

Report of the Director of Resources and the Assistant Director (Lifelong Learning & Culture)

Leisure Facilities Strategy

Purpose of Report

1. This report sets out the options available to members for reprovision of the Council's leisure facilities based on a revised capital receipt for the Barbican site. Members are asked to:
 - Approve a revised offer for the site submitted by Barbican Venture (York) Limited
 - Pursue a partnership approach with the University to provide a publicly accessible 8 x 25m pool
 - Approve a 5 year strategy for Edmund Wilson and Yearsley pools

Background – The Previous Offer

2. The Executive has previously selected The Barbican Venture (York) Limited (BV) and Absolute Leisure Limited (ALL) as the preferred developers for the Barbican site and the Barbican Centre (the auditorium) respectively and agreed Heads of Terms for the scheme. The principal aspects of the deal at that time were:
 - A £2.5m refurbishment of the Barbican Centre to be operated by ALL
 - The Kent Street Centre, a community pool and fitness suite to be built and operated by the Council on the Kent Street coach park site
 - An apartment block consisting of 240, 1 and 2 bed flats including 60 affordable units
 - A 4 star+ private hotel linked to the Barbican Centre with conferencing facilities
 - £500k refurbishment of Kent Street car park with 270 (out of the current 390) spaces retained for public car parking
 - The remainder of the £10.33m capital receipt allocated for refurbishment of Yearsley and Edmund Wilson pools
3. The offer from BV was £9.565m for the land, plus £0.765m from Absolute Leisure Limited (ALL) for a leasehold interest in the Barbican Centre, making a total of £10.33m. This, together with the £0.148m already allocated in the programme, gave a total capital budget of £10.478m. From this immediate allocations were made for:

	£m	
Fees	0.440	provisional budget
Edmund Wilson Urgent Works	0.059	actual spend
All Saints sports hall scheme	0.063	actual spend
Relocation of bowling green	0.091	actual spend
TOTAL	0.653	

4. (There was a further requirement for £0.672m to meet Section 106 costs imposed in the planning process over and above the £0.437m being provided by BV but members agreed to fund this from departmental capital budgets shared between DEEDS and Education and Leisure.)
5. £9.825m was therefore left to contribute to refurbishing the 3 Council pools. The estimated cost of achieving this was over £12m meaning there was an assumed shortfall of over £2m on the original scheme which would have to be met from additional capital resources.

Subsequent Events

6. The protracted delay throughout 2004/5 caused by the legal action brought by the "Save our Barbican" group led directly to BV's nominated house builder withdrawing and BV being unable to proceed with the sale. A subsequent downturn in the apartments market in York, together with a substantial increase in building costs, made it impossible for BV to find a replacement house builder willing to pay a similar price for the land; this despite a full national trawl. The only offer BV was able to put forward was with S. Harrison Group, a local housebuilder, as the nominated housebuilder. It was worth just £5.055m net and was rejected by the Council.
7. BV therefore began to explore the development market, seeking a developer partner willing to promote a revised development. The first developer partner that showed interest was NCS Logistics but they were not able to secure the necessary funding to be able to make a bid. BV was, however, successful in their quest with Capital and Provident. This company and its clients have an established track record in the property sector, participating in development and investment transactions in both the residential and commercial markets in the UK and internationally.
8. Outside of this process, in December 2005, S. Harrison put forward two offers of their own based on the land area excluding the coach park:
 - a) £7.0m subject to obtaining planning permission to change the use of the 240 apartment building to student accommodation for rent
 - b) £9.0m subject to obtaining planning permission for a new, high-density, scheme of student accommodation with a hotel on the Paragon St. / Barbican Rd. junction

S. Harrison were advised that they should work through BV, the preferred developer, though this suggestion was not taken up. There was therefore no option but to discount both bids on the grounds that they were only provisional and offered no certainty that an acceptable scheme could be worked up or a credible offer delivered.

The Barbican Centre

9. On 27 October the Council completed with ALL agreements to lease the Barbican Centre comprising, Short Term Lease, Conditional Development Agreement (CDA), Long Term Lease, and Licence to use two pianos. The purpose of the Short Term Lease is to allow ALL to host events until ALL has satisfied the conditions of the CDA. The CDA is a contract that specifies 5 conditions that ALL have to satisfy (the outstanding condition being to obtain a satisfactory Premises Licence) before commencing the £2.5m refurbishment of the property and paying the agreed purchase price of £0.765m (this sum includes fittings) at which point the Long Term Lease begins.

The New Offer

10. BV's revised scheme and offer proposes to develop the existing Barbican land and Kent Street car park and now includes the coach park site (see the plan edged black at Annex 1). The scheme, as shown on the plan at Annex 2, would consist of the following developments:
 - A 4-5 star hotel with circa 165 bedrooms with undercroft car parking, the probable operator to be Radisson SAS
 - A care home for the elderly including specialist Alzheimer beds to be owned by Sunrise Senior Living
 - Two apartment buildings (104 and 12, 1 and 2 bed flats) including 25% affordable units
 - Refurbishment of Kent Street car park with the existing 390 spaces for public car parking
 - A budget hotel with circa 100 bedrooms
 - Provision, and 10 year rent free use, of a community centre with attached covered play area
11. The offer is £7.05m plus £47k for legal fees. This includes a leaseback of the Kent Street car park for 12 months rent-free. In addition it provides for a profit share arrangement on the land to be used for the apartments. Including the £0.765m from ALL for the auditorium the revised offer is therefore a minimum of £7.815m compared to the original offer of £10.33m.
12. The sale will be structured on the basis that initially all the Barbican land and the car park will be sold for £6,250k plus legal costs of £35k. Then, if planning permission for the budget hotel is granted, the coach park site will be sold for £800k plus £12k legal costs. The sale will be conditional on the developer constructing a multi-purpose community centre and leasing the building to the council rent-free for a period of 10 years. Table 1 illustrates the breakdown of the revised offer.

Table 1	£000
Auditorium	765
Barbican Pool / Car Park	6,250
Kent Street Coach Park / Car Park	800
Legal Fees	47
Subtotal	7,862
Less spend to date	-653
Less Leisure element of s106*	-153
Net Usable Receipt	7,056

* But see para. 27 below.

13. Table 2 compares the revised offer to the original bid.

Table 2	Original Bid £m	Revised Bid £m
Barbican land and car park	9.565	6.285
Barbican Centre (ALL)	0.765	0.765
Kent Street Coach Park	0.000	0.812
Total	10.330	7.862

14. The only conditions attached to the offer is that BV obtain a satisfactory planning permission for the budget hotel and that the Council indemnifies BV in respect of any Section 106 costs over and above £440k (as in the previous deal – see para. 27 below).
15. It is BV's intention to purchase the Barbican land and the car park by 31 March, 2006 and start on site in May. BV will take on the risk of obtaining planning permission for the revised scheme.

Best Value

16. There is a requirement that land owned by a local authority should be sold for the best consideration that can reasonably be obtained under the circumstances. In valuation terms, best consideration will be open market value. (This restriction was relaxed in August 2003 and a statutory instrument gave a local authority the power to sell land for up to £2m less than best consideration, provided the authority considers that the sale will contribute to the promotion or improvement of the economic, social or environmental well-being of the area). This transaction achieves open market values for the disposal of Council assets and in addition provides improvements and inward investment that benefit the city.
17. It was recognised at the outset that the redevelopment of the Barbican site for a mix of residential leisure and other uses would be best dealt with through engaging with a single developer who would co-ordinate the final scheme proposals and develop the necessary infrastructure. BV was chosen as the preferred developer as part of an open market tender process undertaken by the

Council. An "open book" approach has been taken, with BV sharing information on their development costs and the open market bids received from other developers for the various components of the development proposals. In turn, the BV offer is mainly made up from these developers' bids for serviced sites, that is with infrastructure works to be provided by BV to make the individual sites immediately available for development. The detail of these offers is as follows.

18. **The Apartment and Care Home Sites:** The highest use value for the site would have been expected to be for residential apartments for sale. However, the market conditions have changed since the disposal was first considered with reduced demand for such properties (particularly from purchasers seeking blocks of apartment for investment) and the dramatically increased building costs.
19. At the point when BV's previous house builder was no longer willing to purchase the site and build the 240 apartment block, because of the delay caused by the judicial review, BV advertised the availability of the site to house builders nationally in an attempt to find a successor. The Property Services file contains copies of letters from various house builders and agents stating they are not interested in acquiring the site. BV then looked at alternative residential uses for the site and located Sunrise Senior Living who wanted to build a care home in York and Barratt Homes who are willing to build a smaller apartment building.
20. Examining the Barratt offer, it is the only offer BV has been able to secure (BV would have nothing to gain by not putting forward the best offer that was available) and the Barratt's development appraisal supports the offer made.
21. The sale contract will contain a provision for the council to share in any uplift of the apartment values from that stated in the development appraisal.
22. The offer BV has secured from Sunrise Senior Living is higher than the Barratt offer for a similar site area.
23. **The 4-5 star hotel and the budget hotel:** The incorporation of a minimum 4 star hotel within the development with a covered pedestrian way linked to the Auditorium has been identified as bringing added value to the redevelopment and has become one of the objectives of the land sale. This will make the Auditorium an attractive facility for holding large scale conferences in York and thereby enhance the financial viability of the hotel .
24. The primary tool for establishing market values is to use evidence of land sales. However, in York there has been no recent sale of a hotel site. An independent valuer's report has therefore been obtained to validate the values assigned to these two sites are at open market values.
25. **Kent Street Car Park:** The value assigned to the car park is based on BV securing a car park operator under a commercial lease arrangement, the projected income stream having a value in the investment market. BV's property appraisal of the market value of this asset is also supported by an independent valuer's report.

Financial Implications of the Revised Offer

26. The 2005/06 capital programme, as reported in Capital Monitor Two, is reliant on capital receipts of £11.8m. It is anticipated that £12.7m is achievable although at least £6.25m of this is assumed to be generated from the sale of the Barbican site. Failure to sell the site and receive the receipt by 31 March, 2006 will leave a funding shortfall of £5.35m. The shortfall will have to be financed by borrowing. This will have a direct impact on the Council's 2006/07 revenue budget, costing the authority an additional £214k in minimum revenue provision¹. In addition, the Council will lose interest on the capital receipt of £23k for each month that the sale is delayed beyond the end of the financial year. It is therefore crucial to the finances of the Council that this receipt is received before the end of this financial year.
27. The Section 106 developers' contribution costs to be met by the Council previously amounted to £672k. Members agreed that Leisure and Heritage would contribute £137k towards this with Planning and Transport contributing £535k. It is unlikely, however, that Leisure and Heritage will have any resources available to make their contribution and as a result these costs will have to be deducted from the overall receipt. However, the revised scheme, with fewer residential units and including a care home may be expected to reduce both travel and education needs and this may be reflected in a reduced Section 106 requirement.
28. The sale of the Kent Street car park has always been assumed as part of the deal. The income budget has therefore already been reduced in previous years. There could be a further knock-on effect if the provider's operator undercut the Council's pricing structure and thereby diverting revenue from nearby car parks. The level of this cannot be quantified at this point.
29. There is the option of withdrawing preferred developer status from BV and putting the development land and the car park on the market again to establish whether a new and/or different mix of uses would raise a higher offer. The following points however, militate against taking this course of action:
 - We do not know that the market for apartment land will recover. The Council would be left with a derelict site for some time and this could undermine ALL's confidence in proceeding with the Auditorium
 - We may lose occupier interest in the 4-5 star hotel and having a hotel adjacent to and with a physical link to the Barbican Centre (to make the Auditorium an attractive conference venue) was one the set objectives of the land sale
 - All the scheme drawings are the copyright of BV making it very difficult for any new developer to come in and pick up the scheme that has planning permission
 - A different development scheme would require a new planning application with further potential for delay

¹ The Minimum Revenue Provision is a statutory charge to the accounts to reflect to repayment of debt. If the level of borrowing increases then the Council has to provide a minimum of 4% towards its repayment.

- The 50% affordable housing provision will significantly reduce the capital value of the residential site
- The impact of any new retendering exercise would result in a significant delay to the receipt. The financial impact on the revenue budget of a delay in the estimated receipt would be £23k per month in lost interest as set out above

The Care Home

30. The York population is ageing with a larger proportion of residents aged over 75 needing support each year. As well as Council provided services there is a growing demand on the private sector. Some of this is from financially independent people who wish to make their own care arrangements. The scheme proposed for the Barbican site by Sunrise Senior Living will include a care home for 101 residents consisting of 80, one and two person bedrooms, including 20 Alzheimer beds.
31. The site is ideal in so far as it is close to City Centre amenities and enjoys good transport links with other parts of the City and beyond. This is a new model for older people's accommodation for this area and it is clearly targeted at those with the resources to fund high quality accommodation and any private care they need. Whilst it is an untested model locally the additional capacity to support older people with dementia should supply a need as both demographic and health projections suggest that there will be a significant rise in the number of people over 85 suffering from dementia within York in the next 20 years.
32. The DoH Green Paper on "Independence Well Being and Choice" sets out the governments vision for the future of adult social care. This stresses:
- the need for services that are of a high quality
 - the need to help maintain the independence of the individual by giving them greater choice and control.
 - that the local authority has key strategic and leadership roles, working with a range of partners to provide well planned, integrated services making the most of available resources to meet the needs of a diverse community

All of these objectives are addressed by this development. City of York Social Services Department comments that it would be helpful if some of the affordable homes in this development were reserved for care staff to give them a greater variety of affordable housing options within the city given the recruitment and retention issues that exist in current care services.

Issues for the Leisure Facilities Strategy

33. The Council's strategy has been since 2000 to refurbish / rebuild the 3 traditional pools on the 3 existing sites. Much has changed since 2000 and there are now a number of issues to consider concerning this strategy:

a) Capital Cost:

The costs of these three schemes are estimated at:

	£m	
Kent Street	6.000	capped figure
Edmund Wilson	3.382	at 2 nd quarter 2009 prices
Yearsley (basic scheme)	2.736	at 2 nd quarter 2008 prices
Procurement costs, etc.	0.330	
TOTAL	12.442	

34. These figures are guidelines and should be regarded as minimum figures. For example, the Barbican cap was set in 2004 since when construction inflation has run at 6%. With a budget of £7m there is therefore a shortfall of at least £5.4m. No capital provision has been identified to close this gap. The capital programme is already facing a funding shortfall over the 4 year programme on top of an aggressive capital receipts target. In order to fund this gap further major receipts would have to be identified. This is not likely.
35. The question of whether prudential borrowing could allow the funding gap to be closed has been examined. However, this would require substantial additional revenue resources to be made available to finance and repay the debt. The additional revenue cost of prudential borrowing for an asset expected to have a life of over 25 years is around £90k per annum on every £1m borrowed. With a gap of £5.4m this would equate to an additional £486k per annum and no means of paying for this has been identified. (Savings attributable to the projected improved performance of the new Kent Street facility has already been reflected in the Council's budget).
36. In summary it is simply no longer possible to fund the cost of the 3 pool schemes originally envisaged.

b) Revenue Cost:

37. The year on year requirement to make revenue savings means that we must find the most cost-effective ways to provide the pools if we are to avoid cuts elsewhere in the leisure programme. We know that modern leisure facilities can generate a surplus whilst still providing targeted programme. We need to target investment in the first instance in schemes that can reduce the Council's revenue costs and increase participation through improved customer standards.

c) The Programme:

38. The delay in starting the refurbishment programme means that it is no longer credible to deal with each of the 3 pools in turn; their condition is too fragile. Whilst Yearsley continues to function reasonably adequately further expenditure is approaching with the need to replace the filters. The position at Edmund Wilson is becoming more pressing with significant plant failure looming and increasingly poor conditions for customers. We will now have to address the needs of Edmund Wilson before the other pools are sorted. This may mean going down to one pool for a time.

d) The University:

39. Officers have met with representatives of the University. The University has ambitions to build an 8-lane, 25 metre pool suitable for county standard competition as soon as is feasible. Although the University has not yet made a decision to proceed they are currently developing business plans and cost estimates to determine how such a project could be taken forward. They have looked at a number of models including a particularly successful one working well in Norwich at the University of East Anglia. Whilst they have not yet determined how they will fund the cost of the project, currently estimated to be in the region of £10m, they anticipate being able to fund half the required capital from their own resources and are looking for support in raising the shortfall. The facilities are likely to include a range of integrated sport and fitness provision producing potentially a sports complex of a very high standard. The University are interested in exploring a partnership with the Council and have indicated that CYC's involvement would:
- a) Potentially bring forward the start date of the project (subject to planning)
 - b) Secure guaranteed public access to the new facility
 - c) Help create a package that operationally should be self-sustaining and revenue neutral to CYC and the University
 - d) Help bridge the present funding gap
40. Clearly, there is no option for the Council to ignore this potential development. An 8 x 25m pool on the university campus would take significant business away from both Kent Street and Edmund Wilson rendering the current projected business plans invalid. Our own strategy must take account of the emergence of such a significant facility.
- e) **City Sports Strategy:**
41. The city's recently updated sports strategy identifies that with only Edmund Wilson, Yearsley and the training pool at Waterworld providing open public access the city has a shortfall of at least 12, 25 metre lanes of pool space. The strategy specifically identifies the need for some of this provision to be in the form of an 8 x 25m pool in the city capable of serving swimming development needs as well as general use.
42. In response to this strategy our facilities should be seen in the broad context of city provision rather than in isolation. We should seek to provide facilities offering a logical geographical and product fit, complementing rather than competing with those proposed at the University or provided by other sectors. The Council must work with other providers and partners to find a cost effective and sustainable solution to the future of swimming in the city. This is likely to involve replacing some existing facilities, investing capital in facilities proposed by others, assisting with the operation of some sites on behalf of the community and providing incentives to other providers to cater for public users.

The Vision

43. The following broad vision for our swimming facilities was set out in 2000 and remains appropriate:

- We should have facilities that encourage all York citizens to swim
- Sufficient sports facilities should be available for casual (pay as you go) use
- Swimming should include opportunities for:
 - fun activities, especially for children and families
 - open swimming for casual users
 - courses and lessons
 - clubs
 - time for regular fitness and competitive swimmers
- There should be a good quality environment for sports activities (wet and dry), which is bright, safe and clean
- All school children should be able to achieve the National Curriculum requirements for swimming
- Facilities should be accessible to all

44. The City's pools between them need to cover the full range of requirements: Facilities for local competitions, schools use, club development, teaching, fitness swimming, and family swimming.

Options

45. The main options for the respective sites are as follows:

46. **Kent Street:**

Option	Financial Implication	Comment
a) Full Scheme	£6m	The procurement arrangements are in place and ready to go as soon as the capital is available though the specification would need to be reviewed in light of the capped budget. It is not recommended that the spec. be further reduced as this would lead to the facility performing poorly in revenue terms.
b) No pool	Additional receipt from sale of the coach park site (subject to planning)	Public access to the hotel pool and fitness facilities will be negotiated. A community centre with associated children's play facilities capable of operating without additional revenue funding.
d) Partnership with the University	To be negotiated	The University will require around £5m of additional contributions to finance the building of the new facility. The Council by going in to partnership with them could assist in a number of ways for example through its access to prudential borrowing. A capital contribution would also be required.

47. **Edmund Wilson:**

Option	Financial Implication	Comment
a) Full repairing scheme	£3.5m	Based on previously identified minimum refurbishment / DDA compliance scheme i.e. no new facilities provided
b) Close	£400k demolition costs	
c) New build at Oaklands	Approx. £4.0m	Cost of pool only (assumes fitness facilities available within the site) Provides modern building with full DDA access and complements the new sports facilities currently under construction on the site

48. **Yearsley:**

Option	Financial Implication	Comment
a) Minimum refurbish. scheme	£2.7m	Minimum repairing scheme as set out by Wm Saunders feasibility study. Creates DDA compliance but does not provide modern customer standards.
b) Close	Receipt for site approx. £1m	
c) Continue as at present	£100k p.a. for immediate DDA and plant related work	<p>It would be possible to continue to operate the pool for the foreseeable future provided that::</p> <ul style="list-style-type: none"> • There is no challenge under DDA • There is no failure of any major component, especially relating to the roof, tank, or plant <p>If either of these things occur the pool would then have to close or the full scheme commence as it is not feasible to address part of the issues at Yearsley</p>

The Way Forward

49. The recommended strategy is:

The University:

50. Enter into a partnership with the University to explore building an 8 x 25m pool and ancillary fitness facilities at the University. Detailed discussion would take place with the University to establish the capital and revenue structure of any partnership as well as the model under which the pool would run. This exploratory work is needed before both sides can commit to the project.

51. **Pros:** This would be a high specification facility providing the water capacity that the city requires according to the planning model to meet its general swimming, swimming development, and competition needs. The scheme would fit well with the needs identified within the city's sport and active leisure strategy creating a major sports complex in the south east of the city representing an asset for the sub-region.
52. It would provide a much higher specification than the proposed community pool on the Kent Street site with facilities that could include a floating floor giving greater flexibility in its use, including use by disabled people – the University has access for all as one of its core principles for the proposed facility. As well as swimming it is planned that there would also be a wide range of facilities on hand for fitness, dance, aerobics, martial arts, and a café. In the long term the University has aspirations to provide additional sporting facilities including sports halls and additional indoor tennis courts.
53. Key principles for the new centre would be that it should:
 - Be accessible to all York citizens and members of the University, including club use
 - Encourage participation by promoting the benefits of a healthy active lifestyle
 - Provide facilities for a range of abilities and actively encourage participation by all members of the communities
 - Promote use by people with disabilities
 - Be designed and maintained as a high quality environment
 - Have a flexible charging and admissions policy that promotes the maximum use of the facilities during the day and encourages widening participation
 - Be financially self-sufficient including an allowance for sufficient ongoing maintenance and renewal
 - Have an independent identity
54. It would provide a comprehensive publicly accessible programme covering clubs, general swimming, schools, classes, family sessions, targeted sessions, galas, etc. in state-of-the-art accommodation. The development would be not far from the Barbican and linked to it, and beyond, by the new high frequency ftr public transport Streetcar route.
55. We would envisage a financial model for running the new pool that would reduce the financial risk to the Council and which should not require on-going subsidy. It would also provide for ongoing capital maintenance and renewal. Very importantly we would avoid operating the Kent Street pool with a far less attractive business plan (with a significant operating loss) than the one we produced before the University pool came into view (which predicted a small surplus).
56. We would save the bulk of the £6m allocated for the Kent Street Leisure Centre and would potentially raise an additional £1m from the sale of the Kent Street site.

57. On the Barbican site we would provide a multi-purpose community facility for local people including play facilities for younger children in addition to the hotel leisure facilities which would be available for the public to use.

58. **Constraints:**

- The University pool is subject to planning. At best it could not be completed until 2009
- The University have yet to commit to proceed with the swimming pool and to confirm their part of the funding for the development
- The partnership will need to identify additional funding to meet the cost of building the facilities before it can proceed
- Access and location on the campus need to be carefully considered

Edmund Wilson:

59. This pool maintains a high usage level and all previous research indicates that more than 70% of the users come from the west side of the city with 50% or more arriving by foot, bicycle or bus. This strongly supports the need to maintain a significantly sized pool, offering a mix of teaching space, open access and deep water within the local area.

60. It is recommended that at the earliest possible opportunity work be undertaken to design and cost a 5-lane community pool incorporating a separate "learners" pool, on the Oaklands site to determine if this could be delivered at a cost similar to the proposed refurbishment of the current facility. If so, the existing facility could then be demolished. It is not expected that the current site will have a commercial value though it may be possible to use it for an alternative public sector use such as a replacement doctors' surgery.

61. **Pros:** This would create a brand new facility linked to the new, integrated sport and fitness facilities currently being constructed. It would provide a complete customer experience bringing an exciting range of services under one roof. It would represent much better value for money in capital terms providing an excellent new building that will offer a high quality customer experience for at least 25 years. This contrasts with spending further sums on a building that although superficially appearing quite modern is in fact highly problematic. It would remove duplication in provision, greatly reduce staffing costs, offer far greater energy efficiency, and have lower maintenance costs.

62. Linked to a new school building and new sports facilities it would complete the transformation from school sports centre to state of the art community facility with much greater customer appeal and capacity to grow new business. It would be fully publicly accessible with long opening hours.

63. The aim would be to build the new pool before the old one had to close although this would be subject to further investigation.

64. **Constraints:**

- The 5 lane community pool would not be designed for competition purposes (lacking the width and depth and the site space for ancillary

facilities) and the scheme would therefore rely on the University building a county standard pool which could accommodate current swimming club development and competition activities

- It would depend on the Priory Medical Group vacating their site (possibly in a land swap with the current Edmund Wilson site) in order to provide essential car parking space. This in turn is dependent on the PCT being willing to proceed in an acceptable time frame and able to finance their scheme. This is currently being pursued with the PCT

65. If it does not prove possible to proceed with the Oaklands site, for example because the additional land cannot be obtained, then it is recommended that the previously drawn up scheme for Edmund Wilson is taken forward instead.

Yearsley:

66. Maintain Yearsley as is at least until 2012. A significant annual maintenance budget would be needed, averaging £100k p.a. and with some front loading, in order to cope with plant failure (e.g. filters now need replacing) and to improve DDA compliance. The need for a more comprehensive scheme would then be reviewed at that time.

67. **Pros:** This strategy would maintain the current pool in line with the wishes of users.

68. Constraints:

- We could still face a challenge under the DDA
- A more major failure, e.g. of the roof could cause the pool to close
- Considerable pressure would be placed on the facility if for a period it has to be the only pool, together with Waterworld, in operation

Summary

69. The actions of the "Save our Barbican" group have prevented a deal going ahead on the Barbican site which would have delivered £10.33m of investment into the city's swimming pools. That deal cannot now be revived and as a result the original refurbishment strategy is no longer viable. It is now essential that we *move forward with this new offer which will deliver a range of significant benefits to the city:*

- A state of the art 8 x 25m pool for the city
- A definite commitment to move ahead with Edmund Wilson, potentially in the form of a brand new pool linked to new sports facilities
- Yearsley pool maintained to an improved standard and retaining its current format
- £2.5m investment in the Barbican auditorium
- A better quality hotel on the Barbican site incorporating publicly accessible leisure facilities
- A high quality care home incorporating specialist provision for dementia sufferers

- Two apartment buildings with 29 affordable units
- Refurbishment of Kent Street with the existing 390 spaces for public car parking
- A multi-purpose community building with covered play area

Investment Summary

70. The first phase of investment outlined above would require available capital up to 2012 to be deployed as follows:

	Indicative £m
New Edmund Wilson at Oaklands	4.00
Contribution to the University Pool	up to 2.00
Yearsley	0.50 over 5 years
Procurement, etc.	0.33
TOTAL	6.83

The profiling of this spend will be dependent on the speed at which the individual schemes can be brought forward.

71. This total requirement of approximately £7m for the first phase of development represents a realistic target for the capital receipt for the Barbican site.
72. A second phase would then be required from 2012 that would deal with Yearsley and taking account of WaterWorld, the lease for which expires in 2012.

Next Steps

73. Next steps would be:
- Start on site at the Barbican with main development
 - Development of a memorandum of understanding with the University leading to the setting up of a project board
 - Start of Barbican Centre refurbishment by ALL (subject to licensing)
 - A full feasibility study to be undertaken on the Edmund Wilson at Oaklands scheme
 - BV to submit a planning application in respect of the Coach Park site
74. It is proposed that residents' views on these proposals are invited through "Your City", through information to be sited at the Council's leisure facilities and at the Library, and through the Council's web site.

Recommendations

75. Members are recommended to:
- Approve the revised offer submitted by Barbican Venture (York) Limited
 - Pursue a partnership approach with the University to provide an 8 x 25m pool
 - Approve the 5 year strategy for Edmund Wilson and Yearsley pools

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Background Papers:

Replacement and Refurbishment of the Council's Leisure Facilities: Report to the Executive, 9 November 2004

Barbican Development: Report to the Executive, 18 May 2004

Barbican Development: Report to the Executive, 3 February 2004

Barbican Development: Report to the Executive, 16 December 2003

Barbican Development - Consultation Results: Report to the Executive, 16 September 2003

Leisure Facilities Strategy: Report to the Executive, 7 February 2003

Refurbishment of Edmund Wilson Swimming Pool: Report to the Executive Member of Leisure and Heritage on 22 May 2001

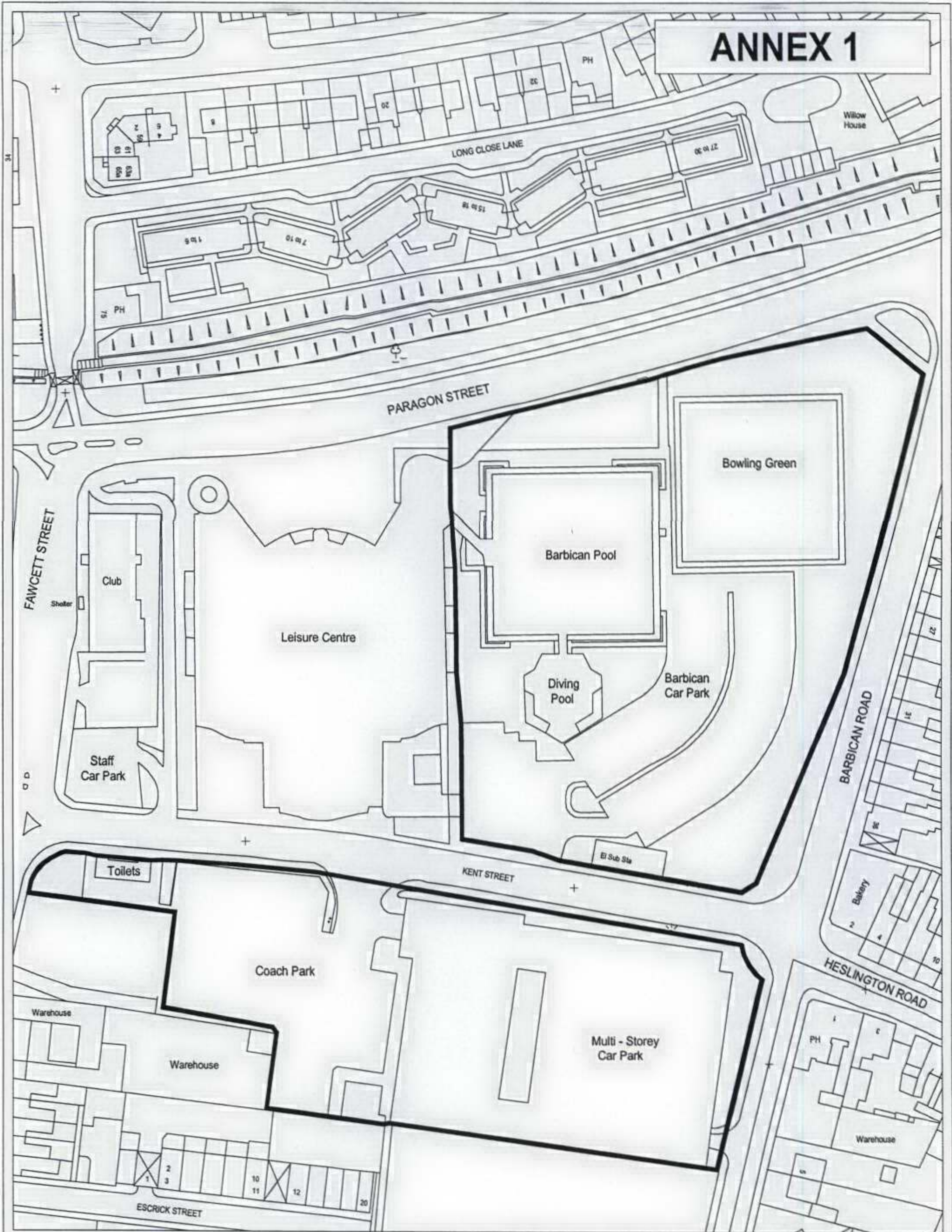
Edmund Wilson Capital Project: Report to the Executive on 8 February, 2002

Future Options For Leisure Best Value Review: Sport And Fitness, Next Steps: Report to Leisure Services Committee on 8 May, 2000

Annex 1: An extract from the Ordinance Survey showing the land to be sold.

Annex 2: A plan showing the proposed development on the Barbican Land.

ANNEX 1



York Consultancy
Consultants of first Choice

9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

SCALE Not to Scale

Originating Group

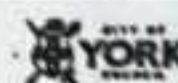
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DATE 24/01/2006

Drawing No.
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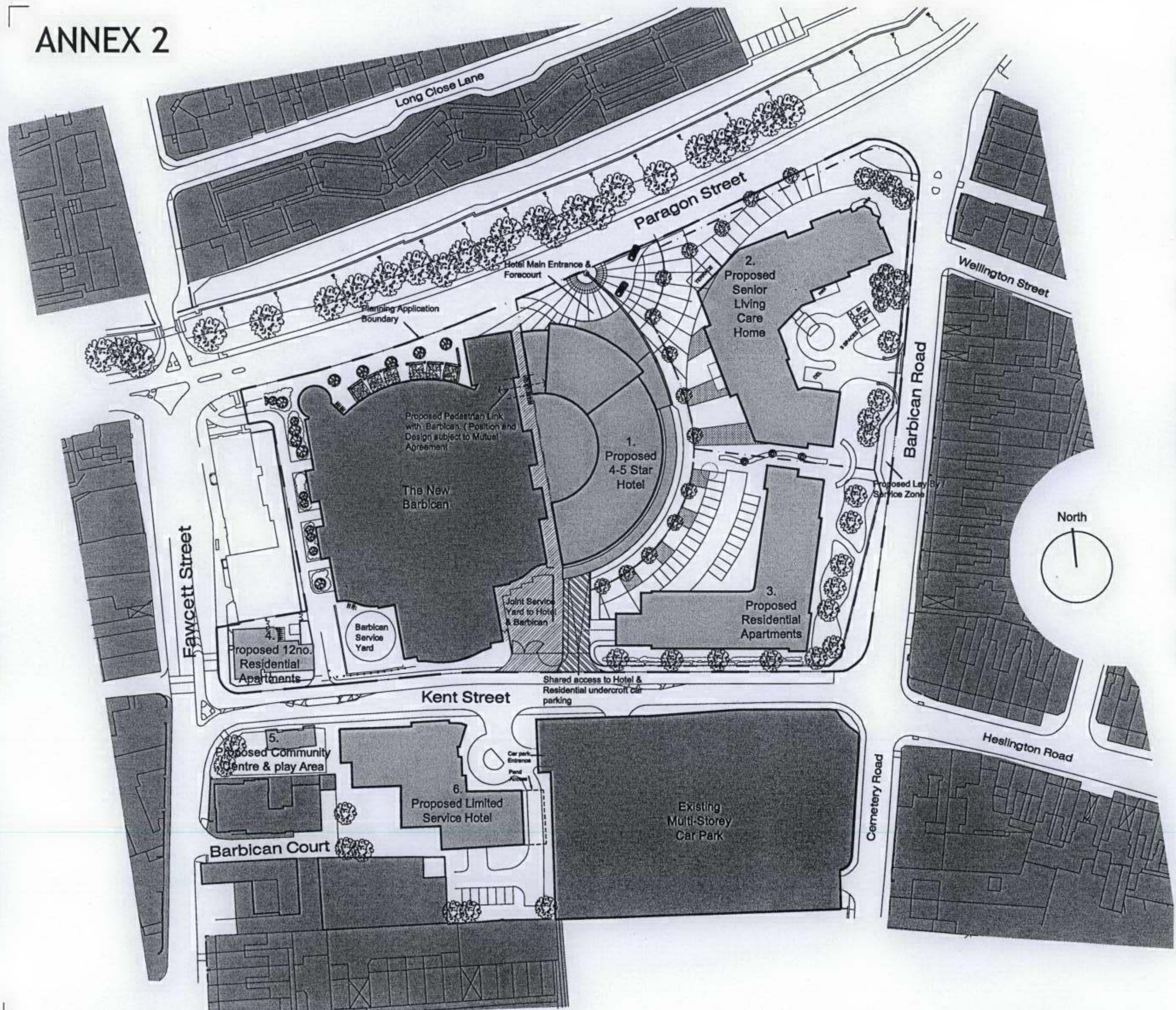
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City Of York Council LA 09067L

ANNEX 2

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1. Proposed 4-5 Star Hotel
165 Beds + circa. 40 undercroft Car Parking.
Semi-basement + 6 storeys. (5 Storey Bedroom accommodation)
Massing as previously approved scheme.
Plant only, will encroach above 22.5m threshold.
 2. Proposed Senior Living Care Home.
5 Storeys with 81 apartments and 23 car spaces.
 3. Proposed Residential Apartments.
5 storeys (Ground Floor level / Undercroft Car Parking) with 96 Apartments and circa. 82 car spaces.
 4. Proposed 12no. Residential Apartments
3 Storeys
 5. Proposed Community Centre & Play Area
Existing Public Toilet to be Converted and Extended to provide Local Community Centre & Play Area.
 6. Proposed Limited Service Hotel
4 Storeys with 96 Bedrooms and 7 car spaces.
- Joint Service Yard & Right of access (Servicing & Escape) to Barbican Centre and Proposed Hotel.
 - Access Road - To be owned by Hotel. Right of access provision to Residential Car parking.

Revision	Initials	Date
A	NR	27.01.06
1. Site Layout updated.		

youngandgault
Chartered Architects
Registered Planning
Development Consultants

Project Title
Proposed Crown Plaza Hotel
The Barbican Venture
for BDL Hotels Ltd.

Drawn Title	A1
Proposed Site Plan	Scale
	27/01/06
Step	Scale
	1:500 @ A1
For Comment	Drawn by
504_162/ 200 A	POK
Checked by	POK

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