

THE EXECUTIVE

**Agenda Item 10
30 October 2007**

BUXTON INDOOR LESIURE FACILITY

REPORT BY: Ben Williams, Strategic Director of Community Services

EXECUTIVE MEMBER: Councillor Andrew Bingham

1. PURPOSE OF REPORT

- 1.1 To inform the Executive of the outcome of the Drivers Jonas feasibility report, jointly commissioned by the University of Derby and the Council and the consultation exercise on the future provision of indoor leisure facilities in Buxton.

2. RECOMMENDATIONS

- 2.1 That the Executive note the recommendations outlined in the Drivers Jonas report.
- 2.2 That the Executive note the outcome of the public consultation exercise on the preferred mix of facilities desired locally.
- 2.3 That the Executive authorise officers to determine the best value solution for re-furbishing the existing swimming pool in consultation with the recently appointed facility management partner, D.C. Leisure management.

3. INTRODUCTION

- 3.1 The Council undertook a consultation process in July 2006 covering Temple Fields and Brown Edge Road playing fields as potential sites for a joint development between the Council and University. However, these sites have both been registered as Town Greens, preventing any potential development.
- 3.2 The Executive in March, 2007, approved a joint feasibility study between the Council and University to look at possible sites for the development of a joint-use leisure centre with a swimming pool, sports hall, fitness suite and ancillary facilities.
- 3.3 A copy of the Executive Summary of the study, produced by Drivers Jonas, is attached at appendix A.

- 3.4 The Council held a consultation exercise from mid-September to mid-October seeking local people's views on the mix of facilities that they would like to see available if a joint use centre was built. A summary of the results can be found at appendix B.
- 3.5 After screening a number of potential sites across Buxton, a short list of four sites were looked at to see if they could enable the proposed leisure centre. These sites were selected because: they were close to the town centre and so accessible to students and the wider community; and potentially large enough to facilitate such a large scale development. The sites reviewed in detail were: Buxton Community School (school site and playing fields); Burlow Road, Harpur Hill; Ashwood Park; and the Council's Market Street Depot site. Also, the future use of the existing swimming pool site was considered, if a joint facility was deliverable elsewhere.
- 3.6 Working with the University would have enabled the drawing in of external monies to the Council that only the University could access, effectively doubling the investment capital available to the partnership. Thus, allowing a bigger and better provision for the Town, than the two parties could deliver working separately. The revenue cost for operating the proposed facility would also have been shared.

4. ISSUES AND ANALYSIS

4.1. Buxton Community School

- 4.1.1 The Council proposed the use of the school's playing fields, however, Drivers Jonas thought a better solution, in terms of planning, was to build on the school's existing artificial turf pitch and re-provide the pitch on the playing fields. This option was their preferred solution.
- 4.1.2 However, during the timeframe for the production of the report, a Town and Village Green registration has been placed on the school's playing fields, effectively preventing any potential proposal. The Council would not be able to overturn the registration in time to give the University sufficient comfort that the scheme would go ahead. The University need to resolve their facility plans by March 2008, to allow enough time to build a new centre by September 2009, when they are to lose the use of their existing sports hall in Harpur Hill to a housing development. Therefore, this option is now dead.

4.2. Market Street Depot Site

- 4.2.1 The site is not big enough to deliver the proposed joint centre. The University could develop a sports hall in isolation or the Council could build a stand-alone swimming pool.
- 4.2.2 The site, which has been replaced by Waterswallows as a depot, has significant capital value, taking into account potential remedial works.

4.2.3 If the Council decided to relocate the pool to this site, then it would forgo the capital receipt and be liable for the build costs, which would be relatively high as the quality of the design would have to be sympathetic with the area (i.e. approximately a £4m sum). This investment would help to regenerate Higher Buxton, however, the Council does not have the resources to meet the required investment at this stage.

4.3 Burlow Road

4.3.1 This is a green field site adjacent to the University's existing playing fields. The University, as part of a contingency plan, have applied for planning permission to develop a stand-alone facility on their playing fields in case the joint provision is not possible. The Development Control Committee rejected this application, which is likely to be repeated for this site, due to its size, scale and location, which would be detrimental to the openness of the countryside in this location, contrary to policy OC1 of the Adopted High Peak Local Plan. The proposed development fails to meet the terms of policy LT1 of the Adopted High Peak Local Plan as the applicant has failed to demonstrate that no alternative appropriate site is available within the Built Up Area Boundary.

4.4 Ashwood Dale

4.4.1 This site was not seen as feasible, although a good location, owing to planning considerations and the additional costs needed to deliver the project (i.e. bridge, building in a flood plain etc.).

4.5 Railway Yard

4.5.1 During the consultation period, local business people suggested the potential use of the railway yards at the back of Buxton Train Station. Drivers Jonas state that the site is too small to allow the joint centre, but could possibly allow a stand-alone development by either the University or Council. It is a very good location, near the Town Centre with transport links, however, the cost of acquiring the land would be additional and the build quality, owing to the adjacent conservation areas, would need to be relatively high and so expensive. A significant impediment to any scheme on the site would be the highways and access issues, which would be subject to planning approval. This site would be too expensive for the Council to look at in isolation.

4.6 Consultation

4.6.1 From the consultation with 172 responses, it is evident that the public want the following provision:

- 4 badminton court sports hall
- 6 lane swimming pool and toddler pool
- 50 station fitness suite
- Aerobics studio
- Climbing wall
- Café/vending area

4.6.2 As the most popular options selected. Any future provision needs to reflect these findings. The Buxton Swimming Club would prefer an 8 lane 25m pool to meet short course competition requirements.

4.7 **Options**

4.7.1 The options open to the Council in terms of affordability are restricted to refurbishing the existing site. Detailed planning and discussions would need to take place to finalise the refurbishment plans, costs and timetable for delivery with our preferred contractor D.C. Leisure.

5. **IMPLICATIONS**

5.1 **Resources**

The Council has £2.2m set aside for the provision of indoor leisure facilities in Buxton. The anticipated capital receipt from the Market Street Depot site is likely to be significant. The anticipated cost of refurbishing the existing pool and adding a fitness suite and viewing gallery for the pool is £3m. The cost of the feasibility study by Drivers Jonas was jointly funded by the Council and University, costing £25k in total.

The Council has selected a preferred partner to manage the Council's Leisure Centre. The Council needs to discuss the most economic and effective way of refurbishing the existing pool with the contractor, D.C. Leisure management, to keep the costs down with regards to required refurbishment related closures and the on-going revenue position of the service after the upgrade.

5.2 **Legal**

Any agreements relating to the operation of the refurbished pool would need to be reflected in the contracts between the Council and D.C. Leisure management.

5.3 **Community Safety**

Nothing specific. Good quality leisure provision can divert young people away from nuisance/anti-social behaviour.

5.4 **Environment**

The investment in the swimming pool should make it a more energy efficient building. However, a new build would probably be 'greener' to operate.

5.5 Consultation

Public consultation event held in July 2006 demonstrated that residents were after value for money and not precious about the existing pool's location. The recent consultation demonstrated that local people want the facility mix identified in 4.6.1.

5.6 Risks

- Residents do not see the refurbishment of the existing pool as appropriate to the Town's future needs or value for money.
- The costs of refurbishment may be higher than the budget available, so the specification and build need close management.
- The life of the pool building may be extended by 20 years but a new build would expect to last 30 – 40 years, potentially providing better value for the total life of the investment.

6. APPENDICES

- 6.1 Appendix A - Executive summary of the study, produced by Drivers Jonas
Appendix B - A summary of the consultation results

Appendix A

BUXTON LEISURE FACILITY
 OPTIONS APPRAISAL
 FINAL REPORT, OCTOBER 2007 4

1. Executive Summary

Background

1.1 Drivers Jonas have been jointly appointed by High Peak Borough Council, and University of Derby, to look at the feasibility of constructing a new wet & dry leisure facility in Buxton, for use by the University and local community.

Facilities Mix

1.2 A schedule of the facilities was drawn up in conjunction with the University and the Council, together with the use profile of each partner. The facilities were then categorised as essential or desirable, from which three options

1.3 were looked at. The following table confirms the facilities in each option.

	Option 1a	Option 1b	Option 1c
	Desired	Essential	Alternative
Sports Hall (8 court hall)	x		
Sports Hall (4 court hall)		x	x
Store	x	x	x
8 lane 25m swimming pool	x	x	
6 lane 25m swimming pool			x
Pool Store	x	x	x
Plant Room	x	x	x
100 station fitness suite	x		
80 station fitness suite		x	
50 station fitness suite			x
Aerobics Studio (capacity 40)	x	x	
2 x classrooms	x		
Main Reception (inc 2 x staff offices)	x	x	x
Café/Vend Area	x	x	x
First Aid	x	x	x
Staff Room	x	x	x
Male/Female Wet Change	x	x	x
Male/Female Dry Change	x	x	x
Full-Size Floodlit Artificial Pitch *	x	x	x
Climbing Wall	x		
Bouldering Facility		x	
Parking & external works	x	x	x
Service Infrastructure & drainage	x	x	x
FF & E	x	x	x
Fees (13%)	x	x	x
Inflation (9%) mid-point of			
Construction	x	x	x
Contingency (20%)	x	x	x
Risk/Ground Conditions	Excluded	Excluded	Excluded
Cost Estimate	9,632,290	7,958,084	6,613,194

Appendix A

1.4 A new synthetic turf pitch will be required if the Buxton Community School site is determined to be the best location.

Site Appraisal

1.5 The following sites were identified by the Client Steering Group and were subject to a more detailed review as part of the report:

- Market Street Depot (Borough Council owned urban site)
- Ashwood Park (Borough Council owned parkland)
- Buxton Community School (Charitable Trust)
- Buxton Community School Playing Fields (Derbyshire County Council owned)
- Burlow Road (Existing University of Derby sports ground)

1.6 Each site was appraised against the following criteria to test the suitability of the site.

- Test of Fit
- Synergy with existing uses
- Site Conditions
- Transport & Access
- Partnership Opportunities
- Planning

1.7 A further review was carried out of some of the commercial aspects including development costs, revenue implications and land availability to see whether this would be so significant to affect the outcome of the site appraisal.

1.8 It was clear from the review of the available sites put forward by the University and the Council, that there is a significant lack of available land within the town boundaries, and consequently there are very few suitable and/or available sites for such a development. It should be noted that the number of Greenfield sites put forward for review was high, and it is expected that the relevant planning departments will act with sensitivity and exercise necessary caution when making any decision. All of the sites considered by the study are therefore likely to receive a high level of public opposition.

1.9 The most appropriate site for a new leisure development from a planning point of view is the Market Street Depot site. However, this site is too small to accommodate the proposed facilities.

1.10 The next most appropriate site is the Buxton Community School site. This introduces a third partner and makes the scheme a more sustainable proposition. It is therefore recommended that a new leisure facility be progressed on the Buxton Community School site, with the existing synthetic turf pitch (STP) being reprovisioned on the playing fields off Green Lane.

1.11 The reprovision of the STP will however reduce the area for playing space to approximately 4.5 hectares (assuming that the STP is counted double due to its intensive usage when compared to a grass pitch). This is below the DCFS requirement for 5.5 hectares required to meet the school's specialist sports designation. Agreement would therefore be required from DCFS and Sport England to the reduction in playing space, although it is felt that this could be justified on the basis of the improved sports provision provided by the new facilities.

1.12 More significantly, a Town and Village Green Application (TGV) has been lodged on part of the School's playing fields. A plan of showing the extent of the application is attached as **Appendix N**. This was lodged whilst this

Appendix A

report was being prepared, and is not therefore referred to at great length in the main text of the report. This is a significant obstacle to the development of a new centre as it would prevent development on the playing fields, including the relocation of the synthetic turf pitch, if the application were approved. Either way, it will significantly delay the proposals whilst the application is considered by the County Council and the inevitable public enquiry.

Land Values

1.13 The development value of each of the sites, including the existing swimming pool site was assessed. This is summarised in the following table.

Site	Value	Comments
Market Street Depot site	Commercial in confidence	Based on existing use plus slight element of
hope value for alternative development		
Buxton Swimming Pool	£50,000	Spot value
Ashwood Park	£100,000	Based on existing use assumed to continue to perpetuity with potential liability for on-going management
Buxton Community School	£200,000	Based on sports pitch use but red line excludes changing facilities or parking
Buxton Community School Playing Fields	£250,000	Based on existing playing field use with limited changing and parking facilities
Land off Burlow Road	£130,000	slight uplift for hope of securing sports-based development based on the outstanding application on the adjacent site. Excludes hope value for alternative uses

1.14 The only site with any real development potential at the present time is the Market Street Depot site, which is considered suitable for a mixed use development.

1.15 The existing swimming pool site is landlocked, with no formal access, and as such, there is no real value in this site for an alternative use.

Costs

1.16 It was established that the University and Council could contribute £1.5m and £2.5m respectively, to fund the leisure facility. This would provide a total contribution of £4m.

1.17 The table below provides a cost estimate for each of the facility mix options, together with the funding gap.

Option	Cost	Funding Gap
1a . Desired Model	£9,632,290	£5,632,290
1b . Essential Model	£7,958,084	£3,958,084
1c . Alternative Model	£6,613,194	£2,613,194

1.18 The above costs are turnkey figures and include professional fees, fitout/ FF&E costs, contingency and an allowance for inflation (based on the programme contained within this report). VAT is excluded.

Appendix A

1.19 There is a significant funding gap for all three options and other funding sources need to be investigated to close the gap. An assessment of alternative sources of funding is contained within the main body of the report.

Procurement/Programme

1.20 A review has been carried out of the available procurement routes for the building, and its subsequent management and operation. This has established the following:

- That (a) the building and (b) its operation and management, should be procured separately.
- The building should be procured using a .develop and construct. procurement route.
- The operation and management of the new centre should be outsourced to a private operator.

1.21 Three options have been identified for the procurement and operation of the new centre:

- Council to procure both the building works and the management operation.
- University to procure both the building works and the management operation.
- Special Purpose Vehicle (SPV) to be set up to deliver and manage the new facilities.

1.22 These options will need to be considered further by the Client group to establish the preferred option.

1.23 The new leisure facilities could be delivered by March 1010 if an early start is made on its procurement.

Next Steps

1.24 The following steps should be taken, in order of priority, to move the project forward. If the first two points cannot be closed out, then the stakeholders should consider their fall back position:

(i) Seek clarification from the County Council on the likelihood of the Town and Village Green Application being approved and the timescales for the determination of the application. It is also advisable for the Council to take legal advice on this matter.

(ii) Seek clarification from DCFS and Sport England that the proposals and the reduction in .playing space. will be acceptable.

(iii) Obtain a firm commitment from the University, Council and Community School/County Council to progress the proposals for a new centre on the Buxton Community School site. This should be formalised in a Heads of Terms agreement, which will set out what each party will bring to the partnership (such as funds, resource, use/benefits, etc.)

(iv) Explore the funding opportunities identified in this report.

(v) Agree the preferred procurement and operation/management option for the new centre.

Appendix A

(vi) Appoint an experience project manager and design team to design and procure the construction work.

Fall Back Position

1.25 In light of the TVG application, it is strongly recommended that both the University and the Council consider the alternatives available to them should the location for the new centre on the School site prove to be unacceptable to DCFS and/or Sport England, or an agreement on the way forward cannot be agreed with the other partners.

1.26 The options available to the Council are as follows:

- To progress a much reduced scheme on the Market Street Depot site. However the site constraints mean that it will accommodate only a basic swimming pool with some limited ancillary facilities. The ability to develop the site for an alternative, and profitable use, will also be lost.
- To carry out a significant refurbishment of the existing swimming pool.

1.27 The options available to the University are as follows:

- To look to develop a new centre on an alternative site.
- To look at other ways to work with Buxton Community School (or another partner) to provide a replacement sport hall for their current facility at Harpur Hill (as required by the development agreement for Harpur Hill).

Appendix B - Buxton Leisure Consultation Oct 2007

