

## **PLACE SCRUTINY COMMITTEE**

Date: Thursday 31 January 2019

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Sharon Sissons, Democratic Services Officer (Committees) on 01392 265115.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Sills (Chair), Wood (Deputy Chair), D Henson, Mitchell, Owen, Prowse, Begley, Lyons, Pattison and Robson

## **Agenda**

### **Part I: Items suggested for discussion with the press and public present**

#### **1 Apologies**

To receive apologies for absence from Committee members.

#### **2 Declaration of Interests**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

#### **3 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and public during consideration of the items on this agenda, but if it should wish to do so, the following resolution should be passed:-

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s)

on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

#### **4 Questions from the Public under Standing Order 19**

Details of questions should be notified to the Corporate Manager Democratic and Civic Support at least three working days prior to the meeting. Further information and a copy of the procedure are available from Democratic Services (Committees) (Tel: 01392 265115) and also on the Council web site - <https://exeter.gov.uk/councillorsfaq/>.

#### **5 Questions from Members of the Council under Standing Order 20**

To receive questions from Members of the Council to appropriate Portfolio Holders.

### **ITEMS FOR CONSIDERATION BY THE EXECUTIVE**

#### **6 Update Report on the Built Sports and Leisure Facilities**

To consider the report of the Director (JY).

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#### **Date of Next Meeting**

The next scheduled meeting of the Place Scrutiny Committee will be held on Thursday 14 March 2019 at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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**REPORT TO Place Scrutiny  
31<sup>st</sup> January 2019**

**REPORT TO Executive  
Date of Meeting: 12<sup>th</sup> February 2019**

**REPORT TO Council  
Date of Meeting: 26<sup>th</sup> February 2019**

**Report of: Jo Yelland, Director  
Title: Update Report on Built Sports and Leisure Facilities**

**Is this a Key Decision?**

**Yes**

\* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

**Is this an Executive or Council Function?**

Council & Executive

**1. What is the report about?**

This report provides an update on the interim Built Facilities plan agreed by Council in June 2018. This included the decision to permanently close Clifton Hill Sports Centre on best value/cost grounds and sell the site thus providing a capital funding stream used to consolidate and invest in existing built sports and leisure facilities to improve and update the current offer to residents. This report also sets out the recommendation of the City Surveyor for the sale of the site of the Clifton Hill Sports Centre and the surrounding land owned by the Council.

**2. Recommendations:**

2.1 Executive recommends to Council to agree the following proposals:

- (a) To sell the Clifton Hill site for a mixed residential development to generate the best value capital receipt to offset the previously agreed costs of compensation, upgrades to leisure facilities and to provide investment for other Council priorities including the future development and improvement of other leisure sites.
- b) To allocate a budget of £200,000 to cover the ground investigation works, marketing and selling of the site to deliver the optimal capital receipt to the Council.
- (c) To allocate a further capital budget of £4.4 million to allow for the full replacement of the flat roof and rebuild of the floor structure surrounding the pool at the Riverside Swimming Pool and Leisure Centre

2.2 Executive RESOLVES to:

- (a) Delegate authority to the Director in consultation with the Portfolio Holder to agree the exact location and dimensions of an area of the site, (a minimum of 10% of the of the overall land area) to be retained by the Council in such a way that it does not

unreasonably negate the value of the site. This is to ensure that a public, open green space remains on the site.

- (b) Delegate authority to the City Surveyor to take the necessary steps to ensure the Clifton Hill land is not used for purpose built student accommodation.
- (c) Note the good progress on the works associated with the £3 million budget agreed for the essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems and interior enhancements; Exeter Arena, Wonford Sports Centre and Riverside Swimming Pool Leisure Centre and on the £950,000 budget agreed in November 2017 for Pyramids Swimming Pool and Leisure Centre.
- (d) Note the need for further capital investment at the Riverside Swimming Pool and Leisure Centre.
- (e) Note that the draft Physical Activity and Built Facilities strategies, (setting out the longer term sustainability and development plans for Riverside Swimming Pool and Leisure Centre, Wonford Sports Centre; Exeter Arena and ISCA Centre; Northbrook Swimming Pool and Northbrook Golf Course) are being recommended for public consultation with final recommendations due to be presented to Council in July 2019.

### **3. Reasons for the recommendations:**

- 3.1 In June 2018 the Council agreed to permanently close the Clifton Hill Sports Centre on cost/best value grounds and to sell the Clifton Hill Sport Centre to generate a capital receipt to offset compensation costs and provide investment for other Council priorities including the development and improvement of other leisure sites.
- 3.2 As a result of the decision to sell the site and generate a future capital receipt, Council were able to allocate an interim budget of £3 million for essential and additional enhancements at other leisure sites where facilities were at risk due to extensive backlogs in maintenance and repairs that had the potential to put these facilities at risk of unplanned closures.
- 3.3 A full programme of works has been identified with the majority of works now successfully completed. To date just under £1.9 million has been spent or committed to works in progress. Details are set out in section 8 of this report.
- 3.4 Whilst undertaking the essential fire-damage repairs at the Riverside Swimming Pool and Leisure Centre the building contractor identified previously unknown structural faults with the original conversion of the pool, prior to Council ownership, and to the load bearing capability of the original roofing structure. Further details are in section 8 of this report.
- 3.5 In August 2018 a Built Facilities Review was commissioned as part of the development of the Physical Activity strategy and this highlighted the important future role of a Swimming Pool and Leisure Centre facility on or near to the current Riverside Leisure Centre site. A summary of these findings is set out in section 8 of this report.

- 3.6 In the light of the recommendations in the above review a further independent structural survey was commissioned by the Council to identify the full extent of future refurbishment needs at the Riverside Swimming Pool and Leisure Centre to establish if the centre could be cost effectively repaired to provide a lifespan of 20/25 years.
- 3.7 An original estimate of the roof repair (now requiring a full replacement) was included in the budget agreed in June 2018. No allocation had been made for the unknown issues that were not uncovered until the final stages of the fire–damage reinstatement works. Section eight details the unforeseen works that have been identified during the course of the fire reinstatement scheme.
- 3.8 The Council's professional advice has estimated uninsured refurbishment/repair costs of some £4.72 million. However given the area over which the repairs extend it would be prudent to make allowances for any further unforeseen works and therefore a figure of £5.5 million is determined to be a suitable budget for the extent of the scheme identified to date.
- 3.9 In addition to the unforeseen works detailed in section 8, a structural survey commissioned to assess the entire building to determine any further repair requirement is underway. Should this report result in significant further works a separate request for funding will be made. It is envisaged that any minor structural work required can be funded from the £5.5 million.
- 3.10 It is expected that this investment provides the essential infrastructure for the lifespan required of the facility. In other words it will be more cost effective to repair the facility than to knock down and build a new one.
- 3.11 In addition to the sum for additional works at Riverside a budget of an estimated £100,000 is required to appoint an external Client Representative to lead on the delivery of this scheme.
- 3.12 The Director was authorised to negotiate and agree the contractual compensation payment to be paid to the Leisure Operator as a result of the closure of Clifton Hill, to be funded from a Leisure earmarked reserve. Negotiations have not concluded but they will not exceed the original estimate. A further estimated loss of income and VAT was identified in the region of £100,000 and the actual amount is £91,463.
- 3.13 The City Surveyor was authorised to identify a best value option for the disposal of the Clifton Hill site incorporating the sports centre buildings alongside all other areas of the site, including those under lease to a range of tenants and public open space with the exception of the allotments which members required to be excluded from any potential sale.
- 3.14 Members charged the City Surveyor to identify an option that would achieve best value whilst taking the steps to ensure that the land is used for residential accommodation and not used for purpose built student accommodation.
- 3.15 Based on existing remediation cost figures, valuation advice identifies the greatest financial value, in the region of £9 million, as being generated by disposal of the whole site for open market residential accommodation. Options have also been considered for a smaller part of the site in the context of the site as a whole (that

currently occupied by the sports centre building and not contaminated), being developed for either purpose built residential rental accommodation or care accommodation; however, these return a lower total whole site value than open market residential accommodation (£8.85m & £8.8m respectively). Student accommodation has also been considered on this smaller part of the site, and whilst for this part of the site returns the greatest value, would return the lowest total site value as a whole (£8.5 million) due to the considered detrimental effect on core values of new build residential accommodation on the rest of the site. It is noted that further technical & cost information may result in different schemes being brought forward.

- 3.16 Following representation from Newtown Ward Councillors on behalf of local residents, consideration has been given to the concerns expressed about the potential loss of the informal public green space on the site. It is strongly recommended that a specific area of the site, in the vicinity of the current informal green space if possible, is retained by the Council. This size of this land should be a minimum of 10% of the total land area. The exact size and location of the site for retention by the Council will be formally agreed prior to the sale. The selection of the site to be retained should be done sensitively to protect flora, fauna and wildlife habitats and to ensure it does not impede access to the site for development and minimises devaluation of the site. There is further information in section 8.

#### **4. What are the resource implications including non-financial resources.**

- 4.1 The sale of the whole Clifton Hill site for mixed residential development (excluding student accommodation) will generate a significant capital return for the Council. Initial estimates are that this could generate a gross capital receipt in the region of £9 million. This is sufficient to cover the £3 million already spent/committed on the repair and refurbishment of other leisure sites and will meet the estimated costs of the full repair of Riverside Swimming Pool and Leisure Centre. The capital receipt would not be received until the satisfactory grant of planning permission for any redevelopment, which would likely be during the 2020 financial year.
- 4.2 The development of the site will also generate significant income for the Council from the Community Infrastructure Levy (CIL) and Section 106 receipts which can be invested in Council priorities including other leisure facilities, playing pitches and play areas as set out in the draft Physical Activity Strategy.
- 4.3 A budget in the region of £200,000 will be required to cover de-risking through obtaining further technical information for marketing purposes and marketing/selling of the site to ensure the best consideration for the Council.
- 4.4 There will be significant officer time involved in supporting the disposal of the site and in the subsequent planning process which will be met within existing resources.
- 4.5 A budget of £5.6 million is required to fund the additional works to the Riverside Leisure Centre and provide a Client Representative professional service. Due to current underspend available from other Leisure facility approved budgets totaling some £1.2 million the actual request for funding will be £4.4 million.

**5. Section 151 Officer comments:**

- 5.1 The financial implications are noted. The Council is able to borrow short term for the completion of capital schemes and then subsequently use a capital receipt to voluntarily repay the debt, thus ensuring no long term financial consequences arising from the investment.
- 5.2 The medium term financial plan of the Council is based upon this principle and therefore failure to deliver a capital receipt in excess of the capital expenditure will result in additional reductions to the General Fund of approximately £45,000 per million shortfall. This will be on top of the £2.4 million reductions that are anticipated to set a balanced budget in 2020-21.
- 5.3 The Riverside additional spend is noted. The proposed capital programme for 2019-21 requests an additional £3 million and the impact has been built into the medium term financial plan. The additional £1.4 million will cost around £60,000 a year and will add to the reductions required. If however the capital receipt is sufficient to cover the full cost of enhancements at the Riverside, then there will be a benefit of around £130,000 to the General Fund.
- 5.4 The capital funds, if approved, will be added to the capital programme and funded in the most financially efficient way, in order to minimise the impact of the General Fund until such time as the resources are available to offset the expenditure.
- 5.5 Going forward, members should note that there are limited capital resources available and potentially significant demand for those resources across the Council's asset portfolio. This should be borne in mind by Members when undertaking all capital investment decisions.

**6. What are the legal aspects?**

- 6.1 The Council has to comply with the Public Contracts Regulations 2015. As such, the additional works required at Riverside have been assessed by the Council's Corporate Procurement Unit and it has been determined that a separate call-off from the SCAPE construction framework affords both a compliant and timely procurement solution for the delivery of this scheme.
- 6.2 The Council is obliged under the Local Government Act 1972 to obtain best consideration on land disposals. In this case, this can best be demonstrated by an open marketing of the opportunity. The Council has previously resolved to restrict development of purpose built student accommodation on the site. This voluntary condition of sale has been imposed to benefit the economic, social and environmental well-being of the community. The valuation advice that we have received (as discussed above) indicates that there would be no financial detriment to the Council in the imposition of the restriction.

**7. Monitoring Officer's comments:**

- 7.1 The Council is free to sell its assets provided it obtains the best consideration for any such sale.

7.2 The inclusion of the proposed retention of a green space is an appropriate method to deliver the scheme without financial consequence on the sale value of the site.

## 8. Report details

### 8.1 Refurbishment Programme

8.1.1 In June 2018 Council allocated an additional budget of around £3 million to refurbish the remaining facilities at Exeter Arena and ISCA Centre, Wonford Sports Centre and Riverside Swimming Pool and Leisure Centre to minimise the risk of any further loss of facility, whilst longer term plans are made for the development of leisure provision across the City. The objective is to upgrade facilities, provide an increase in capacity and services and enable the operator to more effectively compete with budget gyms creating a higher quality, more cost effective city-wide offer to residents.

8.1.2 Table 1 below sets out the original investment plan and the actual amount spent on the essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems by site

<b>Table 1: Essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems by site</b>	Original	Actual spent or committed)
Exeter Arena and ISCA Centre	£429,747	£233,033
Riverside Leisure Centre	£1,241,453	£516,420
Wonford Sports Centre	£335,492	£227,309
<b>Total</b>	<b>£2,006,692</b>	<b>£976,762</b>

8.1.3 Table 2 below sets out the overall plan and actual spend on the essential enhancements to the fabric of the buildings, replacement of essential plant and mechanical systems by site and enhancements to interiors and facilities new equipment including virtual technology systems.

<b>Table 2: Overall costs of essential enhancements to the fabric of the buildings, replacement of essential plant and mechanical systems by site and enhancements to interiors and facilities</b>	Original	Actual (spent or committed)
Essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems	£2,006,692	£976,762
Enhancements to the interiors and facilities	£880,000	£811,295
New equipment (estimated & to be operator provided)	£150,000	£132,000
<b>Total</b>	<b>£3,036,692</b>	<b>£1,920,057</b>

8.1.4 This investment has delivered the intended improvement and increases in facilities as shown in the table 3 below.

**Table 3: Provision Following Consolidation and Investment Plan**

	Riverside	Pyramids	Wonford	Exeter Arena & ISCA Centre	Total	Change
<b>Gym Stations</b>	130	40	33	50	253	+20
<b>Swimming Pool</b>	25m	25m	No	No	2	0
<b>Sports Hall</b>	1	No	1	No	2	-1
<b>Squash Courts</b>	2	No	No	No	2	-2
<b>Dance /Yoga Studio</b>	3	No	1	1	5	+2
<b>Sauna</b>	Yes	Yes	Yes	Yes	4	0
<b>Health Suite</b>	Yes	No	No	No	1	0
<b>Spin Studio</b>	40 bikes	No	6-8 bikes	16 bikes	60-62	+60-62
<b>Virtual Tech</b>	Yes	No	Yes	Yes	3	+3

8.1.5 Legacy Leisure are now able to offer state of the art virtual technology <sup>1</sup>Les Mills Virtual Classes including Body Balance, Body Pump, Body Combat, CXWrx and Sh'bam (virtual Indoor Cycling) at Wonford Sports, Exeter Arena and Riverside. Photographs of the improvements are in appendix 1.

8.1.6 At **Wonford Sports Centre** the programme included internal decoration and refurbishment to the weights room and gym area, all new fitness equipment and a brand new virtual spin studio. It also included a complete refurbishment of the Astroturf all weather pitch and the surrounding fencing. Behind the scenes essential enhancements to the fabric of the buildings and replacement of essential plant and mechanical systems included:

- Repairing brickwork to rear elevation
- Replacing broken roof tiles as a result of vandalism
- Replacement of flat roof
- Replacement air conditioning units and boilers

8.1.7 At the ISCA Centre the refurbishment has created a new expanded gym facility along with improvements to the changing room and a new virtual spin studio has been created in the old gym area within Exeter Arena.

8.1.8 Some anticipated works at the Arena/ISCA centre have not been required resulting in efficiency savings of around £220,000.

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<sup>1</sup> *The introduction of virtual technology means people can access classes at any time as there is no need for an instructor: this is very popular as it offer maximum choice for customers and complements the instructor led classes already programmed.*

## **8.2 Riverside Swimming Pool and Leisure Centre**

- 8.2.1 At the **Riverside Swimming Pool and Leisure Centre** the work included refurbishment and conversion of the café, soft play and reception areas to create a new membership sales office, a yoga/ quiet workout space, a virtual technology spin studio, a virtual technology workout studio and extension of the gym area to include installation of a functional fitness rig. Further works were planned, but not fully completed include a full refurbishment of the poolside wet changing area and showers; the installation of replacement air handling units and the planned replacement of roof 1 and 2. These works have not progressed due to the unforeseen issues identified by the contractor completing the fire damage reinstatement works. The estimated value of these works is about £1million.
- 8.2.2 The fire in January 2017 caused extensive damage to surface coatings, mechanical and engineering plant areas, roof decking and structural elements, as well as smoke damage throughout the building. Although the sports hall, gym and fitness studios have since reopened, the pool and health suite have remain closed.
- 8.2.3 Contractors have been working on site for many months undertaking the repair work which has been lengthy due to the scale of fire and smoke damage and the construction of the building. The structure is complex and the pool was modified from the original wave design prior to the Council becoming responsible for the building in the early 2000's. The Council does not have access to build drawings for the facility or many of these modifications so each discovery has had to be approached from first principles. Some of the modifications made to the building were unknown until other rectification works were undertaken or parts of the building opened up at which point additional works have been identified.
- 8.2.4 Significant issues have now emerged with previously unknown structural faults to the block and beam flooring and surround of the pool and to the the integrity of the roof structure. The level of corrosion within the roof cannot be fully assessed without removing the roof covering. To undertake this safely the underneath of the entire roof area has to be supported in case the deck is not capable of supporting the contractors. To fully assess the integrity of the roof every deck panel would need to be inspected therefore it is a more effective whole life solution to replace the entire flat roof whilst access is in place.
- 8.2.5 The structural fault to the block and beam flooring and surround to the pool is thought to relate to the original conversion work in the late 2000's prior to Council ownership. The only way to remedy this design fault is to rebuild the entire pool structure.
- 8.2.6 Initial estimated uninsured refurbishment/repair costs for these works are £4.7 million and professional advice is being sought to ensure that (coupled with a timely routine maintenance programme) this investment is likely to provide the essential infrastructure for the lifespan required of the facility. In other words, before committing to these works assurance is being sought to guarantee that it will be more cost effective to repair the facility than to knock down and build a new one. The final report is due in February 2019.

### **8.3 Pyramids Swimming Pool and Leisure Centre**

8.3.1 In November 2017 Council agreed to a refurbishment programme for the Pyramids to ensure it could stay functional until the new St Sidwell's Swimming Pool and Leisure Centre opens in 2021. Approximately £820,000 of the £950,000 has been spent. The completed works include structural repairs to the roof, refurbishment to the family changing rooms, male changing rooms and female changing room, decoration to the vending area, reception and dry changing rooms. The final element nearing completion is the installation of a new air handling unit on the roof to be completed. A decision was made to not proceed with redecoration works around the main pool area which would result in the closure of the pool. Photographs of the improvements are in appendix 1.

### **8.4 Recommendations for future Built Leisure Facilities**

8.4.1 A review of the Council's Built Leisure Facilities was undertaken in 2018 following the difficult decision to permanently close Clifton Hill Sports Centre. With the approval for the new flagship St Sidwell's Point Leisure Complex in place the council needed to set out sustainable plans for the development of other leisure sites.

8.4.2 The review concluded that the ability of the Council to provide high quality leisure and sport facilities for communities in and across the city, in the face on-going budgetary pressures is a significant challenge. Based on the needs analysis, the advisors have concluded that, alongside the development of the St Sidwell's Point Leisure Complex to replace Pyramids, there is an opportunity to develop improved quality facilities across key sites, possibly financed by the strategic development of the current sport and leisure estate.

8.4.3 The proposals have the new leisure complex at St Sidwell's Point, at the centre. Surrounding this central flagship facility we propose to develop the following:

- a) A new Integrated Community Health and Wellbeing Centre at Wonford replacing the current Sports Centre.
- b) A new Community Sports Village at Exeter Arena and ISCA Centre – including a community swimming pool as a direct replacement of Northbrook Swimming Pool and addressing the needs of a number of dedicated sports clubs and indoor sport.
- c) Refurbished and remodelled Riverside Leisure Centre and Swimming Pool.

8.4.4 This enables the Council to improve the overall quality and offer of facilities and creates opportunities for Exeter Strategic Sports Board and other stakeholders, including local communities themselves, to collaborate to enhance the offer even further. Consultation with stakeholders on these outline proposals will be taking place as part of the overall consultation on the Draft Physical Activity Strategy due to take place between March and May 2019.

## **8.5 Sale of Clifton Hill Site**

- 8.5.1 An initial desktop review of existing reports on site contamination at Clifton Hill and remediation cost information indicates that the whole Clifton Hill site is capable of redevelopment subject to some remediation measures including piled foundations, suspended floor slabs, gas protection measures, importing clean soil for back gardens and open space. To mitigate these costs redevelopment designs suggest that dwellings are located around the perimeter of the former clay pit, where the length of piles will be reduced, and to locate areas of open soft and hard landscaped amenity space, roadways and car parking within the central deeper landfill areas. Apartment blocks may also be located in the central deeper landfill areas where the same approximate cost of foundations will support multiple dwellings.
- 8.5.2 Additional site constraints including location of part of the site within the conservation area, and existing tenancies at the Golf Driving Range, Ski Slope, Rifle Range and Gatehouse have also been reviewed. A review of Local Authority Planning strategy documents shows the Clifton Hill site to be a sustainable location and that residential redevelopment of the site for a mix of housing types would provide a sustainable future.
- 8.5.3 Initial master planning has considered splitting the site into two phases: Phase 1 non-landfill (CHSC land); Phase 2 remainder of site including Golf Driving Range and Ski Slope and has considered alternative uses within Phase 1 such as residential, student, care or build to rent development, within only residential development in Phase 2. Initial valuation advice recommends that Clifton Hill is suitable for a mixed residential redevelopment and that the site is a viable development proposition even when a large sum for abnormal costs (circa £2million) is allowed.
- 8.5.4 To bring this site to market we now need to obtain additional detailed technical information to be included within the marketing pack to enable potential developers to better assess the constraints and development requirements for this site including a topographical survey, phase 2 intrusive geo-tech survey & report, demolition survey & costs, constraints plan, planning guidance, transport assessment, remediation & foundation strategy and the vacant possession strategy. Fee quotes have been requested from external consultants for this work.
- 8.5.5 For information there are no trees covered by Tree Preservation Orders (TPO) within the site. However, there are number of mature and semi-mature trees included within the conservation area that will be protected in the same way as a TPO. This is not a significant development constraint as it is anticipated that these are located on parts of the site where they can be retained and will not impact significantly on development layout. All considered redevelopment scenarios would retain/provide a central green space.
- 8.5.6 On receipt of this additional technical information to market the site for disposal, via informal tender.
- 8.5.7 It is recommended that the resolution of the existing tenancies for the Golf Driving Range and Ski Slope are passed to the successful developer, who will be able to provide sufficient evidence (grant of planning permission, proof of funding and intention to develop) to satisfy the requirements of Landlord & Tenant Law to obtain

vacant possession. This minimises the period during which the site has to be managed as vacant, and gives the developer the ability to phase development around these existing occupations.

## **8.6 Responding to Residents' Concerns**

- 8.6.1 Section 11 includes a summary of the concerns raised by local residents about the permanent closure of the Clifton Hill Sports Centre and the proposed sale of the site. The priorities identified by Newtown Ward Councillors are support for active and healthy lifestyles and the retention of green space within the site for community use.
- 8.6.2 *Support for active and healthy lifestyles:* the Council already funds a Community Builder and Community Connector in the ward through the Wellbeing Exeter programme and will continue to invest in community based physical activity through its community grants programme. The Council has already provided over £450,000 of grant funding for the replacement community hut in Belmont Park due for completion in March 2019. Building work has now commenced on the new St Sidwell's Leisure Complex which is around 1 km from the Clifton Hill site and the Pyramids Swimming Pool and Leisure Centre, also close by, has had a £850,000 renovation to maintain and improve facilities in the locality until the new centre opens in 2020.
- 8.6.3 *Retention of green space within the site for community use:* the statutory planning policy will ensure all considered redevelopment scenarios would retain/provide a central green space and that the trees included within the conservation area will be protected in the same way as a TPO. This is not regarded as a significant development constraint as it is anticipated that these are located on parts of the site where they can be retained and will not impact significantly on development layout.
- 8.6.4 Belmont Park is adjacent to the Clifton Hill site as are local allotments which have already been protected. However, during the public consultation exercise residents stressed the importance of maintaining bio-diversity by protecting and conserving open green space and wildlife habitats within urban settings.
- 8.6.5 Section 11.4 provides further information about local residents concerns and petitions.
- 8.6.6 In order to respond to local residents and Ward Councillor's concerns, it is strongly recommended that a specific area of the site, in the vicinity of the current informal green space if possible, is retained by the Council. The size of this land should be a minimum of 10% of the total land area. The exact size and location of the site for retention by the Council will be formally agreed prior to the sale. The selection of the site to be retained should be done sensitively to protect flora, fauna and wildlife habitats and to ensure it does not impede access to the site for development and minimises devaluation of the site. An approximation of the area under consideration is illustrated in Appendix 2.
- 8.6.7 The Director will, (if delegated authority is given) in consultation with the Portfolio Holder, and in liaison with Ward Councillors and the City Surveyor, agree the exact location and dimensions of the area of the site to be withheld from the sale.

**9. How does the decision contribute to the Council's Corporate Plan?**

9.1 The decisions will contribute to the 2018/21 Corporate Plan objectives of:

- Building Great Neighbourhoods
- Promoting Active and Healthy Lifestyles
- Providing value for money services
- Leading a well-run council

**10. What risks are there and how can they be reduced?**

10.1 Risk of not achieving best consideration:

It is recommended that the Clifton Hill site be sold as a single lot, although offers from consortia to be invited alongside single purchasers. This gives bidders the opportunity to joint venture with other parties to increase their competitiveness whilst keeping the form of sale relatively simple for the Council.

The retention of a part of the site to ensure it remains as an informal, open, public green space could reduce the overall value of the site. In mitigation the Director will seek advice from the City Surveyor in identifying the precise area in consultation with the Portfolio holder should delegated powers be given.

10.2 The recommended disposal method is via informal tender to maximise the sale price by encouraging competition and ensuring bidders provide sufficient information that we can use to evaluate bids. Best consideration will be obtained through a subject to planning sale. This type of contract de-risks the process for the developer, allowing them to pay a full value for the site rather than a risk-weighted price payable through an unconditional purchase.

10.3 Risk of sale process being delayed or falling through due to lack of information:

The marketing period should only commence once a full technical/marketing pack is available. The technical information pack will include for example a topographical survey, phase two intrusive ground investigation and remediation/foundation strategy, planning guidance transport assessment, demolition survey etc. The provision of this information with the general marketing material will be relied on by bidders, meaning that they will offer using the same cost inputs. This will make comparison between bids more reliable and reduce the risk of future price renegotiation or the sale process faltering.

10.4 Following the decision to permanently close the Clifton Hill Sports Centre an approach was made to Historic England to have the Centre listed. Following a Heritage England assessment of the building the Secretary of State for Digital, Culture, Media and Sport decided not to add Clifton Hill Sports Centre to the List of Buildings of Special Architectural or Historic Interest. There is no further risk in relation to any potential for listing on the site.

10.5 The risk of public opposition to development of this site will be addressed in the normal way through the statutory planning process. The recommendation to remove

a part of the site from the sale to ensure it remains as an informal public green space is a significant mitigation factor to public opposition.

- 11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**
- 11.1 Taking a city-wide lens the decision will positively contribute to health and wellbeing by providing much needed homes, including affordable housing in a neighbourhood with good access to range of local services including green spaces that support health and wellbeing.
- 11.2 Providing a capital receipt that could be used to underpin developments as part of the emerging Physical Activity Strategy will directly contribute to health and wellbeing by enabling the development of built leisure facilities, playing pitches and play areas that will encourage active lifestyles and reduce social isolation in key communities across the City.
- 11.3 However when viewed through the lens of local residents in the Newtown area surrounding the site there is a different perspective.
- 11.4 Two lobby groups have been established by local residents and have made their views known through emails and meetings with Councillors and officers, social media posts, questions raised in the public part of the November 2018 Place Scrutiny committee, interviews with local media and through petitions.
- 11.5 The “Association for the Protection of the Clifton Hill Green Space” group sent a report to the City Surveyor in October 2018 stating that the group “consists of eleven very active members all of whom live in Newtown and the immediate surrounding area”. The core aims of the group are to maintain the site as a green space and maintain it for community wellbeing and bio-diversity. This group has a Facebook page with 297 members registered on 3<sup>rd</sup> January 2019. The Green Space Group say that it is “*distinct from the Sports Centre campaign in that it does not directly act or object to the sale for development of built on land (i.e. the sports centre itself). The Green Space Group is opposed only to the loss of Green Space to building*”.
- 11.6 The “Save the Clifton Hill Sports Centre from permanent closure” group have a Facebook page followed by 283 people and 281 likes registered on 3<sup>rd</sup> January 2019. A petition “*Save Clifton Hill Sports Centre*” was emailed to Council officers on 16<sup>th</sup> October 2018 and then a hard copy was presented to the Deputy Leader Councillor Sutton by Alexander Keen on the same day. This petition had 1.802 signatures and said:

*“Ensure that Clifton Hill Sports Centre, a vital community hub for the South West's most 'active' city, reopens fully and is run well with minimum delay. Why is this important? I have always regarded Clifton Hill sports centre as an asset to the city and understand its importance within the community. The facility has attained excellent user numbers over the years and its closure would not be in the best interests of the city. The centre closed in March due to a roof leak and a burst pipe, but the council won't commit to a reopening. Help the city get its much loved Clifton Hill sports centre back in service! It has left an irreplaceable void in people's lives. It*

*was a real community hub used by all ages from toddlers to pensioners and all socio economic groups. Exeter is bidding to be the UK's most 'active city' and so closing the centre is insanity! Come on Exeter City Council tell us it will reopen - it was only some snow through the roof and a few burst pipes!"*

- 11.7 A second petition of 506 signatures from the **Supporters of the Campaign to save the Clifton Hill Green Space**, was handed to Cllr Edwards on 13<sup>th</sup> November and stated:-

*"We, the undersigned, call on you to:-*

- (i) Prevent the sale of, and building on, the green space at Clifton Hill;*
- (ii) Promote its use for community outdoor activity;*
- (iii) Use the green space to enhance biodiversity and protection of wildlife".*

- 11.8 As required by Councillors, officers have taken steps to ascertain the views of local residents through an independently commissioned listening exercise.

- 11.9 Wild Zones were commissioned to help identify aspirations for Newtown Community on how to promote and develop a healthy, active neighbourhood where all members of the community feel able to participate. During September and October 2018, Wild Zones convened and facilitated 7 conversations with groups of Newtown residents; and engaged in conversations with Community Builders, community organisations and ECC Officers and Councillors. Over 100 local residents took part in discussions.

- 11.10 Understandably the future of the Clifton Hill site was a major issue and the report detail reflects this. In relation specifically to Clifton Hill the recommendations to the Council are to consider the long term health, wellbeing and safety of residents and wildlife in decision making regarding urban infrastructure through:

**Promoting Health & Wellbeing/reducing health inequalities:**

- Provide opportunities for everyday physical activity and sport, including walking, play, cycling, running, dancing, skateboarding, etc.
- Protect and conserve open green space and wildlife habitats
- Promote community cohesion and emotional wellbeing through opportunities for social connection
- Include opportunities for culture and creativity
- Recognise and promote the crucial role of nature in the wellbeing of the community
- Encourage local residents to participate and take leadership in the development of their community and its resources

**Sustainable Urban Planning**

- Explore options for community managed green spaces with local stakeholders and residents
- Ensure indoor and outdoor public spaces are available for inclusive community use
- Recognise the contribution of the local environment to promote improved air quality and clean water
- Maintain bio-diversity by protecting wildlife habitat and corridors, trees and plant diversity
- Recognise the importance and value of diverse communities by ensuring a balance between long term and transient populations

The report also identified a number of general recommendations to help the Council in future these were summarised in the report as:

**Provide clear and transparent communication by:**

- Communicating and listening proactively with residents to enable participation in decisions that affect their lives.
- Using community conversations, focus groups, surveys and online tools to allow engagement in major decisions.
- Publishing the results of community conversations and explaining how they will be taken into consideration.
- Ensuring publically accessible information is available and communicated with communities to enable them to engage and discuss priorities with their elected Councillors.
- Acknowledge communication from residents and community groups.

**Enhance engagement with local communities by:**

- Working alongside communities to address challenges regarding infrastructure and safety, within available resources and constraints.
- Encouraging community groups to research, develop and present plans for managing community assets and initiatives.
- Enabling residents to take an active role in instigating and leading community activities.
- Engaging communities in establishing and mobilising Exeter's vision for promoting active & healthy lifestyles.
- Continuing to clarify the role of Wellbeing Exeter's Community Builders and Community Connectors and exploring building capacity and ensuring their ongoing effectiveness.
- Engaging with the University & College to raise awareness on how students' behaviour affects vulnerable people and look at strategies to reduce the impact and perceptions of negative behaviour.

**Improve mobility and transport by:**

- Encouraging Devon County Council the Transport Authority to assess safety of roads, car usage and shared use of busy pavements

**Developing an asset based conversation by:**

- Seeking input from a wide range of residents and communities on creating healthy, happy, active places to live.
- Training staff to be sensitive to all issues that affect participation, including social, environmental and physical factors.
- Establishing ongoing conversations with residents, communities and under-represented groups to generate creative ways to increase levels of activity

**12. Are there any other options?**

- 12.1 The Clifton Hill site could be divided into lots and either sold as separate lots or some parcels of land retained by the Council. Officers are not recommending either of these options on cost/best value grounds. Developing part of the site will not generate sufficient capital receipts for the Council to meet the £3 million funding commitments made in June 2018 and the additional funding needed to refurbish the Riverside Swimming Pool and Leisure Centre in 2019. Due to service and other

costs small parcels of development land on the site will generate a significantly reduced price per square metre in comparison to the site as a whole.

- 12.2 The feasibility study for the site has identified that several uses are possible on site and that a mix of uses (student accommodation, care home, build to rent and build to sell accommodation) might result in the highest land value. The advisers strongly recommend that the site is sold as a single lot but that offers from consortia are invited alongside single purchasers.
- 12.3 This gives bidders the opportunity to joint venture with other parties to increase their competitiveness whilst keeping the form of sale relatively simple for the Council. The potential for multiple land sales to different parties, given the nature of the site, would be complex requiring the Council and all the land parcel purchasers to agree on the basic form of contract, transfer, rights and responsibilities as well as timings and issues around planning submissions. This would heap a considerable amount of risk on to the project given the number of parties needed to make an agreement, all with different aims and is likely to bring in a reduced capital receipt for the Council due to considerable increase in risks and costs.
- 12.4 There is an option to reject the recommendation to retain an area of the site to protect a public open green space given the proximity of Belmont Park and the fact that this may add complexity to the sale and may reduce the capital receipt to the Council. However this has to be balanced with the feedback from local residents about the importance of an open public space to community wellbeing.
- 12.4 There is an option to permanently close the Riverside Swimming Pool and Leisure Centre. This is not being recommended as the Built Facilities Review by Max Associates (August 2018) highlighted the important future role of a Swimming Pool and Leisure Centre facility on or near to the current Riverside Leisure Centre site. Further independent advice has identified that it is likely to be more cost effective to repair the facility than to knock down and build a new one.

**Director**

Jo Yelland

**Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

Contact for enquires:  
Democratic Services (Committees)  
Room 2.3  
01392 265275

## Appendix: 1 Before and After Images of the refurbishment works

At Wonford Sports Centre the programme works included internal decoration and refurbishment to the weights room and gym area, all new fitness equipment and a brand new virtual spin studio.

Description	Image
<b>Wonford Spin Studio</b>	 A virtual spin studio with a large screen displaying "LES MILLS SPRINT VIRTUAL 09" and "Presented by Dennis Blacklaw (Australia) & Khiran Huston (New Zealand)". A stationary bike is in the foreground.
<b>Wonford Gym</b>	 A gym area with various fitness equipment, including treadmills, weight machines, and a large exercise ball. The floor is green and the walls are yellow.

Before

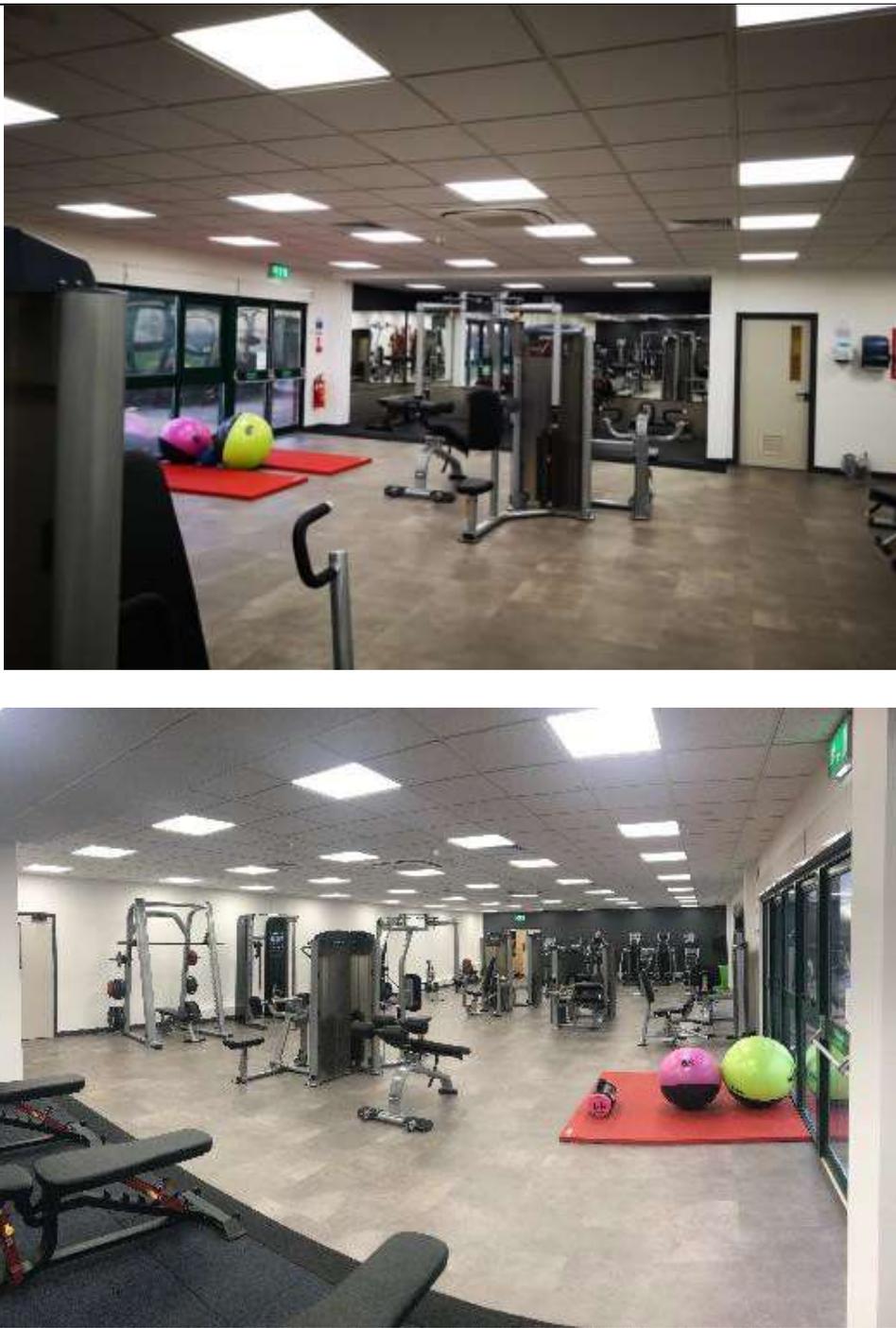
Description	Image
	 <p data-bbox="863 983 935 1016">After</p>
<p data-bbox="89 1025 300 1093"><b>Wonford Weights Room</b></p>	

Description	Image
	
<p><b>Wonford MUGA</b></p> <p>At <b>Wonford Sports Centre</b> there has been a complete refurbishment of the Astroturf all weather pitch and the surrounding fencing</p>	 <p style="text-align: center;">Before</p>

Description	Image
	 <p data-bbox="868 808 940 837">After</p>

At the ISCA Centre the refurbishment has created a new expanded gym facility along with improvements to the changing room and a new virtual spin studio has been created in the old gym area within Exeter Arena.

Description	Image
<p data-bbox="81 1084 359 1113"><b>ISCA Centre Gym</b></p>	 <p data-bbox="876 1682 967 1711">Before</p>

Description	Image
	 <p>The image contains two photographs of a gym. The top photograph shows a gym interior with a tiled floor, a drop ceiling with square lights, and various exercise machines. In the foreground, there is a red mat with two large exercise balls, one pink and one yellow. The bottom photograph shows a different angle of the gym, featuring a red mat with two large exercise balls (one pink, one yellow) and a small red mat with a pink ball. The gym is well-lit and contains various pieces of equipment.</p>

Description	Image
	
	

**Description**  
Exeter Arena  
Spin Studio



Before

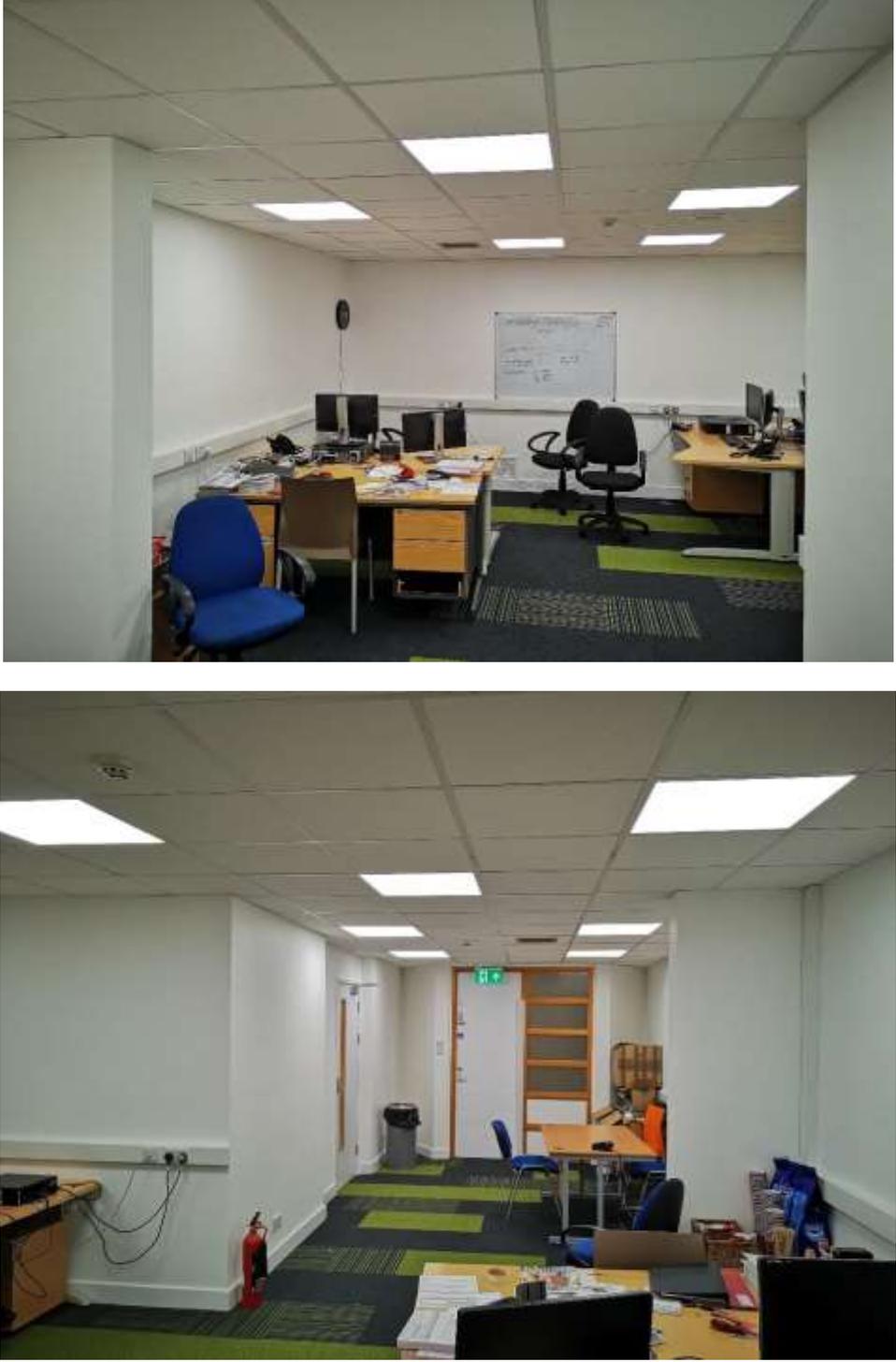


After

The Riverside Swimming Pool and Leisure Centre works included the refurbishment and conversion of the café, soft play and reception areas to create a new membership sales office, a yoga / quiet workout space, a virtual technology spin studio, a virtual technology workout studio and extension of the gym area to include installation of a functional fitness rig.

Description	Image
Riverside Spin Studio	
Functional Fitness Rig	

Description	Image
<p data-bbox="199 136 379 174"><b>Yoga Studio</b></p>	
<p data-bbox="92 1296 406 1335"><b>Members seating area</b></p>	

Description	Image
Membership sales office	 <p>The top photograph shows a membership sales office with a desk, a blue chair, a whiteboard, and computer monitors. The bottom photograph shows a wider view of the office with a fire extinguisher, a trash can, and a doorway in the background.</p>

In November 2017 Council agreed to a refurbishment programme for the Pyramids to ensure it could stay functional until the new St Sidwell's Swimming Pool and Leisure Centre opens in December 2020. The completed works include structural repairs to the roof and installation of a new AHU's, refurbishment to the family changing rooms, male changing rooms and female changing room, decoration to the vending area, reception and dry changing rooms.

Description	Image
<b>Male Changing Ara</b>	
	

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**Appendix 2:**  
**Approximation of preferred area to retain as an informal public green open space**

It is strongly recommended that a specific area of the site, in the vicinity of the current informal green space if possible, is retained by the Council.

The size of this land should be a minimum of 10% of the total land area.

The exact size and location of the site for retention by the Council will be formally agreed prior to the sale.

The selection of the site to be retained should be done sensitively to protect flora, fauna and wildlife habitats and to ensure it does not impede access to the site for development and minimises devaluation of the site

# Clifton Hill Site

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