

 <b>1<sup>st</sup> November 2017</b>		<b>Agenda Item No.</b>  <b>7</b>
<b>Title</b>	Tach Brook Country Park	
<b>For further information about this report please contact</b>	Chris Elliott David Anderson Chris Garden	
<b>Wards of the District directly affected</b>	Myton and Heathcote, and Bishop's Tachbrook	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	3 <sup>rd</sup> December 2014 Minute No. 89	
<b>Background Papers</b>	Warwick District Council Local Plan.	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality Impact Assessment Undertaken</b>	No (If No state why below)
This will follow when the detailed design of the Country Park is undertaken.	

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	10.10.17	Chris Elliott
Head of Service	10.10.17	Robert Hoof, Tracy Darke
CMT	10.10.17	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	10.10.17	Mike Snow
Monitoring Officer	10.10.17	Andrew Jones
Finance	10.10.17	Mike Snow
Portfolio Holder(s)	10.10.17	Cllr Mrs Grainger and Cllr Rhead
<b>Consultation &amp; Community Engagement</b>		
The principle of the Tachbrook Country Park has been the subject of consultation through the statutory Local Plan process. Further consultation on the detailed content and layout of the County Park is required and will be undertaken as a key element of the design process. Council officers have met with Bishops Tachbrook Parish Council in July 2017 to discuss next steps of the project and to share information.		
<b>Final Decision?</b>	No	
<b>Suggested next steps (if not final decision please set out below)</b>		
Further reports and approvals will be required to confirm final design, project funding and procurement of the construction of the Country Park.		

## **1. Summary**

- 1.1 This report provides an update on the background and progress of the Tach Brook Country Park and seeks Executive approval to procure the services of a design team for the Country Park.

## **2. Recommendation**

- 2.1 That the Executive notes progress on the Tach Brook Country Park.
- 2.2 That the Executive endorses the approach set out in this report to developing and delivering the Tach Brook Country Park in line with Policy DS13 of the newly adopted Local Plan.
- 2.3 That the Executive approves the procurement of a Design Team to develop the concept and design of the Tach Brook Country Park and to engage with key stakeholders as part of the design process.
- 2.4 Subject to 2.3 being approved, that the Executive agrees to fund the work from S106 receipts but if they are not received in time, that the work is forward funded by drawing upon the Local Plan Delivery Reserve in 2018/19 for up to £66,000.

## **3. Reasons for the Recommendation**

Recommendations 2.1 and 2.2

- 3.1 Tach Brook Country Park will be established as part of the planned urban extension to the south of Whitnash, Leamington Spa and Warwick on land south of Harbury Lane located between Lower Heathcote Farm and Grove Farm. The Country Park is a specific requirement of Warwick District Council's Local Plan to create a well-designed and functional Country Park that will form part of the green infrastructure for the planned development. This report sets out the mechanism through which the District Council will fully implement the Local Plan policy.
- 3.2 The Council has also entered into several S106 Planning Agreements that place obligations on developers and the Council regarding the delivery of the Country Park. This includes the transfer of land upon which the Country Park will be created and funding contributions for the construction and maintenance of the Tach Brook Country Park.
- 3.3 The newly adopted Warwick District Local Plan proposes a new Country Park of approximately 62 hectares. The new Tach Brook Country Park will form one of the largest green open spaces in Warwick District and will be the main green space within the urban extension. Subsequent planned public open space within proposed developments will link to the Country Park providing a seamless and integrated network of semi natural, formal and recreational green spaces.
- 3.4 Land to the west of Europa Way and north of the Tach Brook is also proposed for residential development. Within the schemes agreed open space along the Tach Brook is proposed so there is a clear opportunity to extend the country park experience west of Europa Way all the way to Banbury Road. This open space and expense will come forward as part of approval of reserved matters applications but it should be designed as part of the overall Country Park proposal.

- 3.5 A high-level masterplan of the Country Park was produced for the Council in 2014. Further development and design of the Country Park concept is now required so that it can be agreed.

*Recommendation 2.3 Design and Construction of the Country Park*

- 3.6 The WDC Green Spaces Team will be responsible for the management of the Country Park project.
- 3.7 It will be essential that the design for the Country Park is deliverable within the available budget. There will be choices to be made and options to be considered for what is and is not included within the design. Meaningful engagement and consultation with key stakeholders needs to take place to consider these issues.
- 3.8 The brief will require the Design Team to consider options to develop the Country Park facilities over time when opportunities for further funding present themselves.
- 3.9 Approval is being sought for the procurement of the design of the Country Park. This would involve the procurement of a lead design consultant, ideally a landscape architect, who would be responsible for developing the current concept, considering and appraising options for inclusion in the Country Park, and managing the detailed assessments required to inform the masterplan design. This stage would also involve/require a considerable amount of time to engage and consult with the key stakeholders. It would also require the preparation and submission of a planning application resulting in planning consent.
- 3.10 Key deliverables from the design stage would be a report, design and associated appendices that provide:
- clear evidence of extensive stakeholder engagement and how this will be maintained going forward;
  - site information including the collation of information regarding the history, ecology and current use of the site and potential constraints;
  - assessment of any technical issues (e.g. drainage);
  - a masterplan and detailed design for the Country Park;
  - a Risk Register for the project;
  - planning consent for the Country Park;
  - any further technical approvals;
  - a clear scope of works that can be used in the next stage of procurement;
  - a detailed cost estimate to provide a clear cost estimate for the construction and maintenance of the Country Park;
  - a Project Plan showing a detailed timeline and proposals for tendering, construction and implementation of the Country Park.
- 3.11 A report on the progress of the Country Park design will be brought to a future meeting of the Executive before a planning application is submitted. That report will seek approval of the Country Park Design and will seek authority to submit a planning application. It will also set out and seek approval for the next stage of delivery for the Country Park, which would involve the procurement of a works contract to build the Country Park.

### *Land Required for the Country Park*

- 3.12 The land required to deliver the Country Park is currently in private ownership. It will be secured for use as a Country Park by way of S106 agreements for three developments. The S106 Agreements set out the process by which the land for the Country Park will be agreed, offered and transferred to the ownership of Warwick District Council. At its meeting on 3<sup>rd</sup> December 2014 the Executive resolved to accept the principle of acquiring all land required to deliver the Country Park. The land from each development will be transferred to WDC for £1. The land will become an asset with the Council responsible for its ownership and ongoing maintenance.

### *Funding Required for the Country Park*

- 3.13 Financial contributions for the delivery of the Country Park are established in various S106 Agreements for several major developments in the south Warwick/Leamington area. Developer contributions of £768 per dwelling for the Country Park have been secured.
- 3.14 The Country Park will need to be designed in such a way that it can be delivered within the budget created by the S106 Funding Contributions. The S106 funding has been set at a level sufficient to meet the cost of creating a basic new Country Park. This includes maintenance costs for 13 years, based upon figures provided by Warwickshire County Council's ecology service.

### *Construction of the Country Park*

- 3.15 A further report will be brought to the Executive, prior to the submission of the planning application for the Country Park, which will set out proposals for its construction. This would involve the procurement of the works contract to deliver the Country Park.

### *Management and Maintenance of the Country Park*

- 3.16 Once constructed the Green Spaces Team and Contracts Team will have responsibility for the ongoing management and maintenance of the Country Park.

## **4. Policy Framework**

### **4.1 Fit for the Future (FFF)**

- 4.1.1 The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things it contains several Key projects. The Tachbrook Country Park is one of those Key projects. This report shows the way forward for implementing a significant part of one of the Council's Key projects.

- 4.1.2 The FFF Strategy now has 3 pillars – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of the proposal in this report.

People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
Intended outcomes: Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	Intended outcomes: Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	Intended outcomes: Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
Impacts of Proposal		
<i>It will complement the Districts recreational opportunities</i>	<i>It will deliver accessible open space to a large part of the District that currently experiences a lower degree of access. It will also help to attract people to use its wider green spaces in the District. It is potentially a Green Flag standard site.</i>	<i>It will have a beneficial effect on the local economy in terms of attracting visitors and potentially creating new jobs</i>
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
<i>The scheme will offer the opportunity for some staff to become involved in developing and delivering the Councils first and only Country Park</i>	<i>Any revenue generated will help the Council to maintain or improve its services</i>	<i>The financial implications will be addressed when the scheme design work and options has been completed.</i>

## 4.2 Supporting Strategies

### Local Plan

4.2.1 The proposal to establish the Country Park is set out in Policy DS13 of the newly adopted Local Plan for Warwick District. This Policy allocates land adjoining the Tach Brook for a Country Park and is set out below.

4.2.2 *DS13 Allocation of Land for a Country Park*

The Green Infrastructure Study 2010 and Green Space Strategy 2012 identified gaps in Accessible Natural Green Space. This is particularly the case in the southern part of the Warwick, Leamington and Whitnash urban area. This area is also more limited in terms of pedestrian access to the wider network of footpaths in the countryside. Therefore, the Council considers that it is appropriate to address this deficiency especially given the scale and location of development proposals in this part of the District. Furthermore, a new country park in this location will provide a substantial, and permanent, landscape buffer between the edge of the urban area and the village of Bishop's Tachbrook, whilst offering opportunities for all communities to enjoy this new asset.

Green Space Strategy

4.2.3 The provision of a Country Park will help to deliver the Council's Green Space Strategy, which seeks to provide sufficient accessible green space to meet current and future demand and to address any deficiencies.

4.2.4 The park will be a multifunctional green infrastructure asset to:

- a) Provide a strong 'green buffer' between the North of Bishop's Tachbrook and the southern edge of new development sites off Harbury Lane. This will include minimising the visual impact of development and softening the edge of new housing schemes.
- b) Promote ecology and habitat diversification in a landscape which has historically been associated with modern farming and other uses (part of the Seven Trent site for example).
- c) Play a role in flood alleviation, particularly considering the proximity of a significant numbers of new houses (some balancing ponds have already been agreed).
- d) Provide a functional park facility which is well connected to new developments, in terms of access points and the wider walking and cycling infrastructure. While the park may have a defined character, it is also part of a wider brook valley / green corridor.
- e) Provide a park facility of an appropriate scale to support informal leisure activities for people living within the wider south of Whitnash/Leamington/Warwick catchment area, who currently have relatively less accessible natural green space and limited access to the wider countryside.

4.3 **Impact Assessments** – No impact assessments have been undertaken on the project. One will be undertaken as part of the design process.

## 5. Budgetary Framework

5.1 There are Capital and Revenue costs associated with this project. The Report to Executive on 3rd December 2014 set out the basis for WDC to take forward the delivery of the Country Park. The report included details of the Capital and Maintenance costs necessary to deliver the Country Park.

5.3 The underlying principle is that the Country Park will be delivered through the Funding Contributions secured from the S106 Agreements referred to above. These include the initial cost of design and construction (estimated at £1.38m) and subsequent maintenance for 13 years (estimated £859k, giving £2.24m in

total). The cost of management and maintenance would fall to the Council thereafter. These figures are from the original Red Kite Business case of 2014, and are likely to be subject to subsequent inflationary increases. S106 financial contributions of £2.046m have so far been agreed, and are due to be paid in future years as agreed triggers are met.

- 5.4 This report seeks approval for the procurement and appointment of the Country Park Design Team. The cost of the design stage is estimated to be in the region of £100,000. S106 Funding Contributions totalling £34,000 have already been received and further contributions are to be made that would more than cover the cost of the design stage. Should these contributions be delayed it is proposed that the Council would forward fund the balance by drawing upon its Local Plan Delivery Reserve for up to £66,000. This would be likely to be in 2018/19 financial year not the current one. The Local Plan Delivery Reserve currently has an unallocated balance of £149k. In this scenario, once the S106 receipts are received then the Local Plan Delivery Reserve can be refunded.

## **6. Risks**

- 6.1 There are some financial and reputational risks that arise from taking on responsibility for the delivery of the Country Park. These are as follows:
1. There is an expectation from key stakeholders that WDC will deliver the Country Park. Any delay or increase in cost will lead to a reputational risk to WDC. This risk will run throughout the project and beyond.
  2. There is a Financial Risk associated with taking ownership of the Country Park Land.
  3. There is a risk that development does not progress at the pace anticipated, which would result in a delay to the payment of S106 Country Park Funding Contributions. This risk only becomes a financial risk to WDC if a works contract has been let.
  4. Increased cost of capital works.
  5. Increased maintenance costs.
- 6.2 A full risk review will be undertaken as part of the Design Stage. The risks can also be mitigated by the delivery of Tach Brook Country Park being project managed in line with the Council's adoption of the Prince2 methodology. A Project Initiation Document and Business Case will be completed to support the delivery of the project.

## **7. Alternative Option(s) considered**

- 7.1 An alternative option was considered at Executive on 3<sup>rd</sup> December 2014. In this option the Council would not take on the transfer of the Country Park Land. In this scenario the developer would propose a scheme for a Country Park themselves with the land remaining in private ownership. This would mean that the Council had less control over the design and use of this element of the park and cohesion between the different ownerships could prove more problematic. The land would also be managed by a private management company and experience indicated that they did not always manage green spaces to the standards to which the Council aspired. Executive supported the principle of the Council retaining control and ownership of the Country Park.