

CABINET

21 March 2023

Title: Renovation of Borough Tennis Courts via LTA Renovation Fund	
Report of the Cabinet Member for Community Leadership and Engagement	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
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Summary: <p>Six of the borough's twenty-eight parks currently include tennis court facilities. If all the facilities were in a suitable condition and available to residents, the provision in the borough would equate to 19 tennis courts in total. However, the two tennis courts at Parsloes Park were decommissioned several years ago and the four courts at Central Park are currently closed due to the poor condition of the surfaces, absence of equipment (i.e. nets and posts) and concerns about inadequate drainage and periodic flooding. The remaining 13 courts across Barking Park, Greatfields Park, Old Dagenham Park and St Chads Park are open for use but each site requires upgrading and ongoing maintenance to continue to be fit for purpose.</p> <p>Without significant investment and an alternative approach to the management and maintenance of the borough's tennis facilities, the courts and associated infrastructure would continue to deteriorate and closure of additional courts would be inevitable.</p> <p>The Lawn Tennis Association (LTA) has launched a Renovation Fund, supported by £21.9m of funding directly from the Department for Digital, Culture, Media and Sport (DCMS) and an additional £8.4m from the LTA Tennis Foundation, aimed at refurbishing tennis court facilities in parks across the UK and generating 1 million more players by 2024. This provides the Council with a 'once in a generation' opportunity to reverse the steady and inevitable decline in the borough's tennis court provision.</p> <p>The Lead Commissioner, Parks, has been working in partnership with LTA's Parks Investment Delivery Partner to investigate the opportunities that the Renovation Fund creates for Barking and Dagenham. LBBd is an eligible authority and the results of penetration analysis (the process the LTA uses to determine the local demand and potential tennis players in any given area) confirm that there is sufficient demand to support a bid for investment in the courts located in all six of the borough's parks.</p>	

Surveys of all 19 courts undertaken by the LTA's Technical Services Team in July/August 2022 identified tennis facility improvements totalling £527,678. These project costs are based on the LTA's independent tennis facility inspections/surveys. LTA preliminary works and contingency have been included in the estimated costs of the scope of works already to allow for increased costs and if there is further movement in the costs this will be considered by the LTA's funding panel at Stage 2 of its process. The potential for cost increases has also been identified as a project risk later in the report.

The LTA has provisionally agreed to support a funding bid of £394,778 towards the necessary works at all six parks. The remaining £132,900, which relates to ground works not covered by the Fund, would need to be met by the Council.

An assessment of the overall project by the Council's Assets and Capital Board has supported the allocation of £75,400 from the Council, made up of a £50,000 s106 contribution associated with Padnall Open Space residential development and £25,400 from the 2023/24 Strategic Community Infrastructure (SCIL) allocation for the delivery of the Padnall Open Space Strategy (POSS) Action Plan. However, the current funding shortfall of £57,500 means that Parsloes Park would not be included in the overall project, thereby reducing the total LTA Fund grant by £58,163, from £394,778 to £336,615.

The report also sets out proposed changes to the current tennis court management, maintenance and operational arrangements, as well as plans for public consultation.

Recommendation(s)

The Cabinet is recommended to:

- (i) Support the partnership with the LTA and the tennis development proposals set out in the report, to deliver high quality court provision for the local community and increase tennis participation in the borough, and enter into an agreement with a tennis operator to manage and maintain the borough's tennis courts;
- (ii) Support the proposed funding arrangement (Option 6) including £50,000 s106 and £25,400 SCIL to support the delivery of 17 x tennis court improvements in 5 of the Borough's parks (i.e. excluding Parsloes Park) to secure £336,615 funding from the LTA's Renovation Fund;
- (iii) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Strategic Director, Finance and Investment, to approve the inclusion of the Parsloes Park tennis courts in the Council's application in the event of additional internal funding of £57,500 being identified;
- (iv) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Chief Legal Officer, to let the tennis court facilities to a tennis operator on the terms detailed in the report, subject to compliance with s123 of the Local Government Act 1972; and
- (v) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Chief Legal Officer and on the advice of the Procurement Board, to procure

and enter into all necessary contracts and agreements to ensure completion of the tennis development proposals in accordance with the strategy set out in the report.

Reason(s)

The Council has responsibility for the management and improvement of parks and open spaces in the Borough and the associated sports pitch and court provision. The proposals in this report are aligned to the Council's strategic priorities included in its Parks and Open Spaces and Playing Pitch strategies, public health aims and sport and physical activity targets and deliver the following benefits:

- A sport for everyone, regardless of their age, gender, background, ability, or disability;
- Opportunities to be active;
- Significant physical and mental health benefits;
- Brings communities together;
- Significant interest in playing as a result of high-profile British success;
- An effective way to help the Council achieve its objectives;
- A project with capital investment from the LTA and DCMS that can provide good value for the local community, is easy to sign-up for and will be sustainable in the long term.

1. Introduction and Background

- 1.1 In late February/early March 2022 the Lead Commissioner Parks identified a potential source of funding for the renovation of tennis courts in the borough's parks via the Lawn Tennis Association (LTA) Renovation Fund.
- 1.2 The LTA park investment programme will refurbish park courts across the UK having received £21.9m of funding directly from DCMS and an additional £8.4m from the LTA Tennis Foundation to deliver the program by March 2024. As a direct outcome of this investment the LTA aims to generate 1 million more players by 2024.
- 1.3 Subsequent meetings and discussions with the LTA's Parks Investment Delivery Partner (covering the London borough's north of the Thames) confirm that there is demand for tennis in the borough and LTA support for significant investment in the borough's tennis courts.
- 1.4 This report provides further details of the Renovation Fund and the opportunity to renovate the borough's parks tennis courts and increase tennis participation.

2. LBBD tennis courts – Current arrangements

Tennis court provision

- 2.1 Six of the borough's twenty-eight parks currently house tennis court facilities. Sites include:
 - Barking Park x 6 courts

- Central Park x 4 courts
- Greatfields Park x 1 court
- Old Dagenham Park x 2 courts
- St Chads Park x 4 courts
- Parsloes Park x 2 courts

- 2.2 In terms of past and more recent court improvement works, four of the six Barking Park tennis courts were renovated in 2013 with the support of a LTA grant (£64,475) (i.e. court surface replaced, new court lines, nets and perimeter fencing and gates). In December 2021 the single court in Greatfields Park was improved (i.e. new perimeter fencing and gates, court surfaced cleaned and new lines).
- 2.3 Unfortunately, the 4 x courts in Central Park are currently closed due to the poor condition of surfaces, absence of equipment (i.e. nets and posts) and concerns about inadequate drainage and periodic flooding. These issues are being investigated as part of the Central Park Master Plan and Soil Importation Project. However, there is no allocation in the project cost plan for the tennis courts, and previous budget estimates indicate that renovation of the courts will cost c£50,000 (excluding any associated the drainage works).
- 2.4 The two tennis courts in Parloes Park were decommissioned several years ago and merely exist as a vacant site.
- 2.5 Therefore, in total the borough currently has 13 operational courts (excluding the Central Park x 4 and Parsloes Park x 2 courts). If the Central Park and Parsloes Park courts were brought back into service, the local community would have access to 19 tennis courts.

Court repair and maintenance

- 2.6 The borough's park tennis courts are currently managed and maintained by Public Realm (Parks and Environment). According to financial data supplied by Parks and Environment, the average annual cost to the Council associated with managing and maintaining the borough's tennis courts is c£6,000 pa. This expenditure covers the following work/operations: court surface repairs, line marking, jet washing and moss treatment, boundary fence and access gate repairs.
- 2.7 In general, hard tennis courts require relatively little time and effort to maintain. However, some routine proactive court maintenance is essential, including sweeping, spraying and periodic repairs to court surfaces and infrastructure (i.e. nets, posts, perimeter fencing and gates). Failure of removal of litter, debris and organic matter can result in discoloration and premature wear and deterioration of the court surface and lines, and problems with mould and mildew especially where courts are under heavy cover from adjacent trees and shade.
- 2.8 Unfortunately, due to budget and resources pressures the level of operational repair and maintenance is below the desired level, and the availability of capital funding to deliver major facility upgrades is limited. Without additional investment and a sustainable revenue budget the quality of the borough's tennis court facilities has declined, and the condition will continue to deteriorate over time. To illustrate this point, recent photographs of the Central Park courts are shown below.



Court access

- 2.9 When operational, all the borough's tennis courts are available without charge when the parks are open, and there is no formal booking system in place.

3. Proposal and Issues

- 3.1 The Lawn Tennis Association (LTA) has launched a Renovation Fund, supported by £21.9m of funding directly from the Department for Digital, Culture, Media and Sport (DCMS) and an additional £8.4m from the LTA Tennis Foundation, aimed at refurbishing tennis court facilities in parks across the UK and generating 1 million more players by 2024.
- 3.2 This provides the Council with a 'once in a generation' opportunity to reverse the steady and inevitable decline in the borough's tennis court provision.
- 3.3 The Lead Commissioner, Parks, has been working in partnership with LTA's Parks Investment Delivery Partner to investigate the opportunities that the Renovation Fund creates for Barking and Dagenham. LBBDD is an eligible authority and the results of penetration analysis (the process the LTA uses to determine the local demand and potential tennis players in any given area) confirm that there is sufficient demand to support a bid for investment in the courts located in all six of the borough's parks.
- 3.4 Surveys of all 19 courts undertaken by the LTA's Technical Services Team in July/August 2022 identified tennis facility improvements totalling £527,678. These project costs are based on the LTA's independent tennis facility inspections / surveys. Appendix 1 sets out the LTA Renovation Fund Report for Barking and Dagenham and Appendix 2 contains a copy of the draft LBBDD application form.
- 3.5 In terms of delivering for the local community, the benefits of this Fund include:
- Significant resources including capital investment available
 - Human resources and expertise to deliver these projects
 - Seeking to simplify the procurement process

- Secure best value
- National operators with capacity to manage the Council's courts
- Where these initiatives have been implemented, LTA has seen significantly increased participation

3.6 The LTA Parks Investment Delivery Partner has confirmed LBBB is an eligible authority and the results of penetration analysis (Table 1) also confirm that there is sufficient demand to support a bid for investment in all 6 LBBB parks.

Penetration analysis

3.7 The LTA use a Periscope mapping tool which was created by working with a behavioural research company to determine the local demand and potential tennis players in any given area. The tool uses multiple data sources in its algorithm including ONS and census data and allows them to input a specific postcode which produces a report on the potential demand in that area. They consider that 8% of the local demand, within a 10-minute drive time radius, are likely to attend their local park court and this is known as the Penetration number. Any site that has a penetration number above 1,000 gives them real confidence that there is a local demand and sufficient people with a propensity to play tennis in a given area. All six LBBB sites have a penetration of over 1,000 with Barking Park having the largest demand with over 3,148 people in a 10-minute drive time with a propensity to play tennis.

Table 1: LTA Penetration Analysis

Park Name	Park Address	Number of Courts	Penetration
Barking Park	Longbridge Rd, Barking, IG11 8SS	6	3148
Central Park	Wood Ln, Rainham Rd N, Dagenham, RM10 7EU	4	1726
Greatfields Park	Greatfields Rd, Barking, IG11 7TX	1	1565
Old Dagenham Park	Vicarage Rd, Dagenham, RM10 9SS	2	1723
St Chads Park	Park Ln, Dagenham, Romford, RM6 6UL	4	2959
Parsloes Park	Ivy Walk, Dagenham, RM9 5SB	2	2546

3.8 However, a successful funding bid and securing Renovation Fund support will require a fundamental change to the way in which the Council has historically managed (i.e. freely accessible) and maintained (i.e. c/o the Public Realm (Parks and Environment) parks R&M revenue budget) the borough's tennis courts.

3.9 Therefore, although the LTA's Penetration Analysis confirms that there is sufficient local demand to warrant the LTA's investment in the tennis court facilities, additional resident consultation will be undertaken in 2023. It is anticipated that the results will confirm that there is resident demand for tennis as a sport/pastime in the borough

and overall support for the tennis development proposal. An update on the results of this consultation will be provided in due course.

Technical Surveys

3.10 In August 2022 the LTA's Technical Services Team visited each park and surveyed the tennis court facilities. The result of these inspections and the associated costs of the intervention works are summarised below:

Table 2: LTA Technical Survey Results

Park Name	No. of Courts	No. of Gates	Proposed Renovation / Interventions	Proposed Intervention Costs (<i>costs from LTA Technical Survey facility inspections</i>)	Funding Committed by Local Authority (TBC)	Total Cost to the LTA
<i>Barking Park</i>	6	2	Recolour Crts 1-4, resurface crts 5&6, remove double gate & infill, reconstruct 3m2, 85m fencing, 3 pedestrian gates, 2 Lite gates, prelims & contingency	£69,180		£69,180
<i>Central Park</i>	4	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 186m fencing, 1 pedestrian gate, 1 Lite gate, prelims & contingency	£191,750	£75,400	£116,350
<i>Greatfields Park</i>	1	1	Resurface crt 1, remove rigid net, reconstruct 30m2, 1 Lite gate, Prelims & contingency	£26,150		£26,150
<i>Old Dagenham Park</i>	2	1	Resurface 2 crts, remove rigid nets, reconstruct 20m2, 1 Lite gate, prelims & contingency	£38,150		£38,150
<i>St Chads Park</i>	4	2	Resurface crts 1-4, remove rigid nets, reconstruct 131m2, re clad roll weld mesh 73m, 2 Lite gates, Prelims & contingency	£86,785		£86,785
<i>Parsloes Park</i>	2	1	Break up existing geo mem & agg, asphalt binder course, asphalt surface course & colour coat, 133m	£115,663	£57,500	£58,163

			fencing, 1 pedestrian gate, cut back vegetation, 1 Lite gate, prelims & contingency			
				£527,678	£132,900	£394,778

- 3.11 The LTA's Parks Delivery Investment Partner has confirmed support for a bid of £394,778 to the LTA's Funding Panel (Note: Stage 1 application submitted in August/September) if the Council can confirm a commitment to providing the investment to deliver the facility improvement works at Central Park (£75,400) and Parsloes Park (£57,500). Therefore, the total funding required from the Council is £132,900.
- 3.12 The improvement works at Central Park and Parsloes Park involve sub-base works which the LTA will not fund as part of the Renovation Fund. Therefore, as stated above, if the Council wants to include these sites in the proposal, then a contribution of £132,900 is required towards the total cost (£307,413) of the works at these two sites.
- 3.13 However, the LTA's Parks Investment Delivery Partner has confirmed that the Council could decide to omit sites (e.g. Central Park and Parsloes Park) entirely from the proposal. The LTA would still consider providing funding to deliver the works at the remaining sites. This would obviously reduce the available LTA funding. Consequently, the tennis courts (x4) in Central Park would remain closed. The facility will continue to deteriorate, and it will detract from the Central Park Master Plan improvements. Ultimately the Council would need to find the money to properly decommission the courts and remove any associated health and safety hazards.
- 3.14 Similarly, without the LTA investment it would not be possible to reinstate the Parsloes Park tennis courts (x2) and the residual infrastructure would need to be removed by the Council.
- 3.15 A £50,000 s106 contribution (i.e., associated with Padnall Open Space residential development. Planning reference 20/01686/FULL) has been secured to support the tennis court works in St Chads Park. This can be offset this against the £75,400 LBBDD contribution required for Central Park and would release the £116,350 LTA funding required to deliver the work to the 4 x tennis courts (total cost: £191,750).
- 3.16 The balance of £25,400 can be met from the 2023/24 SCIL allocation (£100k) for the delivery of the POSS Action Plan. This approach represents good value for money as it will release a total of £336,615 LTA funding for investment in the borough's tennis court assets which would otherwise continue to slowly deteriorate.
- 3.17 At this point in time however, the match funding of £57,500 required from the Council to support the renovation of the two tennis courts in Parsloes Park is not available.

New Tennis Court Management and Maintenance Arrangements

- 3.18 If the Council wants to benefit from the Renovation Fund it must agree to provide the required funding support and accept that fundamental changes to the current tennis court management and maintenance arrangements will be required.
- 3.19 LTA Parks Investment Delivery Partner has offered to provide further details and a detailed explanation, but in summary the changes include (refer to **appendix 1**):
1. **Court access controls** – smart access gate and digital keypads installed at court entrances.
 2. **LTA booking platform** – introduction of a formal court booking system, Clubspark.
 3. **Fees and charges** – introduction of fees and charges for court hire.
 4. **Revenue funding** – to support the booking platform, court access systems, LTA venue registration (c£720 pa for all sites) etc.
 5. **Sinking fund** – c£1,200 per court/per annum. So, 19 courts = £22,800 pa.
 6. **Court maintenance schedule** – maintain a high standard of court R&M.
- 3.20 **Court access controls:** The installation of smart gate access systems will ensure that courts are available for players when they turn up for their game. Having booked their court online they will receive a unique Pin code which will be input on to a keypad at the gate, allowing them entry to the courts. This gate system removes the need for park rangers to manually go round locking/unlocking courts every day as they self-close and lock automatically. The system improves data collection for usage of the courts and also secures the courts for tennis players, preventing dog walkers from allowing dogs to foul on court and other sports such as skateboarding and cycling to occur which should prolong the court life expectancy.
- 3.21 **LTA booking platform:** The introduction of an online booking system (Clubspark) will enable players to book a court at a day and time that suits them ensuring they can guarantee their slot in advance. The system is mobile friendly allowing players to book and pay on the go. By introducing an online booking platform, players will no longer have to queue or hang around until a court is free – vastly improving the customer journey to court.
- 3.22 **Fees and charges:** To generate sufficient monies for an annual sinking fund the introduction of affordable pay and play fees would help to sustain the courts long term. Many other Local Authorities across London charge for tennis and evidence has shown that the number of ‘no shows’ dramatically reduces when paying for a court.

The court hire fees and charges will be set by the Council in partnership with the tennis operator and with reference to the London benchmarking of prices currently being charged. On average £5 per court per hour seems to be fair in London but the Council will also have the option of introducing reduced/concessionary rates for off peak hours if it wants to.

Season ticket options will also help to ensure that regular players can continue to play for a minimal cost and to get good value for money. For example, Richmond has a season ticket for £55 per year where residents can play tennis 1 hour per day, up to 5 times per week.

The LTA is also seeking to ensure that the tennis operator delivers one hour of free coaching sessions in 100% of park sites each week that the LTA invests in (which can be activator led for 1 hour per week e.g., a Saturday at 10am). This will ensure that access to tennis is fair across all sites and for people unable to afford to pay they can still access an hour free tennis every week. This will be the responsibility of the tennis operator to implement but should help with messaging to residents when introducing pay and play at other times.

The option to introduce a profit share arrangement also exists. However, the emphasis is on long term sustainability, investment, facility improvement, and increasing participation, rather than maximising income generation through the introduction of fees and charges.

- 3.23 **Revenue funding:** The booking platform is free to use (as LTA registered venues it is a free benefit). The tennis operator would pay the gate maintenance fees and the £720 LTA annual venue registration fee would be the responsibility of the tennis operator. This annual fee will also be waived for 15 years due to the LTA providing LBBD with grant monies as part of this programme. This is highlighted in the T&C's. In essence as long as the Council maintains the sinking fund (which will be provided by the tennis operator as a minimum) then the Council should have no other funding outlays.
- 3.24 **Sinking fund (e.g., court repairs and equipment replacement):** The LTA suggests that £1,200 per court, per year is put aside (i.e. from the income raised by the tennis operator) in order to cover the court works required when necessary (e.g. these monies can also be used to cover the resurfacing costs at the end of a courts life expectancy).
- 3.25 **Court maintenance schedule (e.g., routine operational):** Courts will need to be maintained on a regular basis to ensure their longevity and sustainability for future years. A schedule will be put in place for daily, weekly, monthly, and annual court maintenance and guidance on recommendations will be provided by the LTA. This will be the responsibility of the tennis operator.
- 3.26 **Operational Models:** As detailed in **appendix 1** two clear operating models have been tested:
- a) In house (with coaching provision tendered)
 - b) Fully outsource to tennis operator

The Fully Outsourced model is recommended as it has many advantages over the In-House model. It must be emphasised that this is not privatisation of the borough's tennis courts. Model 2 has many advantages. There is less risk to the Council as the responsibility for the managing and maintaining the asset and delivering tennis activity programmes etc will pass to the tennis operator.

If the tennis operator is preferred, then an appropriate procurement process will need to be followed. LTA Parks Investment Delivery Partner has confirmed that LTA will provide associated support and assistance with the procurement of a tennis operator.

The Council must decide whether it is prepared to change its approach to the management and maintenance of its tennis courts and wants to bid for Renovation Fund investment. In anticipation of the Council's commitment and support for this proposal, a Stage 1 Application Form (**appendix 2**) was completed and submitted for consideration to the LTA's Funding Panel in August/September. The Funding Panel has confirmed 'in principle' agreement to proceed on the basis of what is recorded on the Stage 1 application form (i.e. provide funding of £336,615 if the Council contributes £75,400 to cover the costs at Central Park).

- 3.27 The LTA's Investment Terms and Conditions will be part of a wider grant agreement which will include details of the funding, individual summaries for each park (which includes the scope of works) and DCMS standard T's & C's around public monies. The specific final T's and C's for the borough will be issued to the Council once we have got past the stage 2 sign off (this is when we have final contractor costs and the project has reached the mobilisation stage).

4. Procurement Strategy

Procurement: Park tennis court refurbishment

- 4.1 **Appendix 3** contains a copy of the LTA's Procurement Strategy document for the delivery of the Parks Refurbishment Program.
- 4.2 This document provides a summary of the Framework procured by the LTA to deliver the tennis court refurbishment programme. As stated in the document, Football Foundation (FF) have been appointed as the "Contracting Authority" and the LTA will act as the Agent. LBBB falls into Lot 3.

Procurement: Tennis Operator

- 4.3 The procurement and documentation for the tennis operator will be agreed following subsequent discussion between the Council and the LTA.
- 4.4 The LTA can provide further details and explanation of the procurement strategies, and the LTA's Parks Investment Delivery Partner will attend a meeting with the Council's Procurement Team if required.

5. Options Appraisal

- 5.1 The options are set out in the appraisal below:

Option 1: Do not submit a bid to the LTA's Renovation Fund and continue with the current tennis court management and maintenance arrangements.

- 5.2 The Council would be left with responsibility of managing and maintaining 17 (19 if the decommissioned courts in Parsloes Park are included) tennis court facilities for which there is an inadequate revenue budget and nil capital funding to improve the quality of the courts.
- 5.3 The Parsloes Park tennis courts have already been decommissioned and the Central Park courts are closed due to the poor condition of the facilities and concerns for public safety. Without substantial investment and a sustainable

revenue budget the condition of these assets will continue to deteriorate and in time closure of additional courts will be inevitable.

- 5.4 The current condition of the tennis courts and potential closure of facilities will have a negative impact on participation levels and consequently the physical health and mental well-being of residents. So, the tennis courts are unlikely to attract the expected usage or deliver the expected community outcomes. Relationships with residents and local stakeholders looking to utilise the tennis court facilities will be severely strained with associated reputational damage to the borough.
- 5.5 The 'do nothing' option isn't recommended as it doesn't provide a sustainable future for tennis in the borough.

Option 2: Decommissioning some or all the borough's tennis court facilities

- 5.6 As confirmed by the LTA's Technical Surveys the borough's tennis court facilities need refurbishment to reverse a spiral of decline and years of under investment. However, alternatively the Council could decide not to invest in these recreational assets and instead decommissioning some or all the tennis courts.
- 5.7 This course of action will still require significant capital funding (i.e., to fund court demolition, removal and disposal of material, and ground reinstatement). The loss of tennis courts in the borough's parks will also deprive residents of access to a popular leisure and recreational pastime and will have a detrimental impact on residents' physical health and mental wellbeing, and the social value and benefits of playing tennis will also be lost.
- 5.8 Therefore, the court decommissioning option is not recommended.

Option 3: Alternative use of the existing tennis court facilities

- 5.9 Some or all the existing tennis court facilities could be repurposed and used to support different activities.
- 5.10 However, the Council has not received any viable requests/proposals for alternative uses, or the offer of investment to support the repurposing of the tennis courts.
- 5.11 Therefore, there is no business case or funding to support this option and therefore it is not recommended.

Option 4: Submit a bid to the LTA's Renovation Fund but omit the tennis court facilities at Central Park and/or Parsloes Park

- 5.12 The improvement works at Central Park and Parsloes Park involve sub-base works which the LTA will not fund as part of the Renovation Fund. Therefore, as stated above, if the Council wants to include these sites in the proposal, then a contribution of £132,900 is required towards the total cost (£307,413) of the works at these two sites.
- 5.13 However, the Council could decide to omit Central Park (LBBD contribution £75,400) and/or Parsloes Park (£57,500) from the proposal (subject to LTA agreement).

- 5.14 If the Council selects this option the LTA funding for these sites (£116,350 and £58,163 respectively) will also be 'lost'.
- 5.15 Obviously consequently the tennis courts (x4) in Central Park will remain closed. The courts will continue to deteriorate, and the facility will detract from the Central Park Master Plan improvements. Ultimately the Council will need to find the money to properly decommission the courts and remove any associated health and safety hazards. Similarly, without the LTA investment it will not be possible to reinstate the Parsloes Park tennis courts (x2) and the residual infrastructure will need to be removed by the Council.
- 5.16 Therefore, whilst the merits of this option must be considered is not recommended.

Option 5: Submit a bid to the LTA's Renovation Fund and invest £132,900 in the borough's tennis court facilities.

- 5.17 The Renovation Fund and LTA's court refurbishment program presents a once in a generation opportunity for the Council to transform the way it manages and maintains its tennis court facilities, to secure significant investment to deliver facility improvements, increase participation, raise playing standards, and provide health and wellbeing outcomes for residents.
- 5.18 The Council will need to contribute match funding of c£132,900 to support the delivery of essential ground works at Central Park and Parsloes Park. In turn, this will help secure £394,678 funding from the LTA's Renovation Fund.
- 5.19 Unfortunately the Council cannot identify the £132,900 need to support option 5 so this option has been discounted.

Option 6: Submit a bid to the LTA's Renovation Fund and invest £75,400 in the borough's tennis court facilities.

- 5.20 Unfortunately, the Council is currently unable to contribute the £132,900 required to deliver improvements to all 6 sites (19 tennis courts). However, if Parsloes Park (2 x courts) is removed from the programme and the £50,000 s106 and £25,400 SCIL contributions are approved, then improvements to the remaining 5 sites (17 tennis courts) can be delivered.
- 5.21 This £75,400 LBBB contribution will release the £336,615 LTA funding required to deliver the improvements to the remaining 5 sites (17 tennis courts). Therefore, this option represents good value for money. Without the LTA investment the borough's tennis court assets will continue to slowly deteriorate.
- 5.22 Inevitably option 6 will involve significant changes to the way in which the Council has historically managed and maintained the borough's tennis court facilities. These changes are described earlier in this report (section 6: Implications). However, unless these changes are accepted and embraced the condition of the borough's tennis courts will continue to deteriorate and this will have a detrimental impact on residents' health and wellbeing.

5.23 Therefore, option 6 is the recommended option. It is also proposed that authority be delegated to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Strategic Director, Finance and Investment, to approve the inclusion of the Parsloes Park tennis courts in the Council's application in the event of additional internal funding of £57,500 being identified.

6. Consultation

6.1 The borough's tennis court facilities need investment otherwise they will continue to deteriorate. Therefore, urgent action is required to reverse this decline. The LTA's Renovation Fund provides a solution which minimises the cost to the Council.

6.2 Parks Commissioning team will work in partnership with colleagues in the Council's Communications and Campaigns team and the LTA to ensure that residents are adequately involved and informed of the tennis development proposal and are aware of the implications for the management and maintenance of the borough's tennis courts.

6.3 The LTA's Penetration Analysis confirms that there is sufficient local demand to warrant the LTA's investment in the tennis court facilities. However, additional local community consultation will be undertaken in 2023. It is anticipated that the results will confirm that there is resident demand for tennis as a sport/pastime in the borough and overall support for the tennis development proposal. An update on the results of this consultation will be provided undue course.

6.4 The proposals in this report were considered and endorsed by the Assets and Capital Board on 8 February 2023 and the Corporate Strategy Group on 16 February 2023.

7. Financial Implications

Implications completed by: Anmol Mahmood, Capital and Investments, and Sandra Pillinger, Group Accountant

7.1 The report seeks out to renovate Tennis courts across 5 parks in the borough. With the request of LBBDD contributing £75,400 as a one-off cost to support the essential ground works at Central Park and the LTA will support a funding bid of £336,615 to the LTA's Renovation Fund to deliver the remaining improvements required to get all 5 sites (17 tennis courts) playable and ready for a tennis operator to take on.

7.2 Option 6 incorporates opportunities of allocating CIL/S106 provisions to support this proposal as requested by Assets and Capital Board on 9 November 2022.

7.3 There will be a requirement for a c£22,800 pa sinking fund to be set up in order to finance resurfacing and non-day-to-day repairs and maintenance. The operator will contribute to the sinking fund from the fees charged for use of the courts. The fees would be set by the Council in partnership with the tennis operator. The operator will provide one hour of free coaching sessions in 30% of park sites each week and will also offer concessionary rates.

- 7.4 The detailed financial arrangements are yet to be agreed, but there does not appear to be any requirement for the Council to contribute revenue funding for this proposal. There will be no loss of income as there is no fee charged currently for use of the courts. Day-to-day maintenance will be the responsibility of the operator.

8. Legal Implications

Implications completed by: Lauren van Arendonk, Locum Contracts & Procurement Lawyer

- 8.1 The report seeks to recommend the refurbishment of public tennis courts in the Borough. It is proposed that a bid is submitted to the LTA's Renovation Fund, which will enable the refurbishment and consequently an investment in the borough's tennis court facilities. The LTA intend to set up a framework Agreement, from which Local Authorities can call off from to refurbish local tennis courts in the area.
- 8.2 The Renovation Fund and Local Tennis Association's court refurbishment program would provide the Council with a grant for the renovation works and the Council would contribute funding itself, in the amount of around £75,400, with a £50,000 s106 contribution associated with the Padnall Open Space residential development and £25,400 from the 2023/24 SCIL allocation (£100k) for the delivery of the POSS Action Plan. LBBD's contribution will trigger the LTA's contribution of £336,615, for the refurbishment of 17 x tennis courts. LTA's contribution will take the form of a grant payment.
- 8.3 The Lawn Tennis Association (LTA) park refurbishment program will refurbish park courts across the UK having received £21.9m of funding directly from Department for Digital, Culture, Media and Sport and an additional £8.4m from the LTA Tennis Foundation to deliver the programme by March 2024. It will procure the works by way of a Framework and deliver the Parks Refurbishment Programme.
- 8.4 The procurement is in accordance with the PCR 2015, using an open procedure for both frameworks. Local Authorities will then be able to access the frameworks to undertake the process of obtaining site specific costs and establish delivery timetables of the works.
- 8.5 The use of a framework compiles with rule 33 of the Contract Rules. LTA will be setting up the framework in joint partnership with the Football Foundation, so there is no need for Local Authorities to procure the works. This elevates all procurement risk and the time burden of a Framework set up.

9. Procurement Implications

Implications completed by: Euan Beales, Head of Procurement

- 9.1 The Councils Contract Rules require all spend over £50,000 to be procured in the open market, however this requirement can also be satisfied by using pre-procured open and accessible frameworks.
- 9.2 The report states that the preferred procurement route is to use frameworks that have been procured by the LTA which will comply with the Contract Rules, it is also stated that the LTA will conduct the procurements on behalf of the Council, again

this is permissible as long as the requirements are reviewed and agreed by the responsible commissioners to ensure all of the required outputs and timescales are considered.

10. Other Implications

- 10.1 **Risk Management Issues** – The main body of the report addresses in detail the risks associated with not proceeding with a bid to the LTA's Renovation Fund.

Project costs: The project costs are based on the LTA's independent tennis facility inspections/surveys. LTA Prelims and contingency have been included in the estimated costs of the scope of works already to allow for prices rising. If there is further movement in the costs this will be considered by the LTA's funding panel at Stage 2.

Tennis Operators: as covered in section 6.10 the report recommends that the Council pursues the Fully Outsourced Operating Model. Obviously, the level of interest can't be guaranteed or quantified until we initiate the procurement process. However, the LTA has details of potential tennis operators, including those that have previously expressed an interest in operating in the borough. And, based on experience of other London boroughs, we are confident that we will be able to appoint an operator. But obviously no guarantees or certainties can be offered at this stage.

Central Park and Parsloes Park tennis court facilities: refer sections 5 and 8 above. If the Council decides not to contribute towards the costs (£132,900 in total) of works at Central Park (£75,400) and Parsloes Park (£57,500) these facilities will continue to deteriorate and ultimately the courts will need to be removed. The cost of removing the courts, disposing of the equipment and materials, and reinstating the land could potentially exceed the £132,900 investment required.

- 10.2 **Contractual Issues** – If Cabinet approves 'option 2' then a conversation about the procurement of the improvement works and tennis operator will be initiated involving Council's Procurement team and the LTA. If necessary, commissioners will report back monthly to the Assets & Capital Board.
- 10.3 **Corporate Policy, Customer and Equality Impact** – Tennis participation contributes to improving the physical and mental well-being of residents. Anyone can pick up a racket and therefore tennis is sport for everyone, regardless of their age, gender, background, ability, or disability. Where the LTA has implemented similar schemes, participation has increased. Therefore, this initiative directly supports the LTA's aim of generating 1 million more players by 2024.
- 10.4 **Health Issues** – Access to good quality tennis courts and coaching programmes will lead to increased physical activity and opportunities for all residents regardless of their age, gender, background, ability, or disability.
- 10.5 **Crime and Disorder Issues** - There are no general crime and disorder issues, but the improved tennis courts will provide a programme of positive and diversionary activities for children and young people. High quality and accessible sports facilities with extensive operating hours will have a positive impact on levels of anti-social behaviour and wider perceptions of safety in the borough's parks.

10.6 **Property / Asset Issues** – The scheme replaces deteriorating and life-expired facilities and removes their ongoing management and maintenance costs, which will be passed onto the tennis operator and covered by the sinking fund.

Public Background Papers Used in the Preparation of the Report:

- LBBB Playing Pitch Strategy approved by Cabinet on 20 September 2016 (<https://modgov.lbbd.gov.uk/Internet/ieListDocuments.aspx?CId=180&MID=8805>)

List of appendices:

- **Appendix 1:** LTA Renovation Fund Report - LBBB
- **Appendix 2:** LTA Renovation Fund – LBBB Application Form (Draft)
- **Appendix 3:** Procurement Strategy - LTA Parks Refurbishment Program