



NORTHAMPTON
BOROUGH COUNCIL

Item No.

5



Name of Committee	CABINET
Directorate:	PEOPLE, PLANNING & REGENERATION
Corporate Manager:	CHRISTOPHER CAVANAGH
Date:	9th JULY 2007

Report Title	Interpretation Centre at Upton Park
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Key Decision	YES
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1. Recommendations

- 1.1 Cabinet to 'agree in principle' and commence discussions with English Partnerships their proposal to construct and maintain the Interpretation Centre at Upton Park.
- 1.2 To give delegated powers to the Director of People, Planning and Regeneration, in consultation with the Portfolio Holder for Regeneration, the Director of Finance and the Solicitor the Council to negotiate with English Partnerships a Deed of Variation to the Section 106 Agreement.
- 1.3 To report back to Cabinet.

2. Summary

This report seeks to resolve a long term outstanding issue to provide a facility for the community as it was originally intended.

At present, there is a shortfall in the Borough Councils' capital fund to construct the proposed eco-friendly Interpretation Centre at Upton Park. The proposed Centre is a complex building containing sporting and community facilities, however to maintain the facility to the expected high level there is currently no revenue budget provision.

English Partnerships have a remit to provide a community facility for the Upton Development where some areas are complete and occupied. English Partnerships are proposing to deliver the construction of the Interpretation Centre themselves and on completion manage the facility via a Trust to maintain the facility in the public domain. To achieve this EP are proposing a Deed of Variation to the Section 106 (S106) Agreement.

Whilst the S106 Agreement was originally negotiated with Development Control and Legal Services for delivery by Asset Management. English Partnerships have approached Regeneration and Growth through their work with the Brownfield Initiative to resolve this outstanding issue. The Regeneration Team is tasked to resolve the cross service corporate issues.

3. Report Background

As one part of the Upper Nene Country park, the Upton area of the park is being developed in three phases, with phase 1 nearing completion. The majority of the land is in the ownership of English Partnerships and under the S106 Agreement dated 2003; in phases 1, 2 and 3 the ownership is to be transferred to the Borough Council on completion of each phase.

In phase 1, English Partnerships are responsible for the construction of the infrastructure, residential units, primary school, playing fields and the flood attenuation measures. The responsibilities of the Borough Council towards the project delivery include the construction of the County Park, cycle and pedestrian bridges and the Interpretation Centre.

The Borough Council In-house design team over a three year period undertook feasibility studies and extensive consultations with stakeholders. As a result planning permission was obtained for a wind turbine and the Interpretation Centre. The construction phase of the project was halted following the preparation of detailed costs.

The Council seeks approval in principle to explore further with English Partnerships an Agreement which will find a solution which is satisfactory to the local community needs and the Council.

4. Options and Evaluation of Options

- **Do nothing.** Repay the S106 monies back to English Partnerships including staff costs and fees previously expended. This is not the preferred option, as it will fail to deliver the facility for the developing community.

- **NBC delivery of the project.** Sufficient capital funding is not available to construct the Interpretation Centre. A viable business plan has not been developed and it is considered unlikely a revenue source will be identified to effectively manage the facility. This is not a preferred option, as it will fail to deliver the facility.
- **English Partnerships delivery.** This preferred option could provide a community facility within a reasonable timescale and meet the expectations of the developers and community. This would require a Deed of Variation to the S106 Agreement resulting in no further funding from English Partnerships and the omission of a parcel of land, which English partnerships will bring forward for additional residential development, from the land transfer. This option would relieve the Borough Council from obligations to construct and maintain the facility. English Partnerships have initially proposed that the facilities could be put in the custodianship of the Land Restoration Trust to secure them for ongoing community use.

5. Resource Implications (including Financial Implications)

- To repay the S106 monies would need to include design staff costs and consultants fees already expended to the sum of approximately £230,000.
- The construction costs of the Interpretation Centre are currently estimated to be £1.7m, for which the Borough Council has no identified capital funding.
- The delivery of the facility by English Partnerships would relieve the Borough Council of any revenue obligations.

6. Risk and Opportunity Issues

- The option proposed by English Partnerships removes the onus on the Borough Council to deliver the facility. It provides the shortest delivery time of the Interpretation Centre for the community.
- Further adverse publicity towards the Borough Council and English Partnerships in respect of the non-delivery of the project would be minimised. The public and Ward members have made enquiries regarding the progress of the project.
- English Partnerships have requested an Approval in Principle to their proposal by the end of July in order for them to secure funding from their own capital resources

7. Consultees (Internal and External)

Internal	Asset Management, Legal services, Financial services
External	English Partnerships

8. Compliance Issues

A: How Proposals Deliver Priority Outcomes

Recovery Plan
Corporate Plan
Proposal supports Corporate Plan 2007-2011 Priority 7, working with partnering to support economic infrastructure development to promote communities that are sustainable.

B: Other Implications

Other Strategies
None

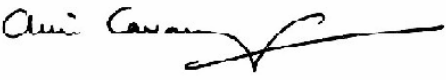


Finance Comments

Legal Comments

9. Background Papers

Title	Description	Source
C0099	Project File (Design)	Asset Management
	Project File (Estate Management)	Asset Management
	EC Harris File	Regeneration and Growth

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APPENDIX 1

A45 WEEDON ROAD



INTERPRETATION CENTRE

PLAYING FIELDS