

**Report of Director of City Development and Director of Communities and Environment**

**Report to Executive Board**

**Date: 18<sup>th</sup> March 2020**

**Subject: City Centre Park Delivery**

Are specific electoral wards affected? If yes, name(s) of ward(s): Hunslet & Riverside	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: 10.4 (3) Appendix number: 5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary**

**1. Main issues**

- The delivery of a new 3.5 hectare green city centre park (the Park) in the South Bank is a longstanding city ambition. The Park was established as the public's number one priority for South Bank in the comprehensive co-production of the South Bank Regeneration Framework. Leeds is the largest city in the UK bringing forward the delivery of city centre green space to this scale.
- The Park will provide a major transformation across the South Bank in response to the climate emergency, with: a net increase in biodiversity (including up to 500 new trees being planted); 1970s designed road dominant spaces currently used for fast moving through traffic and large surface car parks being re-purposed as green space; and it will provide greater walking and cycling connectivity from the city centre through to Hunslet.
- Urban parks have been shown to have a massive positive impact on peoples' mental and physical health, and to contribute hugely to the health of the local environment too. Our goal is to make the Park one of the best parks in the country (an accolade recently awarded to Roundhay Park), providing opportunities for residents and visitors to Leeds to get outdoors, engage in a wide range of activities (from cultural events, childrens' play to a lunchtime stroll) and enjoy the best of the natural world in the heart of the city. The park is located in close proximity to the city's freedom quarter

and provides a real opportunity to be a truly accessible and inclusive space for all people to enjoy and help redefine our city centre offer.

- The proposal is major scheme contained within the Our Spaces Strategy considered elsewhere on today's agenda. The Park will be delivered on land owned principally by the landowner Vastint, as well Council and other third party land.
- Subject to securing approval of a reserved matters application, and in line the with the design brief Executive Board agreed in February 2018, the park will provide up to 500 new trees, areas for play, an outdoor events space and will have the flexibility to host a wide diversity of events, new public art and biodiversity enhancements.
- In February 2018, Executive Board considered and agreed mechanisms whereby the Council could help to facilitate the delivery of the Park, including:
  - a. Council Land – to re-purpose Council land at Meadow Lane (currently four lanes of highway for through traffic and 2 surface car parks) as space for the park, with a new development plot created. The intention would be to hypothecate income from the disposal of a development plot to fund the delivery of green space on Council land.
  - b. Maintenance – to ensure a sustainable maintenance regime, the Council would take a 250 year lease from Vastint on a peppercorn rent, and maintain the park as a civic asset and to mitigate the risks of a piecemeal approach to the maintenance of the park. Initial heads of terms were considered and approved by Executive Board.
- This paper provides members with updates on the delivery of the park when considering progress on Sovereign Square footbridge, Meadow Lane and the first and second phases of the Park. In particular, this report seeks approvals to the detailed terms of the Council's legal agreements with Vastint for the sustainable operation and maintenance of the park to 'green flag' standards. Approvals are also sought on the next steps for the delivery of a new development plot at Meadow Lane on Council land. Indications are also provided on the proposed steps to be taken to deliver the second phase of the Park.
- Vastint has submitted a reserved matters application for the Park, and with work at Meadow Lane and Sovereign Square footbridge progressing, it is envisaged that works on the Park and enabling infrastructure will commence in the next 12 months, leading to the Park opening in 2023.

## **2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- The ambition to deliver this will support principles set out in the Inclusive Growth strategy, Health and Wellbeing Strategy and the Best Council Plan. The work to deliver the City Park supports the Best Council Plan 2019/20 priorities on:
  - a. reducing health inequalities and supporting active lifestyles
  - b. improving the city's transport and digital infrastructure and tackling climate change risks
  - c. making Leeds the best city for children and young people to grow up in
  - d. making Leeds the best city to grow old in
  - e. improving the quality of lives and growing the economy through cultural and creative activities
- The park is a major statement in the city's response to the climate emergency. delivery of green space, plants and trees will leave a long term benefit to the

environment. It will help to improve air quality and promote biodiversity across South Bank.

### **3. Resource Implications**

- Vastint will fund all capital costs for the delivery of green space on its site, with the Council funding capital costs for the delivery of green space at Meadow Lane. Executive Board agreed in February 2020 funding proposals for highways works at Meadow Lane. A further Executive Board paper will be considered later in 2020 on the costs for the Meadow Lane green space, once the project reaches design freeze.
- While the Council has operational responsibility for the park, it has negotiated a 30% revenue contribution towards the Parks maintenance from Vastint. At this stage of design development, it is estimated that the total net maintenance costs, including LCC staffing costs, will be £385k per annum (of which the Council will fund 70% of), although the costs will be agreed on an annual basis as part of the Council's budget setting process. This does not include maintenance costs for the Council's Meadow Lane space which is yet to be designed, though these will also benefit from a 30% Vastint contribution. The highways works, previously approved by Executive Board in February 2020, will see car parking income lost as land is repurposed, and this will be considered in the Council's financial planning as a budget pressure in its medium term financial plan. However, it is anticipated that some of these costs will be offset by income generation at the Park (for which the Council will receive 70% of).
- In line with the delivery plan for the park, it is envisaged that based on currently known information, and in terms of financial planning, the spend for the Park's maintenance would be phased with a proportion of the total cost paid in 23/24 and 24/25, and the full amount thereafter in 25/26. Car parking income loss is likely to occur in a phased basis in 20/21 and in full in 21/22.

### **Recommendations**

Executive Board is asked to

- i. Note the progress being made on the delivery of the city centre park across both phases.
- ii. Agree to the detailed terms of proposed legal agreements between the Council and Vastint as set out in exempt appendix [5] for the maintenance and operation of the park.
- iii. To delegate authority to the Director of City Development (in consultation with the Director of Communities and Environments and Director of Resources and Housing) to make any future decisions on the management and maintenance of the Park, and to approve the Council entering into all necessary legal agreements and ancillary documents to facilitate the establishment and future maintenance and operation of the Park.
- iv. To agree the proposed next steps on the disposal of Council land at Meadow Lane and delegate authority to the Director of City Development to determine and implement the disposal as per the principles contained at paragraphs 3.26 to 3.28.
- v. To request that a future paper is brought to Executive Board on the detailed design of the Meadow Lane green space and Sovereign Square Footbridge.
- vi. To note that the Council's revenue contributions towards the maintenance of the park to Green Flag standards will be approved on an annual basis as part of the budget setting process as per the terms set out in appendix 5, and that the Director of

Communities and Environment will be responsible for overseeing the maintenance of the park.

## **1. Purpose of this report**

- 1.1 This report seeks Executive Board approval to measures that will bring forward the delivery and secure the management of the long standing City Centre Park ambition and to endorse the related delivery of the Sovereign Street Footbridge.

## **2. Background information**

- 2.1 The regeneration of the South Bank, guided by the South Bank Regeneration Framework, will effectively double the size and economic impact of Leeds City Centre, creating a distinctive mixed use district providing over 35,000 jobs and over 8,000 homes.
- 2.2 The Landmark proposal for the delivery of a 3.5 hectare City Centre Park was highlighted as the number one priority during the consultation process in the production of the South Bank SPD. The location of the proposed park is on land owned principally by the council and Vastint (the 22 acre former Tetley Brewery site – see appendix 1 for enlarge land ownership plan). There are other smaller landownerships within the area known as ‘Site AV94’ in the Aire Valley Leeds Area Action Plan (Appendix 2).
- 2.3 In February 2018, Executive Board considered and agreed mechanisms whereby the Council could help to facilitate the delivery of the Park, including:
  - I. Council Land – to re-purpose Council land at Meadow Lane (currently four lanes of highway for through traffic and 2 surface car parks) as space for the park, with a new development plot created. The intention would be to hypothecate income from the disposal of a development plot to fund the delivery of green space on Council land.
  - II. Maintenance – to ensure a sustainable maintenance regime, the Council would take a 250 year lease from Vastint on a peppercorn rent, and maintain the park as a civic asset and to mitigate the risks of a piecemeal approach to the maintenance of the park. Initial heads of terms were considered and approved by Executive Board.
- 2.4 Since this time, there has been considerable progress on measures to deliver the park. There are now four principal matters that require Executive Board consideration and approvals to help facilitate the start on site of the Park:
  - i) Sovereign Square Footbridge
  - ii) LCC Land at Meadow Lane
  - iii) Maintenance and Operation
  - iv) Future phases of the Park.

### **3 Main issues**

#### **3.1 Sovereign Square Footbridge**

3.1.1 The Council has commissioned design work for the delivery of a new footbridge at Sovereign Square to connect the Sovereign Square green space to the proposed location of the park, and link the Park to the proposed principal entrance for HS2 in the city. The footbridge will mean cyclists and pedestrians encounter substantially less physical severance, encounter fewer roads to cross and can be a connector through to the educational establishments in South Bank – promoting more sustainable transport choices. Design work is now progressing as well as detailed work alongside work with landowners to enable the bridge's landing.

3.1.2 There is allowance within the capital programme of £4.2m to fund the delivery of the footbridge. It is proposed that the detailed design is reported back to Executive Board via a design and cost report, for approval prior to the submission of a Planning application. Subject to consents and agreements, is envisaged that the bridge will be under construction in 2021.

#### **3.2 LCC Land at Meadow Lane**

3.2.1 The Council currently owns land at Meadow Lane immediately adjacent to ASDA and the River Aire and the proposed location of the new pedestrian footbridge linking Sovereign Square green space to the South Bank. The site is laid out as two pay and display car parks and includes multiple lanes of highway. As part of the South Bank Regeneration Framework SPD proposals, the highway network in this area will be altered, road capacity will be reduced whilst maintaining the route as a key transport and public transport network.

3.2.2 Executive Board previously approved the masterplan for the transformation of Meadow Lane as green space (see appendix 3), the site of a new development plot and reduced highway with public transport priority. Executive Board has, in February 2020, given approval to the funding package to transform the highways infrastructure at Meadow Lane, with authority provided to the Chief Highways Officer to approve the design of the highway design.

3.2.3 In approving the masterplan, it was reported that the Council would seek to hypothecate any income received from the disposal of a development plot to fund the Council's capital costs of delivering green space/ a park space on its surplus land. Housing Infrastructure Fund funding has also being sought to help fund the delivery of the green space.

3.2.4 Executive Board is advised that feasibility design has been commissioned for the green space, with RIBA stage 3 design work due to be completed by autumn 2020. At this stage, a report will be brought to Executive Board to seek approval to the detailed design and seek injection into the capital programme of a funded capital scheme. In developing the design, there will be detailed engagement with surrounding landowners and those with an interest in the site as to ensure that the park can be delivered in a seamless way. Part of the land was previously earmarked as a site for a substation for New Generation Transport, and dialogue with the WYCA will take place to align objectives on the site as regeneration moves forward.

- 3.2.5 The development plot is located at a gateway city centre site visible along Leeds Bridge and will provide the formal entry into the city centre park. It provides opportunity for a statement development that can provide a high quality setting for the park whilst, benefiting from excellent transport connectivity due to its proximity to the station. It is envisaged that the plot could provide high potential for a quality residential development to support the city's housing growth ambitions, and can contribute to the city's targets for affordable homes targets in the city centre through a policy compliant scheme. Once the details of the scheme and proposed uses are known, there is the potential for commuted sums to be utilised to increase the levels of affordable housing at the scheme beyond a policy compliant level.
- 3.2.6 It is proposed that steps are now taken to prepare the development site for disposal as to provide more certainty on the funding options for the green space. It is proposed that best consideration and market value will be sought for the site, with a development brief being produced to provide guidance to potential developers of the site on the regeneration potential.
- 3.2.7 Accordingly, it is proposed that the Director of City Development finalises, in consultation with the Executive Member for Resources, the footprint of the site to be sold and a disposal strategy to facilitate the timely redevelopment of the site. It is proposed that a further report is brought to Executive Board once terms have been agreed in principle with a preferred developer and prior to a transaction being completed.
- 3.2.8 Further, it is proposed that the Council appropriate both the area of land required for the green space and development plot sites for Planning Purposes under the Town and Country Planning Act 1990, and that any development or disposal decision would help to achieve the proper planning of the area. Further, within the proposed area of the green space, there are small land ownerships in unregistered ownership which the Council could seek adverse possession claim for or seek to compulsory purchase. It is proposed that the Director of City Development is authorised to take necessary steps to regularise land ownership in this location as to facilitate the timely delivery of the green space at this location.

### **3.3 City Park Proposal Latest Position and Maintenance and Operation**

- 3.3.1 The Executive Board paper of February 2018 gained approval to initial heads of terms for the Council to enter into a long lease for an agreed boundary of the park at peppercorn rent. This was to enable a comprehensive and consistent approach to the maintenance of the park. At that stage, it was considered that one option was that the Park could be managed and maintained by through a Community Interest Company (CIC), however further financial due diligence was recommended to consider the most efficient route.
- 3.3.2 Since this time, Vastint has submitted a Reserved Matters application for the detailed design of the first phase of the Park, which will require firmer details of the maintenance regime for the Park.
- 3.3.3 The emerging park design, shown in appendix 4, will include up to 500 new trees, an outdoor events space, play facilities, biodiversity measures and flexibility to host a wide range of events. Subject to approvals and consent of Planning, it is envisaged

that construction works will commence in the next 12 months, leading to the Park being open and operational in 2023.

- 3.3.4 More detailed terms for the maintenance of the park have been agreed in principle, further to detailed due diligence into the most financially efficient method of operating the Park. Accordingly, approval is required to updated detailed terms for the maintenance of the Park, as per the terms set out in exempt appendix 5.
- 3.3.5 In order to deliver a financially efficient model, it is proposed for the Council to be granted a lease of the Vastint area of the Park (subject to terms below), and maintain and operate the entire Park in-house in the first instance. This will provide an efficient model of delivery in the early years of Park operation and allow the Park's performance to be better understood. Key to the delivery of the Park will be community engagement to ensure a wide range of partners can inform and support the management of the park.
- 3.3.6 An agreement will be entered into with Vastint providing for a financial contribution towards the operation and maintenance costs from Vastint, and providing the right for Vastint to participate in operational decisions. In consideration of this, Vastint may also require the establishment of a CIC in the event that the Council fails to perform its maintenance/operation obligations to the required standards. A headline of key principles proposed are:
- i. Vastint will grant the Council a 250 year lease (the Headlease) of those parts of the Park within its freehold ownership, to then be combined with the parts of the Park the Council controls (whether as freehold owner or long leaseholder).
  - ii. The Headlease will commence upon practical completion of the Park. While the main body of the Park will be the subject of a single practical completion, areas around the edges may be completed in phases, to allow Vastint continued access to safely construct the buildings which will adjoin the Park.
  - iii. As part of the Headlease, the Parties will enter into contractual arrangements to reflect the draft commercial principles found in Appendix 5. This will, amongst other things:
    - a. Details the parties respective contributions to operational/ maintenance costs, being 70:30 (Council:Vastint);
    - b. Detail the Council's maintenance obligations (see below);
    - c. ensure each party has the ability to input into events and use of the Park, with medium term and annual business plans and budgets to be agreed;
    - d. provide for periodic (at least every 25 years) opportunities to review the economic viability of the maintenance and operation requirements, with the right for the Council to make alternative proposals. In the event that Vastint should not agree to these alternative proposals, the contractual agreements (including the Headlease) may ultimately be terminated and Vastint area of the Park would revert to Vastint ownership and responsibility.
- 3.3.7 It is proposed that the Parks and Countryside Service will manage and maintain the park to Green Flag standard (an international benchmark standard for the

management of recreational outdoor spaces) by adopting a similar staffing and delivery approach to that currently used on other high-profile, high-quality, popular 'city' parks such as Roundhay, Golden Acre, Temple Newsam and Middleton.

3.3.8 Working to Green Flag standard will ensure the following aspects of good quality park management are delivered:

- The Park will be welcoming and accessible
- The Park will be clean and well-maintained including to a high horticultural standard.
- The Park will be healthy, safe and secure
- The Park will be managed in an environmentally friendly way, including with reference to the climate emergency.
- The Park will be managed for the benefit of local wildlife and biodiversity
- Public events, activities, volunteer and other opportunities will be provided to engage the community, and maximise the benefits of the park for the people of Leeds.
- Developments, facilities and activities at the park will be effectively communicated and promoted to ensure as many people as possible are aware of them, and benefit from spending time in the park.

3.3.9 Where additional expertise is required, the Parks and Countryside service will co-ordinate the input of other council services, to support the ongoing maintenance of the Park, for example, cleansing, street lighting and community safety.

3.3.10 In the circumstances where the "Green Flag" standard is not achieved, the Council will have the opportunity to return to the agreed standard in the following year as per the terms in appendix 5.

3.3.11 As noted above, Vastint and the Council will both contribute to funding to the maintenance and operation of the Park. In addition, the Council will be able to generate revenue from events at the Park space and be responsible for governing the park's operation and promotion. Any revenue generated will, in the first instance, be utilised to off-set the parties funding contributions and any surplus above these contributions (e.g. 70% to the Council) will be available for the parties in proportion to their notional contributions to utilise as they deem necessary.

3.3.12 Estimated total net costs for maintaining and operating the Park are around £385,000 per annum (of which the Council will pay 70% of), however this is subject to further detailed design before a definitive estimate can be given. Actual costs will also depend upon (amongst other things) actual levels of Park utilisation (e.g. lower footfall will mean lower maintenance costs) and the success or otherwise of income generation opportunities.

3.3.13 The Council, in its role as landowner and tenant, shall input into the detailed design of the park. This will consider both the financial sustainability of proposals and the achievement of the Council's strategic objectives for the Park. It is proposed that Executive Board delegate authority to the Director of City Development (in consultation with the Director of Communities and Environments and Director of

Resources and Housing) to make any future decisions on the management and maintenance of the Park, and to approve the Council entering into all necessary legal agreements and ancillary documents to facilitate the establishment and future maintenance and operation of the Park. This will include delegations to any commitments to a design which may have a revenue implication for future maintenance and shall be undertaken in dialogue with the relevant Executive Members.

### **3.4 City Park Phase 2**

- 3.4.1 There is now a critical path emerging for the Park's delivery, with phase 1 of the parks design looking to obtain reserved matters in the summer of 2020. Work is also taking place for the second phase of the Park and will require collaboration between the Council and Vastint to facilitate its delivery.
- 3.4.2 The second phase of the Park comprises of land south of Crown Point Road (see appendix 1) labelled OPA2. The land required to deliver the Park is predominantly owned by Vastint with the exception of adopted highway (Cudbear Street, Sheaf Street and Hunslet Road). Vastint is currently in assembling land, or seeking to acquire sites, to facilitate the delivery of the Park
- 3.4.3 The land would be used as a continuation of the green spaces which in its entirety would stretch across from the River Aire to the Leeds College of Building creating a new green corridor for all to use. In view of the critical and time-constrained nature of Vastint's proposals, the high social, cultural and economic value the scheme would deliver to the wider city and the negative impact of the site on the regeneration of the area if left unused, it is proposed that consideration is given to the potential land assembly options to facilitate the delivery of the Park.
- 3.4.4 The Council is not currently in a position to financially support an acquisition or to contribute to any development proposal that may come forward. Nevertheless the important contribution the Park could make socially, economically and environmentally may justify the Council using its influence and convening powers to affect a positive outcome through site assembly if negotiations are not satisfactorily progressed.
- 3.4.5 One potential method would be through Compulsory Purchase of land currently not assembled. The use of a Compulsory Purchase Order (CPO) should only be considered an option of last resort where negotiations to purchase through private treaty cannot be progressed. Executive Board is not being asked at this point in time to mandate the initiation of such statutory proceedings but rather note the current status of land acquisition negotiation. It is proposed that a future report be brought to Executive Board on potential use of any powers if there is deemed to be a case and justification for doing so.
- 3.4.6 Furthermore, the delivery of the second phase of the Park as proposed will require the stopping up of three streets of adopted highway, each currently used for on street surface car parking. It is proposed that plans are worked up on how the Council's land could be used to facilitate the delivery of the second phase of the Park and the statutory implications of doing so. This is likely to see on street car parking spaces

and car parking income being lost and will need to be considered in the context of the Council's medium term financial plan and declared climate emergency.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

4.1.1 Consultation has taken place on the City Park through the South Bank Regeneration Framework in 2016, South Bank Regeneration Framework Supplementary Planning Document in 2017 and through ongoing consultation from Vastint. The consultation engaged with residents, businesses, landowners and city stakeholders, this included a high number of responses on the City Centre Park, including public support for the park as follows:

- To be part of a wider green network of spaces;
- Feature expanses of green, with mature trees, gardens, water features and seating
- A 'destination' in its own right benefiting workers and residents and wider communities too, not just a space used during office hours
- Include something for everyone, including families, young children and young people. For example play space and sports facilities helping to address a lack of provision in the city centre
- Provide a flexible space to include areas which can be used for specific events as well as general public use
- Include facilities like toilets, cafes and covered spaces to ensure the park can be used in all weathers
- Feature public art and sculpture which is integrated with the landscape as well as accommodating temporary art works and trails
- Increase biodiversity by creating new habitats for wildlife and pollinator resources.

4.1.2 As part of the connecting Leeds initiative which is the public facing consultation on the Leeds Public Transport Investment Programmes (LPTIP) proposals, the principles to be demonstrated in Meadow Lane have been consulted on.

### **4.2 Equality and diversity / cohesion and integration**

4.2.1 The South Bank Regeneration Framework consultation included comprehensive public consultation and the production of an Equality and diversity, cohesion and integration Impact Assessment. The proposals in this paper respond directly to actions contained within that impact assessment. A screening assessment is included as part of this report (see Appendix 6), and more specific equality and diversity implications will be considered throughout the development of the park. The park provides an opportunity to increase access for all people to high quality green space. The park is located in close proximity to the freedom quarter and provides opportunities for collaboration between the park operation and businesses in this location.

### **4.3 Council policies and best council plan**

- 4.3.1 The vision for a city centre park is embedded within the recent published draft of the South Bank SPD which demonstrates the ambition for 253ha of Brownfield Land south of the River Aire.
- 4.3.2 The ambition to deliver this will support principles set out in the Inclusive Growth strategy, Health and Wellbeing Strategy and the Best Council Plan. The work to deliver the City Park supports the Best Council Plan 2019/20 priorities on:
- reducing health inequalities and supporting active lifestyles;
  - improving the city's transport and digital infrastructure and tackling climate change risks;
  - making Leeds the best city for children and young people to grow up in;
  - making Leeds the best city to grow old in;
  - improving the quality of lives and growing the economy through cultural and creative activities.

### **Climate Emergency**

- 4.3.3 In relation to the Climate Emergency the city park scheme plays a major role in improving air quality by reducing the amount of traffic passing through this area of the city centre. The scheme promotes sustainable travel putting a pedestrian and cyclist first environment making these modes of transport more attractive to members of the public.
- 4.3.4 The delivery of green space, plants and trees will leave a long term benefit to the environment. It will help to improve air quality and will provide a net increase in biodiversity across South Bank.

### **4.4 Resources, Procurement and value for money**

- 4.4.1 In agreement as land owners, Vastint and Leeds City Council take responsibility to fund and deliver parts of the Park proposal on land which they own. Collaborative working will take place to ensure that the development integrates seamlessly once the Park is fully delivered. Maintenance funding will be split between LCC and Vastint, with Vastint funding 30%, whilst the any structure that may be established to operate the park will have the ability to raise funds through events in the Park. With respect to the Council, its contribution towards the funding of the park maintenance will be a consideration in the setting of the revenue budget in future years. Further consideration will be given to events to optimise income opportunities.
- 4.4.2 Indicative costs have been provided for the Park's maintenance and operational needs based upon the current rates charged by Parks and Countryside estimated on the current design made available to the Council. Net costs have been estimated to match the scale of the Park at approximately £385,000 per annum, however detailed design is yet to be confirmed. The Vastint contribution will be off-set against these

costs, and there is also the potential for income generation from maintaining the adjacent Vastint sites and from the operation of the Park.

- 4.4.3 In line with the delivery plan for the park, it is envisaged that based on currently known information, and in terms of financial planning, the spend for the Park's maintenance would be phased with a proportion of the total cost paid in 23/24 and 24/25, and the full amount thereafter in 25/26. Car parking income loss is likely to occur in a phased basis in 20/21 and in full in 21/22.
- 4.4.4 If expansion of the Park involves new landowners it is expected that they will enter into the same or equivalent contractual arrangements with the Council as Vastint, and will also make proportionate financial contributions. More specific funding proposals will be reported to Executive Board once the detailed design of the park is finalised.

#### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 All information in relation to this programme is being held and managed in accordance with the access to information policies and procedures.
- 4.5.2 The information contained in Appendix 5 is exempt under Access to Information Rule 10.4 (3) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that the public interest in maintaining the content of appendices as exempt outweighs the public interest in disclosing the information at this time.
- 4.5.3 The leasing and operation and maintenance proposals are not anticipated to give rise to any procurement law related issues, and will be state aid compliant. Should a CIC be established in due course, it will be a requirement that any alternative operation and maintenance contracts will be procured by the CIC in accordance with procurement law.

#### **4.6 Risk Management**

- 4.6.1 The development of the City Park will be open for use to members of the public for a variety of uses. It is for this reason in which the Council must take an active role in ensuring the park has an ongoing, sustainable management and maintenance model in place. This must be flexible to suit the further expansion of the City Park and must have the ability to accommodate various landowners and other involved organisations.
- 4.6.2 Further to this, with different land owners there is a risk of the development of a City Park being fragmented from its surrounding area. The joining up of Meadow Lane (in Leeds City Council ownership) plays a pivotal role in the wayfinding across the South Bank and must intertwine with the proposal of land on the former Tetley Brewery site in Vastint's ownership.
- 4.6.3 It is collaboration with private investors that is seeing the vision for the City Park being realised, a vision that cannot be realised without the Council playing a proactive role. The delivery of Meadow Lane is crucial in facilitating the delivery of this private

investment therefore it is a risk that if not delivered it could stall proposals coming forward at surrounding areas.

## **5. Conclusions**

5.1 The vision for the Park first became apparent in 2011 as a high priority ambition for the City of Leeds. This has come with the development of the ambition for the land south of the River Aire within the South Bank regeneration framework. With the proposition to deliver this ambition it is critical to ensure the appropriate measures are put in place to ensure the development is sustainable once delivered. The Council, in agreeing to the steps outlined in this report can help to enable the delivery of the first phases of the Park within the next five years and help to de-risk the proposition.

## **6. Recommendations**

### **6.1 Executive Board is asked to**

- i. Note the progress being made on the delivery of the city centre park across both phases.
- ii. Agree to the detailed terms of proposed legal agreements between the Council and Vastint as set out in exempt appendix 5 for the maintenance and operation of the park.
- iii. To delegate authority to the Director of City Development (in consultation with the Director of Communities and Environments and Director of Resources and Housing) to make any future decisions on the management and maintenance of the city park, and to approve the Council entering into all necessary legal agreements and ancillary documents to facilitate the establishment and future maintenance and operation of the city park.
- iv. To agree the proposed next steps on the disposal of Council land at Meadow Lane and delegate authority to the Director of City Development to determine and implement the disposal as per the principles contained at paragraphs 3.26-3.28
- v. To request that a future paper is brought to Executive Board on the detailed design of the Meadow Lane green space and Sovereign Square Footbridge.
- vi. To note that the Council's revenue contributions towards the maintenance of the park to Green Flag standards will be approved on an annual basis as part of the budget setting process as per the terms set out in appendix 5, and that the Director of Communities and Environment will be responsible for overseeing the maintenance of the park.

## **7. Background documents<sup>1</sup>**

7.1 None.

## **8. Appendices**

- Appendix 1 – Land Ownership Plan

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<sup>1</sup> 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.

- Appendix 2 – Aire Valley Action Plan Site AV94
- Appendix 3 – Meadow Lane Masterplan
- Appendix 4 – City Park Design
- Appendix 5 – Exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3)
- Appendix 6 – City Park Equality Screening Document