



## Project Initiation Document

**Client: Countryside Access and Archives Service**

**Date: 23<sup>rd</sup> October 2009**

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**Project : Heritage Lottery Fund Project – The Swiss Garden**

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**Published Date : 23<sup>rd</sup> October 2009**

### 1. Introduction

1.1 This bid relates to funds necessary to draw down Heritage Lottery Funds to secure external grant for a project to undertake major structural maintenance and improvements works to buildings, structures and the grounds within The Swiss Garden, Old Warden. **The total cost to the Council in 2009/10 for the first phase of the project is £50,000 but this will draw down £115,000 external funding from the Heritage Lottery Fund.** Full details of the projected total contribution of £250,000 from the Council over the full life of the project is detailed in paragraph 1.8.

1.2 The Council and the Richard Ormonde Shuttleworth Trust are working in partnership to complete the restoration of the Swiss Garden, a project begun in the 1970s with the former Bedfordshire County Council. The Swiss Garden (3.73 hectares) is an historic Regency garden and is located on the north side of Old Warden Park, near to the village of Old Warden, Bedfordshire. Although it is linked with Shuttleworth Collection and shares visitor service facilities it is in itself a heritage asset of regional and national profile and attracts around 15,000 visitors per annum.

1.3 Past neglect of the Garden from the 1940's to the mid 1970's (when Bedfordshire County Council took out a lease on the Garden based on its remit at the time to restore and enhance heritage sites which are of major tourist importance in the county) caused major degradation to the garden structures and planting. Subsequent restoration work has rescued most of the major elements, but further work is required to buildings and artefacts either not previously restored or suffering from further deterioration or poor restoration. Capital funding is essential for this work to conserve the asset for the future and avoid longer term exponential costs.

1.4 A Swiss Garden Restoration Project was begun in 2003 to complete the original restoration work started in the 1970's. The formulation of a Conservation Management Plan was the first stage of this process, and Bedfordshire County Council was successful in securing funds from Heritage Lottery Fund to prepare the plan. A formal bid for grant to fund a two stage restoration process of the Garden was considered by the Heritage Lottery Fund in June 2008. This was unsuccessful because, at the time, the fund was over subscribed, the match funding from the partnership was too low and further work was required on access and audience development and specific project themes to meet the HLF's needs. Work has continued on the project with a view to resubmission to the Heritage Lottery Fund later in the year. The match funding issue is to be addressed by increased capital contribution from Central Bedfordshire Council and from the Greensand Ridge Rural Development Programme. **If we are unsuccessful in our bid for external funding, we will need to come back for capital programme funds for the full cost of the most urgent works required in this and subsequent years.**

1.5 **The Council's lease of the Garden continues until 2018.** We have responsibility to maintain the historic garden including ensuring that the scheduled listed buildings and artefacts are not at risk. Estimated costs prepared by an Historic Landscape Consultant in liaison with specialist repairers for the lottery bid indicate that known repair, conservation, access development and interpretation costs exceed over £1m. With the Lease operating until 2018 the cost of meeting this responsibility will entirely fall on the Council either now or, at more cost, in the future.

1.6 In 2003 legal advice was sought as to the consequence of the County Council unilaterally terminating the lease. The advice was:-

- *The occurrence of a breach of covenant giving rise to a right of forfeiture simply puts the Landlord to his election - he may either choose to enforce his right of forfeiture and to treat the lease as being at an end or choose not to enforce this right and treat the lease as continuing to exist and take other action to remedy the breach*
- *In other words there is no obligation on the Landlord to forfeit the lease merely because the Tenant is not carrying out any of his obligations. The Landlord could instead distrain for any rent due or take action in court to recover arrears or in the case of a breach of a covenant could sue for damages or claim specific performance or apply for an injunction.*
- *Even if the Landlord decided to exercise his right of forfeiture - you will see from Clause 6(a) that this does not bar him from also taking action against the tenant for compensation or otherwise for any breach.*
- *I must therefore strongly recommend that you do not set out to breach any of the County Council's obligations under the lease in the hope of the Landlord exercising his right to forfeit.*

1.7 This advice still stands and as the Swiss Garden is a major tourist attraction and Central Bedfordshire Council has inherited the commitments of the former Bedfordshire County Council, we need to explore how the Garden can be conserved and restored in ways that avoid the full cost being borne by the authority.

1.8 A successful lottery bid would reduce the cost to the Council by over a half but would also offer the opportunity for a major public relations benefit for the new Council in being seen to maintain and restore one of the country's unique historic gardens. There will also be additional financial benefits; the restoration and enhancement of the Garden (linked to an Access and Audience Development plan that will form part of the grant application) will provide the opportunity to increase visitor numbers and so generate additional revenue which may be able to support future maintenance costs.

1.9 The project will be phased over 4 years at an estimated total cost of £1.25m. Discussions are ongoing with the Heritage Lottery Fund and LEADER. However, the funding programme may be phased as follows:

Funding Sources under bid application*	Year 1 2009/10 £	Year 2 2010/11 £	Year 3 2011/12 £	Year 4 2012/13 £
Heritage Lottery Fund*	100,000	261,000	244,000	235,000
LEADER*	0	33,000	33,000	34,000
The Shuttleworth Trust – partner contribution	15,000	15,000	15,000	15,000
Central Bedfordshire Council	50,000	50,000	75,000	75,000
<b>Total for Year</b>	<b>165,000</b>	<b>359,000</b>	<b>367,000</b>	<b>359,000</b>

## 2. Objective

The work would meet the following Strategic Objectives:

2.1 **Central Bedfordshire Council.** The work is directly relevant to the following strategic statements made by the new Council.

- **Core values:** close to our communities; working with our partners (Shuttleworth Trust)
- **Vision:** enhancing the unique character of our communities and our environment – the Swiss Garden is a nationally known heritage asset associated with the area
- **Themes:** raising the profile of our area; protecting and enhancing our environment, green infrastructure and spaces
- **2009-2011 Priorities:** managing growth effectively – delivery of green infrastructure, partnership working, and protecting the character of our communities and high quality of the countryside
- **Delivering the Priorities:** partnerships including those involving the third sector and third tier authorities, responsiveness to communities – development of a local Friends Group and more active local community involvement in the Garden

- **General statements** – protecting our unique environment; support and goodwill of a wide range of partners including the voluntary sector; flagship Council ambition; playing a full part in shaping the sub region; and improving quality of life

2.2 The Council is committed to delivery of the countywide **Green Infrastructure Plan** which is aimed at enhancing open space, countryside sites, linear access corridors, nature reserves and other green infrastructure in the county and providing new green infrastructure necessary to meet and manage the leisure and well being demands arising from housing growth and meet sustainable community objectives.

2.3 The Council is committed to protecting and maintaining sites of landscape and historic value. Some of the features in the Swiss Garden are included on the **Councils Schedule of Buildings and Artefacts at Risk** and the Council **has no choice** therefore but to expend capital monies on this Scheme.

### 3. Scope

3.1 The project will cover the entire area of the formal garden and will include access improvements through the adjacent wood to the village and to other areas of the Old Warden Estate including the Queen Anne Summer House.

### 4. Description of Work

#### 4.1 Phase 1 - Project planning

To develop specifications and design to inform the second phase of works

#### 4.2 Phase 2 - Undertake the following work:

- Building restoration to the Swiss Cottage, the Grotto and Fernery, the Indian Kiosk, the Privy, the Rose Bower and the Iron Urn
- Restoration of features to include planting along the eastern edge, re-incorporating a third pond, and rebuilding/making a feature of the Aviary structure
- Improving accessibility for visitors including a new entrance and 'access for all' paths
- Producing information, interpretation, learning materials and events as part of an audience development plan for the site

### 5. Summary of project plan

#### 5.1 Key tasks:

- Revised HLF bid – December 2009
- Assuming positive decision in March 2010 arrange stage 1 (project planning)
- March 2011 bid for full HLF funding

#### 5.2 Milestones

- March 2010 – Successful HLF Round 1 bid
- Completion of Phase 1 project planning – March 2011

## 6. Roles and Responsibilities

The project will be led by the Project Manager. The full project team is:

Name	Location	Responsibility
Jonathan Woods	Riverside Building	Executive
Kim Leahy	Riverside Building	Project Manager (Temporary)
Clive Beckett/The Shuttleworth Trust	Riverside Building	Senior Users/Suppliers
Caroline Romans	Riverside Building	Business Assurance

## 7. Timescale

**The key dates for the project are:**

7.1 Milestones Dates:

- Phase 1 HLF offer – March 2010

7.2 Target Dates:

- Phase 1 completed – March 2011
- Phase 2 commencing June 2011

## 8. Conditions / Constraints / Risks

**The key factors that will impact the success of the project are:**

- Unsuccessful HLF bid
- Project costs rise (contingency costs are factored into the estimates)
- Planning stages identify hidden costs – other additional funding costs to be identified
- Buildings deteriorate before funds come in – unavoidable emergency capital/revenue funding will be necessary to meet repair costs

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