

Name of meeting: Cabinet

Date: 11 April 2023

Title of report: Grant Offer to St Peter's Church for the Development of Multi-Functional Event Space in St Peter's Gardens.

Purpose of report: This report provides an update on St Peter's Gardens scheme and requests that consideration be given to providing St Peter's Church with a grant for the delivery of a multi-use event space in St Peter's Gardens, Huddersfield.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Yes Has a financial implication of more than £250k
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Key Decision – Yes, published 08.03.2023
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd – 17.03.2023 Phil Deighton on behalf of Eammon Croston – 23.03.2023 Karl Larrad on behalf of Julie Muscroft - 23.03.2023
Cabinet member portfolio	CLlr Graham Turner Regeneration Portfolio Holder

Electoral wards affected: Newsome

Ward councillors consulted: No

Public or private: Public Cabinet report with public appendix

Has GDPR been considered? Yes

1. Summary

St Peter's Gardens, located in Huddersfield Town Centre, is circa 0.66 hectares (see appendix A) and has specifically been highlighted as an area for enhancement in the Huddersfield Blueprint and more recently part of the green network supporting Station to Stadium Masterplan area. The ambition for St Peter's Gardens is to create a high-quality space which encourages dwell time, increases footfall, and improved accessibility. It is anticipated that this scheme will assist in helping to manage anti-social behaviour in the locality, creating a safer environment, and act as a vital green resource in the town centre.

St Peter's Gardens also formed part of the "Golden Routes" programme approved at Cabinet in September 2020, as well as being included in the [Huddersfield Highway Design Guide](#).

In October 2020, St Peter's Church was granted planning permission for the creation of an area for multi-functional events and incidental parking associated with the church (2019/62/93789/W). Kirklees Council, in partnership with key stakeholders (in particular, the Parish Church), developed concept options and costs for the multi-functional events space and wider gardens.

In October 2022, Cabinet approved a package of funding known as UK Shared Prosperity Fund (UK SPF) from the Mayoral Combined Authority to Kirklees Council to deliver local communities, and place and business initiatives, of which the St Peter's Gardens scheme was one, securing £350,000 capital funding ([UK SPF Cabinet Report](#)).

This report asks Cabinet to approve a grant to St Peter's Church, a registered charity (1134839) of £121,900 which is currently allocated in the 'Golden Routes Capital Programme' and £350,000 from WYCA's UK Shared Prosperity Fund to enable delivery of a multi-functional event space in St Peter's Gardens. A total grant of £471,900 will be used to deliver Phase A which consists of the approved multi use events space adjacent to the Church and within the gardens.

2. Information required to take a decision

2.1 Huddersfield Blueprint

Kirklees Council launched its ambitious Huddersfield Blueprint ("Blueprint") regeneration vision in June 2019. The Blueprint is a ten-year vision to create a thriving, modern-day town centre that will be accessible, busy, inclusive, family-friendly, sustainable and a safe environment that will stay open longer. The significant regeneration and investment planned for the town will transform Huddersfield, helping to stimulate and induce demand for domestic and international tourism.

The Blueprint focuses on regenerating six key areas of Huddersfield Town Centre: Station Gateway, St Peter's, Kingsgate / King Street, New Street, the Civic Quarter, and a new Cultural Heart in the Queensgate and Piazza area.

The strategic aim of the Blueprint is to:

- Create a busy town centre with thriving economy and a balanced offer
- Increase residential living in the town centre
- Have family and student friendly spaces, attractions, and activities
- Have an economically vibrant town with improved employment opportunities
- Refocus the retail core
- Position Kirklees as a destination for tourism
- Join up disparate areas in the town centre
- Regenerate iconic architecture, complemented by new, modern buildings
- Bring back 'civic pride'
- Encourage third party private investment

St Peter's Gardens sits within the St Peter's key area and its redevelopment was included as one of the key projects of the Blueprint, edged by an aspiration to build and create modern co-working spaces and studios in the surrounding area.

2.2 Kirklees Economic Strategy 2019-2025

One of the 5 priorities of the Kirklees Economic Strategy is 'Revitalised Centres'. The project and the wider regeneration of St Peter's Area will contribute significantly to regenerating Huddersfield Town Centre.

2.3 Council Plan

The Council's approach outlined in the Council Plan 2021/3 is focussed on three themes: -

- People – we work with people, we don't do things to them
- Partners – we work with and alongside our partners
- Place based working – we recognise the unique identities of our local places, their strengths, and aspirations. We know that one size doesn't fit all

2.4 The Project

The redevelopment of St. Peter's Gardens is integral to the delivery of the Huddersfield Blueprint, with its central location to transformative plans for the St Peter's Area and key location on one of the main pedestrian desire lines across the town centre. The addition of the Station to Stadium Masterplan reinforces the importance of this space in terms of the regeneration of the town.

St Peter's Gardens must respond to its challenging physical location and the considerable social, economic, and environmental challenges it faces in a balanced and pragmatic way. The area is already a favourite of creatives and is home to an interesting and unique set of independent businesses, restaurants, shops, bars, and coffee shops as well as the popular Open Market. Its enhancement will further contribute to the area's success and drive inward investment into the town centre.

To support delivery of the scheme, an application by Kirklees Council to the UK Shared Prosperity Fund was made in September 2022, in which the scheme was separated into 2 phases:

Phase A - Consists of the delivery of a multi-functional event space adjacent to the church with existing planning approval as well as improved vehicular access to Byram Street. This initiative has been championed by the Church over a number of years. Full application documents can be found [here](#) (2019/62/93789/W).

Phase B – Undertaking of a further feasibility study for the remaining public realm area in the Gardens.

The area immediately to the north of the Church will be replanned to form a public realm area providing a space for multi-functional events, church fetes and outdoor worship etc. In addition to this the council are working with the church to provide a cohesive vehicular access point off Byram Street.

In order to deliver the blueprint an agreement has been made with St Peter's Church; the landowners of the land identified in appendix A to facilitate the redevelopment. Without the permission of St Peter's Church's, a key blueprint project would not be able to be delivered. In addition to this the council are working with the church to provide a cohesive vehicular access point off Byram Street.

To help deliver the scheme the grant will deliver the lifting and resitting of 14 gravestones (previously re-sited) and large table tomb which are currently interspersed throughout the area. The grave markers are to be sited closer to the Church north wall and the table tomb in memory

of Joseph Kaye will be moved to a prominent location close to the proposed north-west porch (please refer to the drawings in the [planning application](#)). The re-siting of the table tomb is welcomed by family relatives.

The remaining space will be landscaped with high quality materials designed to allow flexibility of use and all-inclusive access.

The introduction of UK SPF funding represents an opportunity to deliver Phase A of the St Peters Gardens project. It is time constrained with spend required by 31st March 2024 but in the absence of other funding it is currently the only opportunity. The Council has already identified, and Cabinet have agreed match funding towards the project in St Peter's Gardens via borrowing in the capital plan through the Golden Routes Capital Programme, this could be used to bridge the gap.

2.5 Planning

Detailed planning was granted on the 21st October 2020. The permitted development is required to have begun by 21st October 23. Full application documents can be found [here](#) (2019/62/93789/W).

3. Implications for the Council

3.1 Working with People

St Peter's Gardens was highlighted as an area of enhancement in the Huddersfield Blueprint and the Station to Stadium Masterplan area. The Blueprint was subject to a number of engagement exercises commencing in 2018 as part of the Blueprint development and then again late in 2019. After the Blueprint launch the council undertook a Place Standard exercise to benchmark public reaction to the approach and projects. The results from this exercise show there is a great desire to enhance St Peter's Gardens to create a high quality, safe, green space. The key report for this can be found by accessing the following link: <https://howgoodisourplace.org.uk/huddersfield-town-centre/>.

Early consultation was undertaken with key stakeholders including the BID, Church, The Mission, and Civic Society at the inception of this project. Consultation with stakeholders will continue as the project moves forward.

3.2 Working with Partners

Collaboration and working together with partners are key to ensuring the council gets the best outcomes for citizens, communities, and Kirklees as a whole. Early engagement with stakeholders was undertaken. The council has worked closely with St Peter's Church and WYCA to secure funding to deliver the multi-use event space.

At the point of approving planning permission consultation was carried out with stakeholders including Historic England.

This practice will continue throughout the life cycle of the project.

3.3 Place Based Working

The development of the Blueprint and the associated Place Standard exercise has already engaged town centre stakeholders, businesses, and users to help shape the overall approach to redeveloping Huddersfield Town Centre.

3.4 Climate Change and Air Quality

The reduction of carbon emissions and the minimisation of air quality problems is a key objective for the blueprint.

3.5 Improving outcomes for children

The Blueprint includes within it a key objective of providing a family friendly town centre. This means that uses, streets, and places will favor all age groups including children. Part of the strategy to renew the town is to bring in new uses that attract families and young people in a way the town does not at present. The scheme aims to create a high quality, attractive, multi-use space which increases dwell time and footfall, enhancing the vitality and vibrancy of the area helping it to become a more attractive space for all including families as well creating a space that is attractive to investors.

3.6 Financial Implications for the people living or working in Kirklees

Increased activity in the town centre as a result of this development will increase footfall which in turn helps support the services and businesses that already exist. It is anticipated there will be increased spend in the town.

3.7 Other (e.g. Integrated Impact Assessment/Legal/Financial or Human Resources)

3.7.1 Integrated Impact Assessment

The council must comply with its public sector equality duty under Section 149 of the Equality Act 2010.

Officers have carried out an Integrated Impact Assessment (IIA) and has been published [here](#).

3.7.2 Legal

There are two funding amounts - Golden Routes Capital Programme £121,900 and UK Shared Prosperity Fund £350,000 which amount to the grant for the purpose of this legal section.

The council has made enquiries with St Peter's Church to assist it in determining whether the grant funding meets the four limbs of the test for a 'subsidy' under the Subsidy Control Act 2022. Following this assessment it is believed that the grant is not a subsidy as St Peter's Church are a registered charity (1134839) and the council understands that they do not intend to charge for use of the Multi-Functional Event Space so will not be engaged in economic activity. It is not considered that this event space is capable of having an impact on competition in the market place. As a result, two limbs of the test for a 'subsidy' are not met. Notwithstanding that, the grant funding has also been applied to the 7 subsidy control principles and if it did amount to a subsidy the council's view is that it could be given in compliance with the Subsidy Control Act 2022.

Upon Cabinet approval of grant funding for this project, it is intended that the council will enter into a formal Grant Agreement with St Peter's Church, this is yet to be drafted. To ensure the grant funding is only spent on this project the council will require invoices to be provided and will only pay grant funding on receipt of such invoices. The council will incorporate clawback provisions in the grant agreement should milestones not be met and should the grant be found to have been awarded contrary to the Subsidy Control Act 2022. Additionally, the council will consider whether security for the grant is appropriate, such as legal charge however this is unlikely.

The legal basis for the grant is section 1 of the Localism Act 2011 which gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. Council officers have complied with Financial Procedure Rules (May 2022) No. 22 relating to grants.

The Council will comply with its Financial Procedure Rules when awarding all grants and the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 when awarding contracts to third parties.

3.7.3 Finance

Estimated costs of Phase A are £471,900 supplied by the Council's Landscape Architects, which includes improvements to the multi-use event space from Byram Street to provide a more cohesive scheme. An additional £45,000 has been estimated for the Byram Street improvements and is to be delivered by Kirklees Council's highway department.

3.7.4 UK SPF Monitoring & Report

3.7.4.1 The UKSPF element of the grant will be monitored as per the points in section 3.5 to 3.10 in the [UK Shared Prosperity Fund Cabinet Report](#) agreed on 11th October 2022.

3.7.4.2 The Council will be required to provide regular reports to WYCA on the implementation of the scheme. These requirements will be included as part of the grant agreement with St Peter's Church.

3.7.4.3 The Council will establish an UKSPF Programme Board, chaired by the Senior Responsible Officer, the Service Director for Skills and Regeneration. This will include both Council and external/stakeholder representation as appropriate and will have responsibility for oversight and management of the Council's UKSPF allocation to ensure achievement of the financial and output targets to be set out in the grant agreement with WYCA. This will include recommendations in relation to any proposed changes in programme or project level outputs, outcomes or funding profiles.

3.7.4.4 The Programme Board will report to the Council's Major Projects Board (which has Combined Authority representation). Risks and issues by exception will be reported both to the Growth and Regeneration Portfolio Senior Leadership Team, chaired by the Strategic Director, and reported to Elected Members via regular Portfolio Holder briefings. This approach will ensure the Council is accountable, open and transparent with WYCA and other local partners.

3.7.5 Risks

The project has a number of risks that Cabinet needs to be aware of when considering the recommendation to approve the grant.

Risk Description	Impact	RAG	Mitigations
Failure to approve grant	Failure to deliver scheme	Amber	Robust analysis of proposals ensuring value for money and money and that scheme meets all necessary standards and objectives of Blueprint, UKSPF and Golden Routes.
There is a risk that the grant recipient cannot assemble a team to deliver the project within the timescales, resulting in clawback from WYCA.	Failure to deliver and clawback of money from WYCA.	Amber	Grant agreement to be agreed with clear terms. Regular meetings with the church's project team to provide support where needed. St Peter's Church will be commissioning a Project Manager to manage the project.
There is a risk that costs may increase once contractor on site due to inflation/unanticipated issues/additional costs.	Further funding gap/ unable to deliver the scheme	Amber	St Peter's Church will employ a project manager whose first task will be to review costs. St Peter's Church have a strong relationship with National Heritage Lottery Fund and other funding partners and will seek other

			funding opportunities for additional funding requirements.
There is a risk that grant recipient do not agree to the T&C's of the grant agreement with the Council, resulting in loss of funding and failure of scheme delivery.	Loss of external funding and not delivering a key blueprint scheme.	Amber	Work closely with Legal Services and provide support to the church to enable them to meet the conditions of the grant agreement.

Projects of this nature and at this time will have a certain degree of risk. However, it is considered that the risks can be managed, to a degree and on balance the potential benefits justify the support being provided.

4. Consultation

As part of early development works stakeholders including The Mission, Huddersfield BID and the Civic Society were consulted.

The project has a valid planning permission which was subject to public consultation. Historic England are supportive of the scheme. Cabinet, on two occasions, in 2020 'Golden Routes Capital Programme' and in 2022 through the 'UK Shared Prosperity Fund' have considered the St Peter's Gardens scheme, which form a part of the approved programmes.

5. Next steps and timelines

Following a decision by Cabinet, officers will undertake all the necessary legal and other work required to agree the Grant Agreement. UK SPF funding is to be spent by March 2024.

Indicative Programme – Phase 1	
Action	Timescale/Date
Cabinet Decision	11 th April 2023
Grant Agreement signed	May 2023
Mobilise project	May – Sept 2023
Construction starts on site	September 2023
Completion	March 2024

6. Officer recommendations and reasons

It is recommended that Cabinet: -

- (i) Approves providing in principle a grant to St Peter's Church of £121,900 to deliver a multi-use event space in St Peter's Gardens as described in this report and appendices.

Reason: To enable the delivery of the project.

- (ii) Approves providing in principle a grant to St Peter's Church of £350,000 from Kirklees' UKSPF programme to deliver a multi-use event space in St Peter's Gardens as described in this report and appendices.

Reason: To enable the delivery of the project.

- (iii) Approves the capital allocation of £45,000 from the Golden Routes Capital Programme to fund the delivery of highway improvement works on Byram Street as outlined in section 2.4 of this report.

Reason: To enable the delivery of the project.

- (iv) Delegates authority to the Strategic Director (Growth and Regeneration) in consultation with the Service Director – Legal, Governance and Commissioning, to agree the grant agreement and other documentation necessary to enable the project to proceed and for the Service Director Legal, Governance and Commissioning to enter into the aforementioned documentation on behalf of the Council

Reason: Effective project delivery

7. Cabinet Portfolio Holder's recommendations

The Portfolio Holders for Regeneration support the proposals in the report.

8. Contact officer

Isabel Whitworth – Project Manager for Town Centres Regeneration
Isabel.Whitworth@kirklees.gov.uk
01484 221000

9. Background Papers and History of Decisions

Planning Approval & details – 2019/62/93789/W
[Planning application details | Kirklees Council](#)

Huddersfield Blueprint
[The Huddersfield Blueprint | Kirklees Council](#)

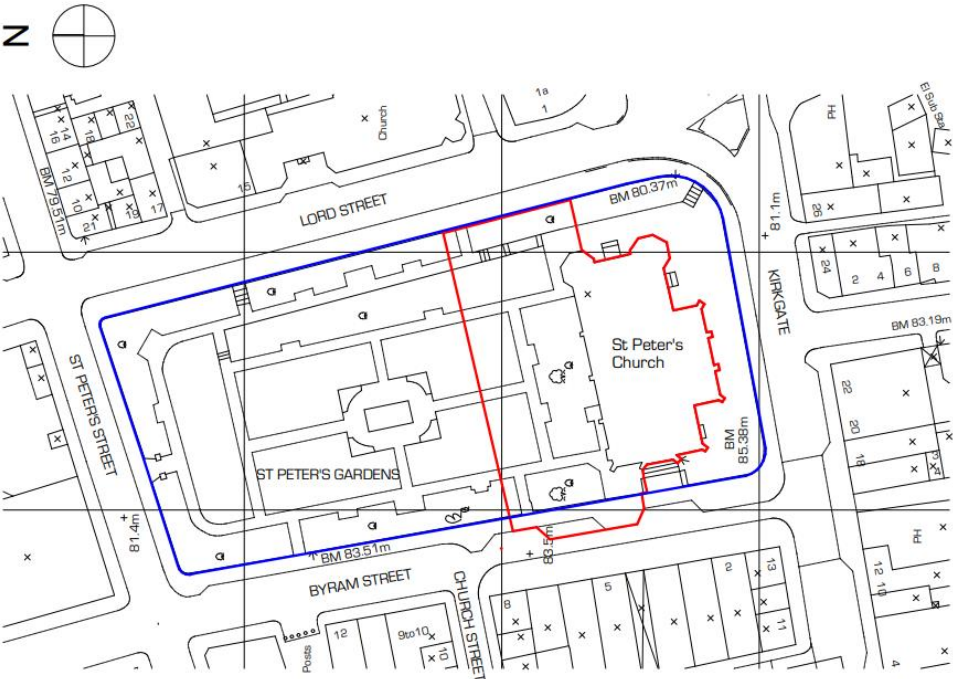
[Cabinet Report UKSPF dated 11 October 2022](#)
[Golden Routes Cabinet Report – Agenda item 10](#)

10. Service Director responsible

David Shepherd
Strategic Director Growth and Regeneration
david.shepherd@kirklees.gov.uk
01484 221000

11. Appendices

11.1 Appendix A – Location Plan of Phase A of St Peter’s Gardens



O.S. Location Plan of Church within Town Centre location 1:1000

Notes

Do not scale from drawing, use figured dimensions only.
All dimensions must be checked and verified on site prior to commencement of work and architect to be notified of any discrepancies.
This drawing is intended to permit overall scheme proposals only and cannot be used for construction purposes without further information.

Rev		Drawn	Checked	Date
A	Site Location plan updated to reflect latest proposals.	BW		21/09/17
B	Red line adjusted to cover East step proposals.	EC		29/07/20

Job Title Phase I, Internal Reordering Proposals & Fabric Repairs, St Peters, Huddersfield.	
Client PCC of Huddersfield Parish Church	
Status Tender Issue	Company AD
Drawing Site Location Plan	Scale @ A4 1:1000
Date June 2016	Drawn JL
Drawing No. 3060(0-)-01	Revision B

ONE17

ARCHITECTS & INTERIOR DESIGNERS

The Dychouse, Armitage Bridge
Huddersfield, West Yorkshire HD4 7PD