

Executive

Banbury Cultural Quarter

7 December 2009

Report of Strategic Director Environment & Community

PURPOSE OF REPORT

To consider proposals for the development of a Banbury Cultural Quarter in conjunction with The Mill Management Committee and Oxfordshire County Council

This report is public

Recommendations

The Executive is recommended:

- (1) To support the concept of a Cultural Quarter in Banbury to the east of the Oxford Canal as outlined in the report;
- (2) To support Oxfordshire County Council in the development of an integrated new library and Mill as outlined in the report;
- (3) To agree a supplementary capital estimate of £60,000 to progress the Cultural Quarter components to the level of detail required and to submit an outline planning application;
- (4) To receive further reports on the further design work, outline capital costs and anticipated revenue implications of progressing the District Council's components of the Cultural Quarter prior to any commitment.

Executive Summary

Introduction

- 1.1 The District Council has been discussing for many months with representatives from The Mill Management Committee and Oxfordshire County Council the concept of a Cultural Quarter. The point has been reached in the development of the concept where formal consideration needs to be given by each of the partners.

Proposals

- 1.2 It is proposed that the County Council progresses, with District Council support, the refurbishment of The Mill and an integrated new library for the town. This will require a larger footprint for the building which in turn will encroach upon the current Chamberlain Court car park and surrounding areas. It is proposed to use the current Chamberlain Court car park as a significant public space to act as a focal point for the Cultural Quarter. It is from here that the major town centre pedestrian access will be made via a new bridge to the new Spiceball Leisure Centre which in turn will be linked to a new two-deck car park, possibly with commercial or residential units above, to be located on the site of the existing sports centre.
- 1.3 These developments add further collective value to the recreational and cultural facilities already in place to the east of the Oxford Canal and as a whole with further investment can establish a cultural quarter of strategic significance to Banbury. Its town centre location and attractive water frontages further support this approach.

Conclusion

- 1.4 The opening of the new Spiceball Leisure Centre, the ongoing success of the Banbury Museum and the County Council's intention to create a new and vibrant arts and library centre at The Mill will create sufficient collective recreational and cultural activity to form a basis of a Cultural Quarter for the town. Further developments of a complementary nature such as a commercially run café or restaurant, and possibly some residential units and additional car parking will be sought, which will enhance the Cultural Quarter accessibility and attractiveness.

Background Information

- 2.1 For many months representatives of the District Council, the County Council and The Mill have been discussing how a new integrated and refurbished Mill and new library can be developed on or near the existing site of The Mill. Several technical options have been considered which take into account the various constraints of the site regarding utilities, flooding frequency, funding and access to the new Spiceball Leisure Centre.
- 2.2 The County Council has earmarked £5.625 million for this development which is planned from 2011/12 onwards. The precise timing of its proposed development is not yet established but for the purposes of this report can be assumed to be from mid 2012.
- 2.3 The District Council has approached the development of an integrated Mill and new library in a positive way with a willingness to consider permitting its development on some District Council owned land. This will necessitate a transfer of some of the Council's land to the County Council assumed at nil consideration as it will need to own the site of the library and arts centre. However, it has also been made clear that in whatever form the Cultural Quarter takes, there must be no net loss of car parking spaces and where possible, numbers of spaces should be increased.
- 2.4 In parallel with this, the District Council will be opening the new Spiceball Leisure Centre this month and as a consequence will be demolishing the old sports centre. Consideration therefore needs to be given to the re-use of the old Spiceball Park Sports Centre site and it is in the context of a proposed Cultural Quarter for the town that it is suggested this be considered.
- 2.5 Located at Appendix 1 is a Concept Master Plan for the site which combines in very broad terms the proposed components of the Cultural Quarter. These can be summarized as follows:
 - A new, integrated Mill/Library development on an increased building footprint on and around the existing Mill;
 - A significant public space located between the new Mill/Library and Chamberlain Court to act a focal point, to encourage pedestrian access from the town centre to the Cultural Quarter, and where access to The Mill and the new Spiceball Leisure Centre can be made;
 - On the majority of the current Spiceball Park Sports Centre site, a two-deck car park be constructed to replace the lost car parking spaces from the current Chamberlain Court and surrounding Mill car parks and to increase the amount of car parking available at the site to serve the needs of the Cultural Quarter and town centre better, and in doing so offer the District Council an improved revenue stream;

- To gain access from this part of the site, it will be necessary to construct additional pedestrian access to the new Spiceball Leisure Centre. This could be a stand alone bridge construction to mirror that provided to the north of the site or could be integral with the two deck car park;
- A further area of open space to the north-east of The Mill bordering the River Cherwell which will permit better flood plain management and an attractive open aspect with river frontage.
- The focal point of the open space with canal frontage provides a limited opportunity for a commercial café, bar, restaurant or similar which should be explored.
- It may be possible to provide some further commercial or residential development above the car park, to improve the financial viability of the scheme.

2.6 Acknowledging that the majority of the site under consideration will continue to be at risk of flooding even after the proposed defence works north of Banbury, specific flood related assessments will be needed to support a development of this nature. The first is a Sequential Test which has been completed and which considers the flood risk availability and suitability of a range of sites in Banbury for accommodating a Cultural Quarter in order to demonstrate that this area (i.e. land east of the Oxford canal) is the only suitable and available town centre location for the land uses proposed. The initial response to this test from the Environment Agency has been positive in that the site of the proposed Cultural Quarter satisfies the Sequential Test.

Key Issues for Consideration/Reasons for Decision and Options

3.1 To enable the nature and scale of this development to take place, it will be necessary to ensure that there is no increase of overall development footprint in this locality as the majority of the area is currently in flood plain, a position which will change little even after the flood protection works are completed to the north of Banbury. It is clear that the footprint of The Mill will have to increase in size in order to accommodate the new library and likely extended facilities in what is currently - and will largely remain - flood plain. As a consequence, discussions have taken place with the Environment Agency as a means of agreeing that the existing Spiceball Park Sports Centre and Mill building footprints can be considered as a baseline for progressing the Cultural Quarter components in this locality. In reality, this means reusing part of the current Spiceball Park Sports Centre floodable building footprint to facilitate the County Council's proposal to extend the Mill building for a new library. The Environment Agency has been very co-operative in this respect and has agreed this in principle but has also indicated that it will seek reductions in this flood risk from this

baseline wherever practicable in accordance with national planning policy.

- 3.2 Following the successful completion of a Sequential Test, it will be necessary to undertake an Exception Test for the Cultural Quarter site. This will involve exploring how the flood risk and mitigation measures will determine the detailed arrangement of land uses on the site. Some issues of principle have already been considered in this respect and discussed with the Environment Agency. It is intended that with better use and lower flood risk of the proposed developments than those currently in use, this will produce a positive outcome.
- 3.3 There is a sequence of requirements which needs to be followed to progress the Cultural Quarter as currently planned. It will be necessary to progress more detailed consideration of each Cultural Quarter component, as listed above, in order to undertake the following:
- To act as the basis of commissioning designs and establishing 'order of magnitude' costs of each built component;
 - To inform the Level 2 Strategic Flood Risk Assessment for the site, the flooding Exception Test and outline planning application;
 - To complete the Flooding Exception Test which includes undertaking necessary flood risk assessments as advised by the Environment Agency;
 - To support, in due course, an outline planning application, probably for the whole Cultural Quarter development by this Council as it is the majority land owner.

- 3.4 An indicative outline timeframe for this project is as follows;

Quarter 1 2010 – the appointment of consultants to undertake design development of the built components to provide the required detail for an outline planning application. It is anticipated that the level of further detail required must specify building parameters specifically scale, height and footprint. This will then be used to complete the Level 2 Strategic Flood Risk Assessment and the Flood Risk Exception Test to accompany the outline planning application and to establish order of magnitude capital costs. The County Council will make separate appointment(s) for the integrated Mill and new library development which will also contribute to this process.

Quarter 2 2010 – Outline Planning Application including that of the integrated Mill and new library.

Quarters 3+ 2010 – Formal consideration of costs, funding and decision to proceed followed by procurement of built components.

Quarter 2+ 2011 – Construction of new car park/Spiceball Leisure Centre pedestrian access and commercial or residential units

Quarter 2+ 2012 - Following the completion of the new car park, the closure of the Chamberlaine Court Car Park to construct a commercial café, bar or restaurant or similar. Closure of all Mill car parks to commence construction of a new integrated Mill and library.

- 3.5 It will be necessary for the Council to engage professional assistance to prepare the necessary detail required to undertake the above. In doing so, further technical and financial information will be available to determine the feasibility of the Cultural Quarter as currently envisaged for further consideration by the Council prior to any commitment.
- 3.6 In progressing the Cultural Quarter concept in this way, the support given to the County Council by the District Council is facilitating the extended development of the Mill in the floodplain through the reuse of part of the current Spiceball Park Sports Centre building footprint, a land transfer at nil consideration to accommodate the extended Mill building footprint on District Council land and the relocation and funding of displaced car parking into a new decked car park. In return, the County Council is making a substantial investment in its services which are a key part of the town's cultural infrastructure, will be addressing a level of local library service under provision when measured against local and national standards and will be funding the costs of establishing a new urban space to act as a focal point for the Cultural Quarter on the site of the current Chamberlain Court car park.
- 3.7 Subject to future Executive approval, the Council will include the Cultural Quarter as a strategic site in its Core Strategy, which is part of the Local Development Framework (LDF). It is anticipated that proposals for the site will be set out in the next Core Strategy document which will be published for public consultation early next year.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

- Option One** The Council could support the development of a Cultural Quarter on the site and build on the established cultural services and facilities which already exist there. This is the basis of the proposal within this report.
- Option Two** The Council could choose to do nothing in relation to a Cultural Quarter and rely entirely on the County Council and Mill Management Committee to determine their redevelopment proposals within the footprint currently available to them. This is likely to be impractical and therefore scupper their development plans.
- Option Three** The Council could choose to look at a Cultural Quarter elsewhere in the town. However, as indicated through the Sequential Test, this is unlikely to be delivered due to the

limited availability of land and significant additional financing which is unlikely to be available.

Consultations

Consultation has taken place with representatives of The Mill Management Committee and Oxfordshire County Council.

Implications

Financial: There are financial implications for the Council in supporting a Cultural Quarter development. These are largely significant capital costs in the order of a minimum £2m for the new decked car park of up to 200 spaces on the site of the existing Spiceball Park Sports Centre, the new pedestrian link to Spiceball Leisure Centre and associated landscaping works in the immediate vicinity of these developments. It is hoped that there would be an additional significant revenue stream from the increased car parking capacity which would support the spending of such capital sums and the potential for some enabling development. Further detail is required as proposed in the report on the extent of these capital costs prior to undertaking any cost benefit analysis in relation to the revenue stream arising. Additional financial benefit could also arise from the provision of a commercially run café/restaurants and possibly some limited residential development. Officers are pursuing other potential sources of funding for some of the proposed built components.

Comments checked by Joanne Kaye, Service Accountant, 01295 221545.

Legal: There are legal implications arising from this report in that to support and indeed facilitate the County Council in developing with The Mill Management Committee in developing an integrated Mill/Library, there will inevitably be a requirement for some additional land immediately surrounding the current building footprint of The Mill which is in District Council ownership. Again, further detailed design work is required to determine the precise nature of an extended Mill footprint and the extent of any land transfer or legal issues arising.

Comments checked by Liz Howlett, Head of Legal & Democratic, 01295 221686

Risk Management: The most notable risks arising from the proposals contained in this report are to ensure that there is adequate access within the Cultural Quarter and in particular to the Spiceball Leisure Centre which is expected to generate additional

usage beyond that currently catered for by the existing Spiceball Park Sports Centre. In addition, there is almost certainly going to be a need for additional car parking to cater for more intensive use in this locality. Failure to undertake either of these could result in an adverse public reaction and could affect the overall usage of the new Spiceball Leisure Centre. The results of the flood risk assessments could restrict or alter design proposals for the site.

Comments checked by Rosemary Watts, Risk Management Insurance Officer, 01295 221566.

Wards Affected

All Northern District Wards.

Corporate Plan Themes

Safe & Healthy Cherwell, District of Opportunity

Executive Portfolio

Councillor George Reynolds
Portfolio Holder for Environment, Recreation and Health

Document Information

Appendix No	Title
Appendix 1	Concept Master Plan for Banbury Cultural Quarter
Background Papers	
None	
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