

Public Report with Exempt Appendices
Cabinet

Committee Name and Date of Committee Meeting

Cabinet – 29 July 2024

Report Title

Rother Valley Country Park and Thrybergh Country Park Levelling Up Fund
Implementation and Progress Report

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Andrew Bramidge, Interim Strategic Director of Regeneration and Environment

Report Author(s)

Rory Battye, Senior Project Manager

Ward(s) Affected

Dalton and Thrybergh, Bramley and Ravenfield, Wales, Aston and Woodsetts

Report Summary

This report provides details on the development of the regeneration projects for Thrybergh Country Park and Rother Valley Country Park (both Council facilities and assets), which have been awarded funding via the Leisure Economy Levelling Up Fund (LUF). The report contains details of the altered scope of the projects, updated costs, and timeframes.

The report also seeks a variation to increase the project budgets in line with the figures in exempt Appendix 1. These budget variations are in line with the Pathfinder Pilot local assurance processes and are necessary owing to inflation and cost increases since the bid was submitted.

Recommendations

1. That Cabinet approves the altered scope, the updated costs and additional funding for the Country Parks Project as shown in Appendix 1.

List of Appendices Included

Appendix 1	Country Park Cost Plan - Exempt
Appendix 2	RVCP Plans and Elevations
Appendix 3	RVCP Outputs/Outcomes
Appendix 4	Rother Valley Equalities Impact Assessment
Appendix 5	Thrybergh Equalities Impact Assessment

Appendix 5a	Thrybergh Equalities Impact Assessment
Appendix 6	Rother Valley Carbon Impact Assessment
Appendix 7	Thrybergh Carbon Impact Assessment

Background Papers

[Leisure Economy – Levelling Up Application](#)

[Cabinet report 16th May 2022 – Town Deal and Levelling Up Fund](#)

[Cabinet report 7th August 2023 Rother Valley & Thrybergh Country Parks](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

Yes

An exemption is sought for Appendix 1 under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 i, as this appendix contains sensitive commercial information with regards to commercial agreements which could disadvantage the Council in any negotiations if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information as the parties' commercial interest could be prejudiced by disclosure of commercial information.

Rother Valley Country Park and Thrybergh Country Park Levelling Up Fund Implementation and Progress Report

1. Background

- 1.1 In 2022 Rotherham Council was awarded £19.9m Levelling Up funding to enhance the Leisure Economy across the Borough, of this £5.5m was allocated to improve facilities at Rother Valley Country Park and £2.5m at Thrybergh Country Park.
- 1.2 In 2023 Rotherham was one of ten authorities invited to take part in a Pathfinder pilot which combined Future High Streets Fund, Town Deal and Levelling Up funds into one aggregated allocation of funding with a delivery date of March 2026. The pilot allows local assurance of the programme implementation including the ability to move funding between projects, within a £5m 'material change' threshold.
- 1.3 As confirmed at Cabinet in August 2023, the Council's ambitions for Rother Valley included the development of a new café, play space and event space and, at Thrybergh, a new café and an outside picnic space for up to 100 people. This report also identified increased costs noting that final contract costs would follow in due course.
- 1.4 In February 2024 following the conclusion of the stage 1 (design) of a 2-stage Design and Build procurement, final contract prices for stage 2 were made available by the preferred contractor Kier for Rother Valley and I&G for Thrybergh. These costs are in excess of the current budget and are detailed at Appendix 1.

2. Key Issues

- 2.1 Significantly, the impact of inflation and the volatile national and international construction market has increased the estimated costs of materials, construction, and fees across the two schemes as has been experienced across the Council's Capital Programme.
- 2.2 Consequently, officers from Culture Sport & Tourism and Regeneration worked up alternative proposals with scope changes including the preferred option to proceed with the construction of the new build waterfront café and new car park at Rother Valley Country Park (Appendix 2), and a refurbished café and outside space for up to 100 people at Thrybergh Country Park.
- 2.3 This option delivers most closely to the original intentions of the LUF scheme in that it will achieve improvements at both sites, creating impact for residents and delivering the greatest economic benefits and supporting the financial recovery of Rother Valley Country Park. However, this is at a reduced scope to that set out to Cabinet in August 2023 and it comes at an additional cost.
- 2.4 The scope changes have resulted in elements of both schemes having to be discarded, as below:

Rother Valley:

- A new, landscaped events space.
- A new riverside walk between the events space and the existing car park.
- Relocation of the cycle centre to a more prominent position.

Thrybergh Country Park:

- New build destination waterside café.

- 2.5 There remains a requirement to factor in additional contingency and risk costs in recognition of the continuing high inflation across the market and it must be highlighted that costs for the Thrybergh Café refurbishment have not been market tested at time of writing this report. The development of the project will continue within the budget outlined at Appendix 1.
- 2.6 Construction of the new café building at Rother Valley requires the relocation of Firbeck Sailing Club to accommodate boat storage, access to the water and meeting facilities. Ongoing discussions with the club have identified several options to secure its future and work will continue to progress these options within the budget that has been identified, as shown in Appendix 1
- 2.7 The subsequent cost implications are summarised in Appendix 1 and result in a requirement for additional capital for Country Parks which is proposed to be provided through the Council's Pathfinder Programme. A Capital Budget Variation explaining the reallocation of funds from the Eastwood Bridge scheme was tabled at the Capital Programme Monitoring & Delivery Board 24th May 2024 to confirm this before seeking Cabinet approval in July 2024.
- 2.8 Funding was secured for the Parkgate-Eastwood Bridge scheme in 2021 in Rotherham's Town Deal allocation as part of the Government's Levelling Up agenda. As the project has progressed, the complexities have become more apparent, bringing the new rail bridge up to current standards, the possible impact on existing Network Rail infrastructure, modifications needed to existing Parkgate Shopping assets and the legal and consenting aspects of the parties involved. Given the complexities with stakeholders and permissions it is proposed to only take the scheme to preliminary design, with the current design brief setting out the primary output as an options report and completion of the Network Rail Form A, which will outline the level of risk for the detailed design. Of the allocated £2,579,069 it is forecast that £269,239 will be required to take the Parkgate-Eastwood Bridge scheme to this stage in its development. Moving the remaining funds to fund the Country Parks would be below the £5m Pathfinder threshold and therefore can be moved between different intervention themes.
- 2.9 Sub-contract work packages have now been tendered for Rother Valley and Kier will proceed with construction of the new facilities post Cabinet in September 2024 with completion in October 2025. The proposal for Thrybergh is not to proceed into the Stage 2 contract with I&G Ltd. Instead,

the scope of this scheme will change to a refurbishment scheme which is being designed by the Building Consultancy Service in consultation with Culture, Sport and Tourism. The scheme will be designed within the budget set out in Appendix 1 and will be subject to a procurement procedure in terms of the build. This solution will enable both projects to proceed within the available budget envelope.

- 2.10 The preferred option, if approved, most closely achieves the original intentions of the LUF scheme in that it delivers substantial improvements at both sites, delivering the greatest economic benefits with the funding available. Supporting the financial recovery of Rother Valley Country Park is seen as a priority for the Leisure & Culture Service with the new build café and events space seen as a critical step in achieving that goal. The alterations to the café at Thrybergh Country Park will enhance the current offer with planned improvements to the kitchen facilities enabling an upgrade to the menu along with an increase in the number of outdoor covers and improved access between the indoor and outdoor dining experience.
- 2.11 In 2022 initial modelling for the planned new café at Rother Valley Country Park was undertaken, which used cautious forecasting of growth in Average Transaction Value (ATV), footfall numbers and in secondary revenue generated from room hire and events. Work in March 2024 with consultancy The Food Team suggested that income would be positively impacted by the proposed development.

3. Options considered and recommended proposal

- 3.1 Option 1: Prioritise the new café and additional car park at the Rother Valley Country Park scheme as costed by Kier. This option delivers no development at Thrybergh Country Park and requires additional funding circa £1.3M and has therefore been dismissed.
- 3.2 Option 2: An alternative would see the Council proceed with the Thrybergh Country Park scheme as costed by I&G and utilise remaining budget to undertake modest improvement works at Rother Valley. This could be delivered within the current funding envelope but does not deliver the landmark new waterside café and hospitality hub at Rother Valley (and would not deliver the associated revenue benefits identified in Appendix 1) and has therefore been dismissed.
- 3.3 Option 3: The recommended option is to provide a new waterfront café and new car parking at Rother Valley Country Park and a refurbishment of the café and new outside space at Thrybergh increasing the budget in line with the cost plan at Appendix 1.
- 3.4 The table below highlights the changes in the deliverable outputs from the original proposal to the recommended option and for Rother Valley are visually demonstrated in Appendix 3 on plan.

Original	Recommended Option
Rother Valley Country Park	
New waterfront building/café/first floor function space 150+ people	✓
New Play space in the café garden	✓
New, landscaped events space	✗
New riverside walk link events space and the existing car park	✗
Improvements to existing car park adjacent to the mill	✗
New car-parking to the East of the river	✓
Accessible car-parking adjacent to the water sports centre	✓
Improvements to roads, footpaths, and signage to improve wayfinding	✗
Demolition of the bungalow	✗
Relocation of the boat storage area Firbeck Sailing Club	✓
Relocation of the cycle centre to a more prominent position	✗
Thrybergh County Park	
New contemporary café with indoor seating for 60-80 people	✗ Now a Refurbishment
Seating/picnic space for up to 100 people outside	✓
Create new landscaping to improve the public realm	✓

4. Consultation on proposal

- 4.1 The Town Deal Board retains oversight of all Pathfinder projects. Having been made aware of the increasing costs in relation to both projects the Board have been consulted on the preferred option.
- 4.2 Planning approval has been granted for Rother Valley, which included statutory public consultation with bodies including the Environment Agency. Extensive consultation on the original proposals took place with ward members, stakeholders, and the public in Autumn 2022.
- 4.3 Given the necessary changes to scope on Thrybergh, there will be an opportunity for further consultation with key stakeholders. However, in accordance with the original proposal, the modified scheme will still provide enhanced café facilities, improved access for disabled people and better outdoor space. It will also enhance the park as a visitor attraction.
- 4.4 Additionally, improvements to play and paths, which were both strongly recommended in the original consultation have been approved for investment from the Council's Capital finance budget.

5. Timetable and Accountability for Implementing this Decision

- 5.1 As specified in the August 2023 report to Cabinet, Full Business Cases will be produced for both projects prior to contract signing and project implementation.
- 5.2 Both projects must be completed by March 2026 in line with the Pathfinder Pilot.
- 5.3 Current projected delivery timescales are as follows.

Rother Valley Country Park	
Completion of Full Business Case	July 2024
Main Contract award with Kier	August 2024
Construction Programme	September 2024 – October 2025
Handover / Opening	October 2025
Thrybergh Country Park	
Refurbishment options agreed	June 2024
Procurement	September 2024
Completion of Full Business Case	October 2024
Construction Programme	January 2025 – June 2025
Handover / Opening	June 2025

6. Financial and Procurement Advice and Implications

- 6.1 The main body of this report sets out proposed procurement approaches for Rother Valley Country Park and Thrybergh Country Park, and the associated procurement implications are summarised below.
- 6.2 **Rother Valley Country Park:** a procurement process was undertaken compliant with the Council's Financial and Procurement Procedure Rules and the Public Contracts Regulations 2015 to appoint Keir for this scheme via a 2-stage design and build contract. As the recommendation seeks to move into the stage 2 build contract, there are no direct procurement implications as this was permitted as part of the original procurement undertaken.
- 6.3 **Thrybergh Country Park:** Given the changes made to the scope and the design for this new approach to be delivered internally, a new procurement exercise will be required to appoint a Contractor to deliver the build phase of the works. This Contractor will require a procurement exercise to be undertaken that is compliant with the Council's own Financial and Procurement Procedure Rules and the Public Contracts Regulations 2015 or the Procurement Act 2023, whichever is the applicable legislation at the time.
- 6.4 The increased capital cost of the Country Parks Schemes will be met by reallocating funding currently allocated to the Parkgate-Eastwood Bridge Scheme as detailed in Appendix 1.

6.5 The revenue implications of the new facility at Rother Valley Country Park and the refurbished facility at Thrybergh Country Park have been reviewed and the detail is included at Appendix 1. In both cases a positive impact on revenue is anticipated.

7. Legal Advice and Implications

7.1 The award of a contract to Keir for work at Rother Valley Country Park, consistent with the aims of the Levelling up funding, and in accordance with a compliant procurement exercise will be compliant. Contractual arrangements with Keir will also need to be finalised.

7.2 The procurement at Thrybergh Country Park will need to be compliant with the applicable procurement legislation and will need to be consistent with the aims of the levelling up funding and existing Council decisions concerning development at this site.

8. Human Resources Advice and Implications

8.1 There are no direct HR implications arising from the recommendations in this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The recent evaluation report 'Children's Capital of Culture 2025: Starting the Conversation' found that almost a quarter of children and young people surveyed wanted to see programmes of activity that celebrate and encourage engagement with Rotherham's existing Green Spaces.

9.2 Further consultation is ongoing to ensure that both projects deliver appropriate benefits for young people and vulnerable adults.

10. Equalities and Human Rights Advice and Implications

10.1 Screening and full Equality Analysis has been completed for both sites to ensure that positive outcomes on Protected Characteristic Groups are maximised, and any negative impacts are mitigated appropriately (Appendices 4-5).

10.2 The main considerations are:

- Providing modern cafés with safe and secure facilities that comply with the Disability Discrimination Act
- Creating a positive impact on the parks as a whole, safeguarding their status as key community assets
- Ensuring the impacts on Protected Characteristic Groups of the construction works are fully considered so that the main contractors can act responsibly.

10.3 These will be further reviewed once the projects progress, and further considerations will be taken account in the scheme designs, construction, and management of the sites, especially:

- Accessibility (physical accessibility, access to information, accessible design)
- Safety and security (particularly during construction where there may be diversions in place)
- Environment (impact of construction and operation on noise, air quality and overall feel of the local environment)
- Severance (between communities and as a result of construction routes).

11. Implications for CO2 Emissions and Climate Change

11.1 Through the appointment of the Contractor, the Council will be working closely with them to look for opportunities to reduce the carbon footprint.

11.2 In the decision to appoint, this has been done so far by exploring opportunities to select locally sourced materials, minimising wastage and building in compliance with Building Regulations Approved Document L – Conservation of Fuel and Power.

11.3 Opportunities for carbon reduction initiatives and energy efficiency are core requirements and will be continuously monitored a part of the project.

11.4 Minimising food waste will be a prime operational concern.

12. Implications for Partners

12.1 A preferred solution for the relocation of Firbeck Sailing club has been identified. Plans are being drawn up and costed and discussions are ongoing with the club committee. An allowance has been made within the budget as shown in Appendix 1.

12.2 Construction at both sites is likely to cause some disruption to routine activities for partners on site. Management teams have input into delivery plans and scheduling to minimise impact and ongoing consultation with onsite stakeholders to address any concerns.

12.3 The proposed developments will increase dwell time and secondary spend on site and create new opportunities to work positively with partners. The proposals will improve both sites contribution to the Council's strategic objectives, particularly connected to Health and Well-being and Clean and Green.

13. Risks and Mitigation

- 13.1 Timely signing of works contracts is essential to guard against further cost increases, particularly in the current volatile market. Although this approach to Cabinet mitigates risk by providing additional budget, further milestones must be achieved to enable the signing of a works contract and ensuring project delivery for both projects.
- 13.2 Planning will be required for the chosen Firbeck Sailing Club option and changes proposed at the Thrybergh Country Park Café building. The approval process for this has been factored into the programme, but delays could impact on delivery and cost, early engagement has been undertaken to mitigate.
- 13.3 Operationally both parks will experience disruption affecting continuity of service. At Rother Valley the existing café will continue to operate, the contractor will manage the site to minimise disruption during construction. Works are scheduled to fall over only one Summer (2025) with hand over expected in Autumn 2025 this provides the optimum time to train and familiarise staff with the new facility before visitor numbers pick up in spring/summer. Thrybergh Country Park will require a temporary offer located in the adjacent building currently housing Tutti Frutti, a plan will be put in place by the Service once stakeholders have been consulted.
- 13.4 A plan for the temporary relocation of the sailing club is likely to be required due to the timelines associated with Planning to enable Kier to start in September 2024. This will require consultation and agreement to be reached with the Club Members, and although it is not expected to be an issue stakeholder relations must be managed. Park Management have established a good working relationship which will continue to be developed.

14. Accountable Officers

Simon Moss, Assistant Director: Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	27/06/24
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	19/06/24
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	19/06/24

Report Author: Rory Battye, Senior Project Manager **Error! Reference source not found.** This report is published on the Council's [website](#).