - (ii) **agree to establish a temporary public car park at Clair Hall; and**
    - (iii) **request officers to commission work to develop a business case for the potential inclusion of a modern community facility as part of the future regeneration of this site or other sites in the town centre.**
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### Background

3. Clair Hall is a multi-purpose venue in Haywards Heath comprising a large main hall, a function suite, studio and bar area.
4. In line with Government direction relating to the Covid-19 pandemic, and specifically in response to the Governments' press conference on 16<sup>th</sup> March 2020 giving "very strong advice that public venues such as theatres should no longer be visited", Clair Hall was closed with immediate effect on Thursday 19<sup>th</sup> March 2020, in order to reduce the spread of coronavirus; and it has remained closed since that time.
5. Given the uncertainty over when the facility can fully reopen, due to the Government's social distancing guidelines and their corresponding impact on the financial viability of the hall, Council agreed, at its meeting on 19<sup>th</sup> August 2020, to remove Clair Hall from the Leisure Management contract with PL.
6. It was further agreed that the Council would fully consider the future of the site at a future point.

**Overview of Clair Hall**

7. Clair Hall was constructed over 50 years ago and comprises a large main hall (with seating for 360), a function suite, studio and bar area. It provides a total of 755 sq. metres of indoor community space. In headline terms, the capacity of the hall breaks down as follows:

	Capacity
Main Hall	360
Function Suite	100
Studio	100
Bar Area	50
Foyer	50
<b>Total</b>	<b>660</b>

8. Due to its age, layout and the changing needs of users, levels of usage have been decreasing over a number of years. As a consequence, Clair Hall has not been economically viable to operate for over 10 years. Its inclusion in the PL contract in 2014 came at a cost to the Council of approximately £35k per annum. In addition, the Council had to retain some liabilities and therefore holds the full repair and maintenance responsibilities for the Hall.

9. The cost of maintaining and repairing the building over the next 20 years is estimated to be £1m. In addition, a new legal standard for minimum energy efficiency (MEES) commencing in April 2023, will apply to Clair Hall and penalties for non-compliance are likely to be applied unless significant work is done to improve the building’s energy efficiency.

**Hall Usage**

10. Clair Hall’s original main purpose was for the hosting of live performances. However, over recent years, this has declined and the Hall is now mainly used for community events and meetings. Despite an increase in the population, Clair Hall was significantly under-utilised with declining usage even before the impacts of the Covid-19 pandemic are considered.

11. At the point of PL taking over the operation of the Hall usage levels were already below the Hall’s capacity and this has steadily declined over the last four years. For example, usage has fallen from an average footfall of 5,403 per month in 2016/17 to an average footfall of 4,660 per month in 2019/20, this represents a 14% decrease over the four years.

12. Places Leisure have kept utilisation records for Clair Hall. This shows that in the financial year 2019/20, bookings as a proportion of capacity were 53% for the hall, 54% for the studio, 42% for the function suite and 17% for the dressing rooms.

13. A schedule of current hall users, and the nature of their activities, is outlined below. During 2019/20 there were 859 bookings and they approximately break down as follows:

- Ten groups booked weekly or fortnightly and mainly used the studio and function rooms (four of these groups are yoga groups);
  - Twelve groups booked either monthly or every other month and used a mix of the hall, studio/function rooms;
  - Thirty groups booked either 3 times a year, once a year or on a more ad hoc basis.
14. The types of use by hirers demonstrates that they do not require specialist facilities or large spaces. For example, of the bookings in 2019/20 only 5% were for shows, 30% for talks, training and meetings (including statutory bodies), 30% for yoga classes, 14% for educational purposes (such as private tutoring), 13% for rehearsals, 4% for arts and crafts, 2% for volunteer events, and 2% for trade fairs.
  15. In terms of event size, 8% involved over 200 attendees, 5% for 100-199 attendees, 13% for 50-99 attendees and the vast majority (74%) for fewer than 50 attendees. This demonstrates that most hirers are booking for small events with a smaller number of attendees. This also demonstrates that these users could be easily accommodated in smaller venues.

### **Impact of Covid-19**

16. On 16<sup>th</sup> March 2020, the Government held a press conference in which it gave “very strong advice that public venues such as theatres should no longer be visited”, Subsequently, on 23<sup>rd</sup> March 2020, the Government required by law that certain businesses and venues were to close in order to reduce the spread of coronavirus (COVID-19).
17. Clair Hall was closed on 19<sup>th</sup> March 2020, and has remained closed since that time.
18. Recent Government guidance confirmed that, as of 15<sup>th</sup> August 2020, socially distanced indoor and outdoor performances can take place in line with relevant industry guidance, though organisations are encouraged to continue to work outdoors wherever possible.
19. In addition, training, rehearsals and recorded performances can resume where organisations wish and are able to accommodate them; and dance studios are able to open in line with published guidance for providers of grassroots sport and gym/leisure facilities.
20. Government guidance also confirms that where meetings can take place digitally, without the need for face-to-face contact, they should continue to do so; and where community facilities need to be used for physical meetings, these meetings should be managed within the social distancing guidance.
21. The social distancing requirements and other restrictions set out within these guidance documents will inevitably make the viability of Clair Hall even more challenging into the future while they continue to apply.
22. A number of trial live performances have taken place nationally over recent months; but social distancing requirements have meant that audience numbers have been limited to 25-30% of venue capacity, which renders them unviable, because operational costs significantly outweigh any revenue generated. The average West End performance needs 65% capacity to break even.

23. A small number of promoters have approached Places Leisure over recent months with a view to rescheduling cancelled dates for 2021 but it is not possible at this stage to identify appropriate commercial terms until such time as capacity restrictions are eased.
24. Others (including the panto) are currently just maintaining contact and keeping a “watching brief” on the national industry situation.
25. Whilst there remains some interest from groups who use the venue in the longer term for training, many local groups have taken the decision to cancel their bookings for 2020 in light of their own Covid-19 risk assessments.
26. In line with Government guidance, Clair Hall has continued to host blood donation sessions throughout the enforced lockdown. Following the decision to remove Clair Hall from the Leisure Contract, Officers are working with the NHS Blood and Transplant Team to identify suitable alternative venues for these sessions.
27. In addition, the Hall car park has been used on a number of occasions to host an ad hoc military ‘Covid-19 Mobile Testing Unit’. Again, Officers are working with the CCG to identify suitable alternative venues should there be a need for further mobile tests.

#### **Written Ministerial Statement- Coronavirus (COVID-19): Planning update on cultural venues and holiday parks**

28. The Government published a Written Ministerial Statement (WMS) on 14th July 2020 to prevent the loss of theatres, concert halls and live music performance venues by removing permitted development rights related to demolition. For the purposes of the statement, a live music performance venue is defined as “a building wholly or mainly used for the performance of live music for the purpose of entertaining an audience”. These uses fall into the Sui Generis use class category. Clair Hall, as a public/community hall, falls into Class F, and therefore the WMS does not apply to Clair Hall.

#### **Operating Costs**

29. Since 2014, Clair Hall has been included in the PL contract at a cost of £35k pa to the Council (this sum has effectively been deducted from the annual management fee payable under the contract). In addition, under the contract, the Council retained full repair and maintenance responsibility for the Hall.
30. Since 2014 and pre Covid-19, PL estimate that Clair Hall has incurred a net loss of approximately £30k per annum.
31. The Covid 19 pandemic and the requirement to socially distance; and current restrictions on mass gatherings make the economic viability ever more challenging. Current estimates suggest that if the hall re-opened under current restrictions it would initially cost the Council approx. £14k per month. Costs for the six months from October 2020 to the end of the financial year are estimated to be £61k.

#### **Backlog maintenance**

32. Clair Hall was constructed in the 1970s and is beyond its economic lifespan. The cost of maintaining and repairing the building over the next 20 years is estimated to be £1m up to 2039.

33. In addition, a new legal standard for minimum energy efficiency (MEES) commencing in April 2023, places a penalty on landlords who continue to let any buildings which have an EPC rating of less than E. This will certainly apply to Clair Hall, and penalties for non-compliance are likely to be up to £150k. No actions have yet been taken to assess the full extent of works required to bring the building up to standard, but given its age and condition costs are likely to be very significant.

### **Future of the site**

34. Planning policy has long recognised that the Clair Hall site offers potential for regeneration. The Haywards Heath Masterplan 2007 identifies Clair Hall site as ‘an opportunity site’. Since it was adopted, very significant regeneration has taken place in the Station Quarter in Haywards Heath, including retail development at the railway station, a new hotel adjacent to the Clair Hall site and residential development in Perrymount Road.
35. An updated Haywards Heath Town Centre Masterplan is currently being prepared. The proposed draft Masterplan, which will be consulted on in the Autumn, also identifies this site as ‘an area of opportunity’. Once adopted in early 2021 the Masterplan will clearly set out a framework for the town aimed at encouraging inward investment in the town which will assist the post Covid-19 economic recovery. The draft Masterplan could set out principles to guide regeneration on the site.
36. Cabinet is recommended to commission officers to develop proposals for the regeneration of the site and to commission expert advice to develop and assess a business case for the potential inclusion of a modern community facility that could meet the needs of residents in regeneration of this site or other potential sites in the town centre.

### **Current and Planned Provision**

37. Max Associates were commissioned in June 2015 to undertake a needs analysis for arts and culture provision in the District. In respect of Clair Hall, their key conclusion was that the Hall would require some significant levels of investment to maintain its appeal and overall condition in the next 10 years.
38. Based on Arts Council of England benchmark guidelines for provision of 45 sqm of arts and culture space per 1,000 population, Max Associates identified a need for 1,282 sqm for Haywards Heath, up to 2031. Existing arts and culture provision (across 3 sites in Haywards Heath, not including Clair Hall) is 790 sqm.
39. However, given that Clair Hall’s primary use is for meetings, in addition to the arts and culture facilities above, there are many alternative suitable venues within close proximity. In fact there are over 20 community buildings (church halls, community centres, and sports pavilions) within a one mile radius of the hall. In addition to this there are also 9 educational facilities.
40. Haywards Heath College is also now open. These facilities include a modern, purpose built theatre which will be better able to meet the needs of users requiring performance arts space than Clair Hall. Haywards Heath College intends to make this space available to the community once Covid-19 restrictions allow.
41. When completed, the newly refurbished Council Chamber at the Mid Sussex Council offices, will also offer a modern, flexible space of over 100 sqm (including the public gallery) with a capacity of approximately 100 people.

## **The Redwood Centre**

42. This is an attached building with its own entrance, formerly used as a day centre for Age UK. Since their relocation in 2018, it has been let to the Scout organisation at a rent of £15k per annum, who in turn have sublet the daytime use of the building to a children's nursery. Dedicated parking for the centre is provided adjacent to the Redwood Centre building, and is therefore entirely separate from the main hall car park to the south of the Hall.
43. The lease is contracted out of the Landlord and Tenant Act but the first break under the lease is at May 2021, giving security to the tenant until that time.
44. It is suggested therefore that discussions with the tenant commence were the building thought to be at end of life, with demolition an option.

## **Clair Hall Car Park**

45. The car park at Clair Hall is included within the lease to Places Leisure, and its use has historically been managed by Places Leisure.
46. The car park has approximately 80 spaces, and waiting restrictions currently apply (Monday - Friday 7am - 4pm, maximum stay 4hrs, no return within 2 hours). To manage unauthorised use, the car park has been routinely patrolled and enforced by the Council's parking team, in liaison with Places Leisure.
47. Since the closure of the Hall in March the car park has seen an inevitable increase in unauthorised parking, mostly for long-stay parking. Should the decision be made to permanently close the hall, it will be necessary to develop a 'meantime' plan for the car park to better regulate its use, without incurring significant costs from the introduction of new supporting infrastructure.
48. One option would be to close and lock it, to prevent any further use; however, this could present difficulties for Clair Park users, including visitors to the playground and cricket pitch and participants in the popular Park Run (should it be reinstated) who would have no alternative off-road parking options in the vicinity.
49. An alternative, low-cost option would be to establish the site as a chargeable car park, requiring drivers to pay by phone using the MiPermit app. This would require a change to the Council's Off Street Parking Order (which is likely to take approximately 3 months), but would provide a straightforward, low cost means of managing the use of the site until such time as its longer term future is decided.
50. Officers recommend that Cabinet establish the site as a temporary chargeable car park for drivers, using the MiPermit app. Clearly, any revenue figures are highly dependent on the trajectory of Covid-19 over the coming months, and any sustained changes in the behaviour of local workers and commuters; however, based on a 60-70% occupancy rate, it is estimated that the car park could generate an income of between £50-70k over a six-month period.

## **Relocation of users**

51. Officers are working closely with Places Leisure to map all regular users of the hall, and will be contacting them individually with a view to better understanding their needs and supporting them to find suitable alternative local venues where required. This should also address the use of the Redwood Centre by the scouts.

52. As above, Government guidance is clear that, during the pandemic, where meetings can take place digitally, without the need for face-to-face contact, they should continue to do so; and where community facilities need to be used for physical meetings, these meetings should be managed within the social distancing guidance. It is likely that events promoters will need to re-think their operating model in response to Covid-19 once the crisis is over, as it may well be that, for some period of time at least, there will be a reduction in the demand for events involving gatherings of significant numbers of people and that some smaller meetings/groups may take place online.

### **Financial Implications**

53. The closure of the hall would not result in any immediate revenue budget savings.
54. This is because the Council is currently making a monthly payment to PL (which does not include a fee to reopen Clair Hall), to keep the leisure centres open and has forgone the management fees of £120k per month. There is therefore no merit at this time in the Council asking PL to make a payment in recognition of the fact that they are no longer operating the hall.
55. Officers will keep this under review as we continue to work with PL over the financial contribution the Council is making to keep the leisure centres open with a view to delivering an improved management fee as soon as possible.
56. The closure would result in the Council incurring one-off costs of approximately £50k. This includes both staffing and equipment redundancy costs and potential ticket refunds.

### **Policy Context**

57. A decision was taken by the Council on the 19<sup>th</sup> of August to take the management of Clair Hall out of the Council's Leisure Management Contract with Places Leisure. The Hall is in practice unable to re-open at the current time due to the Government's Covid-19 restrictions limiting the types of gathering that may take place. If and when the Hall reopens it will require financial support as it is not economically viable due to the Covid-19 restrictions and the historical decline in use.
58. The Mid Sussex Economic Development Strategy 2018-31 includes an action to develop a masterplan to help shape the strategic long-term vision for Haywards Heath. This Plan identifies the Clair Hall site as 'an area of opportunity' for future development

### **Other Options Considered**

59. Against the backdrop of a downward trend in usage (which has meant that the operation has required tax-payer subsidy over many years), the Covid-related restrictions that now apply to the hall mean that it is not a viable business at this time. In addition to this, the building will require significant investment over a number of years if it is to remain safe and compliant.
60. In light of these challenges, re-opening, either through direct management or a third party is not considered to be a viable option.

### **Risk Management Implications**

61. The tenants of The Redwood Centre have security of tenure until May 2021 and it will be operationally challenging to make any material changes to the wider building until

they have moved out. This means that the Hall will need to remain vacant for a period of months, which brings the usual risks associated with managing an empty property for a short period of time.

### **Equality and customer service implications**

62. Whilst the Council will be mindful of all who use Clair Hall and the Redwood Centre, and the impact of its closure on them, there are some specific statutory duties relating to the Council's consideration of some users before it takes a decision on the matters covered by this report.. Under the public sector equality duty, the Council is under a duty, in deciding what action to take in relation to Clair Hall, to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between persons with a protected characteristic under the Equality Act 2010 and others, and foster good relations between people with protected characteristics and others. Also, since some users are children, the Children Act 2004 requires the Council to have regard to the need to safeguard and promote the welfare of children before taking a decision.
63. Clair Hall has ramped access to the front doors, level access throughout the public areas and accessible toilet facilities; however the stage and dressing rooms are only accessible by steps. Whilst there are good audio-visual systems in the hall and studio, there is no hearing loop in the box office. The Hall is in an excellent location for public transport.
64. The purpose of an equality impact assessment is to determine whether it is likely that there would be a negative impact on any protected groups as a result of any service changes and if so to consider whether these can be mitigated or whether the proposal should be changed or dropped. A detailed Equality Impact Assessment has been carried out, and is attached to this report at Appendix 1.
65. The impact assessment identifies a small number groups that will potentially be impacted, and we will work with those groups to identify alternative venues.

### **Other Material Implications**

66. None

### **Conclusion**

67. Given the ongoing financial challenges facing the hall prior to Covid-19 and the further uncertainty created by the Government's social distancing guidelines in relation to Covid-19 it was agreed to take the hall out of the contract.
68. Given the type and levels of usage, it is proposed to permanently close the hall and to assist the current users to move to alternative provision.



**MID SUSSEX DISTRICT COUNCIL****Equality Impact Assessment****Title of Policy/Service/Contract: Clair Hall****Division: Commercial Services and Contracts****Lead Officer: Rob Anderton,****Date Assessment completed: September 2020****1. SCOPING****1.1 What are the aims of the policy, service/service change or contract?**

Clair Hall is a multi-purpose venue in Haywards Heath comprising a large main hall, a function suite, studio and bar area. Clair Hall has increasingly become a venue for hire, accommodating a number of local community events and meetings. The Hall is not economically viable to run and was forced to close on 23<sup>rd</sup> March due to the COVID-19 lockdown. These social distancing requirements and other restrictions make it difficult to re-open at this stage and it may well be uneconomical to run longer term.

**1.2 Who does the service/policy/contract affect? Who are the main customers (internal or external)?**

Clair Hall is a flexible venue with break out rooms and studios of varying sizes and a large main hall with bar. Based in the centre of Haywards Heath, the venue is accessible via public transport and has a large on-site car park. The Hall is mainly used for meetings of groups that meet on a regular basis and for one-off events such as exhibitions and entertainment. Users are residents, performers, community, and public and voluntary sector bodies.

**1.3 What equality information is available, including any evidence from engagement and analysis of use of services?**

Evidence is available from the list of users of Clair Hall. We will work with the users of the Hall to try to assist them with securing alternative venues. Many groups that use the hall are reassessing their needs for physical meeting places following the pandemic and the government guidance and may therefore no longer wish to or be able to physically meet.

**1.4 What does this information tell us about the equality issues associated with the service and implications for the protected groups?**

A preliminary assessment of the users of the Hall shows that some of the organisations that use it have particular links with the protected groups. Examples of these groups are identified in section 2 of this impact assessment.

**1.5 Are contractors or partnerships used to deliver the service? No**

The Hall was managed on behalf of the Council by Places Leisure, along with the Council's leisure centres. The Council's agreement with Places Leisure to reopen the centres from September has removed the requirement for them to also run Clair Hall.

If No go to section 2.

If yes, please refer to the guidance notes for completing impact assessments and complete the next three questions.

**Identify the contractors/partnerships used to deliver the service.**

The Council agreed, at its meeting on 19th August 2020, to remove Clair Hall from the Leisure Management contract with Places Leisure, there are therefore currently no contractors or partners involved in delivering the service.

**What is their contribution to equality in service delivery and the promotion of equality?**

N/A

**How are equality issues addressed through contractual arrangements and service level agreements?**

N/A

## 2. Assessment of Impact; Analysis and Action Planning

Any gaps in information or provision, opportunities to promote equalities and good relations identified above need to be translated into SMART actions and recorded here. These actions need to be delivered and monitored through the service planning process.


Opportunity to promote equality, good relations and/or address barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
The needs of different ethnic groups including white minorities, but also established white communities				
None identified.				
The needs of men and women. Including taking account of pregnancy and maternity.				
Providing for groups that cater for the needs of a particular sex.	No groups other than the Towns Women's Guild	The Council will work with the groups who use Clair Hall to investigate and identify alternative suitable venues.	Rob Anderton	Success in providing alternative venues.
The needs of disabled people				
Providing for groups that cater for the needs of disabled people.  Provision of an accessible venue for community groups and those attending entertainment events.	The Hall is not used by any groups to deliver services specifically to disabled people.	The Council will work with the groups who use Clair Hall to investigate possible alternative suitable venues. Such venues could offer better accessibility e.g. changing places toilets.	Rob Anderton	Success in providing alternative venues.
The needs of people with a religion or belief				
Providing a venue for religious and church-based groups.	None identified.	N/A		N/A

Opportunity to promote equality and/or barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
The needs of gay men, lesbians, bisexuals and heterosexual people				
None identified.	N/A	N/A		N/A
Issues from marriage and civil partnership				
None identified.	N/A	N/A		N/A
The needs of different age groups, for example older and younger people				
Providing a venue for specific age groups.	Clair Hall provides a meeting place for groups catering largely for older people such as U3A.  Groups for young people include Wings Youth Theatre Group, Perform Drama Workshops for Children, Magikats after school tuition and Act Too Holiday Drama camps.	The Council will work with the groups who use Clair Hall to investigate possible alternative suitable venues, which might include the new Age UK hall close to Beech Hurst.		Success in providing alternative venues.
The needs of transgender communities				
None identified.	N/A	N/A		N/A
The needs of those who are pregnant or have recently given birth				
None identified.	N/A	N/A		N/A
The needs of people who are disadvantaged by socio-economic factors such as low incomes, skill or living in a deprived area				
None identified.	N/A	N/A		N/A
The needs of people who live in a rural area				
None identified.	N/A	N/A		N/A

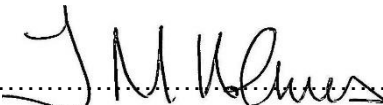
**3. Mid Sussex District Council Equality Impact Assessment Summary**

Key Findings	Future Actions
<ul style="list-style-type: none"><li>• The main groups using Clair Hall as a meeting place with connections to the protected groups relate to age.</li><li>• The venue has some provision for disabled users, but alternative more modern facilities may provide better accessibility.</li></ul>	<ul style="list-style-type: none"><li>• Engagement with the users of Clair Hall to determine their requirements for entertainment and meeting facilities, and to advise on alternative arrangements.</li></ul>

**4. Signing off this assessment and action plan**

Signature  ..... Date .....3 September 2020

Person undertaking the assessment

Signature  ..... Date .....7 September 2020

Head of Service