

**Cheltenham Borough Council**  
**Cabinet – 15<sup>th</sup> March 2011**  
**Imperial and Montpellier Gardens Strategy**

<b>Accountable member</b>	<b>Cabinet Member Sustainability, Councillor Roger Whyborn</b>
<b>Accountable officer</b>	<b>Assistant Director Operations, Rob Bell</b>
<b>Accountable scrutiny committee</b>	<b>Environment</b>
<b>Ward(s) affected</b>	<b>Lansdown</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Executive summary</b>	<p>This is a “problem born out of success”, resulting from year on year increase in the sale of tickets by Cheltenham Festivals over a period of some years. Increasing usage of Imperial Gardens for Festival marquees combined with some bad weather events in the year 2010 has pointed public attention at the standard of the gardens being lower than the Council would wish. This culminated in a public petition debated at Council on 13<sup>th</sup> December 2010, which in turn resulted in Council requesting cabinet to bring forward design proposals with three months. Secondly, Cheltenham Festivals themselves have requested that CBC review both the design and the usage of the gardens so as to allow further expansion, in a way which is suitable to both the town and its festivals, in terms of design. A meeting of stakeholders was held on 13<sup>th</sup> Jan 2011, in order to consider some of the implications of the increasing use of the gardens by Cheltenham Festivals.</p>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1) <b>It is proposed that a design scheme for Imperial Gardens be worked up to the required standard for public consultation, the consultation process to take place during Spring 2011. This scheme should be based on</b> <ol style="list-style-type: none"> <li>a) <b>Either Option 1 of this report,</b></li> <li>b) <b>Or Option 2 of this report</b></li> </ol> </li> <li>2) <b>Following public consultation, authority be delegated to the Assistant Director (Operations) in consultation with the Cabinet Member, Sustainability and the Council leader, to go forward with a tendering process for Design and Works in Imperial Gardens.</b></li> <li>3) <b>At the same time, authority be delegated to the Assistant Director (Operations) in consultation with the Cabinet Member, Sustainability and the Council leader to go forward with a tendering process for infrastructure in Montpellier Gardens.</b></li> <li>4) <b>The final decision to go ahead with works in Imperial Gardens and Montpellier Gardens are to be referred back to Cabinet for decision, in time for completion of works over the winter 2011/2.</b></li> </ol>

<b>Financial implications</b>	<p>The 2011/12 budget, approved by Council on 11<sup>th</sup> February 2011 includes a one-off budget of £140,000 for the redesign of Imperial and / or Montpellier Gardens. The Option 2 proposals included in this report are costed within Appendix F, and are within this budgetary provision.</p> <p><b>Contact officer: Sarah Didcote,</b>  <b>sarah.didcote@cheltenham.gov.uk, 01242 264125</b></p>
<b>Legal implications</b>	<p>The grant contract dated 28 October 2004 from HLF requires the HLF's consent to any disposal of Montpellier Gardens. Part of the grant may need to be repaid, and officers are currently in discussion with HLF regarding the disposal of the Lodge. The grant contract also requires the council to "arrange for the general public to have appropriate access to Montpellier Gardens", and requires that the council "ensures that no person is unreasonably denied access to Montpellier Gardens". Officers do not consider that the use of Montpellier Gardens by Cheltenham Festivals and other organisations infringes this requirement, but the views of HLF are being sought.</p> <p><b>Contact officer: Nicolas Wheatley,</b>  <b>nicolas.wheatley@tewkesbury.gov.uk, 01684 272695</b></p>
<b>HR implications (including learning and organisational development)</b>	<p><b>No immediate HR implications as a direct result of this report.</b></p> <p><b>Contact officer: Julie McCarthy - HR Operations Manager ,</b>  <b>julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<b>Key risks</b>	<p>The risk assessment is included as appendix A</p>
<b>Corporate and community plan Implications</b>	<p>Four outcomes from the Council's Corporate Strategy that are of relevance:</p> <ul style="list-style-type: none"> <li>• Cheltenham has a clean and well-maintained environment</li> <li>• Cheltenham's natural &amp; built environment is enhanced and protected</li> <li>• Create a financially sustainable structure for delivering arts and culture activities.</li> <li>• Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment</li> </ul>
<b>Environmental and climate change implications</b>	<p>The current planting arrangement in Imperial Gardens is intensive in terms of water, material and labour input, and partially relies upon the use of peat based compost.</p> <p>This would be reduced if existing areas of seasonal bedding plants were turned over to grass to accommodate festival marquees, or replaced with perennial plants.</p>

## **1. Background and History**

- 1.1** Imperial Gardens has existed in various forms for over a century, and has always been integral with the Town Hall in civic design terms. The Town Hall foundation stone was laid in 1902, and the Winter Gardens opened later, which extended over part of the site now occupied by the gardens. The Winter Gardens was demolished in 1940 for security reasons. Following the war the opportunity was taken by the Borough Council to completely re-lay Imperial Gardens, and the present formal gardens were essentially laid out in the early 1950's, though there have been minor changes to the configuration subsequently. Imperial Gardens is well known around the nation, and beyond, as a place to see in Cheltenham, and is frequently photographed in tourism publicity and in travel books about Cheltenham.
- 1.2** Montpellier Gardens evolved through most of 19<sup>th</sup> century, starting in 1817, with the historic bandstand being constructed in 1864. The gardens were re-laid in 1955 by the Borough Council. Subsequently the restoration of the historic bandstand was initiated in the 1990's. The gardens were extensively renovated in 2006 using Heritage Lottery Fund money. Montpellier Gardens also has tennis courts, a cafe and a Proscenium. Montpellier Gardens is host to a number of events annually such as the Carnival, the Food Festival, Art Exhibitions, and Danter's Fair. In 2011 part of the Literature Festival will also use the Gardens.
- 1.3** Various Festivals have been held in Cheltenham since at least the early part of the 20th century. Cheltenham Festivals (CF) has existed as a separate organisation since 1948, and in recent years this activity has greatly expanded. The plan is for CF to become increasingly independent of the Council in business terms, though relations have been and will continue to be close. In 2010, CF sold some 175,000 tickets, the majority of which were for the Literature Festival. The contribution to the local economy is considerable, and consultants have advised CF it is worth some 129 jobs. The Festivals attract many celebrities and famous writers, scientists, politicians, musicians and others, and are very highly regarded, both nationally and internationally.
- 1.4** Thus the Festivals and the town's reputation as the tourist centre for the Cotswolds are just two of the major features which help to put Cheltenham on the map – along with Gold Cup week and others. Both of these important aspects of Cheltenham's reputation compete for the same space, in the case of Imperial Gardens, with its proximity to the historic baroque style town hall. Hence this gives the Council a challenging task in determining a solution which is best for Cheltenham.

## **2. Summary of the Issue**

### **2.1 Needs for change which have been identified**

- 2.2** There is a general consensus amongst all parties so far consulted that Imperial Gardens is under some pressure, and that change will be needed if Cheltenham Festivals are to maintain or indeed expand their activities from 2012 onwards and the parks are to be maintained to a high standard for the enjoyment of the public. The minutes of the stakeholder event held on 13th December 2010 are attached as Appendix E.
- 2.3** It was clear from the meeting of stakeholders that major re-landscaping with sustainable planting was not a viable option consistent with the ethos of Imperial Gardens, and indeed as much was expressed at full council in December 2010. Whilst some sustainable planting may be possible in some places, the overwhelming aim is to provide strong colours in most places. Indeed it would appear that there would be little objection if the grasses around the Holst statue were replaced by more colourful plants. In theory, that leaves the option of a full re-landscaping of the whole topography with bedding plants though in practice this would be open to the charge of change for change's sake, and certainly expensive, as it could involve extensive earthworks. For the same reason significant re-location of paths should be minimised as being both disruptive and expensive.

2.4 Cabinet believe that Imperial Gardens should be maintained and re-vamped as a formal garden and that this is consistent with its recognised status as an iconic symbol of Cheltenham. Similarly having recently invested in Montpellier Gardens using Heritage Fund money, the current pattern should be retained for the future. That said, I also recognise that the infrastructure for utilities (electricity, water, and drainage) in Montpellier Gardens is inadequate for the various users who from time to time occupy the gardens.

2.5 I am therefore putting forward a proposal for re-design in Imperial Gardens. There are a number of common features which have been informed by feedback received so far. These will be further refined as consultation proceeds, commencing with Overview and Scrutiny committees. In summary:

- A formal garden i.e. flower beds, should be retained in Imperial Gardens. Imperial Gardens is a key piece of Cheltenham's history, image, and tourism, and should continue to be gardens for the public to enjoy
- The Council continues to be supportive of Cheltenham Festivals as a key and expanding part of Cheltenham's economy and tourism. Reconciling this statement with the foregoing statement is very challenging and will need careful thought in terms of any re-design proposals for the gardens.
- It is essential to improve, i.e. reduce, occupancy time and improve the 'making good' regime following Festival usage. It is proposed to limit the use of Imperial Gardens by Cheltenham Festivals to 75 days p.a., instead of the recent practice of over 100 days per annum. A similar overall restriction would apply in Montpellier Gardens, in which would be factored in use by other users, currently some 30 days p.a. Cheltenham Festivals, however, have stated that they will be unable to meet this requirement given the restrictions on loading and unloading arising from the current layout.
- Flower beds can be relocated to suit requirements of Festival marquees. **Significant reduction in the flower beds is unlikely to be accepted.**
- Some sustainable planting is possible though probably not extensive.
- Any new scheme should address the garden bar area, and enable it to be kept open during all the festivals, which is not currently the case.
- Councillors have received frequent requests to re-vamp and re-open Skillicorne gardens, and I believe this opportunity should be taken within whatever scheme is adopted.
- The adding of a statue or other suitable public art, subject to fund raising, could be considered later, and was mentioned by some at the meeting of stakeholders.
- Consider the use of hard-standing in places – these could have removable planters, and they might well be small enough to be contained wholly within the footprint of a marquee.
- Various groups have suggested re-instatement of the historic railings around Imperial Gardens as adding to the overall 'offering'. Whilst this is outside of the scope of the Council's funding, this option should be considered in parallel with, or as part of, the consultation process, or in order that a holistic solution is arrived at. The public appetite for this suggestion needs to be tested.
- Any schemes for laying out the gardens would be subject to available funds. Budget indications are that an initial £140K would be available in 2011/12, and this sum includes any monies allocated to infrastructure in Montpellier Gardens.

### 3. Summary of evidence/information

#### 3.1 Options for change which have been considered

3.2 The more difficult issue to address is the question of how extensively Cheltenham Festivals (CF) should spread itself across the Imperial Gardens site, and/or overspill to Montpellier Gardens. I consider that the present arrangements, currently designated as a 'red-line' in the Festivals land use agreement for Imperial Gardens, are not working well due to over use of the lower tier and bar area and hence propose that two design options be initially pursued, which will subsequently be reduced to a single design option when more information and feed back is to hand.

### 3.3 Option 1

- 3.4 Bringing the “red-line” in Imperial gardens back to the E-W path from the Holst statue with minimal changes, other than to add colour by means of bedding plants (in the main) in those places where it is bare, and generally improving the maintenance and quality of the so called lower tier. See Appendix B.
- 3.5 A variation of this option is to leave the “red-line” in Imperial gardens where it is now, at the bank to the upper tier, but to thin out the density of tents, in particular in the area around the garden bar, and hence take the opportunity to re-lay the lower tier in a way that is less injurious to the turf, and enables the area around the garden bar to be re-claimed during festivals.
- 3.6 The rationale with this approach is that significant underlying expansion of CF’s activities is not anticipated, but that such expansion and overspill as there is would be applied to Montpellier Gardens rather than Imperial Gardens. See Appendix D. It is likely that with this approach at least one Festival could vacate the town centre. CF may decide on this course of action in any event. The *quid pro quo* of such a decision is likely to mean that any redevelopment of Imperial gardens will assume that the upper tier of the gardens need not accommodate festival marquees.
- 3.7 Option 1 of course would actually reduce the space capacity available to Cheltenham Festivals in Imperial Gardens.

### 3.8 Option 2

- 3.9 Create a “Festival in a Garden” approach by re-organising location of flower beds. This would greatly enhance the offering to festival goers, and indeed to the town, but would only be achievable if the density of marquees is kept to a realistic level. This would allow use of the whole of the gardens by CF’s marquees except for paths and bedded areas. See Appendix C. It would create two new large areas for marquees in the Upper tier, and the question of whether those would be turfed or hard-standing has not been fully explored at the time of writing. Either way, the rationale is that it would facilitate expansion of CF’s activities. The working assumption is that there would still be expansion, and some overspill applied to Montpellier Gardens for the Literature Festival, and possibly the Jazz Festival, unless the latter moved to an out of town location. See Appendix D.
- 3.10 **However, initial feasibility studies show that the level of tentage which is desired by Cheltenham Festivals in Imperial Gardens is at least 50%, and perhaps more, above the level required to achieve the “Festival in a Garden” theme. It is therefore unlikely that CBC can deliver on CF’s full aspirations, albeit this problem may only apply in the long-term.**
- 3.11 Cheltenham Festivals will review the suitability of the site for the Jazz Festival in time for the 2013 event. This will be a commercial decision and availability of space for marquees in Imperial or Montpellier gardens will be a significant factor but not the only one to be considered.
- 3.12 In view of the fact that it may prove too difficult for CBC to meet all of CF's long-term aspirations for available space and occupation time, consideration should be given to researching other sites which the Council owns, additional to Imperial and Montpellier Gardens. At the time of writing this is not a discussion which has been opened up with Cheltenham Festivals.

## 4. Summary of Proposals

### 4.1 Option 1 (use of lower tier of gardens only)

- Limit Cheltenham Festivals to lower tier of gardens only, and encourage Montpellier expansion
- Some minimal re-layouts required, especially in Garden Bar /Quadrangle area (too bare now)
- If possible, enable sufficient circulating area to open garden Bar during all Festivals.
- Essential to retain bedding plants with a few sustainables where tastefully accommodated.

- Re-vamp and re-open Skillicorne Gardens within scheme.
- Essential to improve, i.e. reduce, occupancy time and 'making good' regime. Consider restructured charging system, whereby Cheltenham Festivals pay for use with penalties for damage and/or overstaying, but receive discount in the form of grant – to replace present in-kind usage arrangement.
- Add a statue, subject to independent fund raising.
- May need to do some design tweaks in Montpellier Gardens to facilitate this move.
- Consider re-instatement of the historic railings around Imperial Gardens, funded by others.
- Provide significant upgrades to infrastructure in Montpellier Gardens.

#### **4.2 Option 2 (use of both tiers of gardens only but retain formal gardens)**

- Re- design the whole of Imperial gardens to accommodate both Festivals and Gardens.
- Create Festival in a Garden appearance by judicious location of marquee sites versus beds
- Enable sufficient circulating area to open garden bar during all Festivals.
- Essential to retain bedding plants with a few sustainables where tastefully accommodated.
- Re-vamp and re-open Skillicorne Gardens within scheme.
- Essential to improve, i.e. reduce, occupancy time and 'making good' regime. Consider restructured charging system, whereby Cheltenham Festivals pay for use with penalties for damage and/or overstaying, but receive discount in the form of grant – to replace present in-kind usage arrangement. This of course would reduce the space capacity available to Cheltenham Festivals in Imperial Gardens.
- Add a statue, subject to independent fund raising.
- Some use of small areas of hard-standing – not too ambitious and with removable planters?
- Consider re-instatement of the historic railings around Imperial Gardens, funded by others.
- Provide upgrades to infrastructure in Montpellier Gardens, as required.

#### **4.3 Feasibility of Proposals from the perspective of usage by festivals**

- 4.4** Presently, Cheltenham Festivals are thought to use some 2000M<sup>2</sup> of tentage in mainly the lower tier of Imperial Gardens i.e. within the current 'Red Line' area, as mapped for full Council on 13<sup>th</sup> Dec 2010. This existing Red line area is about 5500M<sup>2</sup> whereas the overall available area of gardens within Option 1 is 4325M<sup>2</sup> (as shown hatched on the plan) and 8820M<sup>2</sup> (as hatched) within Option 2. All these figures are approximate and depend on the assumptions made, but for the purpose of calculation ignore tents of 5M x 5M or smaller, used for awnings and colonnades and the like.
- 4.5** Cheltenham Festivals have suggested a number of marquees which in aggregate would occupy some 3500M<sup>2</sup> to 4000M<sup>2</sup>. This would be far too high to achieve a "Festival in a Garden" theme. A more realistic density of tentage would allow some 2750M<sup>2</sup>, based on Option 2, or well below 2000M<sup>2</sup> should CBC elect to confine tentage to the lower tier of the gardens, approximating to option 1.
- 4.6** Turning to Montpellier Gardens CBC has identified some 14,400M<sup>2</sup> of usable space i.e. for any and all users of those gardens. The density of tentage does not read across from one garden to the other, because Montpellier Gardens is largely turfed, and does not contain formal bedding. However there are some very important trees around the periphery, and elsewhere, and in particular the arboretum area is not seen as suitable for tentage. Nevertheless there is significant scope for expansion into Montpellier Gardens in terms of available area. What is however in much shorter supply there is availability. The gardens are already booked by numerous users, so the availability to CF would have to be limited to some 45 to 50 days per year, if we are to avoid reproducing the current problems of Imperial Gardens into Montpellier Gardens. This would effectively limit CF's usage to one or two of their four Festivals per annum. Even two Festivals would be very challenging for them in terms of achieving short enough set-up and breakdown times for tentage.

#### 4.7 Review of Proposals from a Landscape Perspective

4.8 The council's Green Space Development Manager has reviewed the landscape impacts of both options, and the following bullet points summarise this:

#### 4.9 Option 1

##### 4.10 Advantages

- Favours primary use of space as a public garden.
- Refurbishes and opens up Skillicorne Gardens (through controlled access by garden bar).
- Emphasis on good quality reinstatement after festivals to minimise negative impact on park users.
- Seasonal bedding schemes remain unaltered, or scope to modernise planting schemes with higher perennial content.
- Allows for accommodation of additional landscape features, such as public art and furniture.
- Could accommodate small scale use by other community event organisers e.g. Gloucestershire Association for the blind like to use the garden bar space.

##### 4.11 Disadvantages

- Area by quadrangle and garden bar is preferred space for Christmas light switch on, **as police can better manage crowd control through closure of The Promenade**. Under such circumstances the area accommodates a stage and large numbers of standing people. Introducing flower beds in this area would limit use of this space in this way.
- Would actually reduce the space capacity available to Cheltenham Festivals in Imperial Gardens.
- Would transfer festival growth to Montpellier Gardens, and place pressure on the recently restored landscape and infra-structure.

#### 4.12 Option 2

##### 4.13 Advantages

- There is potential to refurbish the garden bar space and Skillicorne Gardens

##### 4.14 Disadvantages

- Would significantly reduce the public amenity value of the gardens, i.e. less attractive and interesting space
- The same quantity of beds could not be replaced effectively in the spaces between marquees and structures.
- Most of the event space would not be accessible to the general public during the occupation of the gardens by the festivals, although the impact of this is lessened by putting a cap on the number of days use.
- The risk of damage caused to grass and decorative surfaces would be increased as a result of more construction vehicles accessing the space. The existing construction beneath footpaths is minimal and designed mainly for pedestrian use.
- Despite best attempts to re-instate grass after each festival, there would still be an overall decline in the quality of grass owing to the limited time between festivals for establishment of turf / seed. The extensive use of turf will be required to avoid large unsightly areas of grass after event activities.
- Year on year compaction and prolonged use of space may lead to long term drainage problems.

### 5. Reasons for recommendations

5.1 The reasons for works in Imperial and Montpellier Gardens are explained at length in this report.

At the time of writing the Overview and Scrutiny committees have not met, so the question of recommendation of Option 1 versus Option 2 will be addressed by the cabinet member in an oral report to cabinet.

**6. Alternative options considered**

**6.1** None at this stage, but the indications received are that if further expansion of usage of gardens for Festivals and other events is required in the future, beyond that which is embodied within this report, then the Council should consider new sites. It is considered that further expansion within Imperial Gardens would place undue strain on these gardens.

**7. Consultation and feedback**

- 7.1** At the time of writing this matter is due to be heard by Environment Overview and Scrutiny Committee on 3<sup>rd</sup> March 2011, and Economic Business Improvement Scrutiny Committee on 7<sup>th</sup> March 2011. A summary of feedback from both of these meetings will be presented verbally.
- 7.2** A public consultation process, based on a design scheme in line with this report is proposed, and that this should take place in the spring of 2011 to allow sufficient time for subsequent evaluation and tendering to enable works to be completed for events in the gardens in 2012.

<b>Report author</b>	<b>Contact officer:</b> , @cheltenham.gov.uk, <b>01242</b>
<b>Appendices</b>	Appendix A - Risk Assessment Appendix B - Map Imperial Gardens Option 1 Appendix C - Map Imperial Gardens Option 2 Appendix D – Map Montpellier Gardens Option 1 and Option 2 Appendix E –Minutes of Stakeholders meeting 13/01/11 Appendix F – Cost Estimate
<b>Background information</b>	Environment Scrutiny Committee 2nd March 2011 EBI Scrutiny Committee 7 <sup>th</sup> March 2011



The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
	<b>OPTION 1</b>											
	Does not offer the space required by Cheltenham Festivals, and they have to relocate else where.		23/02/2011	4	3	12	Yes	Identify suitable space else where	July 2011	Cheltenham Festivals		
	Heritage Lottery Fund declare that Council is not allowing appropriate level of public access to Montpellier Gardens and object to proposals.		23/02/2011	4	1	4	No	Legal view is that appropriate public access will be maintained and to liaise with Heritage Lottery Fund.	April 2011	NW, Legal		
	<b>OPTION 2</b>											
	Park users at both gardens may be dissatisfied with the extent of each site from which they excluded during festival times		23/02/2011	4	4	16	Yes	Do not offer any further space in either gardens. Reduce set up and take down duration.	July 2011	RB / AR		
	Increased use of the gardens for festival activities will accelerate wear and tear on the fabric of the gardens. i.e. use of heavy vehicles and machinery on surfaces not designed to accommodate such use.		23/02/2011	4	4	16	Yes	Festivals invest in regular aeration of ground. Re-instatement clauses in land use agreement enforced. Cheltenham Festivals allow cost plan these items into their operating costs. Investment in hardstanding re-reinforcement within Imperial gardens wil alleviaate this. Select option 1.	July 2011	RB / AR / Festivals		
	Too many marquees mean		23/02/2011	4	4	16	Yes	Proceed anyway and	July	AR /RB		

	that "Festival in a Garden" is unachievable.							accept risk. Manage publicity. Select Option 1.	2011		
	Heritage Lottery Fund declare that Council is not allowing appropriate level of public access to Montpellier Gardens and object to proposals.		23/02/2011	4	1	4	No	Legal view is that appropriate public access will be maintained and to liaise with Heritage Lottery Fund.	April 2011	NW, Legal	