



OPEN REPORT
Community and Environment Committee

Community and Environment Committee 22 July 2024

FISHPOND MEADOW CAR PARK ASHBOURNE - FUTURE ARRANGEMENTS

Report of the Director of Place and Economy and Director of Community and Environmental Services

Steve Capes – steve.capes@derbyshiredales.gov.uk / 01629 761371

Ashley Watts – ashley.watts@derbyshiredales.gov.uk / 01629 761367

Wards Affected

Ashbourne North

Report Summary

The report seeks agreement to the temporary use of part of Fishpond Meadow car park as a site compound for contractors delivering the Levelling Up funded Ashbourne Reborn town centre regeneration scheme and recommends including an additional area in the lease of the adjacent fishpond to Ashbourne Shrovetide Committee for use as car parking.

Recommendations

1. To note the consideration of Ashbourne Reborn contractor compound options and consultation with Ward Members, the Ashbourne Reborn Highways and Public Realm Project Control Board and Chair of the Ashbourne Reborn Programme Board;
2. That the Estates & Facilities Manager be given delegated authority to agree terms with the proposed Ashbourne Reborn highways and public realm contractor to occupy part of the site as a contractor compound for a period of up to 18 months within the blue area on the indicative plan attached as Appendix 1;
3. That the Estates & Facilities Manager be given delegated authority to agree terms with the Ashbourne Shrovetide Committee to include an area of the site within the area shaded yellow on the indicative plan attached as Appendix 1 in their lease of the adjacent fishpond for use as car parking;
4. That on vacation of the site compound, the remainder of the site be returned to the District Council in its current condition or at a specification agreed with the contractor and the Environment Agency commensurate with its future use as an overspill car park.

List of Appendices

Appendix 1 - Fishpond Meadow site plan and indicative locations for Ashbourne Reborn contractor compound and Shrovetide Committee parking

Appendix 2 - Ashbourne Reborn Contractor Compound - Shortlist Options Assessment

Background Papers

Ashbourne Reborn Programme Update 25 April 2024

Consideration of report by Council or other committee

No – Decision to be reported to the Ashbourne Reborn Programme Board due to be held on 23 July 2024.

Council Approval Required

No

Exempt from Press or Public

No

FISHPOND MEADOW CAR PARK ASHBOURNE - FUTURE ARRANGEMENTS

1. Background

- 1.1 The Fishpond Meadow site as indicated on the plan at Appendix 1 is in the District Council's freehold ownership.
- 1.2 Since the completion of the Environment Agency (EA) Flood Reservoir scheme in 2012, the site has been used as temporary overspill car parking. The site was provided with a grass grid surface to allow car parking use although it has not been actively used for this purpose in recent years following the provision of additional spaces in Shawcroft car park in 2016 and the impact of the Covid pandemic.
- 1.3 The site is subject to access rights for the EA to allow them to maintain the adjacent flood defence reservoir embankment. Any new activities / works within the proximity of the embankment also require a permit from the EA. An unmade path crosses the site. Whilst used informally by local residents, there are no formal rights of way over the car park.
- 1.4 Ashbourne Reborn is a £15.22m programme aimed at transforming Ashbourne town centre through significant improvements to highways and public realm and the development of the Link Community Hub. The programme is principally funded by the UK Government through a £13.37m funding allocation from the Levelling Up Fund (LUF), Round Two. Through improving town centre highways infrastructure and public realm, the programme seeks to encourage footfall and increased private sector investment into Ashbourne.
- 1.5 Derbyshire Dales District Council is the Accountable Body for Ashbourne Reborn. The highways and public realm improvements are being led by Derbyshire County Council and Link Community Hub by Ashbourne Methodist Church.
- 1.6 Following review of a number of options by the proposed contractor for the highways and public realm project, a final shortlist of two site compound locations was identified, both on land owned by the District Council. A requirement for contractor parking was also subsequently identified. The shortlist options are considered further in section 3.
- 1.7 Further to approval at the 2 November 2023 meeting of Governance & Resources Committee to agree terms to lease the adjacent fishpond to the Trustees of Ashbourne Royal Football Committee and Dove Valley Angling club, negotiations have identified a requirement for car parking in association with the lease which is yet to be completed.

2. Key Issues

2.1 Taking each requirement in turn:

2.2 Ashbourne Reborn Compound: The proposed contractor considers the site a good location owing to its proximity to the town centre and road network. The compound would be used for plant, equipment, materials and welfare cabins. The indicative location of the proposed contractor compound is denoted by the blue area on the site plan attached as Appendix 1.

2.3 The pros and cons of Fishpond Meadow and a second shortlisted town centre car park has been prepared by officers in the Regeneration and Place team. This is attached in Appendix 2 and considered further in section 3.

2.4 Including mobilisation, de-mobilisation and re-instatement periods (and subject to the final programme) it is anticipated that part of the Fishpond Meadow site would be required for a period of 12-14 months to support works within the town centre. Subject to completing trial holes and agreeing final costs (costs to be met from the Ashbourne Reborn LUF project budget), the proposed contractor proposes to install a layer of terram or similar geotextile membrane and a 350mm layer of stone. Consideration is also being given to including a layer of stone within the entrance to the site to accommodate vehicle movements.

2.5 At the end of the scheme, the site would be returned to the District Council for future use as overspill car parking. This could involve the removal of the stone and re-seeding or retention of the stone to incorporate into a new car park surface should this be considered acceptable. Subject to Member agreement to use part of the site as a compound, discussions will be held with the contractor regarding the detail of the re-instatement works.

2.6 Subsequent to the request to consider use of part of the site as a compound, the proposed contractor has also requested space for contractor parking (approx. 25-30 spaces) which could potentially impact on other town centre parking provision (alongside the loss of other town centre parking during the works) and District Council income. Following consultation (see section 3), given the size of the area proposed for the site compound (over 2,000 sqm), the contractor has been advised to accommodate contractor parking at the same location. This is currently under consideration. Should there be any changes to this approach the issue will be discussed with the Member Car Parking Review Working Group.

2.7 Ashbourne Shrovetide Committee / Angling Club: The proposed lease has been issued to the Shrovetide Committee and the Committee is awaiting confirmation of whether space can be allocated for car parking on the site as part of the lease. The indicative location within which an agreed area for use as car parking for the Ashbourne Shrovetide Committee is denoted yellow on the site plan attached as Appendix 1.

- 2.8 It is considered that, subject to the necessary EA permits for both uses, the two requirements can be accommodated alongside each other.
- 3. Options Considered and Recommended Proposal**
- 3.1 Ashbourne Reborn Compound: up to 17 potential locations were originally considered by the proposed contractor, both within public and private ownership. For a range of reasons including: site suitability e.g. requirement for new vehicle access to be created; potential conflict with neighbouring uses / users; loss of further town centre parking; potential impact on the Shrovetide event, the majority were ruled out by the contractor. Following review the number of potential sites was reduced to four prior to two options being shortlisted following site visits, specifically: Fishpond Meadow car park and the Bus Station car park off King Edward Street. To note, King Edward Street requires an adjacent parcel of land within private ownership to provide a compound of the minimum size required and a separate location for contractor parking.
- 3.2 As indicated above an assessment of the pros and cons of each site was prepared by officers taking account of:
- Site area / ground conditions / required works
 - Access / proximity to works
 - Proximity to neighbouring property / nuisance
 - Cost implications (LUF budget and District Council)
- 3.3 The assessment was shared with Ward Members (apologies received from Cllr Wilton) and the Chair of the Ashbourne Reborn Programme Board at a programme update meeting held on 28 May 2024. Following consideration of the officer assessment, the preferred location for the site compound by all Members present was Fishpond Meadow. The compound location was subsequently considered by the Highways and Public Realm Project Control Board on 4 June 2024 with Fishpond Meadow again endorsed subject to formal decision by the District Council.
- 3.4 Based on the above and the requirements identified earlier in the report, Fishpond Meadow is therefore proposed as the preferred compound location for Member decision. To avoid the (potential) need to review / extend the compound licence period and to facilitate the delivery of the Ashbourne Reborn programme (recognising budget challenges), a corporate priority for the Council, it is proposed to make the part of the site identified in blue in Appendix 1 available for use as site compound, free of charge, for a period of up to 18 months.
- 3.5 Ashbourne Shrovetide Committee / Angling Club: Noting the site compound requirements and the Environment Agency access, it is suggested that an area within the section of the site shaded yellow on the plan at Appendix 1 be included in the lease of the fishpond to the Trustees of Ashbourne Royal Football Committee and Dove Valley Angling club.
- 3.6 Whilst car parking in this location does have a value, it is considered that the wider community benefit gained by the improvement works to the

fishpond as part of the lease obligations justify inclusion of an area of parking at no extra cost.

4. Consultation

4.1 As identified within the report, consultation regarding the location of the Ashbourne Reborn highways and public realm site compound has taken place with Ward Members, the Ashbourne Reborn Highways and Public Realm Project Control Board and Chair of the Ashbourne Reborn Programme Board. The proposed approach has also been discussed with the Council's Estates and Car Parking Teams and agreed with Corporate Leadership Team.

4.2 Regarding the Ashbourne Shrovetide Committee lease, the proposal responds to requests from the Shrovetide Committee and further consultation will take place regarding the specific area allocated for parking within the indicative area marked in Appendix 1. This approach has also been discussed with the Council's Estates and Car Parking Teams and agreed with Corporate Leadership Team.

5. Timetable for Implementation

5.1 The programme for delivery of the highways and public realm works is under discussion with the proposed contractor and Project Control Board. A start on site is currently anticipated late autumn with a c12 month period for works with mobilisation and de-mobilisation either side.

5.2 Regarding the Ashbourne Shrovetide Committee lease, subject to Member decision regarding an allocation for car parking, it is anticipated that the lease can be completed in late summer with a view to the parking area being made available in the autumn.

6. Policy Implications

6.1 The LUF proposals were developed in line with the Council's Economic Recovery Plan and Economic Plan, and Ashbourne Reborn is one of the District Council's Corporate Plan priorities within the '*Prosperous and sustainable Dales communities and businesses*' theme. In particular, the proposals directly contribute to the Place Shaping Delivery Plan core programme area: *Facilitate town centre regeneration* to improve public realm and stimulate spend and investment.

6.2 The proposed granting of the Ashbourne Shrovetide Committee lease for the adjacent fishpond was previously approved at Governance & Resources Committee in November 2023.

7. Financial and Resource Implications

7.1 With regard to the Ashbourne Reborn compound, subject to trial holes the current indicative cost from the contractor for the works to make the site useable as a compound / return the area used to its current state is £45,000 - £53,700. To note these costs are an estimate only at this stage and are

subject to further negotiation with the contractor and submission of the final target cost for the project, due next month. This cost would need to be met from the Ashbourne Reborn highways and public realm project budget. The proposal would not impact on current District Council car parking revenue.

7.2 Regarding the Ashbourne Shrovetide Committee lease, the main heads of terms have already been agreed and a draft lease has been prepared. Some Estates and Legal resources will be required to achieve completion.

7.3 Officer time is required to complete the EA permit application (submitted), necessary licenses (see below) and Ashbourne Shrovetide Committee lease. Should an EA permit be required for the parking area for the Angling Club, this would be a tenant responsibility under the terms of the lease.

7.4 The financial risk is assessed as low.

8. Legal Advice and Implications

8.1 The EA has previously advised use of the site as a temporary contractor compound is acceptable in principle. However, a Flood Risk Activity Permit is required prior to compound establishment. The same requirement is understood to apply to parking for the Angling Club.

8.2 A licence will need to be granted by the District Council for both uses. This will be undertaken by the Legal Services team, overseen by the Estates and Facilities Manager.

8.3 The Ashbourne Shrovetide Committee lease will need to be completed prior to car parking provision being available.

8.4 Subject to final legal checks being completed on the title to ensure that what is proposed is not in breach of third-party legal rights, restrictive covenants etc. the legal risk is assessed as low.

9. Equalities Implications

9.1 None.

10. Climate Change and Biodiversity Implications

10.1 The Ashbourne Reborn contractor compound proposals are temporary only and the intention is to return the site to its current condition as a grass grid or similar porous surface.

10.2 Completion of the Ashbourne Shrovetide Committee lease would enable the fishpond improvement project to proceed.

11. Risk Management

11.1 An environmental risk assessment is required as part of the application for the Flood Risk Activity Permit required by the EA. This has been prepared

with input from the proposed contractor and submitted with the permit application.

- 11.2 The proposed contractor will be required to provide a satisfactory RAMS for inclusion within the compound licence. The contractor will be responsible for the safe operation and security of this part of the site.
- 11.3 The Ashbourne Shrovetide Committee will be responsible for the management, maintenance and security of the allocated parking area.

Report Authorisation

Approvals obtained from Statutory Officers:-

	Named Officer	Date
Chief Executive	Paul Wilson	12 July 2024
Director of Resources/ S.151 Officer (or Principal Accountant)	Rachael Ayre	11 th July 2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	12 July 2024