

EAST AYRSHIRE COUNCIL

COMMUNITY SERVICES COMMITTEE – 17TH SEPTEMBER 2003

DUNLOP AND LUGTON PARK ASSOCIATION – REQUEST TO LEASE DUNLOP PARK AND APPLICATION FOR FINANCIAL ASSISTANCE

Report by the Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To consider a request from the Dunlop and Lugton Park Association to lease and subsequently improve, manage and maintain Dunlop Park and further consider an application from the same group for financial assistance for an initial period of 3 years.

2. BACKGROUND

- 2.1 The Dunlop and Lugton Park Association was formally constituted in January 2002 and was awarded charitable status in February 2002. The organisation was formed specifically to find ways of re-generating the Dunlop Park and developing it to meet the needs of the local community.
- 2.2 Representatives of the Group first approached the Council regarding a lease in March 2002 and preliminary negotiations resumed in 2003. The Group is actively pursuing grant aid to support its development proposals and has received information on the strategic benefits of this type of proposal from officers to support their applications.
- 2.3 The Dunlop Park is a flat open space of 1.156 hectares which is bounded by mixed housing, the local church hall and the local primary school. The park contains a football pitch and pavilion and a playpark (in relatively poor condition), the park suffers from poor drainage, graffiti, litter and dog fouling.
- 2.4 The Dunlop and Lugton Park Association has plans to raise and invest £378,000 in the park to provide a well drained football pitch, a new entrance, car parking, replacement fencing, new paths children's playpark facilities, a skateboard area, basketball court and new horticultural features, improved access arrangements are also planned. The Association do not wish to take responsibility for the football pavilion, this will remain the Council's responsibility and booking/usage arrangements will be agreed between the Council and the Association.

An application for planning consent has been submitted to the Council relating to these proposals. The Association has requested a 25 year lease from the Council.

- 2.5 The Council is currently responsible for the maintenance of the Park and its facilities in accordance with the Council's current policies, standards and budgets. The Dunlop Park playpark is not included on the initial priority list for refurbishment.

3. CONSIDERATIONS

- 3.1 This is a unique project proposal, the Committee has not previously been asked to transfer a park to community management, however Dunlop and Lugton Park Association have shown themselves to be committed and capable in their approach to the project.
- 3.2 The transfer of responsibility for the park will require the agreement of an appropriate concessionary lease between the Council and the Association. Negotiations regarding the lease are underway, however the approval of the Council's Corporate Governance Committee and the approval of the Scottish Executive will be required before a lease can be agreed.
- 3.3 Any financial support for revenue costs associated with the management and maintenance of the park should be underpinned by a Service Level Agreement which details the Council's expectations with regard to the management of the park.
- 3.4 The Group has applied for 3 year revenue funding from the Committee, broken down as follows:-

Year 1	£2,861
Year 2	£2,947
Year 3	£3,036

This sum is based on the annual cost of grounds maintenance by the Council plus 3% per year to cover inflation. Whilst the Committee has not previously approved 3 year grant funding other Council Committees have, this allows external groups greater security when fundraising.

- 3.5 In this instance, as the Group is applying for funding to carry out work currently being carried out by the Council, it may be appropriate to consider making any grant from existing revenue funds rather than the Committee's Grants to Voluntary Organisations fund.

3.6 A grant application has been submitted and the Association's constitution, finances and development plans have been checked, all meet the appropriate standards set by the Council.

4. FINANCIAL IMPLICATIONS

4.1 If the requested level of grant aid is support approved by the committee, it could be found from existing revenue budgets.

5. LEGAL IMPLICATIONS

5.1 Any agreement with the Dunlop and Lugton Park Association will require to be underpinned by a formal lease and a Service Level Agreement which will be prepared by the appropriate Council officials.

6. POLICY IMPLICATIONS

6.1 Approval of the Association's proposals would support the Council's commitment to partnership and community regeneration.

6.2 As the project involves the transfer of work currently being carried out by Council employees to an external organisation, consultation with the Trade Unions will be required.

7. CONCLUSIONS

7.1 The project proposed by the Dunlop and Lugton Park Association represents a major investment in a valuable community facility. In order to support and facilitate the projects implementation, the Council is being asked to transfer management and maintenance of the park and its amenities to the Association. The Association appear to have the commitment and skills necessary to raise the funds required to implement the project and realise its potential.

7.2 To support the project the Council is being asked to agree a 25 year concessionary lease with the Association and give support, equivalent to the current costs of grounds maintenance at the park, for an initial period of 3 years. The revenue grant element could be met from existing grounds maintenance budgets. Any revenue funding should be supported by a Service Level Agreement that protects the Council and wider community's interests in the Dunlop Park, this would include ensuring that adequate insurance is in place for facilities such as the proposed skateboard area and the playpark.

7.3 It would be appropriate to offer support to the project as this approach presents the opportunity to maximise external funding.

8. RECOMMENDATIONS

8.1 It is recommended that the Committee:-

- i) approves, in principle, the request from the Dunlop and Lugton Park Association to lease the Dunlop Park;
- ii) remits to the Director of Community Services to consult the appropriate Trade Union with regard to this proposal;
- iii) remits to the Director of Development Services and Head to Legal Services to negotiate an appropriate concessionary lease for a period of 25 years;
- iv) approves, in principle, the request from the Dunlop and Lugton Park Association for revenue funding for a period of 3 years at the levels shown in the report; with the grant for 2003/04 adjusted on a pro-rata basis in relation to the Association's date of entry into a formal lease;
- v) remits to the Director of Community Services and the Head of Legal Services to negotiate an appropriate Service Level Agreement with the Association to include revenue support from the Community Services Grounds Maintenance budget;
- vi) remits to the Director of Community Services to report back on progress with this project in due course; and
- vii) otherwise notes the contents of this report.

William Stafford
Director of Community Services

WS/JAG/KH

21st August 2003

BACKGROUND PAPERS

1. 9TH July 2003 - Application for Financial Assistance from Dunlop and Lugton Park Association Ref CS2242.
2. 8th July 2003 – Letter to Director of Corporate Services/Depute Chief Executive from Mr G Reid, Chair of the Dunlop and Lugton Park Association.
3. 24th June 2003 – Planning Application Form received by the Department of Development Services from the Dunlop and Lugton Park Association.
4. 18th June 2003 – Letter to the Solicitor acting for the Dunlop and Lugton Park Association from the Council's Principal Surveyor.
5. 11th June 2003 – Letter from Secretary of the D-L-P-A to Council's Principal Surveyor.
6. 9th June 2003 – Letter from Council's Principal Surveyor to Secretary of the D-L-P-A.
7. 6TH June 2003 – Application for Lease submitted by the D-L-P-A to Principal Surveyor.
8. 4th June 2003 – Letter from Depute Chief Executive/Director of Corporate Resources to Chair of D-L-P-A.
9. 26TH March 2002 – Letter from Principal Surveyor to Chair of D-L-P-A.

Any person wishing to inspect the background papers listed above should telephone John Griffiths, Head of Leisure Services, on 01563 576264.

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