

PAPER NO. 1

REPORT TO THE EXECUTIVE MEETING OF 3rd June 2013

Meeting: Executive
Date: 3rd June 2013
Subject: Licence to use Welland Park Tennis Courts, Market
Harborough
Report of: Matthew Bills, Neighbourhood and Green Spaces Officer
**Portfolio
Holder:** Philip King
Status: Decision
**Relevant
Ward(s):** Welland Ward

1 Purpose of the Report

- 1.1 Members are asked to consider the request by Welland Park Community Tennis Club for a licence to use the courts at Welland Park Market Harborough, and to approve the following recommendations.

2 Recommendations:

2.1 That the Executive:

- (i) consider the content of the report and the request made by Welland Park Community Tennis Club to licence the courts at Welland Park Market Harborough (shown in blue at Appendix A), and give approval for a five year licence to be issued by the Assistant Director for Community Services with conditions on use included (draft licence at Appendix B);
- (ii) note that the courts are currently used by the club on Sunday for the Tennis for Free initiative, and there will always be at least one court for public use at all times ;

3 Summary of Reasons for the Recommendations

- 3.1 In 2012 Harborough District Council officers were approached by members of Market Harborough Community Tennis Club (WPCTC) to consider a licence for use of the courts at Welland Park Market Harborough.

- 3.2 Developing a Welland Park Community Tennis Club is included as an action in the Welland Park Management Plan approved by Executive on 15th January 2007 (minute 515 refers)
- 3.2 WPCTC intend to use the courts between set times of the week for structured play, matches and coaching and there will always be a minimum of one court free for public use.
- 3,3 There is a not a requirement to notify the public of the District Councils intention to issue a five year licence as it is not considered a disposal of land under the Local Government Act 1974

4 Impact on Communities

- 4.1 There are five hard surfaced courts at Welland Park. The five courts are currently used by WPCTC on Sundays for coaching under the Tennis For Free initiative approved by Executive on 26th March 2007 (minute 685 refers). Coaching is open to all ages and is run by qualified coaches.
- 4.2 The proposed times for play by WPCTC are:

Wednesday 4 pm - 6 pm	2 courts for junior coaching
Wednesday 7 pm - 10 pm	4 courts for club night
Friday 9.30 am - 11 am	2 courts for adult coaching
Friday 4 pm - 6 pm	2 courts for junior coaching
Friday 6.30 pm - 8 pm	2 courts for adult coaching
Saturday 9.30 am - 12.30 pm	2 courts for junior coaching
Saturday 2 pm - 5 pm	4 courts for club afternoon
Sunday 10 am - 12 pm	5 courts for junior and adult coaching

These times will be displayed by the Club on a Club Noticeboard to be erected at the entrance to the courts. Details of which are enclosed in the licence conditions.

- 4.3 The courts are also used during school hours by Welland Park Community College for Tennis and netball. There is a potential overlap of times for one session per week between 9.30 and 11 am.
- 4.4 The courts are used by the public on a turn up and play for free basis, but there is currently no booking system or surety that a court will be available.

5 Key Facts

- 5.1 Three of the courts have just been resurfaced and floodlit with WPCTC being awarded **£56k** funding from S106 contributions. The Club also applied for contributions from Howard Watson and Symington Charity, Harborough and

Bowdens Charity and Sportsmatch Funding from Sport England. These three applications were unsuccessful.

- 5.2 The Club will be limited a set number of days for use, and between times set out in the licence agreement. Outside these times the courts will be free for public use.
- 5.3 The Club intends to provide structured play, coaching and eventually match play for all members of the community for a club membership fee of £10.00 per annum (£5.00 for juniors).
- 5.4 The Club will be responsible for ensuring the courts are kept litter free and will be responsible for its own public liability insurance and affiliation to the Lawn tennis Association.
- 5.5 The Club will pay a peppercorn licence fee to the Council and be responsible for paying for the meter to use the floodlights. This is considered appropriate as the club have only a small income as the annual subscription for membership is kept at a very low rate.
- 5.6 The Club will continue to work with Council Officers to seek external funding for additional maintenance, thus opening up funding opportunities that would otherwise be closed to the Council.
- 5.7 The Council will still be responsible for the maintaining the courts in a safe and playable condition through the Grounds Maintenance contract, including perimeter fencing, surfacing and floodlighting.

6 Legal Issues

- 6.1 The licence is for a period of five years and will not need to be notified as a disposal of land.

7 Resource Issues

- 7.1 7.1 The a licence for WPCTC to use a maximum of 4 courts for tennis will require the District Council to continue to maintain the site in a condition fit for public use.
- 7.2 The current contract cost to the Council of maintaining the courts is shown below:

7	<u>Sports Facilities</u>	Qty	unit	freq	unit cost	total
7.2	Re-mark hard tennis courts	5	no	1	35.3999000000	£ 177.00
7.9-2	Apply mosskiller to hard tennis courts	3033	m ²	2	0.0354000000	£ 214.74
7.9-3	Grease tennis court fencing gates	4	no	2	70.7998000000	£ 566.40
7.9-6	Maintain tennis posts & nets	5	courts	1	70.7998000000	£ 354.00
7.9-7	Paint tennis posts	5	courts	1	35.3999000000	£ 177.00
9	<u>Litter Collection</u>					
9.1	Collect litter - Summer	3033	m ²	120	0.0001366667	£ 49.74
9.1	Collect litter - Winter	3033	m ²	88	0.0000340909	£ 9.10
9.2	Sweep hard surfaces - Summer	3033	m ²	30	0.0068233333	£ 620.86
9.2	Sweep hard surfaces - Winter	3033	m ²	22	0.0068227273	£ 455.25
						£ 2,624.08

7.3 WPCTC have offered to take responsibility for items 7.9-3, 7.9-7, 9.1 summer and 9.1 winter thus making savings to the Grounds Maintenance contract of £802.24. These savings would need agreement from the Club, Contracted Services and the contractor (FCC) prior to implementation.

7.4 There will be a peppercorn income fee from the licence in ground rent. See 5.5 above.

8 Equality Impact Assessment Implications/Outcomes

8.1 There are no equality implications regarding this report. The Equalities Impact Assessment is contained at Appendix C.

9 Impact on the Organisation

9.1 By approving the licence to operate for Welland Park Community Tennis Club, and supporting their club in providing tennis, it fulfils the aims and objectives of the Council and the framework that it works within; in particular to:

- operate in partnership;
- develop community capacity to empower groups/ individual to lead sustainable projects; and
- increase participation in cultural activities.

9.2 Furthermore, this satisfies the aims and objectives of the Council and the commitment to work through partnerships to serve our local community. These include:

- Place – improving the range and quality of facilities available to the community
- People – enabling community members to deliver sustainable facilities within their neighbourhoods

9.3 The Leicestershire Together targets that this initiative would support are:

Health and wellbeing

2. The prevalence of obesity is reduced and people are more physically active

Children and Young People

8. Young people in Leicestershire enjoy high morale and self esteem

Safer Communities

9. An ongoing reduction in antisocial behaviour, particularly in those areas with the highest levels of incidents

Environment

16. People have better access to and enjoy, value and engage with our environment and valued green spaces

Delivering Effective Services

23. More joined up, efficient and effective access to information and services

Stronger Communities

27. Everyone has opportunities to influence decisions that affect them and communities are empowered to play a role in service delivery

28. Everyone can be involved in their community and there are more volunteering opportunities provided within and by the community.

10 Community Safety Implications

10.1 Regular use of Welland Park for sport, especially at weekends, will help reduce anti social behaviour on the site

11. Carbon Management Implications

11.1 None associated with this report

12. Risk Management Implications

- 12.1 There is a risk that the District Council will not be able to reach agreement with the grounds maintenance contractor to reduce the contract sum; the contract savings therefore may not be realised

13. Consultation

- 13.1 The Portfolio Holder for Planning and Environment has been informed of the proposal. Ward members for Welland Ward have been asked for comment and a response was received in support of the proposal.
- 13.2 Internal consultation has taken place between Contracted Services and Legal Services regarding the licence proposal at Welland Park. The concerns raised by Contracted Services were access to meter cupboards, the low cost of use of the courts to the Community Club and the number of sessions that the Club is able to use the courts each week. These have been addressed by:
- i. Not giving access to the meter cupboards for the tennis club
 - ii. The cost to the club for use of the courts is kept low, because the licence provides minimal security of tenure for the club and the club will charge a very small annual fee for membership.
 - iii. There will always be a minimum of one court for public use available, and the Sunday coaching sessions since 2007 already use five courts.
- 13.3 Land and Asset Management Group have also been consulted, and advised that a paper should be written to seek Executive approval for issue of the licence.
- 13.4 Consultation has also taken place with the club committee and their requirements have been taken into account in preparation of this paper.

14. Options Considered

- 14.1 Consideration was given to not allowing a tennis club to use the courts under licence at Welland Park. However this was considered inappropriate as it did not support the Council policy with regard to sports in the District and supporting communities to deliver sustainable services.
- 14.2 It was also considered whether to charge WPCTC on a per court basis, as Welland Park Community College are charged. However, this was considered inappropriate as the club have a very low direct income and are providing an enhanced service and opportunities through volunteering.
- 14.3 It was also considered whether to further limit the number of nights per week and the number of courts to be used by WPCTC. On balance officers considered that to encourage structured play and participation in sport, the club could be justified in seeking use of the courts as listed in 4.2 above.

15 Background Papers

15.1 None

Previous report(s):

Executive – Welland Park Management Plan – 15th Jan 2007

Executive - Tennis For Free - 26th March 2007 .

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: Y

Appendices:

- A. Welland Park Tennis Courts Plan (W:\Political\incoming\Executive\2013\3 June\Licence to use Welland Park Tennis Courts\Appendix A Welland Park Tennis Courts)**
- B. WP Tennis Club Licence draft (W:\Political\incoming\Executive\2013\3 June\Licence to use Welland Park Tennis Courts\Appendix B WP Tennis Club Licence draft v3 Dr 14 – May 2013)**
- C. EIA April 2013 (W:\plpolicy\Planning Policy\Development Plans\New Local Plan (2012 start)\Project Plan\Project management\Appendix C EIA April 2013)**