

REPORT FOR INFORMATION

From: C Hill Town Clerk and Responsible Financial Officer
To : Amenities Committee
Date : 16th October 2019

Subject – Wheels Park

1 Background

- 1.1 This project to create a skateboard and BMX park was originally considered in 2010 as replacement for the existing park.
- 1.2 Involvement of local group initiating request for assistance by - Todmorden FLIP
- 1.3 Ownership of the land is held by Calderdale MBC but with potential grant funding not being available at MBC level, it was proposed to transfer the land to Todmorden Town Council in order for The Town Council to apply for funds.
- 1.4 “Groundworks” were commissioned to undertake an outline proposal regarding design but without detailed costings at this outline proposal stage.
- 1.5 No funding applications for grant awards have been made.
- 1.6 Broad agreements of support and Heads of Terms agreed with Calderdale
- 1.7 Legal fees have been incurred to arrive at:-
 - a) Potential lease transfer to TTC
 - b) Potential management agreement for operational responsibility

2. Delays to project

- 2.1 Need for Environment Agency approval to build on their site in Centre Vale Park owing to need to flood in event of emergency- main stumbling block as unless permission given, the project could not go forward.
- 2.2 Numerous exchanges regarding Public Liability insurance in terms of future liability
- 2.3 Earmarked Reserve in place for £10,000, to enable next steps for project to go forward at that time that would revolve around commissioning Groundworks to:-
 - a) Undertake Grant search and submit proposals on behalf of Todmorden Town Council.

b) As part of this working up scheme to more detailed project costs and design sign off.

3. Current situation

3.1 Given the lapse of time and a different administration there is a need to:-

- a) Understand if there is still local support to take this initiative forward
- b) Is there still a willingness from Calderdale Council to still enable the transfer of land and if so what of the original Heads of Terms are still on the table from Calderdale Council?
- c) Is there still an appetite from Todmorden Town Council to take on this project?

4. Considerations

- 4.1 From reading background correspondence, it is evident there has been a misunderstanding of how in practice it could be delivered from an operational point of view, with assumptions made about ongoing Calderdale Council support.
- 4.2 To be covered from a Public liability point of view Todmorden Town Council has to own the site and be responsible for operational delivery.
- 4.3 That element of delivery can be outsourced back to Calderdale e.g. ROSPA checks for a nominal £1 consideration, if Calderdale are still prepared to meet these costs as though a contract placed with them.
- 4.4 Other elements of delivery may be included within a management agreement e.g. clean up process and cost responsibility if flooded
- 4.5 However day to day response issues, regular site checks and ongoing maintenance, are just some of the issues that Todmorden Town Council would operationally need to cover, and may therefore have ongoing staffing resource/revenue budget implications.

5. Way forward

- 5.1 Before presenting back to Full Council for a Policy decision regarding taking this scheme forward, a more detailed understanding appraisal needs to be undertaken by the Town Clerk in order to advise Members accordingly regarding Policy, Resource, Operational Responsibility and Financial implications.
- 5.2 That will involve discussions with Calderdale to revisit Head of Terms, with "Groundworks" to understand likely availability of grant funding being available, and the process to deliver such funding and overall project including development build and the Environment Agency regarding their agreement.

- 5.3 Members will need to consider how they wish to engage with the Public on current demand for this project, once clarity of the above issues has been achieved and a better understanding of the revenue cost implications going forward to inform the budget for next years more fully understood.
- 5.4 Arising out of such consultation may emerge a proposed “vehicle” to take this forward in conjunction with the Town Council e.g Friends Group with registered Charitable Status or a Community Interest Company as just two possible suggestions.

6 Recommendation

- 6.1 That the Town Celrk be authorised to resume contact with Calderdale Council, Environment Agency and Groundworks in order to establish a baseline for future consideration, and to report back to General Purposes Committee on 22nd January 2020 with a more detailed report as to the way forward for consideration.