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**LEASE AT VOLUNTEER PARK TO BILL McLAREN PARK LTD**

**Report by Service Director Commercial Services**

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**HAWICK COMMON GOOD FUND SUB-COMMITTEE**

**17 June 2014**

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**1 PURPOSE AND SUMMARY**

- 1.1 **This report seeks to obtain the consent of the Hawick Common Good Sub-Committee to lease an area at the Volunteer Park to Bill McLaren Park Ltd for the development of new tennis courts.**
- 1.2 The Bill McLaren Foundation through its company, Bill McLaren Park Ltd, has secured sufficient funding to undertake the development of three new tennis courts at the Volunteer Park and Buccleuch Park. Most of the area required is on the Buccleuch Park but about half of a court (336 square metres) is on the Volunteer Park.
- 1.3 The Volunteer Park Sports Committee currently lease the Volunteer Park, but they have consented to terminating their lease on the area of 336 square metres.

**2 RECOMMENDATIONS**

- 2.1 **I recommend that the Hawick Common Good Sub-Committee:-**
  - (a) **Authorises the Service Director Commercial Services to terminate the lease of an area of 336 square metres to the Volunteer Park Sports Committee (see attached plan).**
  - (b) **Authorises the Service Director Commercial Services to agree a 25 year lease of an area of 336 square metres at a nominal rent to Bill McLaren Park Ltd to undertake its development of new tennis courts at the Volunteer Park. The lease will include any other terms that he deems appropriate.**

### **3 BACKGROUND & PROPOSALS**

- 3.1 The Volunteer Park was sold by the Duke of Buccleuch to the Hawick Common Riding Committee in 1920. The Park and stand has been leased to the Volunteer Park Sports Committee for many years with the most recent lease being for 25 years from 1997.
- 3.2 The ownership of the Volunteer Park and Stand was transferred from the Common Riding Committee to the Hawick Common Good Fund in 2012, subject to the above lease arrangements.
- 3.3 The Volunteer Park Sports Committee currently pay an annual rent to the Common Good Fund of £1,700. The Common Good Fund have also awarded grants to that Committee for upgrading works to the stand in the last three years which amount to more than the rental income.
- 3.4 The Bill McLaren Foundation has plans to redevelop the Volunteer Park and neighbouring Buccleuch Park to create a sports centre for rugby, football, cricket, tennis and athletics.
- 3.5 In order to progress the redevelopment plans a new company, Bill McLaren Park Ltd, was set up in 2013. The directors/shareholders in this new company are Hawick Lindean and Hawick Wanderers Rugby Clubs, Hawick and Wilton Tennis Club and Hawick and Wilton Cricket Club and is chaired by the Bill McLaren Foundation.
- 3.6 Following the Hawick Common Good Sub-Committee meeting on 19 November 2013, a letter of support, in principle, was issued to the Bill McLaren Foundation regarding any grant funding applications for the proposed development at the Volunteer Park.
- 3.7 The Bill McLaren Foundation has secured funding of £40,000 from the Lawn Tennis Association and £76,000 from the Active Places Fund for a development of three new tennis courts.
- 3.8 In order to secure Lottery and other grant funding a lease, or other form of security of tenure, is required from the Hawick Common Good Fund as owners of the land at the Volunteer Park.

- 3.9 For a lease to be granted, part of the current lease to the Volunteer Park Sports Committee would have to be terminated. The Volunteer Park Sports Committee have discussed a partial termination of their lease at their meeting on 29 May 2014 and have no objections, subject to the flood light being moved to the corner of the tennis court and appropriate fencing being erected (see attached Minutes).
- 3.10 Buccleuch Estates Ltd have offered and issued a draft 21 year lease to Bill McLaren Park Ltd for the area of 2,200 square metres at Buccleuch Park for the development of the new tennis courts.
- 3.11 An application for Planning Permission for three new tennis courts was submitted to the Council on 13 May 2014 under reference 14/00544/FUL.

It is therefore proposed that:-

- 3.12 (a) the lease of the Volunteer Park and Stand to the Volunteer Park Sports Committee is partially terminated subject to the latter's agreement, and immediately thereafter to;
- (b) a new 25 year lease is entered into for an area of 336 square metres at the Volunteer Park at a nominal rent to Bill McLaren Park Ltd.

## **4 IMPLICATIONS**

### **4.1 Financial**

The current rent paid by the Volunteer Park Sports Committee for the stand and pitch at the Volunteer Park is £1,700 per annum and it is proposed that this rent will continue as the area being resumed from their lease is negligible.

### **4.2 Risk and Mitigations**

There is a risk that the funding for the proposed larger redevelopment of the Volunteer Park will not be achievable and the proposal will not progress.

### **4.3 Equalities**

It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in this report.

### **4.4 Acting Sustainably**

There are no significant effects on the economy, community or environment.

### **4.5 Carbon Management**

There are no significant effects on carbon emissions.

**4.6 Rural Proofing**

Not applicable because no new Council policy or strategy is being requested.

**4.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

**5 CONSULTATION**

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, the Service Director Interim Projects and Clerk to the Council have been consulted, any comments will be advised at the meeting.

**Approved by**

**Service Director Commercial Services Signature .....**

**Author**

Name	Designation and Contact Number
James Morison	Estates Surveyor, Property & Facilities 01835 824000

**Background Papers:** None

**Previous Minute Reference:** 19 November 2013

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. James Morison can also give information on other language translations as well as providing additional copies.

Contact us at Estate Management, Scottish Borders Council, Newtown St Boswells, Tel 01835 824000 Ext 5295.