

NORTH LINCOLNSHIRE COUNCIL

**HEALTH AND WELLBEING
CABINET MEMBER**

NORMANBY HALL COUNTRY PARK – GO APE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update the Cabinet on the options around the proposed development of a Go Ape facility at Normanby Hall Country Park.

2. BACKGROUND INFORMATION

- 2.1 Officers have completed a review of the facilities and services available at Normanby Hall Country Park. The aim is to explore ways to improve the offer for customers and make the park a more desirable tourist attraction via enhancements to existing provision and potential new developments.
- 2.2 One potential development is a 'Go Ape' tree top adventure course. This type of facility would provide a high wire obstacle course, zip wires and rope swings at woodland sites across the park. Go Ape does not currently have a site within the region.
- 2.3 Following initial discussions with the Business Development manager from Go Ape and Normanby Hall Country Park management team, there is now an offer from Go Ape to develop an outlet within the park, without cost to the council.
- 2.4 Go Ape are a multi award-winning provider of high rope adventures in the UK. They have established 30 sites in the UK and 17 in the USA; attracting over five and half million people in 2015.
- 2.5 Go Ape would be responsible for all costs of the project covering all of the costs to install, manage and maintain the facilities. Go Ape would also have sole responsibility for installing and operating the course. Under Go Ape's current business operating model they would lease 'land' from the council and pay an annual fee. Colleagues in our legal services team have confirmed that the current lease allows for subletting with the landlord's agreement. We have discussed the project with the Normanby Estate Company (the landlord) and they support subletting the land required by Go Ape.

- 2.6 Go Ape's current proposal is to aim for an opening of the new facility by April 2018. They propose to pay the council £2,000 in the first year, rising to £5,000 and £8,000 in years two and three respectively. From year four onwards the rent paid would be linked to the site turnover at a rate of 10%, but with a guaranteed minimum payment of £10,000 per annum. Go Ape also estimate that the opening of the new facility would create one full time and 35 part time jobs.
- 2.7 Go Ape would not require exclusive use of the areas of the land in question. Their activities would be delivered at Tree Top level, meaning other visitors to the park could access the areas as normal. They have requested occupation of the current Information Centre at Normanby Hall Country Park. Park information would still be present there.
- 2.8 Go Ape have estimated that their operations would require up to 35 car parking spaces. Any adverse impact on the trees would be significantly reduced due to the low impact construction method utilised. Within the specified areas, all the trees to be used will be independently assessed, at Go Ape's cost, to ensure they are suitable. Some of the trees may require removal of some of their lower limbs on health and safety grounds. However, this would be agreed in advance with the council.
- 2.9 Go Ape has been proven to have a negligible impact on wildlife and biodiversity at their existing facilities. They will undertake a suite of ecological surveys, before applying for planning permission. Where any important habitats are found, Go Ape will amend their planned routes to avoid these areas.
- 2.10 The council has secured external legal advice to ensure that any procurement issues that might arise are fully considered. The advice received confirms that *"The council can lawfully grant the lease directly to Go Ape..." through careful negotiation of the terms of the lease and considerations of State Aid and section 123 of the Local Government Act 1972."* The advice included consideration of any mitigation measures required to address concerns under both state aid and s123 of the Local Government Act and confirmed that any likely risk of challenge is considered low, so the Council may wish to proceed without taking any further mitigation.
- 2.11 The council's strategy *Aspiring People Aspiring Places* sets out the direction for the council. This includes the ambition to:
- Work towards all our sport and leisure facilities operating commercially in order to where feasible, achieve a surplus of income against cost.

Establishing Go Ape at Normanby Hall Country Park will contribute to achieving this ambition. It will also help make North Lincolnshire a great place to live, work, visit and play.

3. OPTIONS FOR CONSIDERATION

- 3.1 The recommendation is for the Cabinet Member to approve the proposal to develop a Go Ape facility through directly subletting land for this purpose at Normanby Hall Country Park.

4. ANALYSIS OF OPTIONS

- 4.1 The recommendation would bring an internationally recognised company to the area and see the addition of a nationally renowned and acclaimed facility installed at Normanby Hall Country Park, enhancing the overall offer for customers. The new facility will provide an income for the council and would see one full time and 35 part-time jobs created. It does however carry a measure of risk of procurement challenge, but external legal advice suggests that the risk is low as are any consequences of a successful challenge.
- 4.2 Were the council to seek to mitigate for the risks involved, we would need to commission an independent valuation on the land and potentially seek to renegotiate the terms offered by Go Ape.
- 4.3 The alternative to the above would be to not move forward with the proposal and lose the opportunities offered by the Go Ape initiative.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 Go Ape would fully meet all capital and revenue costs associated with their facility. There are no direct financial costs to the council associated with this proposal. Go Ape has further highlighted the need to invest in visitor facilities such as the toilet, café and play areas to improve the visitor experience. This will require planning from the council to support the partnership.
- 5.2 Go Ape have requested sole occupation of a 'reception' building, which currently acts as the Information Centre for the park. However, Go Ape has stated that the information displays could remain within the building. Normanby Park management are happy with this proposal.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 Not applicable.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 7.1 Dialogue has been undertaken with the Normanby Estate Company, who fully support the proposed development.

8. **RECOMMENDATIONS**

- 8.1 That the Cabinet Member approves the proposal to develop a Go Ape facility through directly subletting land for this purpose at Normanby Hall Country Park.

DIRECTOR OF PLACES

Civic Centre
Ashby Road
SCUNTHORPE
North Lincolnshire
DN16 1AB
Author: David Boreham
Date: 19 January 2017

Background Papers used in the preparation of this report: None