

5. VICTORIA PARK, HAYWARDS HEATH

REPORT OF: Head of Leisure and Sustainability
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Wards Affected: Ashenground/Heath
Key Decision: No

Purpose Of Report

1. The purpose of the report is for members to consider alternative procurement proposals for the provision of new restaurant / café facilities, together with replacement public toilets at Victoria Park, Haywards Heath ("the Park").

Summary

2. This report considers a range of options available to the Council in the light of the lack of private sector interest to engage in the procurement process to bring forward a scheme for a restaurant / café and public toilets. Five alternative procurement processes have been reviewed against the wider economic situation and the feedback received at the time of the procurement process back in the summer 2011.

Recommendations

3. **The Advisory Group is recommended to:-**
 - a) **To support the short term refurbishment of the existing public toilet block; and**
 - b) **To support a review of the project and brief next summer.**
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Background

4. Members will recall this site has been considered at the Better Mid Sussex Advisory Group on a number of occasions. At the meeting held on 22nd September 2011 members discussed the lack of private sector response in expressing an interest in engaging in the procurement process. Whilst there had been a significant response to the advert from the private sector, no formal submissions had been received. Although, it should be noted that one interested party did contact the Council after the expiry date for a response. The subsequent follow up by officers to understand why the various businesses had not proceeded revealed that the greatest issue was concerning the current economic climate, with some concern expressed about the footfall along South Road and car parking in the vicinity of the Park.
5. During the discussions at the meeting on 22nd September 2011 members recognised the importance for the Toilet provision to be improved as the enhancements underway in the park would result in more families being attracted to the Park. The Group accepted that the national economic climate appeared to be the most significant factor holding back the private sector, but that the Council should maintain its ambition for a scheme in the Park.

Accordingly, the Group agreed to the following:-

“To note the lack of private sector response; and

Officers are asked to review an alternative procurement process and report back to the group on the 15th December 2011 meeting”.

Alternative Procurement Processes

6. The following options have been considered as part of the review:-
1. An enlarged area is offered for development with an amended brief;
 2. The existing public toilet site is developed by MSDC;
 3. Refurbishment of the existing public toilet block – short term, or long term;
 4. Development of the existing pavilion into a larger café with public toilets and demolish the existing public toilet block; and
 5. Carry on as existing – do nothing.
7. These options have been examined by the officer project team under four basic headings, finance, public toilet offer, catering offer and the timing of delivery of the scheme.

The financial element covers cost of the scheme, on-going maintenance costs, operational costs, any rental income, potential revenue savings, and any NNDR and VAT implications.

The public toilet offer covers the number and type of the facilities, location and equalities impact assessment.

Catering offer considers the type of potential service and food offer.

Finally, the timing of the scheme considers the likely completion date in relation to the termination of the existing public toilet operational contract on 31st March 2013.

Assessment of the Options

8. Option 5, to do nothing to the existing public toilet block is not a serious consideration. If this situation continues the facility will fall into sufficient disrepair that the likelihood of increased vandalism becomes a significant risk. This, in turn, would accelerate the potential closure of the facility and affect the Council's reputation.

Options 2 and 4, the Council developing the existing public toilet site, and the refurbishment of the existing pavilion have the potential to involve the Council in considerable expenditure without any guarantee of a suitable, or any return from the investment. A sound business case would have to be prepared.

Option 4, the refurbishment of the existing pavilion would require the operation of an all year round café use in the pavilion, and as with other development options will require planning permission. A sound business case would have to be prepared.

Option 3 if undertaking a long term refurbishment, which would essentially become a rebuilding of the accommodation, also involves considerable investment without any return.

However, Option 1 in conjunction with Option 3 undertaking a short term refurbishment allows for a modest investment by the Council, which enables the continuation of the facility for the next 3 years whilst pursuing the option of attracting inward investment from the private sector into an enhanced facility.

9. As highlighted above, the failure to attract investment from the private sector into the development of the site would appear to be one of timing against the backdrop of the current national economic climate, where growth forecasts are down on earlier in the year and recovery is going to be slower than expected. Consequently, it would seem prudent at this point in time to carry out a modest refurbishment to the public toilets. This would allow for time to reconsider both the brief and the site..
10. Officers have reviewed the opportunity to support the project by using appropriate section 106 monies. However, at present, there are very little funds for community facilities available and this would not be sufficient to make a difference to the cost of the project at this time.

Next Steps

11. Officers would recommend the short term refurbishment of the existing public toilet block with a further review of the project next summer.

Policy Context

12. The adopted Town Centre Master Plan indicates the opportunity for development of the existing public toilets and provides some guidance on the potential of a scheme at this location. The retention of toilets in the Park is considered a vital element of any scheme and would be in accordance with the strategy to ensure adequate provision is made in each town centre.

Other Options Considered

13. These are considered within the report.

Financial Implications

14. These are considered within the report. The financial implications of the options have been reviewed by the project team. If the short term refurbishment of the existing toilet block is carried out as recommended, then c£35K costs will be incurred on works to minimise the damp/condensation issues, and associated redecoration. The £35K for the refurbishment will be an additional revenue expense for one year only. The other positive options would expose the Council to capital expenditure and detailed business cases would have to be developed for consideration.

Risk Management Implications

15. Cabinet has identified this project as one of the five Strategic Risks for the Council in 2011/12. The Better Mid Sussex Project risk is described in the following terms:-

“Risk 1 Town Centre revitalisation Project does not deliver anticipated improvements”

The aim of the Better Mid Sussex Project is to secure significant improvements in our town centres. The risk in 2011/12 is that the private sector is unable to progress the revitalisation of our town centres in accordance with our requirements, adopted policies and strategies. The result could be the loss of trade to competing centres that could have an adverse impact on the local economy and well-being of our towns.”

16. The private sector has previously indicated an interest in the project, but has stated their lack to respond as being due to the current economic climate. It would appear that the project could proceed, but its success will be down to careful timing of when to engage with the private sector.

Legal Implications

17. The Council's Legal Officer advises that in the interests of transparency the Council should follow government guidance in relation to procurement rules as outlined in the EU Consolidated Procurement Directives. Subject to identification of a successful scheme it may be necessary for the Council to comply with its legal obligations in relation to the disposal of public open space as set out in the Local Government Act 1972, but such matters are not a material consideration for this report. Save for these there are no other legal implications to this report.

Other Material Implications

18. There are no other material implications, other than to note that the site is strategically located in the town centre and as such would make a valuable contribution to the enhancement of the town centre.

Equality and Customer Service Implications

19. These have been considered within the assessment each option.

Background Papers

None

6. WORK PROGRAMME

Date of Meeting	Item	Purpose
2 nd June 2011	<p>Role of the Group and Review of projects and the current strategy</p> <p>To consider work programme</p> <p>Victoria Park, Haywards Heath</p>	<p>To provide an update for members on the work streams within the project and explain the strategy</p> <p>To agree the proposed work programme</p> <p>To consider the Stage 1 evaluation documentation and an addition to the design brief.</p>
30 th June 2011	<p>Victoria Park, Haywards Heath</p> <p>Haywards Heath Town Centre</p>	<p>The evaluation and criteria documentation for the 2nd stage detailed submissions</p> <p>To consider how to promote inward investment</p>
28 th July 2011	<p>Solum Regeneration – Haywards Heath Railway Station</p> <p>Queens Walk, East Grinstead</p> <p>Burgess Hill Town Centre</p>	<p>To provide Members with an update following the presentation given to Members by Solum Regeneration on 3rd February 2011</p> <p>To review the project and make recommendations to Cabinet (to be confirmed)</p> <p>To review the project and make recommendations to Cabinet.</p>

Meeting Date	Item	Purpose
22 nd September 2011	Environmental Enhancements, Haywards Heath Town Centre Victoria Park, Haywards Heath Queen Elizabeth Avenue, Burgess Hill Public toilet provision, Kings Street, East Grinstead	To update members on the progress of the project To receive the tender shortlist for consideration To report back to members on the progress of the project To receive an update on the progress of this project.
20th October 2011	Queens Walk, East Grinstead Haywards Heath Promotional Pack	To receive a presentation from Frontier Estates regarding the redevelopment of part of Queens Walk. To receive details of the Pack following agreement to produce it at the meeting held on 28 th July 2011
17th November 2011	The Orchards Shopping Centre Haywards Heath Haywards Heath Promotional Pack Sadlers Yard, East Grinstead	To receive a presentation from the Head Lease holder. To give further consideration to the Pack in the light of the comments made at the meeting held on 20 th October 2011. To receive an update concerning the site.
15 th December 2011	Victoria Park, Haywards Heath	To consider alternative procurement proposals.
12 th January 2012	Better Mid Sussex Annual Report Burgess Hill Town Centre Victoria Park, Haywards Heath	To present to Members the Annual report for consideration. To receive an update from New River. To consider tender evaluation and make recommendations to Cabinet

9 th February 2012	cancelled	
8 th March 2012	Sadlers Yard, West Street, East Grinstead	To receive an update concerning the site.
	Queen Elizabeth Avenue, Burgess Hill	To receive an update concerning the project.
5 th April 2012		
3 rd May 2012		