



VICTORIA PARK, APPLICATION BY PEEBLES LAWN TENNIS CLUB

Report by Service Director Assets & Infrastructure PEEBLES COMMON GOOD FUND SUB COMMITTEE

29 August 2018

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes that the Committee approves a request by Peebles Lawn Tennis Club to extend an existing tarmacadam path in Victoria Park to provide wheelchair access to their courts.**
- 1.2 The courts are located some distance below the clubhouse on Springhill Road, and the current access is by way of two short, steep flights of steps. Wheelchair access is therefore impossible.
- 1.3 The proposal would enable wheelchair access to the rear courts by using the entrance to Victoria Park adjacent to the clubhouse and the existing tarmacadam path, which slopes gently down from Springhill Road to the courts.
- 1.4 The existing lease will be varied to extend the tennis club's demise and allow a newly built short section of path across the grass to be incorporated in it. All costs associated with the building and future maintenance/repair of the path will be borne by the club.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Committee approves an application by Peebles Lawn Tennis Club to extend the existing Tarmacadam path in Victoria Park subject to the following conditions :-**
 - (a) **The cost of the path extension is paid for by the Tennis Club;**
 - (b) **The path design and specification is to be approved by the local authority;**
 - (c) **The existing lease of the Tennis Club is amended to include the future maintenance of the path to a standard approved by the local authority; and**
 - (d) **No costs or liability shall be met by either the Peebles Common Good Fund or the local authority.**

3 BACKGROUND

- 3.1 Victoria Park sits immediately to the south of the Tweed, in a roughly triangular site, bounded on two sides by Kingsmeadows Road (B7062) and Springhill Road. It provides an attractive place for recreation and enjoyment for the inhabitants of Peebles and visitors to the town.
- 3.2 Peebles Lawn Tennis Club is located on Springhill Road, and has five flood-lit, all weather courts held on a full repairing lease from Scottish Borders Council, as administrators for Peebles Common Good Fund. The lease has approximately 23 years unexpired and stipulates, among other terms, that 'The Tenant will make a court available, so far as is reasonably possible, for members of the public...'.

4 INCLUSIVE & ACCESSIBLE TENNIS

- 4.1 The club aspires to become a venue for tennis for disabled people, and is in the process of raising funds from external sources to allow various adaptations to be made to the existing facilities, encouraging this broader community participation.
- 4.2 Tennis Scotland has lent its support to the club, pointing out that disability tennis participation is growing in Scotland, and the club's plans to become 'fully inclusive and accessible' will help this to continue. A copy of a letter of support from Tennis Scotland is attached to this report as Appendix I.
- 4.3 The proposal accords with evidence given by the Scottish Sports Association to the Health and Sport Committee of the Scottish Parliament in 2016 in relation to the long term benefits deriving from the Commonwealth Games in Glasgow in 2014. In order to maximise those benefits the association states, 'everyone, especially people with a disability, has an entitlement to realise and enjoy the benefits of sport/being active. We must ensure that individuals with a disability, who are currently the least active, enjoy equitable access and support to sport/being active through explicit inclusion across policies, process and delivery opportunities'.
- 4.4 The existing tarmacadam path slopes gently down from the entrance to the park on Springhill Road, to the level of the tennis courts. In conjunction with the other modifications proposed by the club, this proposal would allow wheelchair access from the clubhouse to the two, rear courts furthest away from the road, via this path. A plan showing the proposed location of the extension to the path is attached to this report as Appendix II.
- 4.5 Permission to construct an extension to the path would be formally documented by way of a variation to the existing lease, extending the demise, and thereby placing all repairing/maintenance obligations on the club and indemnifying the Common Good Fund from any claims in connection with it.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

By supporting this application the reputations of Scottish Borders Council and the Common Good Fund will be enhanced by being seen to support wider participation in sport, and the inclusion of people with disabilities in the life of the wider community. The proposal is a simple and straightforward way of removing a significant barrier to participation in sport. The risk of any repairing/maintenance liability falling to the council is mitigated by varying the existing lease so that this responsibility is explicitly borne by the club.

5.3 Equalities

No adverse equality implications are envisaged.

5.4 Acting Sustainably

There are no economic, social or environmental effects envisaged.

5.5 Carbon Management

There are no significant effects on carbon emissions.

5.6 Rural Proofing

None.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made.

6 CONSULTATION

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR, Corporate Communications and the Clerk to the Council are being consulted and any comments received will be incorporated into the final report.

Approved by

Martin Joyce
Service Director Assets & Infrastructure **Signature**

Author(s)

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Background Papers: None

Previous Minute Reference: None

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