

Report of	Meeting	Date
Director of Commercial (Introduced by Cabinet Member (Finance, Property and Assets))	Cabinet	15 September 2021
Is this report confidential?	No	
Is this decision key?	Yes	
<b>Savings or expenditure amounting to greater than £100,000</b>	Significant impact on 2 or more council wards	

## Land Transfer at Vernon Carus

### Purpose of the Report

1. This report is about taking forward the ambitions of the Council's Leisure Facilities Strategy which has the key ambition of developing local Sport and Community hubs across the Borough as a means of widening access to Leisure Facilities and promoting the concept of Leisure Local.
2. This report also builds on a report taken to Cabinet on 20<sup>th</sup> June 2020 which gave permission for Officers to commence negotiations on the transfer of the land the Vernon Carus Site. This new report is now seeking a final decision on agreeing a transfer of land at the Vernon Carus Sports Club, Factory Lane, Penwortham and Penwortham Reservoir (see Appendix A - Plan of sites) to South Ribble Borough Council from Lane End Developments Construction Ltd.
3. This report also brings forward the associated finances around the proposal. As part of the deal there will be a sum of £500,000 plus a sum of £150,000 paid to the Council for the upkeep of the land plus the reservoir.
4. To bring forward the draft Master Plan commissioned for the overall Vernon Carus site.
5. To put forward a proposed refurbishment scheme for the Vernon Carus Sports Club site following the Land Transfer.

### Recommendations to Cabinet

6. That **Cabinet** approves the transfer of the land and reservoir to South Ribble Borough Council and the receipt of the sum of £500,000
7. That **Cabinet** approves the principles of the outline Master Plan. Further reports will come back through Cabinet and Council around the phasing of delivery and funding options for the component parts.
8. That **Cabinet** approves the funding of £150,000 plus a £25,000 contingency for the refurbishment of the existing Sports Club and Changing Rooms as phase 1A of the proposed Master Plan. The £150,000 is to be funded from s106 and £25,000 from the new Leisure Local budget.

### Recommendations to Council

9. That **Council** puts in place a revenue budget funded from the £500,000 receipt to cover ongoing reservoir running costs which should last 25 years (based on £20,000pa).

### Reason for recommendations

10. The Transfer of the land in question is linked to a wider Housing development being driven by Trafford Housing Trust. The transfer of the site to the Council is an opportunity to take forward the new concept of Leisure Local as put forward in the Leisure Facilities Strategy adopted by the Council in October 2020.
11. Strategically, the Council has adopted a new Leisure Facilities Strategy through Cabinet. This highlights an ambition to develop leisure and community hubs across the borough as part of the concept of Leisure local.

### Other options considered and rejected

12. The Council could choose not to accept the transfer of the land to South Ribble Borough Council. This would represent a missed opportunity in terms of developing a local Sports and Community Hub in-line with the objectives of the Leisure Facilities Strategy.

### Corporate priorities

13. The report relates to the following corporate priorities: (please bold all those applicable):

An exemplary council	<b>Thriving communities</b> x
<b>A fair local economy that works for everyone</b> x	Good homes, green spaces, healthy places x

## **Background to the report**

14. In October 2020 Cabinet adopted a new Leisure Facilities Strategy. The new Strategy promotes the increase in access for all to local Leisure Facilities across the Borough. This includes the Council's existing Leisure Centres but also promotes the concept of Leisure Local which seeks to develop leisure opportunities and access in local areas and communities across the Borough. Whilst the original concept of the Vernon Carus land transfer was linked to a planning application the realisation of this land transfer and the proposed improvements to the Sports Club facilities is now more about promoting the aims of the Leisure Facilities Strategy and the concept of Leisure Local.
15. The Report builds on a previous Cabinet decision made on 24<sup>th</sup> June 2020 which agreed to progress negotiations for the transfer of the Vernon Carus land to the Council.
16. The Penwortham Mills site was allocated for development as site H under policy D1 in the adopted South Ribble Local Plan of 2015. The site covers around 24 hectares and was identified for the development of around 475 dwellings. The Local Plan requires that the site be developed in a comprehensive manner and to be accessed from the new Cross Borough Link Road.
17. The site was originally subject to a planning application by Bovis Homes which was approved in December 2015 for 385 homes (07/2014/0190/ORM). Subsequently a further application was granted on appeal to allow access to the development site from Leyland Lane via the Sumpter Horse Public House site.
18. Bovis Homes have subsequently relinquished their interest in the site and Trafford Housing Trust (THT), a registered provider, are now taking the site forward.
19. Trafford Housing Trust have now submitted a planning application. The planning application is currently being processed for residential development of the Vernon Carus site extending from Factory Lane in the North to link with the Cawsey to the South.
20. The application also includes a Lidl convenience store directly accessed off the Cawsey. The same applicant also has a concurrent application for residential development of the former Sumpter Horse site off Leyland Road. These applications would attract the need for significant areas of Open Space as set out in Local Plan policy which for a development of the size envisaged would be very significant.
21. The open space can be provided either on-site or off-site by virtue of a commuted sum or a combination of the two. In this case, the Vernon Carus Sports Club and the reservoir within the site are being offered to South Ribble Borough Council with associated commuted sums to meet an agreed final viability position with regard to Public Open Space. This is subject to a successful Planning application which has been submitted by Trafford Housing Trust and is pending. Such detail would be presented to the Planning Committee for determination.

22. The transfer of land to the north of Factory Lane extends to 4.6 hectares (11.42 acres) and includes the Vernon Carus Sports and Social Club House together with recreational land comprising of football and cricket pitches, a bowling green; pavilion/changing facilities a boxing/fitness gym and several surfaced car parks
23. This site is bounded to the north by further playing fields; to the east by a disused railway line (now a nature reserve/cycle path route); to the south by Factory Lane and to the west by Cardinal Newman College land and buildings.
24. The Lake Wood reservoir (Penwortham Reservoir) covers a surface area of 2.33 hectares (5.76 acres) and completed recommended improvement works in 2020 the cost of which was funded by Lane End Developments Construction Ltd.
25. To formulate a vision for the Vernon Carus site which will come under Council ownership a Master Plan has been commissioned which has looked at medium and long-term options for the site to be delivered on a phased basis
26. The Council has now received the draft Master Plan attached to this report as appendix B. The Master Plan recommends that as a medium-term option a refurbishment of the site should take place to:
  - a. Firstly, protect the asset for the Council and to ensure the site is fully safe and compliant
  - b. Secondly to refurbish the existing facilities to improve the experience of users using the site
  - c. Thirdly to enhance and expand facilities available on site to increase the level of usage to wider sections of the Community notably young people and to drive up income to ensure the long-term sustainability of the site.

## **The Proposal**

27. This report is proposing a transfer of land at the Vernon Carus Sports Club, Factory Lane, Penwortham and Penwortham Reservoir (see attached Plan of sites) to South Ribble Borough Council from Lane End Developments Construction Ltd.
28. There will be no purchase price. However, as part of the deal there will be a sum of £500,000 plus a sum of £150,000 as s106 money paid to the Council for the upkeep of the land plus the reservoir.
29. The Transfer of the land will assist the Council with its Leisure Local concept enhancing existing recreational facilities and offering further new sporting uses and ventures.
30. The transfer of the land will create an opportunity to further develop recreational sporting activities with neighbouring landowners and businesses.
31. The transfer of the land will create an opportunity to further develop recreational sporting activities with neighbouring landowners and businesses.
32. The final proposal is to develop and take forward a refurbishment scheme for the Vernon Carus Sports Club site. The first phase is to include refurbishment of the existing Sports Club House and Changing Rooms up to a value of £150,000 funded from the s106 money

with a £25,000 contingency sum to be funded from the budget available for Leisure local schemes across the Borough approved within the Council's Capital programme.

## **Risk**

33. The main risk associated with this proposal is if the money put in place for the upkeep of the site is not sufficient in the long-term. As a Council we could have held out on the prospect of getting more money from Lane End Developments Construction Ltd. However, this could have jeopardised the deal which would go against the ambitions and objectives of the Council.
34. Annual expenditure costs will be incurred to maintain the reservoir, its perimeter earth-fill embankments and its immediate surrounding land. Depending on the reservoir redevelopment options this has been estimated at between £7,000 and £20,000 per annum.
35. The site is a former industrial site and there exists the potential for the site to be contaminated. A post-demolition Ground Investigation Survey of the former Mill site was carried out in May 2020 and concluded that the proposed adjoining Phase 3 residential site had only minor contamination issues. Future development of the transferred site, in any form, will require a similar investigation and potential remediation of the site.
36. A survey was carried out by Dams and Reservoirs Ltd in 2018 and all recommended improvement works to the reservoir, its dam and spillway which were completed in early 2020. These works reduced the likelihood of failure of the reservoir's dam to a very small 1 in 10,000-year event. In any such flood, there could be localised flooding of properties but no loss of life. Insurance indemnity cover will be put in place to deal with such an eventuality. These works brought the reservoir up to a satisfactory standard meeting legislative requirement.
37. Annual inspections of the reservoir will be required, and a 10-year survey carried out to comply with The Reservoirs Act 1975. Any remedial or improvement works highlighted would need to be undertaken to maintain compliance with the legislation. The next 10-year survey will not fall due until 2028.
38. There is a narrow strip of land forming the access road into the Vernon Carus land that is not registered with The Land Registry. This land will also be taken by the Council and an indemnity policy put in place to protect against future claims to Title.

## **Master Plan**

39. The attached Master Plan catches the Council's aspirations to develop a multi-functional sports village at Vernon Carus, building on the amenities that already exist on the site.
40. The Master Plan proposes a phased approach. The first phase will be a refurbishment of the existing Club House and Changing Rooms. This will address safety issues within both buildings and enable the Club to generate revenue and be more sustainable.
41. It is intended that the scheme of refurbishment will last a period of years until such a time that the existing Club House and Changing Rooms can be replaced with a new build facility.
42. Future phases of the Master Plan include:

- the creation/upgrade of existing parking facilities;
- a new structure for the Bowling Club;
- a new structure for the Boxing/Fitness Gym;
- an improved BMX track, and;
- additional playing facilities.

43. The Master Plan also shows potential for a 4G playing pitch on adjoining Cardinal Newman College land (this would be subject to agreement with the land owner).

44. It is intended that the refurbishment of the existing Club House and Changing Rooms is undertaken as a first phase and that officers will develop a proposal around further phasing funding to come back to members for decision.

### **Equality and diversity**

45. The transfer of the reservoir will support the ambitions of the Council around Green links which are about creating new cycle and pedestrian links. The council will be able to connect the Reservoir into the wider network of cycle and pedestrian links.

### **Climate change and air quality**

46. There are no direct air quality implications from the transfer of the land.

### **Comments of the Statutory Finance Officer**

47. Under the current CIL charging schedule such a development would be liable for CIL at a rate of zero pounds per sqm meaning no additional liability to the Council. The risks are as identified in the report and the budget of £20k per annum will be funded from the £500k receipt and monitored via the usual budget monitoring reports. The capital works identified will be an increase in the programme of £150k funded by the S.106 receipt and a transfer of £25k from the existing, approved, Leisure Local budget.

### **Comments of the Monitoring Officer**

48. Should members feel that this is an offer which they wish to accept the appropriate legal agreements will be drafted. The risks in relation to the proposal are properly presented in the report.

### **Background documents**

There are no background papers to this report.

### **Appendices**

Appendix A: The plan of the site

Appendix B Draft Master Plan for the Vernon Carus Site

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