

**Cheltenham Borough Council
Cabinet – 26 July 2011**

Imperial Gardens Outline Design and Consultation

Accountable member	Cabinet Member Sustainability, Councillor Roger Whyborn
Accountable officer	Assistant Director Operations, Rob Bell
Accountable scrutiny committee	Environment
Ward(s) affected	Lansdown
Key Decision	Yes / No
Executive summary	<p>Following the council's Cabinet meeting of the 15th March 2011 outline designs have been drawn up for landscape enhancements to Imperial Gardens. As well as improving the public amenity of the gardens for the people of Cheltenham, the designs are part of a strategy that entail reducing the number of festivals that take place in Imperial Gardens, and in so doing reducing the pressure on it's infrastructure, but at the same time allowing the festivals more space (approximately 2750m²) and the use of Montpellier Gardens so that they may grow to meet the increase in popularity. The design proposals have been drawn up and widely publicised. This report and accompanying appendices presents to Cabinet the results of the consultation process and the largely positive feedback that has been received.</p>
Recommendations	<ol style="list-style-type: none"> 1) That authority be delegated to the Director Operations in consultation with the Cabinet Member, Sustainability and the Council leader, to go forward with a tendering process to undertake the first phase of the proposed works in Imperial Gardens 2) That tentage designs for Montpellier gardens be restricted to approximately 4700M², (excluding walkways and gazebos) and authority be delegated to the Director Operations in consultation with the Cabinet Member, Sustainability to agree the exact figure. 3) At the same time, authority be delegated to the 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. 4) That authority be delegated to the Director Operations in consultation with the Cabinet Member, Sustainability

and the Council leader, to submit the relevant sections of the scheme for planning approval and listed building consent.

- 5) The final decision to go ahead with works in Imperial Gardens and Montpellier Gardens are to be referred back to Cabinet for decision on the 18th October 2011 in time for completion of works over the winter 2011/2.**

Financial implications	<p>The 2011/12 budget as approved by Council on 11th February 2011 included a one-off revenue budget of £140,000 for Investment in Imperial and Montpellier Gardens to provide improved facilities for hirers, including Cheltenham Festivals.</p> <p>It should be noted that the consultation feedback expressed concern that there may be insufficient funding for the proposed scheme or for the additional future costs of maintaining the gardens in accordance with public expectations (paragraph 2.4 to this report).</p> <p>The final scheme, to be agreed by Cabinet in October 2011 must be delivered within the approved one off revenue budget. exceed the approved one-off budget and the ongoing maintenance of the gardens met from existing annual revenue budgets..</p> <p>Contact officer: andrew.powers@cheltenham.gov.uk 01242 264121</p>
Legal implications	<p>The tender exercises mentioned in this report must be carried out in accordance with the Council's Contract Procedure Rules.</p> <p>The Council has powers under Section 145 Local Government Act 1972 to use and/or enclose areas of parks or gardens for the provision of entertainment.</p> <p>Contact officer: Donna McFarlane, Solicitor, One Legal donna.mcfarlane@tewkesbury.gov.uk 01684 272696</p>
Development Control Implications.	<p>Elements of these proposals will require planning permission and listed building consent.</p> <p>The planning application will seek to resolve the uncertain planning situation regarding temporary use of the parks for tented accommodation with a view to resolving this situation from 2012 onwards. Planning has indicated that there will be no issue with the provision of the tents in Montpellier Gardens this year in view of the forth coming planning applications.</p> <p>Contact officer: robert.lindsey@cheltenham.gov.uk, 01242 26416</p>

HR implications (including learning and organisational development)	None.
Key risks	The risk assessment is included as appendix 1
Corporate and community plan Implications	<p>Four outcomes from the Council's Corporate Strategy that are of relevance:</p> <ul style="list-style-type: none"> • Cheltenham has a clean and well-maintained environment • Cheltenham's natural & built environment is enhanced and protected • Create a financially sustainable structure for delivering arts and culture activities. • Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment
Environmental and climate change implications	<p>The proposed planting arrangement in Imperial Gardens will largely stay the same in terms of seasonal bedding requirements with the use of perennials where possible. Skillicorne Gardens will contain mainly perennial plants that are less resource hungry in terms of compost and water.</p> <p>The re-instatement method advocated will minimise water usage by employing drill seeding techniques in Spring and turfing in Autumn.</p>

1. Background

1.1 On the 15th March 2011, the Council's Cabinet resolved the following;

- "Option 2 of this report be adopted, subject to a maximum area of tentage of approximately 2750 M2 for Imperial Gardens.
- The Assistant Director (Operations), in consultation with the Cabinet Member Sustainability and the Council Leader, produces an outline design for Imperial Gardens for public consultation which shall take place during Spring 2011.
- Following public consultation and Cabinet agreement, the Assistant Director (Operations), in consultation with the Cabinet Member Sustainability and the Council Leader, undertakes a tendering process for design or design and works in Imperial Gardens.
- At the same time as 3, the Assistant Director (Operations), in consultation with the Cabinet Member Sustainability and the Council Leader, undertakes a tendering process for upgrades to infrastructure in Montpellier Gardens.
- The final decisions to go ahead with works in Imperial Gardens and Montpellier Gardens be referred to Cabinet, in time for completion of works over Winter 2011/2.

1.2 Previously, Imperial Gardens has been the main public park used by the Cheltenham Festivals. Starting from 2012, it is proposed that the Jazz Festival will take place in Montpellier Gardens in May and the Science Festival in Imperial Gardens in June.

Starting in October this year, the Literature Festival will take place in both Gardens.

- 1.3** The Council's Cabinet has allocated £140,000 to undertake landscape improvements to Imperial Gardens for the benefit of park users, and to upgrade it's infrastructure in order to accommodate the increased marquee footprint. This sum also includes modifications to incoming public utility supplies which will be needed in Montpellier Gardens in order to accommodate this, and existing special event usage.

2. Imperial Gardens Design and Consultation

- 2.1** Taking on board the comments of stakeholders and the needs of the Cheltenham Festivals the outline design is focused on the following outcomes:

- Retaining colourful floral bedding.
- Improving Skillicorne Gardens
- Improving the garden bar area.
- Accommodating sustainable forms of planting.
- New water, electricity, and drainage supplies to Montpellier Gardens
- Access improvement to Imperial Gardens

- 2.2** Proposals for the redesign were put out for consultation on week commencing 16th May 2011 and ended on Friday the 24th June 2011 They were extensively publicised through the local newspaper and radio. Venues for the display included the Regent Arcade, Beechwood Arcade, libraries, neighbourhood resource centres, the Imperial Gardens Garden Bar, Municipal Offices, as well as the Council's web site. Separate meetings have taken place with the Cheltenham Civic Society, Cheltenham in Bloom, the Friends of Imperial Square and Gardens and the Friends of Montpellier Bandstand and Gardens.

- 2.3** In total 223 comments cards have been received the results of which are summarised in Appendix 1, and general comments listed in Appendix 2. Collective responses from The Cheltenham in Bloom Committee are contained in Appendix 3. Members will be updated on any further responses received.

- 2.4** In summary, the feedback received to date indicates good support for the scheme, but with some reservations about the positioning of marquees over flower beds for the duration of the festivals. This may reflect concerns that the subsequent re-instatement will not be adequate or effective enough. There are also concerns about achieving and delivering the scheme within a reasonable timeframe and with the funds available. Further comments raise concerns about providing adequate resources with which to maintain the gardens upon completion of any improvement works.

3. Montpellier Gardens

- 3.1** Discussions on the proposed use of Montpellier Gardens for the Jazz and Literature Festival are ongoing, but a maximum area of approximately 4700m² is currently being considered for all structures except temporary gazebos.

4. Next Steps

- 4.1 If approved by Cabinet, phase 1 of the works will be worked up in detail to enable firm fixed quotations. Planning and listed building consent will be applied for where required with a view to works being undertaken during this coming Autumn and Winter. All of which will be subject to a Cabinet decision on October 18th 2011.

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Appendices	Appendix 1 – Risk Assessment Appendix 2 – Summary of comment card returns Appendix 3 – General Comments Appendix 4 – Written response from Cheltenham in Bloom Appendix 5 – Written response from Civic Society Appendix 6 – Written response from Cheltenham Conservation Area Architects Panel
Background information	Environment Scrutiny Committee, 2nd March 2011 -Imperial and Montpellier Gardens Strategy Cabinet, 15 th March 2011- Imperial and Montpellier Gardens Strategy Council, 27 th June 2011 - Imperial Gardens Outline Design and Consultation EBI Scrutiny Committee, 18 th July 2011 - Imperial and Montpellier Gardens Strategy