

Report of the Director of Learning, Culture and Children's Services

Proposed Big Wheel in North Street Gardens

Summary

1. This report asks the Executive to consider a proposal to site the Yorkshire Wheel in North Street Gardens.

Background

2. The Yorkshire Wheel operator, World Tourist Attractions Limited (WTA), has approached the Council about the possibility of siting a new observation wheel in North Street Gardens. They only wish to pursue the idea if the city is welcoming of such a proposal. This paper asks the Executive to consider the proposal as owner of the site from the perspective of whether the Yorkshire Wheel would:
 - fit with the city's leisure policy
 - promote the city's visitor economy
 - enhance the leisure amenity of North Street Gardens as a public open space
3. This paper cannot deal with potential planning related issues, for example the impact of the wheel on the surrounding environment, and it must be stressed that any decision on this paper will not in any way influence the deliberations of the Planning Committee should any planning application be submitted in the future related to this proposal.

Consultation

4. The consultation on this proposal has been concerned with its leisure, visitor economy and budget implications. Consultation about the potential impact of the wheel on its immediate environs and on the historic core of the city would be a planning related issue and as such does not form part of this report.
5. Visit York has been consulted about the proposal. Visit York's view is that, "The wheel has been an excellent addition to York's visitor attractions, much liked by both visitors and residents. We support the application to bring the wheel back to York and a riverside location would be great from a tourism perspective. We hope that any concerns about the North Street Gardens site can be resolved; however, this is a matter for the planners to consider and advise on. This area is a currently an

underused part of the city and siting the wheel there could bring in families, making it a safer area which can be enjoyed by all”.

6. The Visitor Survey includes a question that asks visitors about their awareness of attractions and also their intention to visit whilst in York. The statistics show:

Awareness

Yorkshire Wheel	61%
Minster	90%
Jorvik	83%
Clifford’s Tower	57%

Intention to visit

Yorkshire Wheel	24%
Minster	35%
Jorvik	29%
Clifford’s Tower	11%

7. The Yorkshire Wheel is therefore quite significant and is believed to have particular impact on regional day visitors. It is thought that moving it to a central location will in effect create a new attraction, at least for a couple of years, which will increase its profile. In addition, the wheel will enhance the night-time economy and bring business to a neglected part of city. There will also be a benefit to local and nearby retailers at a time when the current economic slowdown means that they need new ways to attract footfall; WTA will offer a range of cross promotions with hotels and other local businesses, to stimulate interest and drive visitation. The Council’s own Scrutiny Report into making more use of York’s rivers and riverbanks highlighted the need to make better leisure use of the Ouse riverside and WTA believe the wheel to be a project that is in accordance with these aims. The wheel now has important associations for the image of York – it has become part of the iconography of the York skyline, even forming part Nestlé’s welcome to York Christmas banner at York station. From Council vehicles to the opening credits on regional television programmes, the Yorkshire Wheel has become part of the landscape.
8. A question about the Wheel was included in the public budget consultation. The result of this was that “generating income from relocating the Yorkshire Wheel” was stated as respondents’ second highest priority for making savings. In giving reasons for their choices 0.71% of respondents said that we need to have the Yorkshire Wheel as it is good for tourists and 0.61% said that North Street Gardens is not the right place for it.

The Previous Yorkshire Wheel

9. The National Railway Museum started working in partnership with World Tourist Attractions during 2005 to bring a wheel to York. The wheel helped increase visitor numbers to the National Railway Museum (NRM) by 20% year on year, resulting in the highest visitor numbers at the NRM in 20 years. The Head of Commercial Development at the NRM was quoted as saying, “The NRM welcomes about 750,000 visitors a year; with the addition of the wheel we have seen more than 900,000 visitors in the last financial year (2006/7).

The wheel attracts people who would not normally visit our museum and many of our existing visitors have taken the opportunity to ride the wheel. The wheel has been a great success for our organisation.”

10. York Press reporting on the wheel’s 500,000th visitor in 2007 and commenting on the beneficial impact to the city’s wider tourism economy quoted the Chief Executive of Visit York as “bringing a new dimension for tourism in the city, acting as a hook to bring in new visitors and boosting revenue for the local economy.”
11. Although successful there were compelling commercial reasons for WTA to move from the NRM. For example, the terms of the recently-expired contract with NRM prevented operation of the wheel beyond 6pm every day. Furthermore, the site is too far out of the city centre and does not give the kind of views of the historic city that are essential for the wheel to provide an exciting visitor experience.
12. WTA therefore require a city centre site for any new wheel. Before the previous wheel was located at the NRM WTA worked with planners to consider those few sites that are available in the city centre including the Eye of York, the land behind the Art Gallery, St George’s Fields, and Tower Gardens. All of these were ruled out for planning, flooding, or commercial reasons.
13. WTA believe that North Street Gardens is the only remaining viable site for a new observation wheel. They believe that the proximity of the site to the city – between two bridges and on the way from the station - means that they can be confident of attracting sufficient footfall to the site, including during the winter, to justify their investment and provide a world class attraction.
14. The new Observation Wheel would be purpose-made for York. It would similar to those installed by WTA in Windsor, next to the Castle, in Greenwich, next to the Royal Naval College (a world heritage site), and in Belfast in the grounds of the Grade I listed historic City Hall (see Annex 1 for photographs of the wheel in Greenwich and Belfast).

Leisure Policy

15. The use of Council owned or managed land for commercial activities which have at the same time residential and visitor benefit is well established. Examples range from longstanding activities such as the use of the Knavesmire by the York Race Committee to short-term seasonal events such as the Ice Factor open air ice rink on the Eye of York. In both instances the Council receives rental from such activities, operators have to comply with separate Licensing and planning obligations, and bonds can be sought to fund any reinstatement of the land used should damage occur.

The Proposal for North Street Gardens

16. North Street Gardens have been in the day to day care of the Council since 1959. The site consists of a liner garden approximately 1,750m² between North Street and the River Ouse and is a mixture of paved hard landscaped

and planted beds and lawns. Four seats are provided together with bins and lighting. The later was refreshed as part of the York Renaissance project in 2005/06. In times of flood risk the gardens are closed to the public.

17. As the attached pictures show (see Annex 2) improvement of North Street Gardens is overdue. The Gardens are over planted and generally unattractive. WTA have commissioned a Preliminary Landscape Assessment by NJL Consulting on the Gardens which supports this view (see Annex 3). No usage data is held but the Gardens are under used and because there are not clear sight lines through the gardens there are concerns about anti-social behaviour, especially after dark. Graffiti on seats and perimeter walls is a constant problem. At present there is no budget available to undertake a significant improvement scheme.
18. The re-landscaping scheme proposed by WTA is attached at Annex 4. The key features of this are:
 - Increased public lawns for seating
 - Improved riverside seating
 - Removal of selected shrub areas and trees to open up low level views through and across the site
 - A new focal point between the wheel and river promoting the riverside walk
 - Improved lighting to give greater night time security and promote desirable use of the area
 - Retention of the existing garden template with the raised beds and through walkways
19. The gardens would remain fully accessible to the public at all times. The design of the planned "R60" static wheel (see Annex 5), which is far more open plan than the transportable version used at the NRM, means that people will be more able to circulate around the base. The wheel would have round the clock security from a guard and CCTV making the gardens more animated until later and safer at all hours.
20. WTA would provide ongoing maintenance of the gardens and also reinstatement plans so that when the wheel departs an improved public amenity would be left for the city. The retention of the existing garden template with the raised beds and through walkways is very welcome as it means that original features are left in situ and allows for the gardens to be restocked once the wheel has finished on the site.
21. Due to flood considerations (see below) and in order to minimize the impact on the site, support buildings would be restricted to the minimum necessary. A specifically designed, combined management office and ticket booth would fit between two of the wheel's masts. This, and the control booth, where the main circuits and computer drivers of the wheel are housed, would be the only buildings necessary, and would be raised on supports to above the 25 year and 100 year flood levels respectively.

22. North Street Gardens are in the 'functional floodplain' most at risk from flooding. Therefore there is a presumption against development. However, after a rigorous flood risk assessment carried out by JMP Consultants WTA are confident that with their flood mitigation strategy the attraction would be flood-resilient. The design of the R60 static wheel with an open base means that it would minimize the displacement of flood water which WTA have estimated to be around the amount of water contained by one family saloon car. The control booth would be positioned at the 100 year flood level and the manager's office / ticket booth would be raised to the 25 year flood level. In the event of a potential flood, WTA have estimated that the Environment Agency's flood warnings would give approximately six hours' notice before the water rises to the 25 year flood level. Since it takes only 40 minutes to fully evacuate the wheel of all persons and secure it, this would give ample time to evacuate the site, implement flood damage limitation precautions and safely power down the wheel. It is anticipated that the wheel will be run on mains power. However, in the event that a generator is required all fuel tanks will be fully bunded and stored above the 100 year flood level.
23. Annex 6 contains a number of site impressions of the wheel from both adjacent bridges and from directly across the river. The Observation Wheel would be 5m lower than the NRM wheel.
24. The capacity of the R60 wheel: 336 people, and the frequency of loading – every 13 minutes - means that the wheel would have a very short queuing period: no longer than 30 minutes at its busiest. Tensator barriers and fully-trained stewards would aid the orderly marshalling of queues. There is a City Council public toilet facility off Tanner Row just around the corner from the wheel site. It is anticipated that overwhelming majority of wheel visitors will be pedestrian with the site having level access throughout.

Options

25. The report asks for members' comments on WTA's specific proposal to the Council. There are therefore no options to consider.

Corporate Priorities

26. The proposal has the potential to further the corporate priority of improving the actual and perceived condition of the city's streets and publicly accessible spaces.

Implications

Financial

27. It is the Council's normal policy to seek a rental payment for any commercial leisure provision sited on the Council's land. If members support the proposal and if ultimately it were to achieve a planning permission the Council would negotiate a rental payment with WTA.

28. WTA would take responsibility for maintaining the gardens whilst the wheel was in situ. The Council currently spends £1,325 per annum maintaining the garden and this would be a saving.

Legal

29. The Council obtained title to North Street Gardens through a conveyance dated 25th April 1959 made between (1) The Trustees of the Joseph Rowntree Village Trust and (2) The Lord Mayor, Aldermen and Citizens of the City of York. The land is subject to covenants:
- To maintain and manage it as a riverside garden and park for the use of the public
 - Not to use or permit or suffer the same to be used for any other purpose whatsoever
 - Not erect or permit or suffer to be erected thereon or on any part thereof any building or erection other than a summerhouse or shelter for use by the public
 - Not permit or suffer any food drink or merchandise or other article to be sold or offered for sale upon the said property or any part thereof.

The benefit of these covenants is vested in the Joseph Rowntree Foundation and Nestlé UK Limited (the present name of Rowntree and Company Limited, which originally owned the land).

30. Should the proposal receive planning permission it would be necessary to obtain the consent of the Joseph Rowntree Foundation and Nestlé UK Limited to relax the covenants to give the Council permission specifically to allow a wheel to be erected. Consent to relax the covenants has been given before, to permit the widening of Wellington Row and North Street, and to permit flood defence works.

Property

31. A licence would be granted to WTA to locate the wheel in North Street Gardens. The basis of the agreement would be that the wheel would be temporary for a period of up to 2 years at a time.

Crime and Disorder

32. In the 10 months to the end of October 2008 there were 32 offences committed within a 50m radius south of North Street Gardens including 11 assaults and 10 thefts. There were also 25 incidents of anti-social behaviour. It is to be expected that the presence of the Wheel would improve the ambience in the area.

Other Implications

33. It is expected that the Observation Wheel would create around 30 full-time and part-time jobs in the city. Working with local job centres and tourism colleges, WTA would be recruiting platform staff, attraction operators, an assistant manager and manager. As with all WTA wheels, the overwhelming majority of

the staff would be recruited locally and the jobs would last for the term of the wheel.

34. The report has no Human Resources, Equalities, or Information Technology implications.

Risk Management

35. If the proposal is not supported there is a risk that WTA will not be able to bring an Observation Wheel to York, given that other potential sites have already been rejected.

Conclusions

36. The key benefits of the Observation Wheel proposal are:
- That it would enhance the leisure amenity of North Street gardens for the enjoyment of residents and visitors to York
 - Is consistent with existing Leisure policy
 - It would bring a significant visitor attraction to the city

Next Steps

37. If the Executive are supportive of the proposal as a leisure and visitor attraction the next steps would be:
- WTA would require a planning application to site the Observation Wheel in North Street Gardens
 - The Council would need to ask the Joseph Rowntree Foundation and Nestlé if they would relax the relevant covenant on the land
 - A licence would be drawn up allowing WTA to site the wheel subject to negotiation of an appropriate rental

Recommendations

38. The Executive is asked to decide whether the Council would be willing to enter into an agreement with WTA to site the Observation Wheel in North Street Gardens subject to:
- WTA obtaining a planning permission for the site in the future
 - Agreement to relax the relevant covenant on the land
 - The negotiation of satisfactory terms for the licence

Reason: So that a response may be provided to WTA on their proposal.

Annexes

1. WTA Wheel in Greenwich and Belfast
2. Photographs of North Street Gardens
3. Preliminary Landscape Assessment
4. Proposed layout of North Street Gardens
5. 3D impression of the proposed wheel
6. Views of the proposed wheel
 - a) from Lendal bridge
 - b) from City Screen
 - c) from Ouse bridge

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**Report
Approved**



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Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Background Papers: Making use of York's rivers and river banks – a report of the Leisure Scrutiny Board June 2003