

Report of Mineral Planning Officer

Report to Director of City Development

Date: 17th September 2014

Subject : To consider payment of an invoice of £238,093 submitted by the Royal Society for the Protection of Birds for the cost of building a visitor centre at St. Aidan's Nature Park.

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Garforth and Swillington	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Recommendation

The Director of City Development is recommended to authorise the payment of £238,093 to the Royal Society for the Protection of Birds in respect of the construction of the visitor centre and the associated costs.

1 Purpose of this report

1.1 To approve the decision to pay £238,093 (including VAT) to the Royal Society for the Protection of Birds (RSPB) for the construction of the visitor centre and car park at St. Aidan's in 2013.

2 Background information

2.1 The RSPB is a partner of Leeds City Council in delivering green infrastructure within the lower Aire valley. This work involves specialist advice on habitat creation and management, creating a vision for the LAV and procuring various feasibility studies in relation to the St Aidan's site. In 2005 the Executive Committee agreed that on transfer of the St. Aidan's site to the Trust all the land would be leased to the RSPB who would manage the area for public access and nature conservation. The council is sole trustee of the Trust.

- 2.2 It was envisaged that the land would all be transferred from UK Coal Mining Ltd to the Trust in 2007 and shortly afterwards a visitor centre would be built. The Society would be given access to draw down on the Trust Fund in accordance with suitable terms in the lease in order to assist the Society manage the site and provide facilities there and assist the Trust meet the Trust Objectives.
- 2.3 Planning permission to construct a visitor centre and create a car park was granted in 2012. RSPB completed the project in May 2013 and the visitor centre was officially opened.
- 2.4 Dialogue has taken place between Leeds City Council and the RSPB concerning the future ownership of the visitor centre, which on the basis of the proposed land transfer will ultimately be located on land owned by the St Aidan's Trust. Accordingly, given that the visitor centre will be located on the Trust's land, the consensus is that the Council is the preferred owner on behalf of the Trust.

3.0 Main Issues

- 3.1 The visitor centre and car park have been provided and the RSPB has applied for 100% funding from the Council to reimburse the Society its reasonable costs.
- 3.2 The objectives of the Trust are that the Trust manage the Trust Land for the enjoyment of the people of South Leeds. The Trust is empowered to do anything which directly contributes to or fulfils this purpose. The provision of visitor facilities is specifically authorised in the Trust deed.
- 3.3 The title for the visitor centre will be vested in the council which will then hire the building back to the Society. The Council will receive a contribution from the St. Aidan's Trust Fund so that the acquisition is at nil overall cost to the Council..

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The costs incurred have been discussed between the Council and the RSPB as part of the interim arrangements in place pending completion of the lease. The proposal has been discussed by the St Aidan's Trust and is supported by the Executive Member for Transport and the Economy.
- 4.1.2 The St Aidan's Liaison Committee and local ward members are aware of the proposals.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no particular implications. All aspects of the project are accessible to everyone regardless of gender, race, disability etc.

4.3 Council policies and City Priorities

- 4.3.1 The payment accords with the council's support for the RSPB in the management of St Aidan's; reference the Executive Board decision of July 2005.

4.4 Resources and value for money

- 4.4.1 The Council will make a payment from City Development revenue budget for £238,093 which will be fully funded by a contribution from the Trust Fund.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The council is the sole trustee of the St. Aidan's Trust.

4.6 Risk Management

- 4.6.1 No particular implications.

5 Conclusion

- 5.1 The RSPB is providing a service to the Council and to the Trust by helping to develop visitor facilities in accordance with the Trust Objectives. It has been accepted over several years that the Society can apply for and expect to receive financial support in this way. The visitor centre will be owned by the Council.

6.0 Recommendation

- 6.1 The Director of City Development is recommended to authorise the payment of £238,093 to the Royal Society for the Protection of Birds in respect of the construction of the visitor centre and associated works.

7 Background Papers¹

- 7.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.