

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4987

Author:

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Department:

Communities, Environment and Resident Services

Contact:

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Subject:

Victoria Embankment Water Play Experience (Paddling Pool)

Total Value:

£250,000 (Type: Capital and Revenue)

Decision Being Taken:

1. To approve acceptance of the National Lottery Fund (NLHF) Community Fund grant of £200,000 for capital improvements to Victoria Embankment Paddling Pool.
2. To approve acceptance of the NLHF Community Fund grant of £50,000 for revenue funds towards the delivery of an activity plan for the site post completion of the capital works.
3. To approve an in year externally funded extension to the capital programme.
4. To delegate authority to the Director of Residents Services to continue with the procurement of the design and build and enter into contracts relating to project.

Reasons for the Decision(s)

The new 25-year Green Space Strategy - Greener, Healthier, Happier is now in its final phase of production. The strategy will provide a strategic action plan to help guide the improvement of environmental practices and will seek to contribute to other city priorities such as mitigating climate change, increasing biodiversity, creating nature-rich active travel corridors, and it will help drive up the quality of our green spaces and it will improve the health and wellbeing of our residents. As part of the strategy, prioritised ward based green space investment plans have been produced.

The project detailed within this report has been identified as strategic green space ward-based priority. The paddling pool has for many years been in need of investment and in recent years the facility has had to be closed due to failure in the pumping system and pool infrastructure. The public response clearly identified support / demand for its improvement and reopening. During the summer months, the value of an outdoor water-based facility has been clearly demonstrated particularly during long periods of dry and extremely hot weather. This has also been exaggerated by the cost of living crisis as many families have stayed at home during the summer holidays and many would have visited the paddling pool if it was not closed. Such a facility is likely to draw people from a wider area than just the Meadows and instead from across Nottingham given that there are no other similar facilities in the city.

Local consultation was carried out during the summer 2022. The consultation confirmed overwhelming support for a replacement paddling pool facility.

This evidence of need has been used to help secure £250,000 additional funding from the National Lottery Heritage Fund as per attached table. £200,000 to be allocated to the Capital build and £50,000 to be set aside to complete an activity programme at the site over a 5 year period.

Briefing notes documents:

DLT Report Victoria Embankment Water Play Experience (002)5723v2.doc

Other Options Considered:

The decision to apply for this external funding was taken to enable the best possible water play experience to be provided to replace the currently closed paddling pool.

Not to accept the NLHF Funding. The paddling pool has been identified as a priority project. This option has been rejected as the funding has been allocated to Nottingham for the purpose of improving the City's heritage by re-opening the paddling pool. Having received confirmation from the NLHF of grant funding to help with this scheme there is potentially a reputational element to not accepting this grant

Background Papers:

DLT Paper with project costs

Published Works:

DD4785 - Victoria Embankment Paddling Pool & Park Improvement Projects

Affected Wards:

Citywide

Colleague / Councillor Interests:

None.

Consultations:

Date: 14/10/2022
Ward Councillors: Michael Edwards
The ward councillors in the Meadows ward have been consulted (14/10/22) on the project and are in agreement with the funding allocations.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

The project will help to improve the visual appearance of the park and the revenue funding will offer positive activities for local communities to enjoy thus helping to drive out the fear of crime and anti social behaviour

Equality:

EIA not required. Reasons: No EIA has been produced at this time. The EIA will be produced as part of the design of the facilities process.

Regard for NHS Constitution:

The new facilities aim to encourage people to come out and enjoy a day out in the fresh air and to engage in healthy lifestyle activities whilst enjoying spending time in our open and green spaces. The activities plan will offer opportunities to learn about the environment and other healthy lifestyle options

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

21/07/2023

Advice Sought:

Legal, Finance, Procurement, Other: Eddie Curry(eddie.curry@nottinghamcity.gov.uk)

Legal Advice:

This report seeks approval to accept £200,000 NHLF capital funding, £50,000 NHLF Revenue funding and to continue relevant procurement processes required by the project.

In using the NLHF funding, the Council must comply with any terms and conditions imposed by NLHF, spend capital and revenue funding appropriately and ensure funds are spent in accordance with the bid details.

As the procurement processes are described as continuing, it is assumed that delegations to the Director of Resident Services are already in place. If so, it is unclear why there needs to be further delegations as part of this decision? In any event, the delegations must be in accordance with the Council's constitution. Any procurement process needs to comply with the Public Contract Regulations 2015 and the Council's own constitution.

Prior to entering into contracts, the Council should ensure appropriate legal advice is provided either by Legal Services or sourced through Legal Services at cost where Legal Services is unable to provide the specific support required due to the specialist nature of the work.

Anthony Heath, Senior Solicitor, Contracts and Commercial, 16th May 2023

Advice provided by Anthony Heath (Senior Solicitor) on 16/05/2023.

Finance Advice:

The proposed decision raises no financial issues, will be grant funding of £200k and £50k of Budget spread over 5 years. As it is grant funding, service area need to ensure spending is in adherence to grant regulations.

Advice provided by Sohaib Chaudhry (Senior Commercial Business Partner)

Following approval of this decision the £50k grant will be recognised within revenue while the £200k capital grant from the NLHF will be added to the current approved scheme within the capital programme. This amendment to the capital programme has been endorsed by the capital board.

Due to current financial pressures within the Capital Programme should the amended project budget of £744k be insufficient the scheme is required to be value engineered and / or additional third party funding to be identified to cover any funding pressures.

The project manager is required to ensure that the grant condition for the revenue and capital elements of the grant are complied with to reduce the risk of grant clawback.

Advice provided by Tom Straw - Senior Accountant (Capital Programmes), 29th June 2023

Advice documents: Victoria Embankment Paddling Pool.docx

Procurement Advice:

There are no significant procurement issues with the decisions being sought. All contracts for goods, services, or works, awarded in the course of or in support of the project must comply with Nottingham City Council Contract Procedure Rules and relevant provisions of the Public Contracts Regulations 2015, and the Procurement Team should be consulted to ensure this is done. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 22/05/2023.

Other Advice:

The additional funding from the NLHF will enable the paddling pool project to move forward with greater resource and confidence in our ability to deliver the project inline with both the expectations of the funders and the quality of design expected by the community. The project will help to deliver the objectives of the emerging Greener, Healthier, Happier Strategy and it will help to further regenerate and improve the facilities located at Victoria Embankment. Advice provided by Eddie Curry (Head of GreenSpace & Natural Environment) on 28/06/2023.

Signatures

Corall Jenkins (PH Energy, Environment and Waste Services, Parks)
SIGNED and Dated: 14/07/2023
Dr Ita O'Donovan (Interim Corporate Director, CERS)
SIGNED and Dated: 13/07/2023