

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

1863

Author:

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Department:

Communities

Contact:

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Subject:

VICTORIA EMBANKMENT & MEADOWS RECREATION GROUND - RESTORATION AND IMPROVEMENT PROJECT

Total Value:

£0.388m (Type: Capital and Revenue)

Decision Being Taken:

**Cricket Pavillion Refurbishment:**

1. To approve spend associated with the refurbishment of £0.388m
2. To note that £0.360m is being funded from grants and £0.028m from budgets within Nottingham City Council.
3. To note that the Capital Programme will be amended to reflect the the expenditure detailed.
4. Approve dispensation from Financial Regulations for the procurement of the cricket pavilion under the 2015 Cricket Force programme due to the discounts available via this national scheme and its partners.

**Heritage Lottery Fund (HLF) Bid**

1. Approve the proposals to be submitted to the HLF for Victoria Embankment park and note the outline project budget as set out in the briefing document.
2. To give delegated authority to the Director of Sport, Culture & Parks to continue the preparation and submission of a Stage One HLF bid and Football Association bids as required.
3. Approval to provisionally earmark £0.224m Section 106 funding towards the project. Approval to spend will be gained through an Executive Board report before Stage 2 is submitted and if Stage 1 is successful.

<b>Reasons for the Decision(s)</b>	<p>The Heritage and Big Lottery Fund "Parks for People" programme represents the only opportunity to secure the multi-million pound investment needed to restore the Victoria Embankment and Meadows Recreation Ground. When combined with the potential Football Association funding for the site's sports facilities, a £5m site refurbishment project is planned to return the site to its former glory.</p> <p>£223,693 of Section 106 funding from within the Committee area has been approved by Area 8 Committee for use in the project, to both develop the site proposals and as match funding for the capital works.</p> <p>The cricket pavilion project is proceeding as an advance package ahead of the main Masterplan due to the funding for this project being available now. The partnership with the English Cricket Board (ECB) will bring in £125,000 of funding and the requirement to deliver the project via the Cricket Force programme will generate over £91,000 of further in-kind contributions.</p> <p>Please see the Briefing Document for further information.</p>
<b>Briefing notes documents:</b>	Vic Emb masterplan DD Jan 2015 - briefing doc.doc
<b>Other Options Considered:</b>	<p>The HLF Parks for People fund is the only fund available for park restoration schemes of this nature and scale. An alternative option would be to not aim for a restoration project of this scale at the site but to proceed with a smaller restoration scheme; however, would leave many items un-repaired and wouldn't allow the development of more ambitious elements such as the new café and changing room hub.</p> <p>An alternative option for the cricket pavilion would be to tender out the build, however the ECB funding and in-kind contributions would then be lost.</p>
<b>Background Papers:</b>	Victoria Embankment and Meadows Recreation Ground Masterplan.
<b>Unpublished background papers:</b>	Victoria Embankment Masterplan-Option 7 LR 06-01-2015.pdf
<b>Published Works:</b>	<p>Area 8 Committee Report - Victoria Embankment &amp; Meadows Recreation Ground Master Plan - 13th February 2013.</p> <p>Area 8 Committee report - Victoria Embankment Cricket Pavilion - 20th November 2014.</p> <p>Area 8 Committee report - Victoria Embankment and Meadows Recreation Ground Restoration Project - 11th February 2015</p>
<b>Affected Wards:</b>	Bridge
<b>Colleague / Councillor Interests:</b>	None
<b>Dispensation from Financial Regulations:</b>	Yes
<b>Consultations:</b>	<p>Date: 11/02/2015</p> <p>Area Committees: Area 8: Clifton North, South and Bridge (from May 2012)</p>

Area 8 Capital contribution (£10,000) towards Cricket Pavilion.  
Area 8 Committee support for proposals and use of S106 funding.

Date: 13/02/2013

Other: Public consultation.

Consultation with users & user groups during 2012 & 2013, culminating in report to Area 8 Committee on 13th February 2013.

Those not consulted are not directly affected by the decision.

Crime and Disorder  
Implications:

The park restoration proposals aim to raise the quality of the site, improve future maintenance standards, and increase usage of the site, all of which will help reduce crime & disorder.

Equality:

EIA not required. Reasons: There is no proposal for new or changing policies / services / functions or financial decisions that would have a major impact on services.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

03/03/2015

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

1. The section 106 agreement dated 15 November 2011 from which this project is to be funded was linked to the redevelopment of the former Odeon Cinema site at 8-9 Angel Row and Bromley Place (planning ref 10/04106/PFUL3) for student accommodation, retail, leisure and offices.
2. A financial contribution of £223,693.30 (which included index linking) was paid to the Council in August 2014 and the agreement requires it to be spent within five years of receipt failing which the Council is liable to repay it.
3. The agreement also obliges the Council to use the contribution towards the provision or enhancement of off site public open space, which is defined as being publicly accessible open space likely to be of benefit to occupiers of the development.
4. It is considered that the proposed spend in this report complies with the obligation, as the distance between the Odeon Cinema development and Victoria Embankment is 1.5 miles and there are no other open spaces of a comparable scale to the Victoria Embankment which would offer similar facilities to those proposed, located closer to the development. Advice provided by Judith Irwin (Senior Solicitor) on 17/02/2015.

**Finance Advice:**

<b>See attachment</b>
<b>Advice documents: Victoria Embankment development..doc</b>

**Procurement Advice:**

<p><b>With regard to the forward plans for the park and bid for HLF and Football Association, there are no direct procurement implications at present. The CPU will provide advice and support as necessary for any future procurement exercises which result from the proposals and award of funding.</b></p> <p><b>With regard to procurement of construction works for the new cricket pavilion, the request for dispensation from the requirement to tender under financial regulations is supported for the operational reasons set out in the report. Specifically, £125,000 English Cricket Board funding for this project is conditional on use of the Cricket Force Programme and would be lost if this route is not taken. The Cricket Force programme delivers social value for Nottingham Citizens which together with the in-kind contributions of contractors under this scheme provides some assurance that value for money will be achieved.</b></p> <p><b>Advice provided by Dawn Cafferty (Procurement Category Manager) on 19/02/2015.</b></p>
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**Signatures**

<b>David Trimble (Portfolio Holder for Leisure and Culture)</b>
<b>SIGNED and Dated: 24/02/2015</b>
<b>John Kelly (Corporate Director Community Services)</b>
<b>SIGNED and Dated: 23/02/2015</b>
<b>Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations</b>
<b>SIGNED and Dated: 23/02/2015</b>
<b>Chief Financial Officer's Comments:</b>