

 Executive 28th November 2018		Agenda Item No. 3
Title	Europa Way Progress Update and Next Steps	
For further information about this report please contact	Chris Elliott, Chief Executive telephone: 01926 456003 e-mail: chris.elliott@warwickdc.gov.uk	
Wards of the District directly affected	Myton and Heathcote, Warwick	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No – although an attached report is contained within the private and confidential section of the agenda	
Date and meeting when issue was last considered and relevant minute number	Council 14 th November 2018 Executive on 26 th September 2018	
Background Papers	Local Plan, Submission draft and modifications; 4x Planning Applications; Report to Executive in October 2014 re Council Housing Programme; Report to Executive in November 2014 re Sports and Leisure Review; Reports to Executive/Council in January 2015, March 2015, April 2017, November 2017, April 2018, May 2018, June 2018, August 2018, September 2018 and November 2018	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	Yes
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	No
An equality impact assessment will be undertaken at the appropriate design stage of each element of this work.	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/	06.11.18	Chris Elliott
Heads of Service	06.11.18	Rose Winship, Dave Barber
CMT	06.11.18	Chris Elliott; Bill Hunt; Andrew Jones
Section 151 Officer	06.11.18	Mike Snow
Monitoring Officer	06.11.18	Andrew Jones
Finance	06.11.18	Mike Snow
Portfolio Holder(s)	12.11.18	Cllr Phillips – Housing & Property
Consultation & Community Engagement		

The Local Plan proposals have been subject to several public consultations and related planning applications that have been submitted have also been subject to public consultation. The proposals set out in this Report have been discussed on a confidential commercial basis with several agencies, but especially with Warwickshire County Council (WCC), Leamington Football Club (LFC) and Waterloo Housing Group (WHG) and more latterly Bishop’s Tachbrook Parish Council. Full community consultation will be undertaken at the appropriate design stage for each element of this work. At present a community consultation is underway in the parish of Bishop’s Tachbrook on the element of the proposed new Secondary School. Briefings have also been held (or will have been held by the time of this meeting) with Whitnash and Warwick Town Councils and with Myton and Campion Schools.

Final Decision?

Yes on some aspects though some elements will require further reports in due course

Suggested next steps (if not final decision please set out below)

The next steps for each element of this work are suggested within the body of the report.

1. **Summary**

- 1.1 This report provides Members with an update on the Europa Way project and also to agree to a number of steps to progress the project forward. Specifically, this includes:
 - 1.1.1 Supporting the proposal for a new Secondary School on land off Oakley Wood Road instead of on land to the rear of Myton School, provided a number of points are incorporated, including the provision of dual use of the sports facilities and changes in the proposed country park;
 - 1.1.2 Agreeing to bring a Community Investment Package for the village and parish of Bishop's Tachbrook to help it cope with the proposal above;
 - 1.1.3 Using the land off Europa Way so freed to be used as a primary school; for special education needs; and for community/education sports facilities i.e. relocation of the Council's athletics track from Edmondscote;
 - 1.1.4 Using the land originally intended for use as a primary school as land for other development including housing;
 - 1.1.5 Agreeing a masterplan for the whole of the area of land to the west of the proposed spine road through the land north of Gallows Hill, as the basis for Planning Applications on this site;
 - 1.1.6 Making an offer to WCC to buy the land referred to at 1.1.4 above and to obtain a long lease to enable 1.1.3 above;
 - 1.1.7 Agreeing to sell the 5 acres of land fronting Gallows Hill for commercial use noting that the sum offered along with another receipt will be enough to pay for the proposed community football stadium;
 - 1.1.8 Agreeing to market the other land that is not required physically for the proposed community stadium;
 - 1.1.9 Agreeing to use part of the existing athletics track and adjoining Council owned land as a new public park and to market part for development, potentially in association with development of the adjoining Guide Dogs establishment.
 - 1.1.10 Agreeing to commence the procurement process in order to progress to RIBA stage 1 for the design of the community football stadium and to agree the sum to fund such work;
 - 1.1.11 Agreeing to negotiate with Warwickshire College, South Warwickshire General Hospital Foundation Trust (SWGHT) and with Leamington Football Club (LFC) on design components and cost contributions for the elements they seek to be incorporated within the stadium;
 - 1.1.12 Agreeing to an options appraisal for the delivery of a Gypsy and Traveller site on the existing LFC site;
 - 1.1.13 Agreeing to the principle of creating a new public park at Edmondscote and footpath/cycleway linkages connecting Warwick and Leamington.
 - 1.1.14 Approving the project timetable; project governance and risk register.

2. **Recommendations**

- 2.1 To note the progress on the Community Football Stadium project generally and in particular: the purchase of the land from the County Council; the intended inclusion of health and education service activities within the proposed community football stadium complex; the earlier delivery of the spine road; and the prospect of enhancing the affordable housing provision.
- 2.2 To support the principle of locating the new planned secondary school on a site at Oakley Wood Road, Bishop's Tachbrook (see Plan 1) to replace the proposal on land to the rear of Myton School, provided that a number of key aspects are included such as: securing dual use of the sports/community facilities; position of buildings north of the ridge; and access/integration with adjacent public open space; as set out in paragraph 3.3.7 of this report.

- 2.3 To agree to continue the dialogue with Bishop's Tachbrook Parish Council to develop a Community Investment Package to address a range of community impact issues and opportunities connected to the Secondary School proposal as set out in this report and to report to a later meeting of the Executive for approval.
- 2.4 That the procurement process to seek design services for the country park should reflect the secondary school proposal and the agreed and potential additions as referred to in this report.
- 2.5 To adopt the Master Plan for the land west of the spine road and north of Gallows Hill as shown in Appendix A to this report as the basis for Planning Applications for this area.
- 2.6 To agree in principle to the relocation of the athletics track and ancillary facilities currently located at a site off Edmondscote Road to a new site as shown on the Masterplan at Appendix A to this report.
- 2.7 To agree in principle to the creation of a new public park on the floodplain land next to the Rivers Leam and Avon on the land shown on Plan 2 to this report.
- 2.8 To prepare a detailed business case on the recommendations 2.6 and 2.7 for approval at a future meeting of the Executive to be funded by a sum of up to £50,000 to be taken from a virement from a sum of £190,000 previously allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve.
- 2.9 To agree to spend up to £100,000 from a sum of £190,000 previously allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve in order to progress to RIBA Stage 1 for the design of the Community Football Stadium to include procuring of professional services including architects and external project management, to cover legal costs and to undertake essential surveys of the relevant site.
- 2.10 That, subject to approval of recommendation 2.9 above, the procurement and appointment of professional services including architects and external project management for the Community Football Stadium project is undertaken and design work commenced.
- 2.11 In association with Leamington Football Club, to negotiate with Warwickshire College and South Warwickshire General Hospital Foundation Trust (SWGHT) on the content of their elements within the Community Football Stadium and to report to the Executive at a subsequent meeting.
- 2.12 To negotiate a long lease from Warwickshire County Council for part of the 7 hectares allocated for educational use in order to relocate the District's athletics track and ancillary sports facilities for use by the community, local schools and Leamington Football Club as shown on the Masterplan at Appendix A, on terms to be agreed by the Chief Executive, Head of Cultural Services and the Head of Finance in consultation with the Portfolio Holders for Housing and Property, Culture and Finance and to report to the Executive for final approval.
- 2.13 To agree terms for school/community access of the relocated athletics track and school facilities and for mutual vehicular access/parking with WCC, Schools and existing sports clubs.

- 2.14 To continue a dialogue with Myton School on the potential for enhancement of their facilities and for achieving school/community access of any new facilities and vice versa on the athletics track and report to the Executive at a subsequent meeting.
- 2.15 To agree to market the land shown on the Master Plan (Appendix A) in this report in appropriate parcels, in order to establish the preferred purchaser(s), based on the offers made and to report the conclusions of this exercise to a subsequent meeting of the Executive.
- 2.16 To agree to delegate authority to the Chief Executive and the Head of Finance, in consultation with the Housing and Property and Finance portfolio holders, to enter into negotiations with the Guide Dogs for the Blind Association for the joint marketing of land off Edmondscote Road; to carry out the marketing; and, to report the conclusions of the marketing to a subsequent meeting of the Executive for approval.
- 2.17 To agree to the Council exploring options on how to bring forward a permanent Gypsy and Traveller site at land at Harbury Lane currently owned by Leamington Football Club and shown on Plan 5 and to report on the conclusions to a subsequent meeting of the Executive.
- 2.18 To approve the Project Timetable to develop the Community Football Stadium and associated commercial development land that is shown as Appendix D to this report.
- 2.19 To agree the Risk Register for the project that is shown as Appendix E to this report.
- 2.20 To agree the Project Governance Structure for the project that is shown as Appendix F to this report.
- 2.21 To agree that a Members Working Group made up of representatives of all political groups plus the portfolio holder for Housing and Property Services is set up for this project to oversee the design and development of the Community Football Stadium in conjunction with LFC.
- 2.22 To agree that following the conclusion of negotiations to make publicly available the main details of land purchases and disposals, i.e. sums of money involved.
- 2.23 To agree in principle, subject to Employment Committee approving the amendment to the establishment, to the funding of a Sports and Leisure Projects Officer to work with the Leisure Development Programme team for a period of 4 years to assist with the delivery of the complex and inter-related work programme described in this report, subject also to funding being agreed in the Annual Budget Report in February 2019.

3. **Reasons for the Recommendations**

3.1 The reasons for each recommendation are provided below and additional information is available in the relevant Appendix.

3.2 Recommendation 2.1

This recommendation relates to the progress made on this scheme to date.

- 3.2.1 Members will recall that in essence the underlying aim of the proposal was to:
- Buy land to enable Leamington Football Club (LFC) to relocate from its current site; that some of the land bought would in turn be sold to raise funds to construct the stadium (estimated cost range £6 to £7m). The Council would retain ownership of the freehold of the Stadium and LFC would have a long leasehold (150 years) at a peppercorn. LFC would also sell its existing site to the Council once the new stadium is available and the Council would use it to create a permanent Gypsy and Traveller site. LFC will invest the sale proceeds into the new stadium facility. The principles of this agreement between LFC and WDC have been long agreed. Once the land purchase from WCC is complete then the agreed principles will be translated into a detailed set of legal agreements.
 - It was also intended that a S106 agreement would be completed in time to beat the then deadline for pooling of Section 106 agreements, which did happen; and,
 - To restore the loss of affordable housing on Europa Way and enable the Council to build homes.
- 3.2.2 Work has been continuing to progress the Community Football Stadium project and its associated elements. The purchase of land which was agreed to be made has not as yet been completed but it is now expected that the purchase will be complete before Christmas 2018. The main cause of delays has largely been various highway issues that have required resolution at this stage prior to purchase in order to mitigate a variety of risks for various if not all parties. The Council has also agreed terms for securing an option on the Heathcote Hill farmhouse (previously reported) to help to amalgamate the land ownerships in this vicinity to enable a better form of development and to maximise receipts. A proposal to assist the early delivery of the spine road has also been agreed. Work on the spine road should start no later than May 2020 and be complete a year later.
- 3.2.3 Both Leamington Football Club (LFC) officials and WDC Officers have continued to progress work on the likely content of the Stadium physically and in service delivery terms. LFC has agreed a partnership with Warwickshire College to develop an Academy and the partnership has in principle now extended to the College wanting to develop courses using the facility relating to hospitality and events and some sports components. In addition, the South Warwickshire General Hospital Foundation Trust (SWGHT) has also expressed a strong interest in both taking space and making a contribution towards the cost for a range of out-patient activities and services which are commensurate with the facility being as much a health and well-being centre as a sports one. This includes physiotherapy, podiatry, district and specialist nurses amounting to 1500m² of space.
- 3.2.5 The County Council land sale is to two parties – to WDC west of the spine road and to Waterloo Housing Group (WHG) to the east. The spine road is to be built by WHG and its Development Partner Galliford Try Partnerships (GTP) but will become a public highway. The outline planning permission for the site only requires 35% affordable housing but Waterloo will develop the site for 40% so regaining 5%. The Council has an opportunity to try to regain the remainder of that lost on the Myton Green site to the north where the affordable housing provision required on site is only 33%. Other later sections of this report will highlight the opportunities to do so. In addition, these opportunities also highlight where the Council may exercise a role as house builder.

3.3 Recommendations 2.2, 2.3 and 2.4

These recommendations relate to the issue of the proposed new Secondary school and its impacts.

- 3.3.1 Plan 6 illustrates the proposed extension of Warwick, Leamington and Whitnash by way of amalgamating all the masterplans for the sites approved for development in the Local Plan and now mostly having planning permission. The scale of development has very significant infrastructure requirements particularly highways and also education. Whilst a number of sites for primary education have been identified and are secured via S106 agreements secondary education provision has been set out within the Local Plan as a mixture of expansion of one of the existing nearby secondary schools (Campion) and a new school on 7 hectares of land to the rear of Myton School and immediately adjacent to the proposed community football stadium. There have always been anxieties about this site in terms of its size and its lack of distance from another secondary school.
- 3.3.2 These anxieties have grown as the estimated pupil roll numbers i.e. the number of children having to be provided for, has grown further to the extent that the current site is now considered to be too small to be able to provide for a school of the size necessary. Consequently officers of this Council and of WCC have looked at other sites for site suitability and availability. A paper setting out the pupil roll forecasts and site appraisal is attached at Appendix G.
- 3.3.3 Officers reported in May 2018 on this issue and the Executive agreed to the principle of the alternative location for a new secondary school as set out in that report. Members asked officers to inform the principal partners accordingly and to engage in a continuing dialogue with them to bring this issue to a satisfactory resolution.
- 3.3.4 The proposal involves land to the west of Oakley Wood Road and south of Harbury Lane near the crossroads of those roads with Tachbrook Road, Whitnash. The secondary school would have a sixth form and there would also be a primary school. It would use land that is currently partly to be the eastern end of the country park and part farmland. The country park would also change shape though not size as other land would be brought into it so that it headed southwards and ended at the very edge of the village of Bishop's Tachbrook. The school sports facilities would be dual use so out of school hours would be run by WDC and its partner Everyone Active. The car parking would also be able to be used out of hours in connection with the country park.
- 3.3.5 The land for these purposes would be enabled to be provided free of any cost to the council taxpayer as adjoining land to the north would be developed for housing. This adjoining land is currently proposed as a site for a primary school and partly as open space though its current use is farmland. The housing element is not a proposal within the Local Plan but can be seen as enabling development without which the Secondary School land would not be available.
- 3.3.6 Plan 6 illustrates how the proposal changes the overall masterplan for the area south of Warwick, Leamington and Whitnash. The significant public benefits of the proposal are:
- A site that will enable the full education provision to be made for the area now and will have some capacity for the future;

- The country park will enable most of the new development and the village of Bishop's Tachbrook to gain access to the school via footpath and cycle route off road;
- The country park will link directly to the village and to the new parts of the parish including the development of the Asps;
- The site can be delivered free of any direct cost to the council taxpayer;
- Re siting the secondary school in this location will enable a more appropriate re-use of the 7 hectares reserved for education purposes on land off Europa Way/North of Gallows Hill.

Overall the proposal for a new secondary school should therefore be supported.

3.3.7 Officers have worked with local WDC and WCC Councillors and the Parish Council to discuss and consider this proposal and to seek to maximise the community benefits and minimise the community impacts. Issues arising include:

- Mitigating traffic through the village via new village centre traffic calming scheme;
- Ensuring the approach to the village along Oakley Wood remains rural in appearance and feel;
- Keeping School buildings and structures to the north of the ridge on the site;
- Ensuring community access to the sports and community facilities via a dual use agreement;
- Extending the footpath/cycleway from the village to Oakley Wood and from there to the western end of the country park (east of Europa Way);
- Connecting the country park either side of Europa Way effectively and safely;
- Ownership of the country park (freehold/leasehold BTPC/WDC double lock);
- Assisting the Parish with its Neighbourhood Plan and particular elements relating to:
 - further extensions of the country park south of the Tach Brook and north east of Oakley Wood Road i.e. Grove Plantation;
 - possible improvements to the sports and social club's facilities;
 - affordable/local connection home provision; and,
 - other environmental improvements.

3.3.8 Inevitably some elements of the above will be addressed by way of S106 agreement and/or CIL but in order to give assurance to the local community that in supporting the proposal its concerns are understood and will be addressed, it is proposed that officers and local Members work with Bishop's Tachbrook Parish Council to prepare a Community Investment Package. This will be reported to the Executive for approval at a later meeting.

3.3.9 The proposal derived from the dialogue undertaken by officers in particular with Bishop's Tachbrook Parish Council is that a pre-application consultation is now underway alongside a consultation by the Parish Council on its Neighbourhood Plan. Briefings have also been (or will have been by the time of this meeting) held with Whitnash and Warwick Town Councils as well as Myton and Champion Schools. The preparation of the application is being funded jointly by AC Lloyd as the owner/developer, WCC and WDC. It is expected that the planning application (a hybrid) will be submitted in the New Year.

3.3.10 Members will note that the country park proposal is materially affected by this scheme. Members had agreed in 2017 to go out to tender to secure the

services of a designer but there was a delay owing to other work priorities. In the event the delay has proved fruitful as the tender can and should now relate to the new proposed extent of the country park and not to the original extent.

3.3.11 In addition, the Council has secured additional land from WCC at nil cost to be added to the country park. The land between the Tach Brook and Europa Way is woodland but lies opposite the intended access into the Asps development off Europa Way. This will enable a clear pedestrian and cycle access from the residential area into the country park and of course onwards to the new school. Two other areas are also being examined as additions to the country park and should also be reflected in the design brief i.e. Grove plantation, a woodland area lying between Harbury Lane and Oakley Wood Road and opposite the proposed location of the secondary school; and, Brookside Willows, a large area of woodland and reclaimed landfill which faces onto Banbury Road. All of these areas are highlighted as bright green on Plan 7.

3.4 Recommendation 2.5

This recommendation relates to the approval of the Masterplan.

3.4.1 On the basis of the proposed secondary school proposal coming forward on land off Oakley Wood Road, it allows the new primary school on land north of Gallows Hill (which is also required) to be located on the 7 hectares close to Myton School, on the land which up to now has been allocated for use as a new secondary school. This change frees up the whole of the land to the west of the spine road and the north of Gallows Hill for the Community Stadium and enabling development. Although the 7 hectares has been identified for secondary school use the S106 agreement also allows the land to be used for primary education, special needs education and community/sports usage.

3.4.2 In June 2018 the Executive agreed to procure a masterplan/development brief for the land to the west of the spine road on land north of Gallows Hill to be funded from the Local Plan Implementation Reserve. This work was subject to a procurement exercise and FWP were appointed. FWP with WDC and WCC officers have involved a wide range of organisations. That work has led to the Master Plan shown as Appendix A. The adoption of the Master Plan as the basis for Supplementary Planning Guidance will provide the policy template for the uses of the land and is crucial to the successful development of the site and construction of the Community Stadium. Much of the rest of what is proposed in this report flows from the acceptance of the Master Plan for the site.

3.4.3 The Masterplan illustrates:

1. commercial usage on land immediately fronting Gallows Hill;
2. re-use of the currently allocated primary school site for a combination of housing, possible part-commercial use/neighbourhood centre, nursing/care home and related uses;
3. incorporation of the farmhouse as part of the neighbourhood centre;
4. community football stadium incorporating a variety of activities – conference space, gym, food/beverage, health services; education/training space, 3 G pitch, with surrounding car parking and allowing for the possibility of a footpath/cycleway through to the Technology Park (a road connection has also been mentioned and remains a possibility); and,
5. re-use of the site currently allocated for a secondary school for a 2 form entry primary school and a nursery to 18 year old special education needs

school and a relocated athletics track with a footpath/cycleway route through to Myton School.

3.4.4 It is intended that the relocated Athletics Track and the adjoining school facilities and to a degree the stadium/school car parking can be run in a fashion so that the opportunities for the community and for local schools can be maximised. Given the proximity to Myton School there is the opportunity to create a second pedestrian/cycle access to the school and to the existing dual use sports facilities as well as an opportunity to enhance its facilities. It is suggested that this dialogue be pursued and reported upon further.

3.5 Recommendations 2.6, 2.7 and 2.8

These recommendations relate to the consequences of the relocation of the athletics track and to maximising the opportunities that the consequences give rise to.

3.5.1 Within the next 10 years in order to keep the existing athletics track up to its current standard a significant amount of money will need to be spent. This arises from the recurring damage it has suffered over the years from flooding and general wear and tear. However, the track is not as well used as it might be and a large part of that is due to its relatively inaccessible location. Whilst schools use it for special events it is not used on a regular basis by them. Discussions with the groups using the track reveal strong support for relocating the track to this new, more accessible location and one where it would be more open to school/day time use. It is suggested therefore that in principle the relocation of the current athletics track to land north of Gallows Hill, as shown in the Masterplan, be agreed.

3.5.2 The relocation of the athletics track then begs the question of the Council's future intentions for the current site. The site is largely within a flood plain and will not be able to be developed. It is also an attractive site adjoining another public open space albeit one not well landscaped or used. The council owns land on the other side of the river and owns open space on the other side of the adjoining site to the west. In between, there is land owned by the Guide Dogs Association. Plan 2 illustrates the land concerned.

3.5.3 The Guide Dogs Association has indicated that it wants to explore the possibility of relocating their operation elsewhere within the District and to redevelop their current site. This opens up the possibility of a joint redevelopment of part of the athletics track site – i.e. that from the pavilion to the north and west, with the upper part of the Guide Dogs site then the larger part of the athletics track and the riverside part of the Guide Dogs site could be brought together with other Council owned land to the east and west to form a new continuous riverside park. This could lead to a complete off-road footpath/cycle route between Warwick and Leamington; and indeed beyond to the east using the existing national cycleway route to the old railway line where (once a bridge is restored over the Fosse Way), this will give an off-road route all the way to Draycote Water and then on to Rugby, with a spur to Southam. If a route through Castle Park could be secured then there would be an opportunity to create a footpath/cycle toward Stratford. Via a link to the canal system such a route could be extended north westward toward Hatton and Lapworth. It is suggested that the principle of the creation of a new riverside public park as shown on Plan 2 to this report be agreed.

- 3.5.5 To further the in-principle agreements relating to the relocation of the athletics track and to the creation of a new public riverside park advice has been sought on the costs and potential income to be generated. It is estimated that a new athletics track plus pavilion and associated facilities would cost in the region of £2 million. Converting the existing area and adjoining land into a new riverside public park including footpaths and cycleways might be in the order of £1 million; more if a bridge over the river were involved.
- 3.5.6 However, advice from Cushman Wakefield has been sought on the potential development yield of the land concerned and is attached at private and confidential Appendix X which indicates that the above costs could be covered. There is also the opportunity to seek funding from eco credits if new bio diversity habitats are created; and, from WCC and Sustrans in respect of cycleways. Even so it is suggested that a more detailed business case should be prepared and brought to the Executive for consideration.
- 3.5.7 This may require some funding, which is estimated to be £50,000. It is proposed that this is funded from a virement from a sum of £190,000 previously allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve. This sum was originally allocated to "fund various work required progressing the delivery of the stadium site...including... resourcing the management of the project once the purchase of the land was completed". It is therefore considered that this is an appropriate virement to help deliver one of the extended elements of the stadium project.

3.6 Recommendations 2.9, 2.10 and 2.11

These recommendations relate to the commencement of the implementation of the Community Football Stadium scheme.

- 3.6.1 It is proposed that programme management, design and associated work for the Community Stadium should be commissioned to go to RIBA Stage 1 up to a maximum of £100,000. This work will be tendered. It is proposed that this is funded from a sum of £190,000 previously allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve.
- 3.6.2 In addition, in association with LFC, the Council will now need to negotiate how the other parties e.g. Warwickshire College and South Warwickshire General Hospital Foundation Trust (SWGHT) will contribute to the scheme. It is proposed that this process commences and a report is brought to a subsequent meeting of the Executive.

3.7 Recommendations 2.12, 2.13, 2.14, 2.15 and 2.16

These recommendations seek to implement those aspects of the Masterplan which are outside of those elements needed to implement the Stadium proposal.

- 3.7.1 in order to implement the Masterplan the Council will need to seek a long lease at a peppercorn rent from WCC to accommodate the athletics track; it will also need to negotiate School/community access for that facility and also of the adjoining school facilities including vehicular access and parking rights; continue a dialogue with Myton School and agree to market the remainder of the land it will have assembled from WCC and the farmhouse. On this issue the Council may wish to consider either developing the housing itself in view of its

affordable housing ambitions or seeking a higher than 40% level of affordable housing, either of which would have a downward impact on land values.

3.8 Recommendations 2.16 and 2.17

These recommendations relate to land not forming part of the Masterplan but which do relate to aspects of the scheme in its entirety and would help to deliver the key elements relating to a new public park, a gypsy and traveller site and to bringing more land forward for affordable housing.

- 3.8.1 In moving the athletics track from its current site off Edmondscote Road to a location close to the Stadium, it will then be possible to sell part of the Edmondscote Road site. The most likely use for this land will be for housing. The site is not land-locked, as there is access off River Close. However, the land would be likely to be more valuable if it was marketed jointly with land on the adjacent site, which is currently owned by the Guide Dogs for the Blind Association.
- 3.8.2 The Guide Dogs for the Blind Association is discussing the matter with the District Council at the present time, and is open to the idea as it wishes to rationalise its land-holdings in the District as well as nationally. If a joint marketing exercise and sale could be arranged, then the higher land on both sites could be sold for housing, whilst the lower parts of both sites would be used to create a new public park beside the Rivers Leam and Avon. Such a park would link up several existing land ownerships of the Council, and make a significant contribution to the creation of continuous public open space alongside the rivers of the District. It is proposed to continue these discussions to agree terms for a joint marketing exercise, to undertake it and then to report the outcomes to a subsequent meeting of the Executive.
- 3.8.3 One of the wider benefits of the proposal to relocate LFC's home on Harbury Lane to the proposed Community Football Stadium is that once the new stadium is complete and transferred to LFC it will then be possible to use its existing site as a permanent Gypsy and Traveller site, which has been a planning priority for the Council for some years. The Council and the Club have agreed that the Council can purchase the Harbury Land site from the Club when the Community Stadium is ready for their use. As the project is now moving forward, it is now considered appropriate for the Council to proceed with examining options on how it would seek to deliver such a use and the likely costs involved.

3.9 Recommendations 2.18, 2.19, 2.20, and 2.21

These recommendations relate to the project governance, project plan, risk register and member involvement.

- 3.9.1 The Project Timetable shows the key milestones in order to deliver the project in 2022. This will be reviewed regularly throughout the programme, and particularly on the appointment of the external project management company.
- 3.9.2 The Risk Register is an important document in the management of this complex and inter-dependant project. This will also be regularly reviewed and updated so that it can remain a dynamic document and central to the control of risk within the project.

- 3.9.3 A robust Project Governance structure is required to ensure the project stays on track and all key Stakeholders and Consultees are engaged with the project and clear about roles and responsibilities. The proposed structure that is shown as Appendix F to this report seeks to ensure proper engagement and clarity of process and communications.
- 3.9.4 This project is a very high profile project for the Council. It carries a significant prospect of enhancing the reputation of the District Council and the District. However, there is also a significant reputational risk to this project, and national experience shows that it is particularly important to get all the critical details right in a Community Football Stadium project. It is therefore important that Members maintain a close scrutiny of the progress of the project. It is therefore proposed to establish a Members' Working Group for the Community Football Stadium, with membership determined in accordance with the group proportions plus the lead Portfolio holder.
- 3.9.5 It should be made clear that this all of this work on the proposed Community Football Stadium will be undertaken in very close association with LFC.

3.10 Recommendation 2.22

This recommendation seeks to promote openness and transparency.

- 3.10.1 Some time ago when the project was first being discussed there was a Freedom of Information request about the proposed sums of money being proposed to be bid for the site being purchased from WCC. At that time it was considered that such information was still commercially sensitive as the negotiations had not then been concluded. The matter was taken as far as the Information Commissioners Office (ICO). The Council did agree to make that information available once the negotiations had been concluded, i.e. the agreements signed and sealed. It is proposed that this approach be agreed in advance for all the transactions.

3.11 Recommendation 2.23

- 3.11.1 It is clear that this area of work contains many different elements. All are closely related and a number of them are of a significant size and complexity. All contain significant reputational risk for the Council. The Council has previously agreed to the appointment of a Community Stadium Project Officer, who took up his post on 21st May 2018 and who is closely involved in this project. However, the main focus of the job description is to deliver a successful Community Stadium and it will not be possible for him to concentrate on this key aim if he is attempting to deliver all the elements of the work stream described in this report.
- 3.11.2 It is therefore proposed to agree in principle to the creation of a new, fixed-term post for a new officer to work with the Community Stadium Project Officer to help co-ordinate and deliver the broad spread of work described here. They will also help with other aspects of the Leisure Development Programme, according to where the key work streams and pressures are at any given time.
- 3.11.3 As this is a new post it is proposed to wait until the production of the budget report in February 2019 in order to agree a source for the funding for this post in the annual budget process. The appointment is obviously subject to the approval of the Employment Committee for the temporary increase in

establishment. The delay until the new financial year will also enable this approval to be sought.

4. Policy Framework

Fit for the Future (FFF)

4.1 The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects. This report shows the way forward for implementing a significant part of one of the Council’s Key projects.

4.2 The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
Impacts of Proposal		
The community aspects of the Stadium and the Athletics Facility will encourage residents to lead healthy lifestyles. It will create another impressive sporting venue and by being available to the community will encourage community cohesion. The scheme also offers the opportunity to enhance affordable housing provision.	A high-quality new public open space is part of the Master Plan for the area. A new public open space will be created along the riverside area.	The new commercial elements of the site will boost the local economy. It will lead to additional employment in the area.
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u>	<u>Intended outcomes:</u>	<u>Intended outcomes:</u>

All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
The project could give rise to significant opportunities for Council staff to develop skills around entrepreneurship and partnership working with the private sector, community bodies and other public-sector bodies.	It will create opportunities to improve the delivery of sports and recreation facilities in conjunction with the development of the new community stadium.	The proposal will enable the Council to maximize the value of assets which generate enough funds to pay for the construction of the stadium which will then be a significant asset but also to deliver other public assets such as a park and more housing.

4.3 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies and the relevant ones for this proposal are explained here.

- 4.4 The recently adopted Local Plan for Warwick District provides the statutory framework for determining planning applications. The proposal broadly accords with the Plan as adopted, however it should be noted that the location of the stadium is further north within the site than proposed in the Plan. The proposals within this project for delivering a community stadium are considered the most likely way in which this policy in the Local Plan can be delivered.
- 4.5 The Master Plan is broadly consistent with the Local Plan and its overall strategy for the Europa Way area in terms of land use and design
- 4.6 The Master Plan is consistent with the Council's Playing Pitch Strategy and emerging draft Local Football Facilities Plan in terms of type and size of football pitches and athletics provision required within the district. Both recognise a demand for football at all levels within the district that these facilities will help to meet

4.7 **Changes to Existing Policies**

There is nothing in this report which seeks to change existing Council policies.

4.8 **Impact Assessments**

The appropriate impact assessments will be undertaken at the appropriate stage in the project. They are not relevant at this stage.

5. **Budgetary Framework**

- 5.1 This report recommends that a detailed business case is prepared for the recommendations 2.6 and 2.7 (the development of land at Edmondscote Road for housing and a riverside park) for approval at a future meeting of the Executive. It is anticipated that this will cost up to £50,000. It is proposed that this sum is taken from a virement from a sum of £190,000 allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve in April 2017. There are sufficient funds available for this virement to take place.
- 5.2 In Recommendation 2.9 this report also proposes spending up to £100,000 in order to progress to RIBA Stage 1 for the design of the Community Football Stadium. This is to include the procuring of professional services, including architects and external project management, to cover legal costs and to undertake essential surveys of the relevant site. It is proposed that this amount is taken from a sum of £190,000 allocated to the Europa Way Strategic Opportunity from the Community Projects Reserve in April 2017. There are still sufficient funds remaining from this allocation to carry out this work.
- 5.3 This report also proposes, in Recommendation 2.23, that the Executive should agree in principle, subject to Employment Committee approving the amendment to the establishment, to the funding of a Sports and Leisure Projects Officer. This post would work with the Leisure Development Programme team for a period of 4 years to assist with the delivery of the complex and inter-related work programme described in this report. There is currently no allocation of funds for this post, as it is not on the establishment. It is therefore proposed that permission is sought from the Employment Committee for this increase in establishment. If such permission is granted then Executive should seek to allocate resources for this post as part of the Annual Budget Report in February 2019. If permission is granted and resources found, the post could be filled from April 2019.
- 5.4 Other recommendations require further separate reports to come forward and these may well involve other costs but there is no commitment required for them at this stage. Thus decisions can be made at the time of the other reports.
- 5.5 A table presented within the private and confidential section of this report illustrates the respective costs and income from the various land acquisitions and disposals. This is currently private and confidential in order to preserve the Council's negotiating position. This information will be made public once the sales and purchases have been completed.
- 5.6 The table illustrates in broad terms that the costs of acquisitions and new investment can be recovered with a margin although some of the estimated surplus will be required for STDL and to cover transaction costs of borrowing where the purchase will need to be made before the income is received from disposals. To minimise risks there will be a need for subsequent reports to ensure that upfront expenditure is likely to be recovered so at this stage there is little significant commitment.

6. Risks

The Risk Register is detailed at Appendix E.

7. Alternative Option(s) considered

7.1 The Council could decide not to proceed with some or all of the elements proposed in this report. However, each element proposed seeks to maximise the strategic benefits of the opportunity presented by the site to the west of the spine road and north of Gallows Hill and these benefits would be lost if any proposal is rejected.

8. **Background**

8.1 The project was first considered by Members in early 2015 but it was not until 2017 that a proposal could be put together to acquire the land to take forward the project. In April 2017, Council agreed to progress a major project to acquire and develop land at Europa Way for a Community Stadium. The report proposed that: -

- a) The Council purchases land from Warwickshire County Council (WCC) to develop a new community stadium and associated commercial enabling development
- b) Leamington Football Club (LFC) will relocate to the new community stadium and the Council will purchase LFC's current site for use as a Gypsy and Traveller site
- c) The Council undertakes a development options appraisal to confirm the feasibility of the community stadium development and produces a project delivery plan.

8.2 Also as reported in April 2017, the land at Europa Way to be acquired by the Council is part of a larger area currently owned by WCC. The remainder of this land (to the east of the proposed spine road) is proposed to be purchased by Waterloo Housing Group (WHG) in parallel with WDC's purchase.

8.3 The report was considered by both Council and Executive and in summary, Council /Executive agreed to: -

- Purchase land at Europa Way for a community stadium together with enabling development ("the Stadium site"),
- Enter into an agreement with Leamington Football Club (LFC) to purchase LFC's existing site at Harbury Lane.
- Make £60,000 available to cover legal, professional and planning costs in acquiring the Stadium site.
- Make £190,000 available to fund various work required progressing the delivery of the stadium site including undertaking a delivery options appraisal, securing legal advice and resourcing the management of the project once the purchase of the land was completed.
- Give authority to the Chief Executive, in consultation with the Housing and Property Services Portfolio Holder, to agree with WHG how the two parties will co-operate with each other to deliver their respective developments.
- Explore other potential opportunities in association with the development including for an education/sports hub and a football training facility.

8.4 On 1st November 2017 the Executive agreed in summary to:

- Note the progress against the recommendations already approved by Council and Executive at their meetings on 12th April 2017.
- Resolve that the £190,000 allocated in 12th April 2017 be made available immediately to progress various elements of the project.

- Note the revisions to the Project Plan contained in in the report and that a report will now be brought back to Council by the end of March 2018 on the results of the market testing and proposing how the next stage of the project will be delivered.
- Resolve that the Council enter a Memorandum of Understanding (MOU) with LFC.

8.5 On 5th April 2018 the Executive agreed in summary to:

- Note the progress towards achieving the decisions of 12th April 2017 and of 1st November 2017.
- Agree that the proposal of this Council forward funding the construction of the spine road is explored in detail and that a detailed report is brought back for consideration.
- Agree in principle to the disposal of land fronting Gallows Hill subject to a marketing exercise that demonstrates that the offer at Appendix 1 can be shown to be best value; and that a further report will be brought to the Executive to consider and determine the outcome of the marketing exercise.
- Agree to the principle of seeking an option on the sites identified and officers are instructed to negotiate appropriate terms and to report back with a detailed report of the outcome of negotiations for consideration.

8.6 On 31st May 2018 the Executive agreed in summary to:

- Note the progress towards achieving the decisions of 12th April 2017; 1st November 2017 and 5th April 2018.
- Request that an independent report assessing the bids is prepared for discussion and decision at a special meeting of the Executive to be held as soon as possible.
- Agree to the principle of the alternative location for a new secondary school as set out in the report and informs the principal partners accordingly, and; instructs officers to engage in a continuing dialogue with the principal partners to bring this issue to a satisfactory resolution.
- That on the basis that if the proposal for a new secondary school proceeds, a further report is brought to the Executive to consider the wider opportunities and implications as soon as possible.

8.7 On 27th June 2018 the Executive agreed in summary to:

- Note the outcome of the current marketing exercise and put it on hold.
- Procure a masterplan/development brief for the land to the west of the spine road on land north of Gallows Hill to be funded from the Local Plan Implementation Reserve.

8.8 On the 30th August 2018 the Executive agreed in summary to:

- The proposal for an option agreement on the Heathcote Farmhouse.

8.9 On 26th September 2018 the Executive agreed in summary to:

- Provide a loan to the Galliford Try Partnership's (GTP) Construction Limited Liability Partnership (LLP) to accelerate the construction of the spine road (public infrastructure) through the Europa Way site by providing funding.

8.10 On 14th November the Council confirmed the September decision on forward funding for the spine road.

LIST OF APPENDICES AND PLANS

Plan 1 – Oakley Wood Road secondary school site

Plan 2 – Edmondscote Road site

Plan 3 – Not used

Plan 4 – Original Site Plan showing land originally designated as education use
(primary school site)

Plan 5 – Land at Harbury Lane

Plan 6 – Developments south of Leamington

Appendix A – Master Plan for the Community Stadium and enabling development

Appendix B – Not used

Appendix C – Not used

Appendix D – Project Timetable

Appendix E – Risk Register

Appendix F – Project governance structure

Appendix G – Pupil roll forecasts and site appraisal

In private and confidential report

Appendix V – Heads of Terms for the sale of land fronting Gallows Hill

Appendix W - Development programme for land fronting Gallows Hill

Appendix X – Development yield for Edmondscote Road site

Appendix Y – Valuation letter and terms for the purchase of the former primary school
site

Appendix Z – Values to be achieved from Master Plan proposals