

# Brighton & Hove City Council

## P&R Committee

## Agenda Item 20

**Subject:** Kingsway to the Sea

**Date of meeting:** 7<sup>th</sup> July 2022

**Report of:** Executive Director Economy, Environment and Culture

**Contact Officer:** Name: Vicki Linton-Crook  
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**Ward(s) affected:** Wish, Westbourne, and South Portslade

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 In December 2021, the Policy and Resources Committee approved a total budget of £10.647 million for the Kingsway to the Sea project, including £1.147 million (10.4%) of funding from the council.
- 1.2 This report updates the committee on progress with the design, and requests authorisation to proceed with submission of a Planning application. The timeline for this project is constrained by the requirement to spend £9.5 million of the Government's Levelling Up Fund (LUF) by 31st March 2024.

### **2. Recommendations**

That the Committee:

- 2.1 Agrees in principle to the development of the area shown in Appendix 1 Site Map, as outlined in this report.
- 2.2 Agrees that a Planning application for the Kingsway to the Sea site is submitted to include the elements listed in 3.1 below.
- 2.3 Approves a revised capital budget of £12.99m including £1.000 million additional borrowing as set out in paragraph 3.27 and Section 7 of this report.
- 2.4 Authorises the Executive Director Economy, Environment & Culture to procure and award contracts necessary to deliver the project and enter into any legal agreements required to facilitate the works.
- 2.5 Agrees that a further report on the status of the project is brought back to the Policy and Resources Committee in December 2022 in advance of construction commencing on site.

### **3. Context and background information**

3.1 The Kingsway to the Sea site sits wholly within the UNESCO The Living Coast Biosphere and includes the land west of the King Alfred Leisure Centre up to and including the easterly section of Hove Lagoon. The esplanade, chalets and beach huts to the south and the cycle lane and pavement to the north are excluded. The project will transform this highly visible community asset by providing facilities in line with current and future public expectations. The key elements of the project are:

- Accessible and biodiverse green spaces across a linear park
- A new building incorporating bowls clubhouse, public café with terrace, public toilets and changing facilities
- Tennis and Padel tennis courts
- Bowls, croquet, and sand sports areas
- Skatepark, pump track and roller-skating area
- Improved events space

3.2 The scheme will regenerate what are run-down and under-used spaces in West Hove. The area contains some heritage seaside architecture, sports courts, bowling greens, a multi-use games area and several large green spaces which need improvement. There are also several buildings which are in need of major repair. The existing site can be seen in Appendix 2.

3.3 Trends in sports participation have changed and the objectives of this scheme are to provide contemporary leisure and sporting facilities. The scheme will protect and improve biodiversity of the green spaces, by aligning to the Biosphere objectives including sustainable development which helps create nature recovery networks and connectivity through habitat creation and green infrastructure provision. It will also rejuvenate the public realm and enhance and improve the green spaces for the community.

3.4 Areas at the east end of the site are included in the southern part of two conservation areas which remain an important factor in the design of the scheme.

#### **Strategic approach**

3.5 The outcome of the feedback from the Public Consultation in September 2021 and collaboration with stakeholders (see Section 5) has formulated the project brief. Appendices 3, 4, 5 and 6 all cover proposed facilities and provide further detail. Key points include:

- Creation of a linear park identity with areas of garden for relaxation and leisure, alongside active sports facilities.
- Accessible routes (wheelchair accessible) through the full length of the site linking all the park spaces.
- Layering planting and trees to provide shade and shelter, mitigate climate change impacts, increase biodiversity and the connection with nature.

- Improving the type, distribution and quality of sports facilities and activities through the length of the site, including a new outdoor sports hub building to support their use.
- Providing improved public toilets and changing facilities.
- Improving comfort for users by providing seating, lighting, and signage.

3.7 A Sports Consultancy FMG, and specialist bodies including the Lawn Tennis Association (LTA), were consulted to ascertain the appropriate mix of facilities to serve the community and provide an income that will enable the ongoing maintenance of the site in the future. FMG produced a report on the mix of sports facilities which is included as Appendix 7.

### **Hove and Kingsway Bowls Club**

3.8 Hove and Kingsway Bowls Club holds the lease for the two major buildings on the site; the bowls clubhouse, and the changing pavilion. To enable the project to proceed, proposed designs for a new building were shared and formulated with the club. This new outdoor sports hub, on the location of the current changing pavilion, will provide suitable accommodation for the Hove and Kingsway Bowls Club.

3.9 This approach secures future accommodation for this popular club which has been at this location since 1896. The club's current buildings require significant repair and maintenance. Energy costs make their operation difficult to sustain. It is proposed that the new sports hub, benefitting from modern insulation and amenities, is a two storey building with the bowls clubhouse and changing requirements integrated on the ground floor. The existing clubhouse and pavilion will be demolished.

### **Public toilets**

3.10 The new outdoor sports hub will importantly increase the number of public toilets available on the Western Esplanade. It will provide changing facilities and accessible toilets as well as a new café with terrace.

3.11 The existing toilets on the Western Esplanade will remain operational until the new sports hub is completed. The current toilet building is out of the scope of this project due to cost constraints. However, it could be offered as a commercial opportunity, subject to specific usage requirements in a future tender process.

3.12 The timeframe for the refurbishment of toilets at Hove Lagoon has been brought forward to be included within the scope of this project. This refurbishment does not feature in the first phases of the city-wide public toilet refurbishment programme but can be undertaken as part of the Kingsway to the Sea project.

3.13 The tennis area will also include the provision of new toilets for sports users in the small pavilion being built next to the courts.

## Outdoor sports provision

- 3.14 The LTA and the Sports Consultancy FMG supported reducing the provision of eight traditional tennis courts to six new courts. Provision considers the potential demand for outdoor tennis from people living within 10-minute drive time. The introduction of new forms of tennis will broaden the appeal of this sport to a wider audience. The combination of floodlighting with an online booking system will facilitate more efficient usage and longer available playing times for all.
- 3.15 FMG recommended the new provision of sand sports and padel tennis amenities in response to the strong support for these sports by the community. They also rank as the highest sports revenue contributors given their growing popularity and small size format.
- 3.16 The wheeled sports area is supported by the demand for these activities from the community as no pump track or dedicated roller-skating areas are currently provided in the city. Evidence indicates that skateboarding has surged in popularity since the 2021 Olympics<sup>1</sup>

Table 1: Public response to online survey 2022\*

6. Which facilities do you like most within the scheme Please tick all that apply		
Answer Choices		Response Percent
1 Skate Park,		69.76%
2 Pump Track		55.49%
3 Roller Blading area		42.14%
4 Tennis		29.29%
5 Padel tennis		21.80%
6 Sand sports area		30.93%
7 Croquet Lawn		12.88%
8 Bowls Lawns		14.08%
9 Sports Hub building including Bowls Clubhouse		14.52%
10 Green spaces		52.29%
11 None of the above		1.64%

\* Sample size 2,748 people. Council online survey 20 May to 10 June 2022

- 3.17 The proposed location next to Hove Lagoon is identified as the optimal site due to its location and size. There is already a small skatepark nearby which needs investment, a replacement and expanded facilities at the adjacent location will make additional provision for young people. Hove Lagoon is popular with young people and families offering play and paddling pool amenities, with the Big Beach Café providing an additional draw to the area. The proposed designs mean the space at Hove Lagoon itself can be re-organised to provide a family friendly area with more amenities for younger children. The new skatepark, pump track and roller blading area will offer an open aspect with no dead-ends or hidden spaces, enabling increased

<sup>1</sup> 1 • [Skateboarding participation England 2016-2021 | Statista](#)

footfall and passive surveillance. This will help mitigate anti-social behaviour risks and reduce sound deflection.

3.18 Some negative feedback was received on this proposal during the recent engagement sessions. This feedback covered the loss of green space, anti-social behaviour, lighting, and noise. Designs were reviewed and consideration was given to moving the pump track or roller blade area to other parts of the park, with the skatepark remaining in its current position adjacent to the Big Beach café. These options were discounted as alternative layouts because they impacted on the provision of space for a dedicated public park, which feedback indicated is one of the main benefits residents want from the scheme. Concerns regarding light pollution were addressed with modern “down lighting” that will not be operational throughout the night. The timing will be assessed as part of the Planning process.

3.19 Onsite construction will be phased with the intention of enabling sports facilities to be used during the peak season, but this will need to be balanced with cost efficiencies.

### **Biodiversity improvements**

3.20 The proposal to develop the site has positive implications to improve biodiversity. The project represents an opportunity to meet some of the Council's own targets as set out in the Local Biodiversity Action Plan (LBAP) which is a focus for the Biosphere. The NERC Act 2006, updated by the Environment Act 2021, places a duty on the local authority to conserve and enhance biodiversity. The planning application for the site will explain how the project seeks to replace and enhance the current habitat. The aim will be to successfully demonstrate that there is a measurable bio-diversity net gain for the area with an ambition to go above the mandated 10% and seeking an aspirational 20%.

### **A259 Cycle lane**

3.21 The project team are liaising with officers in City Transport to improve access and sight lines into the park and to include cycle parking provision. In the future the adjacent configuration will result in separate pedestrian and cycle lane areas on the eastern boundary of the park, significantly improving safety and user experience.

### **Space for events**

3.22 The events space at the east end of the park will be improved with the provision of utilities on site which will enable a wider range of new activities to be enjoyed and further opportunities for income generation. This is an important area and requires careful consideration as it will act as a major gateway into the entire scheme.

## **Operational framework and future maintenance**

- 3.23 The project aims to be financially self-sustaining, with future maintenance funded from existing budgets, combined with new income streams. There will be revenues generated from sports fees and charges combined with rental income from the café in the outdoor sports hub. Other commercial opportunities will also be explored to support the scheme.
- 3.24 The working assumption is that the sports facilities will be managed by a single operator and the management contract will be secured through an open tendering process. The contractual agreement will recognise the mutual obligations that the council and any operator has to ensure public access to the council's portfolio of sports facilities, whilst generating an income to contribute towards the maintenance of the operation. The approach to operation of the facilities will be covered by the P&R committee report in December 2022.

## **Project funding**

- 3.25 Cost escalation remains a major pressure as the combined global external factors of the impacts from the pandemic, the war in Ukraine and Brexit affects the availability, supply and cost of labour and materials. This is driving construction cost inflation which has increased the overall project value. To manage these factors, costs for the project are frequently reviewed by the council's architects, the contracted landscape architect, a quantity surveyor, and the construction partner to maximise efficiencies on an ongoing basis. The proposed designs have already been through three cost reviews at key stages. This has resulted in adaptations to the scope to reduce the cost. This includes:
- Identification of key facilities and reassessment of the budget allocation for features that can be reduced or removed
  - Reduction in the site area in the west of Hove Lagoon
  - Reduction in the size of the outdoor sports hub
  - Proposed re-use of sport courts sub-bases
  - Reduced public art provision
  - Re-use of demolition materials
  - Review of groundwork requirements which is a major spend area to ensure any efficiencies are realised.
- 3.26 It is envisaged the scope will need to be adapted further with potential reduction in the proposals to ensure costs can be managed within the budget.
- 3.27 The projected costs have risen from £10.647m to £12.990m. Funds of £9.500m from the Levelling Up Fund remain in place and have been supplemented by securing £1.191m from Section 106, and a £0.300m contribution from the council's public toilet refurbishment programme. This is

in addition to up to £1.000m funding through borrowing (approved by P&R Committee December 2021) where the financing costs are being funded from increased revenue arising from the scheme. This means there is a projected funding shortfall of £1.000m which will require further borrowing to support the scheme to ensure it can progress to Planning. Without this funding, key facilities will need to be removed from the project.

- 3.28 The council has written to Levelling Up Fund administrators to request additional funds to support the project given the external market conditions. This request has been rejected.
- 3.29 In order to mitigate the increase in project value, steps will be taken to make an application to the council's Carbon Neutral fund to deliver biodiversity gains. Officers will also apply for 'Changing Places' funding (for provision of a fully equipped disabled changing facility) if a new round of funding becomes available.

### **Procurement and management of contracts**

- 3.30 The project will be delivered through the council's City Build Strategic Construction Partnership. The partnership is currently delivering a range of construction projects for other council client departments and is managed by the council's Property & Design service, with the council's Architecture & Design team acting as Lead Consultant and Architect.
- 3.31 The partnership's constructor, quantity surveyor, CDM advisor, and structural/civil engineering partners are procured and actively engaged on project development. The early involvement of the constructor together with mechanical, electrical, and structural engineering partners ensures final design and construction risks are minimised and there is greater cost certainty throughout the construction phase.
- 3.32 To meet user experience expectations, two specialist contractors have been appointed to design the skatepark and pump track. Subject to plans being approved they will operate under the City Build Strategic Construction Partnership for the technical design and construction phase of the project.

### **Advancing the project**

- 3.33 Following Committee approval, the technical detailed design for the building and landscape will be developed with further site surveys and investigation works (i.e. ground investigation) to inform the design and reduce risk in readiness for Planning.
- 3.34 The Design Review Panel process (DRP) and submission of the planning application in August will enable the management and response to statutory requirements in 2022. Subject to Planning approval, a phased construction programme will start in January 2023. Completion of the estimated 57 week construction programme will be in early 2024.

#### **4. Analysis and consideration of alternative options**

- 4.1 The area of land included in this project is entirely council owned, with the Hove and Kingsway Bowling Club holding a lease for a clubhouse and changing facilities. Over time, the costs of ongoing maintenance across the buildings, public spaces and sports facilities have been difficult for the council to support. This project will rejuvenate the West Hove seafront, establishing it as a hub for outdoor sport and beneficial green space, with the Bowls Club continuing as a valued tenant, alongside other users and stakeholders.
- 4.2 An alternative option would be to allow extensive commercialisation of the West Hove seafront, for example by leasing out parts of the area to the private or voluntary sector to attract investment in exchange for rental income. This runs contrary to the social importance of the seafront as an inclusive provider of sport and leisure activities for the community and visitors and to the city council's declared climate and biodiversity emergency. The priority is to enable open access to the public realm, combined with affordable outdoor sports provision to meet the council's objectives and Levelling Up Fund requirements. New commercial developments are also likely to be unpopular within the park because the area is seen as a community resource by local residents.
- 4.3 The "do nothing" option allows the West Hove seafront to continue to decline because of lack of council funds to regenerate the area. When set against the option of using the Levelling Up Fund grant on offer, combined with the effective use of Section 106 funds for community benefit, the "do nothing" is not the preferred course of action.

#### **5. Community engagement and consultation**

- 5.1 Consultation on improvements to the West Hove seafront began in 2018 with the establishment of the West Hove Seafront Action Group (WHSAG) which contains representation from 15 separate local community stakeholders i.e. representatives from resident associations, businesses, clubs, voluntary organisations and Ward Councillors.
- 5.2 Ward Councillors are supportive of the plans and play an active part in shaping the detail of the scheme with the local community.
- 5.3 In September 2021, an online public consultation and a drop-in event was undertaken. The consultation responses highlighted the need for a mixture of modern sports facilities, beneficial green spaces and community resources. This would include improved quality of green spaces, planting, seating, lighting and better quality and more choice of sports activities. In addition, there was specific demand for the provision of improved public toilets, sand courts, a café, roller skating surface, improved tennis courts, skatepark, padel tennis and pump track. Appendix 8 provides details of the 2021 public consultation feedback.
- 5.4 Over the course of the project development, the project team has held

monthly consultation meetings with West Hove Seafront Action Group. In addition, officers and the design team have met regularly with stakeholders such as the Hove and Kingsway Bowling Club, Friends of Hove Lagoon, the King Alfred Tennis Club, Hove Beach Hut Association and Hove Beach Croquet Club. Local residents and businesses have also been consulted and this engagement will continue during the Planning application process.

- 5.5 Two public drop-in sessions were held in May 2022 to update on plans and seek the views of the community. More than 550 people attended the event and more than 2,700 people gave their feedback on proposals through an online survey. Overall feedback was positive with 86% of respondents welcoming the opportunity to make improvements and 86% also in favour of the range of facilities proposed. 89% agree that the project will improve the seafront. Appendix 9 provides the 2022 Public engagement survey results.
- 5.6 Comments are yet to be fully analysed but early themes focus on the need for green space and the need for the roller skate area. Some people expressed concern about the loss of open ground for dog walking and that a skatepark may attract anti-social behaviour. The design team are considering all feedback before submitting the proposals to Planning at the end of the summer.

## **6. Conclusion**

- 6.1 The funds available through the Levelling Up Fund enables the transformation of West Hove seafront for sport and leisure uses which will benefit the local community, attract visitors and help local businesses. Consultation exercises undertaken have clarified the priorities for the scheme and these are evident in the designs created to date.
- 6.2 The £9.5 million secured from Government comes with a tight timescale for expenditure and the project must move ahead to submit a planning application if the funds are to be spent before the deadline. This requires submission in August/September for construction to start early 2023 and completion in early 2024.
- 6.3 Steps are in place to mitigate the additional borrowing by accessing additional funding and exploring commercial opportunities.
- 6.4 The West Hove Seafront Action Group will continue to be consulted as the major stakeholder group throughout the development of detailed designs.

## 7. Financial implications

- 7.1 The revised capital scheme is estimated to cost £12.991m and is proposed to be funded as follows: -

<b>Funding Source</b>	<b>£m</b>
Levelling up Fund	9.500
Section 106	1.191
Toilet Refurbishment Programme	0.300
Borrowing funded through increased income	1.000
Additional borrowing required	1.000
<b>Total</b>	<b>12.991</b>

- 7.2 The £1.000m borrowing funded through increased income was part of the approved capital scheme. The financing costs are estimated to be £0.035m pa and this level of income is considered achievable from the proposed development.
- 7.3 At this stage it is believed that there is limited further scope to generate additional income to support the financing costs of the additional £1.000m and therefore, for the scheme to progress, the additional financing costs of £0.035m would need to be included in the 2023/24 revenue budget as a commitment. The ongoing cost review may result in the project costs reducing however this could not be relied on. Similarly, the project team aims to lever in further external funding to reduce the additional borrowing but at this stage it is not certain.

*Finance Officer consulted James Hengeveld 07/06/22*

## 8. Legal implications

- 8.1 The Council is required to comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial thresholds for services, supplies and works. Using a Framework such as the City Build Strategic Construction Partnership is a compliant route to market.
- 8.2 The Hove and Kingsway Bowls Club will surrender their lease and once the works are complete the Council will enter into a new lease with them - subject to suitable terms being agreed and Committee approval for the project.

*Lawyer consulted: Alice Rowland: 19/6/22*

## 9. Equalities implications

- 9.1 The park currently has different ground levels which restrict access. The different areas can only be accessed by moving in and out of the park to the north or south. The project will significantly improve access for pedestrians and those using wheelchairs or buggies through the introduction of ramps which will create a west - east linear path through the park. The ramps are a low incline to avoid switch backs and promote ease of use. These changes will increase the number of people who can appreciate the park and facilities at Kingsway.
- 9.2 The introduction of ramps will render inclusive sports facilities such as tennis, padel and the skatepark open to everyone.
- 9.3 The pricing structure for the sports facilities will be set and controlled through the council's pricing arrangements for sports facilities and will be reviewed annually to ensure that they are comparable with similar local facilities and are accessible for community use.
- 9.4 The provision of modern and fully accessible toilets and changing facilities will replace old and inaccessible facilities improving the experience of all users.
- 9.5 Kingsway to the Sea has been developed in a way that maximises positive impacts and is tailored to the needs of local communities. A key focus is how the project can help address the risk of reduced recreational opportunities and connection with nature, for local people and the impact on health and wellbeing. For example:
- Age: The residents of Wish, Westbourne and South Portslade are on average younger than both the city average and the national average. This population requires local employment, opportunities for family recreation and new leisure facilities for young people.
  - Deprivation: The same areas rank amongst the most deprived quintile of wards nationwide. This deprivation spans areas from economic to health to living environment. Kingsway to the Sea will help address the issue of deprivation by ensuring public open space that is free to use in a densely populated area with acute shortage of adequate green spaces and access to nature.
  - Disability: The number of Disability Living Allowance claimants in Wish, Westbourne and South Portslade is almost 50% above the national average<sup>2</sup>. Disabled access to West Hove Seafront has been carefully considered, with ramps, paths and flatter surfaces envisioned to enable access for wheelchair users.

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<sup>2</sup> Local Insight, 2020, Local Insight profile for 'Wish, Westbourne and South Portslade' area

<sup>2</sup> Index of Multiple Deprivation, 2019, Available at:

<https://maps.cdrc.ac.uk/#/geodemographics/imde2019/default/BTTTTFT/14/-0.1849/50.8342/>

- Race: In Brighton and Hove, people of Black or Black British ethnicity were least likely to do the recommended levels of physical activity on five or more days a week (4%) with low levels also reported by people from Asian or Asian British people (14%)<sup>3</sup>. This project will provide affordable outdoor sport and recreation space that is focused on family activities and creative play. This differs greatly from the bars and nightclubs along the seafront in Central Brighton. This is particularly welcoming to families whose faith excludes alcohol consumption. Wish, Westbourne, and South Portslade wards has a high representation of Asian or Asian British people a family-oriented beachfront offering is therefore a great benefit

9.6 A formal Equalities Impact Assessment will be carried out pre-Planning.

## **10. Sustainability implications**

10.1 Kingsway to the Sea seeks to greatly improve the biodiversity of West Hove seafront by creating a series of connected gardens and habitats through a linear park, which will support the known populations of local priority species such as house sparrows and starlings, both listed on the red list of conservation concern. The area can be very exposed to strong winds and high levels of salt in the air, so the landscape design and planting specification will carefully consider these conditions making sure species of importance are protected and enhanced in line with the NERC Act 2006 Biodiversity Duty. The parkland and infrastructure are quite degraded because of ongoing budget constraints, so the introduction of new planting will have to be considered within the context of future maintenance and replacement costs, balanced alongside ecosystem services benefits such as providing connection with nature, shade and helping clean the air.

10.2 An ecology survey has been undertaken with the information informing the design to make sure biodiversity is protected and enhanced, and that all wildlife legislation is adhered to.

## **11. Other Implications**

### **Social Value and procurement implications**

11.1 Procurement considers social value as the majority of works is commissioned through the City Build Strategic Partnership. Tender and procurement has also taken place with local specialists and consultants whenever possible including surveys. Social value commitments and KPI targets are built into the Strategic Partnership and subject to regular performance review.

### **Crime & disorder implications:**

11.2 Kingsway to the Sea will maintain/reduce the relatively low crime and disorder in the West Hove Seafront area because the investment will

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<sup>3</sup> As above

increase use by residents during the day and into the evening, reducing the likelihood of hidden criminal behaviour. Well designed and open public spaces with good lighting and formal sports facilities will draw multiple users and increase footfall, creating passive surveillance and deterring anti-social behaviour. The skate park, pump track and roller area will provide a space where young people can gather to participate in leisure and social activities. The skatepark is seen as low risk as the existing facility has no ASB issues. The risk of anti-social behaviour increasing as a result of the new facilities will be addressed through design and the future use of CCTV as required.

### **Public health implications:**

- 11.3 Whilst Brighton and Hove is the 6th highest city in the country for percentage of physically active adults, a third of the 5-16 age range are less active, doing less than 30 minutes of activity each day. As outlined in paragraph 9.5 above, residents of Wish, Westbourne and nearby South Portslade wards are generally younger than both the city average and the national average. For this reason, the proposed investment in affordable outdoor sports facilities in West Hove is well located for use by young people and some facilities are particularly targeted at them.
- 11.4 More generally, creating an environment which improves the health and wellbeing of residents and visitors is a central consideration for this project. Better outdoor sports facilities and social spaces will enable residents and visitors to increase participation in the range of activities on offer.

## **Supporting Documentation**

### **Appendices**

Information about the project, the existing facilities and history, and the proposed facilities can also be accessed on the Kingsway to the Sea website. Go to [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk) and search for "Kingsway to the Sea" or click this link [Kingsway to the Sea \(brighton-hove.gov.uk\)](http://www.brighton-hove.gov.uk)

1. Site Map
2. Existing facilities and history
3. Proposed facilities A
4. Proposed facilities B
5. Proposed facilities C
6. Proposed facilities D
7. FMG Report: Facility mix for a linear park
8. 2021 Public consultation feedback
9. 2022 Public engagement survey results

## **Background Documents**

1. None

