



ADDITIONAL / TO FOLLOW AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

NOTTINGHAM CITY COUNCIL **TRUSTS AND CHARITIES COMMITTEE**

Date: Friday, 21 July 2017

Time: 2.00 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

Governance Officer: Catherine Ziane-Pryor **Direct Dial:** 0115 876 4298

AGENDA

Pages

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| 6 | NOTTINGHAM ENTERPRISE ZONE SUSTAINABLE TRANSPORT PACKAGE
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Trust and Charities Committee – 21st July 2017

Title of paper:	Nottingham Enterprise Zone Sustainable Transport Package	
Director(s)/ Corporate Director(s):	David Bishop Deputy Chief Executive/ Corporate Director for Development and Growth Hugh White Director of Sport and Culture	Wards affected: Dunkirk and Lenton
Report author(s) and contact details:	John Bann, Cycling and Roadspace Transformation Manager john.bann@nottinghamcity.gov.uk Tel: 0115 876 4014 John Whyld, Head of Technical and Project Management Services, NRL john.whyld@nottinghamcity.gov.uk Tel: 07415 395 332	
Other colleagues who have provided input:	Eddie Curry, Head of Parks, Open Spaces & Investment Funding eddie.curry@nottinghamcity.gov.uk Tel:- 0115 8764982	
Date of consultation with Portfolio Holder(s) (if relevant)	7 th June 2017	
Relevant Council Plan Key Theme:		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input checked="" type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
<p>The purpose of this report is to seek approval for the use of Highfields Park Sports Ground land to accommodate proposals for a brand new pedestrian and cycle link that will directly connect University Boulevard with Thane Road and includes a new shared use bridge over the Nottingham-Derby railway. It is proposed to provide a one-off mitigation contribution as compensation for the loss of sports ground space and arrange an appropriate legal arrangement between the Trust and Nottingham City Council for the use of Trust land to accommodate the new route.</p>		
Recommendation(s):		
1	For the Committee to note the proposals for a new pedestrian and cycle route to link George Green Way and University Boulevard with Thane Road through the new Nottingham Enterprise Zone (Alliance Boots) and Nottingham Science Park with controlled access to the Tennis Centre and Highfields Park Sports Ground.	
2	To agree to receive a one-off mitigation financial contribution to the Highfields Leisure Trust of £25,000.00 for the loss of playing pitch space to off-set the maintenance cost for Highfields Park and Sports Ground.	
3	That the Committee grants authority to the Director of Legal and Governance in consultation with the Chair of the Committee to enter into the appropriate legal arrangement with the City Council for the use of Trust Land to accommodate a new bridge structure over the main	

Nottingham-Derby railway line subject. Such delegated authority being granted subject to consultation with the Highways Authority and the Charities Commission relating to their requirements for a legally compliant transaction.
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1 REASONS FOR RECOMMENDATIONS

- 1.1 The new pedestrian and cycle facility will improve direct pedestrian and cycle access to Highfields Park and Sports Ground, the Tennis Centre, University of Nottingham and the new tram stop on University Boulevard. The new route will connect to a wider network of off-road and on-road cycle routes and links to local residential areas of Beeston, Rylands, Chilwell and Clifton and routes adjacent to the River Trent and the canal (Big Track Waterside Route) used for commuter and leisure cycling.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Nottingham City Council have developed proposals for new cycle and pedestrian measures to support the development of the Nottingham Enterprise Zone (Alliance Boots site) through new and improved sustainable transport connections from the site to the wider transport network.
- 2.2 In November 2016, the City Council secured £6m from the D2N2 Local Economic Partnership (LEP) for a package of sustainable transport improvements to be delivered primarily within the Alliance Boots site designated as an Enterprise Zone. The key area of investment will be the creation of a new pedestrian and cycle link to connect University Boulevard with Thane Road through Nottingham Science Park and Walgreens Boots Complex and a new shared use bridge over the Nottingham-Derby railway.
- 2.3 The proposed shared use bridge will span the main Nottingham-Derby railway line located in the south-east corner of Highfields Park Sports Ground (see Appendix 1) including Beeston sidings at a height of 5.8m above the tracks in order to accommodate future line electrification proposals. Two bridge approach spans leading to the bridge will be constructed; one positioned alongside Boots D109 building on the south-side of the railway within the Boots Alliance complex and one through an area of Highfields Park Sports Ground, and over the watercourse within the Beeston Sidings Local Nature Reserve on the north-side.
- 2.4 An area of Highfields Park Sports Ground adjacent to the Local Nature Reserve will be temporarily occupied in order to facilitate the bridge being lifted into place. The proposed programme for occupation is September 2017 – May 2018. The four new grass tennis courts will not be affected by construction works.
- 2.5 The approach span within Highfields Sports Ground (Tennis Centre) will consist of 6 concrete piers installed 17.5m apart between the Network Rail boundary fence and the nature reserve. It will span over the watercourse leading onto an earth embankment down to ground level to connect with the new route through the Nottingham Science Park development and onwards onto George Green Way and University Boulevard.
- 2.6 The proposed permanent alignment of the bridge approach within Highfields Park Sports Ground has been changed following engagement with the Tennis Centre to

reduce the impact on the Centre's facilities including future improvements to the four new Grass Tennis Courts and storage facilities.

- 2.7 The new bridge will provide opportunities to improve direct access to the Highfields Park sports pitches and the Tennis Centre by including access points from the bridge approach span. Control measures will be in place to maintain security (Tennis Centre).
- 2.8 There will be a 2.1m – 5.8m head clearance beneath the approach span running through the sports ground area; therefore no height restrictions for general public access. It is proposed to re-turf the area in accordance with the original layout however other options may be considered in consultation with Parks and Open Spaces and the Highfields Trust. The scheme does not include proposals to restrict public access to the Highfields Park Sports Ground area that is currently possible from the Local Nature Reserve.
- 2.9 The full route between Thane Road and University Boulevard will become adopted highway; maintainable by Nottingham City Council as the Highway Authority; there will be no ongoing financial risk to the Highfields Trust.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Providing a one-off payment is the only identified method of a mitigation contribution to the Highfields Leisure Trust as this will be met by the capital funding budget. There will be no revenue budget available to provide an ongoing annual contribution to the maintenance cost for the park and sports ground.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The recommendations within this report provide a benefit as the Trust can invest the £25,000 along with its current investments (current dowry balance: £188,500), this receipt would make the Trust's investment balance £213,500.

The land (which this report recommends the trust leases to Nottingham City Council) is not used to generate income for the Trust and the works will not affect the playing pitches / courts.

All ongoing maintenance of the land leased to the Council will become the responsibility of the Council and it is anticipated that by leasing the land the Trust can slightly reduce its ground maintenance expenditure.

Tom Straw
Senior Accountant – Capital Programmes
12 June 2017

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The procurement team has no significant concerns with the recommendations set out in the report and will support the client through any future procurement activity in relation to the scheme, to ensure compliance with Public Contract Regulations and that value for money is achieved. Page 5

- 5.2 The proposed decision is supported subject to consultation with and satisfying the requirements of the Highways Authority and the Charities Commission.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

- 6.1 There is a clear benefit to the public of improving access routes over the railway line and it will not just improve links for the University and Enterprise Zone but will increase the public awareness and use of the park as well.

However the primary objective of the Highfields Trust is to provide public recreation and pleasure grounds for the people of Nottingham forever, and the proposed use of the land does not meet this criteria on its own.

The financial contribution to the Trust has been assessed by Strategic Assets and Property. It has been calculated by assessing the potential rental value of the land taken for leisure purposes and capitalising it in perpetuity at an appropriate rate taking in to account all perceived risks. It is felt to be a true and fair reflection of the value of the land used, and by reinvesting this amount in the upkeep and upgrading of the rest of the park, the overall benefit to the Trusts objectives are felt to outweigh the loss of land.

John West
Estates Surveyor
12 July 2017

7 EQUALITY IMPACT ASSESSMENT

- 7.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

The new pedestrian and cycle link will improve community access to facilities and amenities that will encourage usage and participation. The key recommendation of this report is the financial contribution that will off-set the maintenance costs for the park and sports ground.

Yes



8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 None




9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 9.1 Appendix 1: Location Plan of proposed pedestrian and cycle route.



<https://www.google.co.uk/maps/@52.9290788,-1.1843858,1502m/data=!3m1!1e3?hl=en>

Option 1

-  Preferred route
-  Proposed route (controlled) into Boots site for staff/visitors
-  Proposed railway bridge

- Notes:
1. If this drawing has been issued electronically, it is the recipients responsibility to print the drawing to the correct scale.
 2. All dimensions in metres unless stated otherwise. DO NOT scale from this drawing, use written dimensions ONLY. Where additional information is required please contact the Engineer.
 3. All discrepancies are to be reported to the Engineer.

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Rev.	Date	Details	By
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Development & Growth

Highway Design
Loxley House
Station Street
Nottingham
NG2 3NG
Telephone: 0115 915 5555

Scheme Boots Enterprise Zone		
Title Cycle Footbridge Plan Preferred Option as at 15/11/16		

Drawn FWK	Scale (printed @ A1) As Shown	Date 08-11-16
CAD FWK	Checked	Authorised

Drawing Number HD/19687-008	Revision
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Trust and Charity Committee 21st July 2017

Title of paper:	Grass Tennis Courts on Highfields Sports Ground	
Director(s)/ Corporate Director(s):	Andy Vaughan Corporate Director Commercial and Operation Services Hugh White Director of Sport and Culture	Wards affected: Dunkirk and Lenton
Report author(s) and contact details:	Eddie Curry Head of Parks Open Spaces & Investment Funding eddie.curry@nottinghamcity.gov.uk Tel:- 0115 8764982 John Wileman Head Sport and Leisure and Community Centres John.wileman@nottinghamcity.gov.uk Tel: - 0115 876	
Other colleagues who have provided input:	Mike Wisner – Chief Operating Officer Nottingham Tennis Centre, Tel: (0115) 876 5563 mike.wisner@nottinghamcity.gov.uk John West- Estates Surveyor Tel: (0115) 876 3086 John.west@nottinghamcity.gov.uk Connie Green – Solicitor Tel:(0115) 8764294 connie.green@nottinghamcity.gov.uk Thomas Straw - Senior Accountant Capital Programmes Tel: (0115) 8763659 Thomas.straw@nottinghamcity.gov.uk	
Date of consultation with Portfolio Holder(s) (if relevant)	Cllr Dave Trimble Portfolio Holder for Leisure and Culture 19 th May 2017	
Relevant Council Plan Key Theme:		
Strategic Regeneration and Development		<input type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input checked="" type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
<p>This report presents proposals and seeks approval for the City Council to enter into a long term deed of dedication or extended licence with the Highfields Leisure Trust for the use of land dedicated to 4 new Grass Tennis Courts at Highfields Sports Ground.</p> <p>The project to build the courts was delivered in the summer of 2016 and funded by the Lawn Tennis Association (LTA). The new courts have increase the number / availability of Grass Courts / improve community access to tennis coaching and top class facilities and importantly the improvements will also help the City to secure a long term investment from the LTA and continue to build on Nottingham's reputation as a Leading Tennis Tournament Facility.</p> <p>The total value of the investment was £128,000 with opportunities for additional revenue through events and increased in participation. The City Council will pay £1,500 per year to the Highfields Trust for the lease of the land and the courts will be maintained directly by the Tennis centres grounds team.</p> <p>The long term deed of dedication or extended licence for the land is also subject to the development and delivery of a community use agreement.</p>		

Recommendation(s):	
1	Subject to further consultation and confirmation by the Charities Commission the Committee approves the creation of a long term deed of dedication or extended licence lease between the City Council Tennis Centre and the Highfields Leisure Trust.
2	That committee approves and delegates authority to the Director of Strategic Asset and Property Management to agree the format and terms of the long term deed of dedication or extended licence.
3	The committee approves and delegates authority to the Director of Sport & Culture to continue the preparation of the detailed Community use agreements with the Tennis Centre and the LTA.

1 REASONS FOR RECOMMENDATIONS

- 1.1 The recommendations are being sought in order to formalise in the form of a long term deed of dedication or extended licence for the use of the land and ensure that the long term community use of the land continues to deliver community / sporting activity in line with the charitable objects of the Highfield leisure Trust.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Highfields Sports Ground is one of the most popular and well used facilities / sports grounds within the City. The Sports Ground contains a wide range of grass football pitches and provides space for a range of both summer and winter events. The Sports Ground is located adjacent to the Nottingham Tennis Centre and also often helps provide parking for the major events at the Tennis centre e.g. the WTA Nottingham Open.
- 2.2 The 4 new grass courts will ensure that a long term future for the major international week of tennis at the site where for the first time men's and women's international tennis will be played in the same week in Nottingham increasing the interest and hopefully the quality of players who will be taking part. The additional courts will open up opportunities after the tournament for local people to play on top quality grass courts, an experience which is not readily available. It will also allow the centre to further enhance our offering to schools where we engage over 3,500 school children in our events and over 30 schools on an annual basis, which has a direct influence on increasing participation and revenue to the centre.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Without full approval of the recommendations the Council will not have a compliant secured use of the land and the charity will not comply with the charity commissions regulations.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The proposed long term deed of dedication or extended licence is to be let a full repair and maintenance deed / licence and does not add any additional financial risk

to the Highfields Trust. If approved this deed/ licence would generate an additional annual rent of £1,500 P/A. In addition to the increased revenue generated by entering into the proposed lease the Trust would also benefit from having reduced on-going maintenance costs.

Thomas Straw - Senior Accountant Capital Programmes 22/6/17

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The proposed new long term deed of dedication or extended licence will need to be on terms and conditions which provide value to the charity and which satisfy the requirements of the Charity Commission. In this regard further discussion will need to be had with the Charity Commission regarding its exact requirements.

Connie Green – Solicitor 22/6/17

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

- 6.1 Careful consideration will need to be given to the terms of the long term deed of dedication or extended licence and suitable Heads of Term will need to be drafted and subsequently agreed. All appropriate risks will need to be covered to minimise any future liability on the Council. Consideration will also need to be given around other users of the site, and access rights etc. There are however, no objections to the principle of entering in to a long term full repairing and insuring deed of dedication or extended licence

John West- Estates Surveyor 22/6/17

7 EQUALITY IMPACT ASSESSMENT

- 7.1 Has the equality impact of the proposals in this report been assessed?

An EIA has not been completed as this proposal will secure improved community access and participation.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 N/A

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 9.1 Trust and Charities Committee 29th July 2016- Highfields Park Sports Ground LTA Tennis Court Improvements

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