

Title of meeting: Culture, Leisure and Sport Decision Meeting

Date of meeting: 16 March 2018

Subject: Peter Ashley Activity Centres and Historic England

Report by: Director of Culture and City Development

Wards affected: All

Key decision: No

1. Purpose of report

- 1.1 To inform the Cabinet Member of the availability of grant aid from Historic England (HE) for the repair of the Barrack Block Bridges at Fort Purbrook, and to outline the implications in terms of liability and resource that accepting such a grant might have for Portsmouth City Council due to the nature of the lease agreement the Council has with the Peter Ashley Activity Centres Trust (PAACT).

2. Recommendations

- 2.1 **That officers are authorised to enter into a tripartite grant agreement with PAACT and HE, subject to no financial obligations to contribute towards any costs without a further report to members setting out the works and any required Council match funding.**

3. Background

- 3.1 Fort Purbrook was designed by William Crossman (Capt. Royal Engineers). It is one of a series of forts (Wallington (now demolished), Nelson, Southwick, Widley and Purbrook along the chalk ridge of Portsdown Hill, and was built for the defence of Portsmouth against landward attacks in the 1860s. These forts were known as Palmerston's Follies.
- 3.2 The fort contains many interesting details of fortification design. It is believed that Fort Purbrook in particular was used for experiments in the use of iron in military buildings, and the caponiers seem to have been used for experiments in the use of iron to cover gun ports. This makes the use of iron for the barrack bridges all the more significant. Lieutenant General Sir William Jervois, a military engineer and Secretary to the Royal Commission, who oversaw the design of all of the forts, cited Fort Purbrook in a lecture to the Royal United Services Institution entitled 'The Application of Iron to Fortification' in the mid-1860s, a topic on which he appears to have spoken extensively at that time.

3.3 This fort is similar to Fort Widley, the fort immediately to its west, except for the V shaped barrack block and has 2 caponiers instead of 3. The fort is mainly within the boundary of Havant District Council and is accordingly listed there also. The southernmost part of the fort is within the Portsmouth City Council boundary. Portsmouth City Council (PCC) owns the Fort and leases it to the Peter Ashley Activities Centre Trust (PAACT). It is both a Listed Building and a Scheduled Ancient Monument, with the latter designation taking precedence.

4. Current Requirement for Urgent Repairs

- 4.1 Fort Purbrook was released from military jurisdiction in the latter part of the 20th Century, having never seen active service. It was bought by PCC who leased it to PAACT. This local charitable organisation supports the promotion of outdoor pursuits for young people in Portsmouth and the surrounding area, and they run both day and residential courses in pursuits such as climbing, horse-riding, and archery at both Purbrook and the adjacent Fort Widley.
- 4.2 Following some initial visits by Historic England staff in the Spring of 2016, at the invitation of the PCC Property Team, Fort Purbrook was added to the SE Heritage at Risk Register because of overall poor condition and some specific repair problems, which resulted in a risk assessment of the site as in 'very bad' condition.
- 4.3 Whilst the Trust have a programme to keep on top of the day to day maintenance of the site, they have struggled with securing larger grants for work due to a lack of clarity about areas of responsibility for repairs and maintenance within the current lease documents with Portsmouth City Council.
- 4.4 As well as threatening the historic significance of the monument through loss of fabric, some of the repair problems could pose health and safety issues for PAACT. The most urgent of the issues with fabric on the site, is the condition of the wrought iron bridge beams, which both PCC and HE structural engineers have acknowledged could collapse suddenly. Because of Fort Purbrook's connections with the innovative use of iron in a military setting, and the Fort's scheduled status, these bridges must be repaired with conservation methods, and not replaced wholesale. The bridges are currently being propped with scaffolding to ensure that the day to day operation of the site, which requires access to the barrack block, can be maintained. PAACT have now bought the scaffolding from the hire company in order to avoid further expenses being incurred by its hire.
- 4.5 The Trust are committed to continuing to provide their outdoor activities for the young people of Portsmouth from Fort Purbrook and Fort Widley, and its Trustees are adamant that they would no longer be able to provide these services if they are no longer able to use the Forts to do so. However, their leasing arrangement with PCC and lack of general expertise and knowledge about how best to care for the buildings means that the fabric of the Forts, Purbrook in particular, is rapidly approaching a tipping point whereby afterwards it will become impossible for them to remain in Fort Purbrook for health and safety reasons.

- 4.6 Palmerston Forts are notoriously difficult to repurpose, and the use of Purbrook (and Widley) as an outdoor activities centre is a good one, providing residential accommodation as well as a host of other activities including climbing walls in the northern caponiers. Should the Peter Ashley Activities Centres remove themselves from the Fort, it is unlikely that PCC would find new tenants quickly, particularly given its current state of disrepair. Its scheduled status will also make finding other uses for the site a challenging process that will require careful pre-application consultation.
- 4.7 By including Fort Purbrook on the SE Heritage at Risk Register, the Trustees / PCC are now able to access advice and assistance from the SE Heritage at Risk team. In order to ensure that the Barrack Block bridges are conserved in an appropriate manner and the Fort is able to remain in use, Historic England are willing to offer a grant towards the costs of the work through its 'Repair Grants for Heritage at Risk' scheme.

5. Reasons for recommendations

- 5.1 Historic England is aware that all local authorities find themselves in straitened financial circumstances at present and that PCC are no exception to this. For this reason HE is proposing a variation on the arrangements for grant giving to repair the Barrack Block Bridges at Fort Purbrook.
- 5.2 The proposal will try to minimise the commitment PCC will have to make but PCC cannot be removed them entirely as we remain the owner of the site. The first part of the has been the payment of a standalone grant to cover the project development work for the repairs only has been paid by Historic England to PAACT. This will enable PAACT to cover further investigations and research into the repair problems; the development of the specification etc. for those repairs; and the tendering process, to give a market price for the cost of the repairs. As this will not involve any investment into the actual fabric of the Fort, Historic England were able to offer this grant directly to the PAACT, even though they do not have the correct lease conditions as would usually have been required.
- 5.3 Historic England has proposed that the grant for the actual repairs to be signed as a tri-partite arrangement, between HE, PCC and PAACT. It is possible that all three signatories would be required to make a financial contribution to the project, with HE providing the lion's share of the money, and each of the other bodies being financially assessed via HE grant processes to determine what a reasonable contribution for each might be.
- 5.4 As previously discussed, one of the chief intentions of this arrangement is that PAACT would then be able to act as the main point of contact for the day to day business of the grant, the technical and professional parts of which would be overseen by a member of HE staff and the lead professional adviser appointed as part of the grant. This process of appointment and any others made during the course of the works would be managed by PAACT with HE assistance, but the engagement of individual consultants, and the contractors for the work would be between those individuals and PCC.

- 5.5 As property owners, PCC would remain the accountable body representing both grantees, and would receive the grant drawdown payments. Requests for funds to pay the invoices incurred during the course of the project would be made by PAACT and paid by PCC directly.
- 5.6 Accepting a repair grant from Historic England does confer some obligations on the grantee and the standard form of contract for grants, and the notes for grant recipients which generally accompany our grant offers with further information on HE grant conditions is part of the Appendices.
- 5.7 All of the HE grant conditions remain in force for 10 years from the date of the final payment. The standard conditions most pertinent to this project relate to the maintenance of the element(s) which has been repaired (the regime for which will be outlined in a maintenance plan produced as part of the grant), and the sale of the property during the 10 year period. Other conditions are detailed in the documents listed in the Appendices.
- 5.8 In order to ensure that the public money invested in the repair has been worthwhile and prudent, the grantee will be expected to maintain the repaired elements in the manner laid out in the maintenance plan (on which they will be consulted by their professional adviser) for 10 years after the grant has closed. If authorisation is given to enter into a tripartite agreement, then agreement can be reached between the three parties as how this might work in practice (proportion and area of responsibility taken on by PAACT and PCC) which would then be written into the grant agreement.
- 5.9 It should also be noted that in order to protect that financial investment, the HE grant conditions states that the grantee cannot dispose of the site without their consent and that they reserve the right to ask for a grant repayment if the site is disposed of. Dispose is wider than just a sale e.g. it does include leasing to another body. This repayment is not necessarily out of any profit, but is entirely at Historic England's discretion and could happen even if there was no profit.

6. Equality impact assessment

- 6.1 Following consultation with the Access and Equalities Advisor she has confirmed that an equality impact assessment is not required as the recommendations do not have a disproportionate negative impact on any of the specific protected characteristics as described in the Equality Act 2010 for the following reasons:
- this is an arrangement with Historic England to ensure the continuation of the centre due to it being at risk of deterioration, without the works to the bridges it is likely that they will fail at some point in the future and therefore the costs and liabilities will be greater and all activity on the sites will have to cease.
 - The centre provides many activities for people with abilities and disabilities alike, so through its 'Repair Grants for Heritage at Risk' scheme this can continue.

- The fort is a scheduled monument which is notorious difficult to repurpose so an activity centre benefits many people and does not disproportionately impact on any specific protected characteristic.

7. Legal implications

7.1 The legal implications arising from the entering into of the arrangements proposed (in particular the Council's obligations arising under the conditions of the prospective grant) are set out in the body of the report.

8. Director of Finance's comments

8.1 The opportunity to apply for grant funding for significant repair work at Fort Purbrook requires PCC to enter a tripartite arrangement with HE & PAACT which may require a future financial contribution from the authority for the identified works. As the likely cost of these works and any contribution are unknown at present and are dependent on the outcome of a project development report, any funding is not anticipated to be required until 2019/20. In order to progress the application, HE have requested an agreement in principle with no financial commitment by PCC at this stage.

8.2 Officers will report back on the outcome of the application and associated grant conditions once these are known and consider any funding requirements in a future capital bid.

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Signed by:
Stephen Baily
Director of Culture and City Development

Appendices: None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Repair Grants for Heritage At Risk - Historic England publication	www.HistoricEngland.org.uk/ services-skills/grants/our-grant-schemes/grants-available/repair-grants

The recommendation(s) set out above were approved/ approved as amended/ deferred/
rejected by on

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Signed by:
Cabinet Member for Culture, Leisure and Sport