

REPORT TO: EXECUTIVE

Date: 4 March 2019

TOPIC: BRAUNTON BMX

REPORT BY: PROJECT, PROCUREMENT & OPEN SPACE OFFICER

1 INTRODUCTION

- 1.1 This report seeks to secure a delivery solution for a BMX Track at Velator.
- 1.2 There has been demand for a BMX track for a number of years in and around Braunton and Heanton Punchardon. Securing a suitable site had been one of the main barriers over the years and this has taken significant time to identify and resolve.
- 1.3 With a site and outline planning consent in place, trustees from the now folded Braunton BMX Club have approached the authority to deliver the procurement and construction of the project. Trustees from the club have sought to transfer ownership of this land to the district council.

2 RECOMMENDATIONS

- 2.1 That Executive accepts the freehold transfer of the land at Velator, identified on the annexed plan, at nil value and adopt it for use as a BMX track, from Trustees of the BMX Club.
- 2.2 Pursuant to Executive decisions on 6/6/2016 and 5/2/18, that Executive re-assign the allocation of S106 public open space funds previously allocated to Braunton BMX Club, totalling £75,616.18 for use by the authority in delivering a BMX pump track, which already forms part of the approved capital programme.
- 2.3 That Executive recommends that Council vary the capital programme by a further £25,000 from Investing in Devon external funding (£25,000), and that the full project funds be released.
- 2.4 That NDC procures and manages the project and maintains the facility thereafter.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To support delivery of a community facility and allocate funds in line S106 agreements.

3.2 To provide a solution to the delivery of the BMX track construction.

4 REPORT

- 4.1 For a number of years Braunton BMX club has been working to secure a site, planning permission and the relevant funding package to deliver a BMX track in Braunton. Having previously failed to find a suitable self-contained site, a development at Velator offered the club land for a BMX facility. Planning permission was granted to provide a BMX track as part of a wider development at Velator in 2015, application 58119.
- 4.2 The total funding secured to date for the construction is £100,616.18 with funding from, S106 already approved (£75,616.18), and Investing in Devon (£25,000). This report seeks to re-assign the £75,616.18 awarded to the club to allow the authority to deliver the project and vary the capital programme to accommodate the external funds secured. No S106 funds have been paid to the club and the authority still holds the funds within its accounts.
- 4.3 Although the above funding has been secured, in recent months the club has faced a number of challenges in terms of project delivery and as a result has not been in a position to proceed with the project.
- 4.4 With these difficulties identified, the club has now folded but the trustees remain owners of the land at Velator. The Trustees have written to the district council with a view to transferring the freehold of the identified site at Velator, to the Council, at nil cost. The club trustees have also requested the Council procure and project manage the construction of this community facility.
- 4.5 Following the request from the trustees, Officers wanted to establish whether there was still a high demand for the facility before presenting the request to Executive. During November and December 2018, we undertook a consultation exercise to fully understand the requirement and support for this proposed project.
- 4.6 The survey was published online and the Communication Team actively encouraged responses. We received a very high level of interest with 309 people completing the survey, with 84% in favour of the track at Velator, with the majority of support for an informal facility rather than a formal regional facility. Filtering the results from Braunton area, 235 responses were received, with 191 in favour of track at Velator.
- 4.7 The BMX track would be a publically accessible facility. There is no requirement for a lease or license and no restrictions on use.
- 4.8 Officers have liaised with Braunton and Heanton Punchardon ward members throughout this period and kept them informed of developments via email. During discussions, members requested the views of The Police in regard to the potential of anti-social behaviour at the site. A response was received from Braunton's Police Community Support Officer (PCSO), which was supportive, saying that it was a "much needed facility." Although the PCSO could not rule out antisocial behaviour, he did say that if the track was built it would form part of their patrols. He stated that

CCTV would help to minimise anti-social behaviour, but NDC officers have advised CCTV is not included in their plans or budget.

4.9 If the council does agree to build a track, it would be responsible for the future maintenance of the facility. The pump track will have minimal maintenance, and the surrounding landscaping can be added to the grounds maintenance contract with grass cutting, litter picks and safety inspections which can be absorbed within existing budgets.

4.10 In conclusion this report seeks to formalise a request from the remaining trustees of Braunton BMX Club to transfer land to NDC to deliver a facility for the community.

5 RESOURCE IMPLICATIONS

5.1 Financial

The estimated project cost, prior to tender, is: £100,000

This is funded by:

£75,616.18 – S106 Public Open Space funds (already part of approved budget)

£25,000 – Devon County Council, Investing in Devon (included within this report).
The funding deadline for this contribution is 31 December 2019.

5.2 Staff

To be delivered by Economic Development, Parks, Leisure & Culture team with Estates and Legal Services.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?	Key decision?
4.5.2 Part 3 Annex 4	Delegated	no

7 STATEMENT OF CONFIDENTIALITY

7.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

8 BACKGROUND PAPERS

8.1 The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Executive Member: Councillors Jones & Moores, Health & Wellbeing

Author: L. Wheeler

Date: 12 February 2019

Reference: I:\Projects\Open Space & S106\Reports\Executive reports\Executive 2019\March 2019\Braunton BMX\BMX Executive March 2019 v2.doc