

<b>Committee(s):</b>	<b>Date(s):</b>
Open Spaces and City Gardens Committee ( <i>for decision</i> )	27/7/2015
Community & Children's Services Committee ( <i>for information</i> )	11/09/2015
<b>Subject:</b> St Botolph Bishopsgate Ball Court Improvements	<b>Public</b>
<b>Report of:</b> Director of Open Spaces	<b>For Decision</b>
<p style="text-align: center;"><b>Summary</b></p> <p>The Ball court in the Churchyard of St Botolph without Bishopsgate is the responsibility of the City to maintain. The court has reportedly reached a stage where a full resurfacing is required. Section 106 funding is available to resurface the court and improve the surrounds subject to the provision of times on the court allocated for young people to use the facility. Working in partnership with the Church and the Department of Community &amp; Children's Services, it is proposed to develop a scheme to carry out the improvement works and improve the promotion of the site.</p> <p>The opportunity will be taken to update the maintenance agreement between the Church and the City of London for this site.</p> <p><b>Recommendation</b></p> <p>Members are asked to:</p> <ul style="list-style-type: none"> <li>• Approve the proposed works, in principle, to resurface the ball court and improve the court surrounds at the Churchyard of St Botolph without Bishopsgate</li> <li>• Delegate authority to the Director of Open Spaces in conjunction with the Comptroller &amp; City Solicitor to negotiate a new Churchyard maintenance agreement that includes provision for future maintenance of the ball court and provide for the old agreement to be of no further effect.</li> </ul>	

### **Main Report**

#### **Background**

1. The Churchyard of St Botolph without Bishopsgate is maintained by the City of London under an agreement dating from 1970, under the provisions of the 1906 Open Spaces Act.

2. This agreement requires the City to maintain the site, including the ball court within the Churchyard, whilst the Church is responsible for the letting of the ball court, with associated fees belonging to the Church.
3. The ball court is primarily used by City workers and residents for netball and tennis and is one of only three public tennis courts in the City.
4. The Churchyard lies in a conservation area and contains listed buildings, monuments and other listed structures. It lies adjacent to a residential building to the south and offices or roads on the other boundaries.
5. A Church proposal for youth provision at St Botolph's Church, to be funded from the Heron Tower Section 106 agreement dated 7th April 2006, has not proceeded and capital funding has been re-allocated, along with some funding for floodlighting at the Church, for the refurbishment and enhancement of the court on the basis that there will be dedicated times when it will be available for use by young people. This approach is supported by the Church and the Director of Community and Children's Services.
6. A Project Proposal for the improvement of the Ball Court at St Botolph Bishopsgate Churchyard was approved by the Projects Sub-committee in October 2014.

### **Current Position**

7. In recent times the court has deteriorated greatly, the surface is crumbling and we are advised it is no longer fit to play on safely. The court is in need of a major renewal which is the responsibility of the City. However there has been no revenue funding allocated to this.
8. Drainage of the court surface is poor and also needs to be improved. The flood lighting is in need of upgrading and there is a need to repaint the fencing.
9. The court surrounds would benefit from improvement also. In particular there is stepped access and initial indications are that it would be feasible to upgrade this and put in adjacent level access. Improvements to the planting are also needed to improve the setting of the court which is in a Conservation Area and close to listed buildings.
10. The site has a history of rough sleeping and antisocial behaviour. The hedge which enclosed the access to the court has recently had to be cut low as a response to this. However having some planting adjacent to the court's chainlink fence is of value to soften the visual impact of the facility on the Churchyard.
11. The existing agreement is no longer fit for purpose and needs to be updated. In particular a sustainable funding solution for the maintenance of the court needs to be put in place with the agreement of the Church.
12. The income provided by the court is an important source of funding for the Church and enables them to carry out their activities in the Parish.
13. There is a need to ensure provision of access to the court for young people in particular, at an appropriate fee and youth provision is a requirement of the S106 funding.

## **Options**

14. Your officers have had discussions with the Church authorities at both parochial and diocesan levels, who agree in principal that the Church should fund the costs of the court from the sports fees taken.
15. These discussions have also considered the appropriate mix of sports and the type of surfacing at the site. Netball is very popular in the area and there are long standing teams associated with the court. It is considered that the site should continue to be used primarily for netball and for tennis as a secondary use. Options for other sports were considered.
16. A sports business consultant has been engaged to assess the potential income and ongoing costs for a refurbished facility to ensure there is the ability to cover day-to-day maintenance, a sinking fund for periodic refurbishment and a reasonable income for the Church whilst allowing sufficient hours to be made available at appropriate times for youth provision at nominal cost.
17. Discussions are ongoing with the City's sports provider, Fusion Lifestyle, officers of the Community & Children's Services and the Lawn Tennis Association about supporting and promoting the community use of the site.

## **Proposals**

18. The proposal is to improve drainage of the court, resurface and re-line the court and generally enhance the facilities, including improving the approach and access to the court, upgrading the floodlighting, providing ancillary equipment and redesign of the court surrounds.
19. The current agreement between the Church and the City will be revised to reflect the negotiated arrangements with the Church.
20. With the assistance of the Department of Community and Children's Services, we will seek to ensure that the availability of the court for youth/community use will be promoted and result in increased sporting activities by the target groups.
21. It is proposed to carry out the works using the City's term contractor JB Riney who have carried out similar tennis court resurfacing works for the City of London on Hampstead Heath. Other procurement would be carried out using the City's Procurement Service.

## **Corporate & Strategic Implications**

22. The project links to the Corporate Strategic Aim to provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
23. It links to the Local Development Framework, Policy Core Strategy 19 (4): "Improving inclusion and access to affordable sport, play and recreation, protecting and enhancing existing facilities and encouraging the provision of further facilities within major developments."
24. The project supports the Community & Children's Services Department Business Plan which has a priority to "Improve the health and wellbeing of City workers and residents". The proposals support this by seeking to provide good quality sport and

exercise facilities and improved access to leisure activities by groups who don't usually engage.

25. The Open Spaces Business Plan contains a Strategic Aim to "Promote opportunities to value and enjoy the outdoors for recreation, learning and healthy living". It seeks to deliver cross service working and maintain a programme of activities for health and wellbeing to promote our Open Spaces and the City of London's cultural activity.

## **Implications**

26. The current funding opportunity allows the City to fund the refurbishment and upgrading of the court. Capital funding of £176k has been allocated to this project from the following sources:
  - Heron Tower development Section 106 allocation of £98,100 for Youth Provision at the Church of St Botolph without Bishopsgate.
  - In addition £62,675, also from the Heron Tower S106 agreement, originally for floodlighting at the Church, is now no longer needed for this purpose and the Church have agreed that this be applied to the sports area upgrade project also.
  - The above figures are subject to indexation which amounts to over £15k.
27. Application for Faculty or other statutory approvals will be sought for the improvement works as required.
28. With the assistance of the City Solicitor an updated agreement will be entered into which provides for the maintenance of the court on a self-financing basis.
29. The Church has requested that works be carried out as soon as possible as there is a loss of income while the court is unplayable. It is proposed to start an initial phase of works on site in the second half of August 2015.
30. The project received Project Sub-committee approved at Gateway 2 (Project Proposal) to proceed directly to a delegated Gateway 5 (Authority to Start Work) report to the Director of Open Spaces.

## **Conclusion**

31. Proposals to improve the Ball Court at the Church of St Botolph without Bishopsgate are being developed from S106 funding made available from the Heron Tower development. This gives the opportunity to upgrade a popular sports facility in the City.
32. It also presents the opportunity to upgrade the site agreement with the Church so that the facility is maintained on a self-funding basis in the future.
33. Provision for young people to access the facility and take part in sports there, is being developed as part of this project, in partnership with Department of Community & Children's Services.

## **Appendices**

- Appendix 1 – Location Plan
- Appendix 2 – Photographs of the site
- Appendix 3 – Existing and proposed plan of ball court

**Background Papers:**

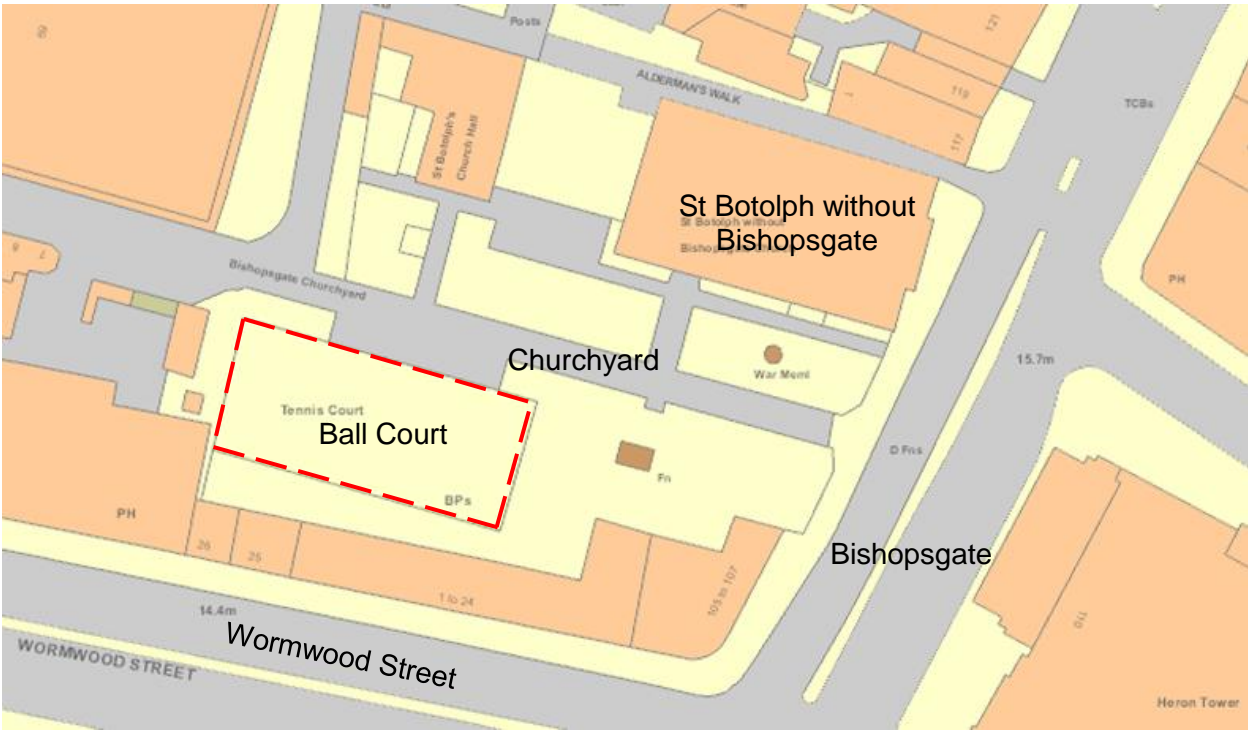
Report to Projects Sub Committee 8<sup>th</sup> October 2014: Project Proposal – St Botolph Bishopsgate Ball Court Improvements

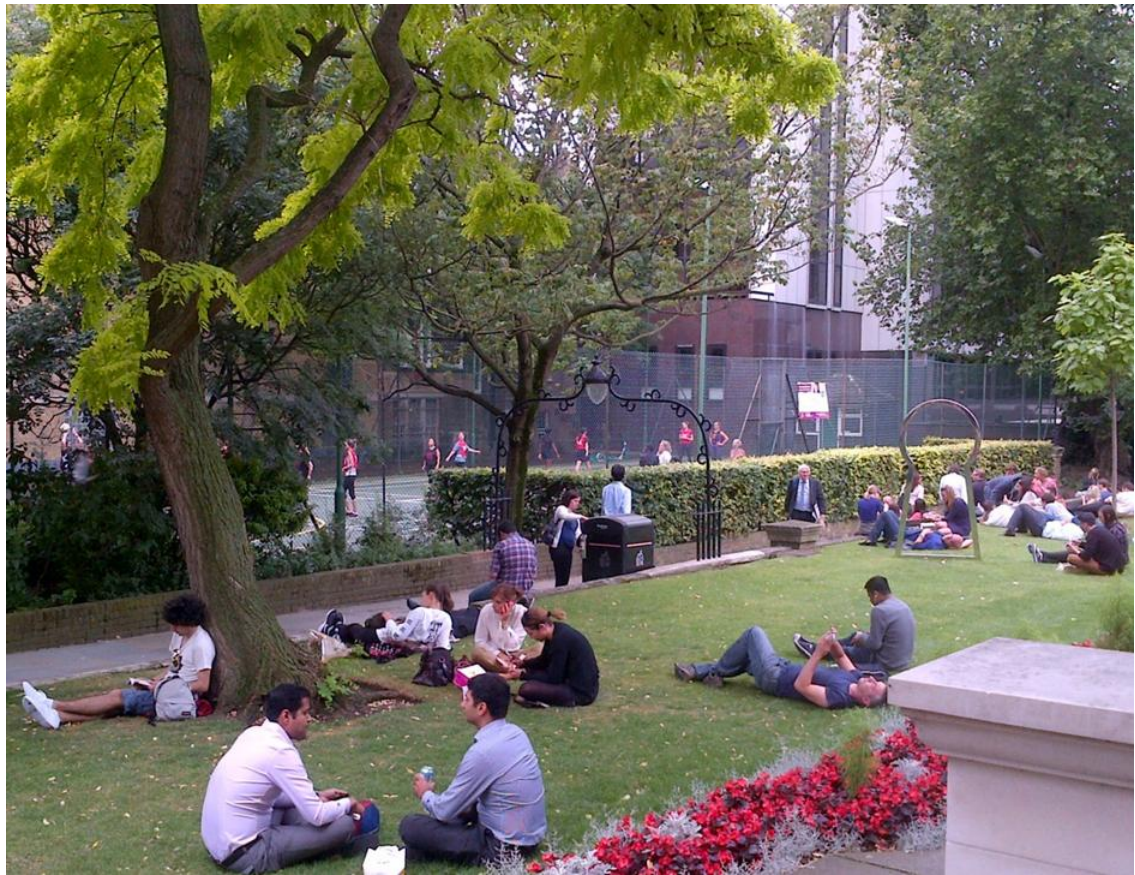
Patrick Hegarty

T: 020 7332 3516

E: [patrick.hegarty@cityoflondon.gov.uk](mailto:patrick.hegarty@cityoflondon.gov.uk)

Appendix 1 – Location Plan



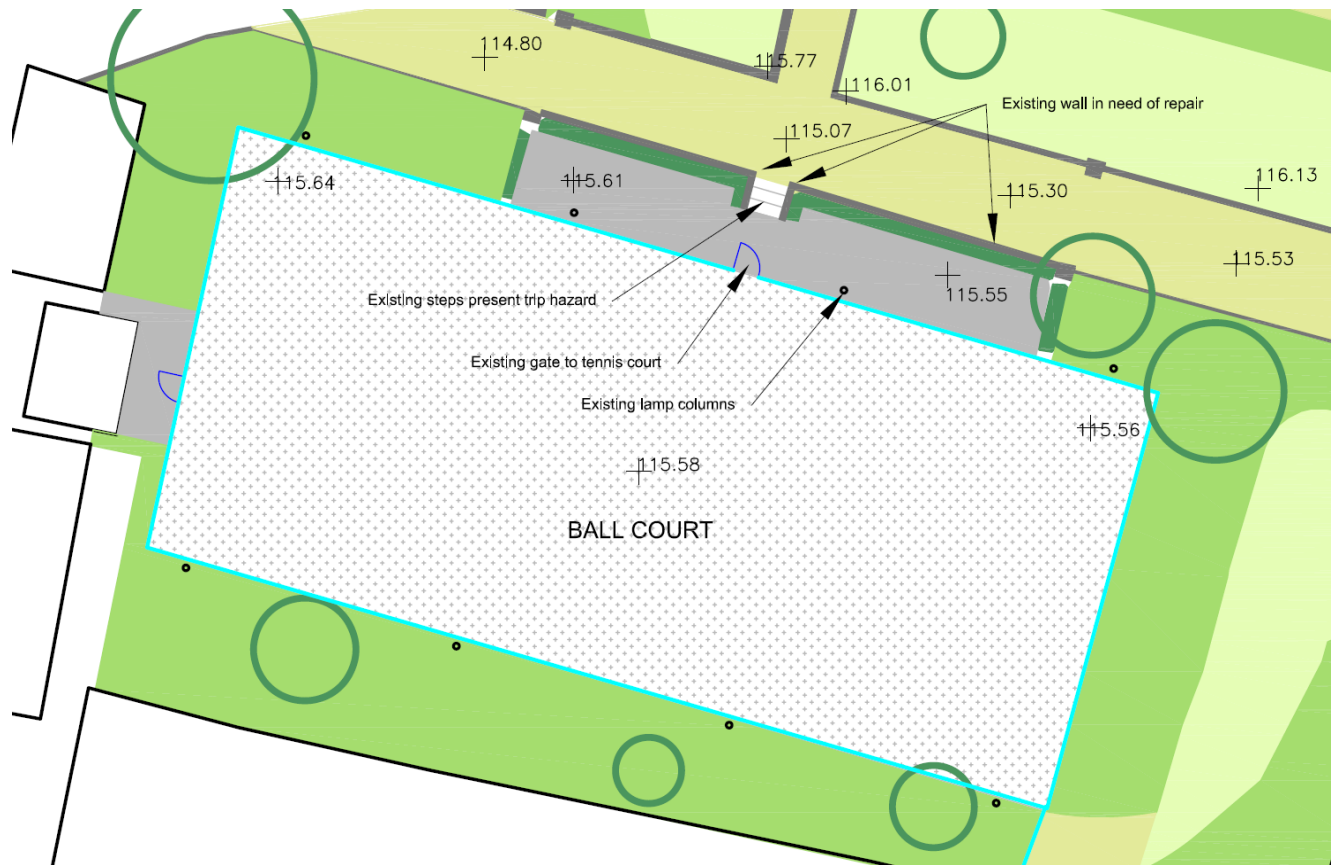




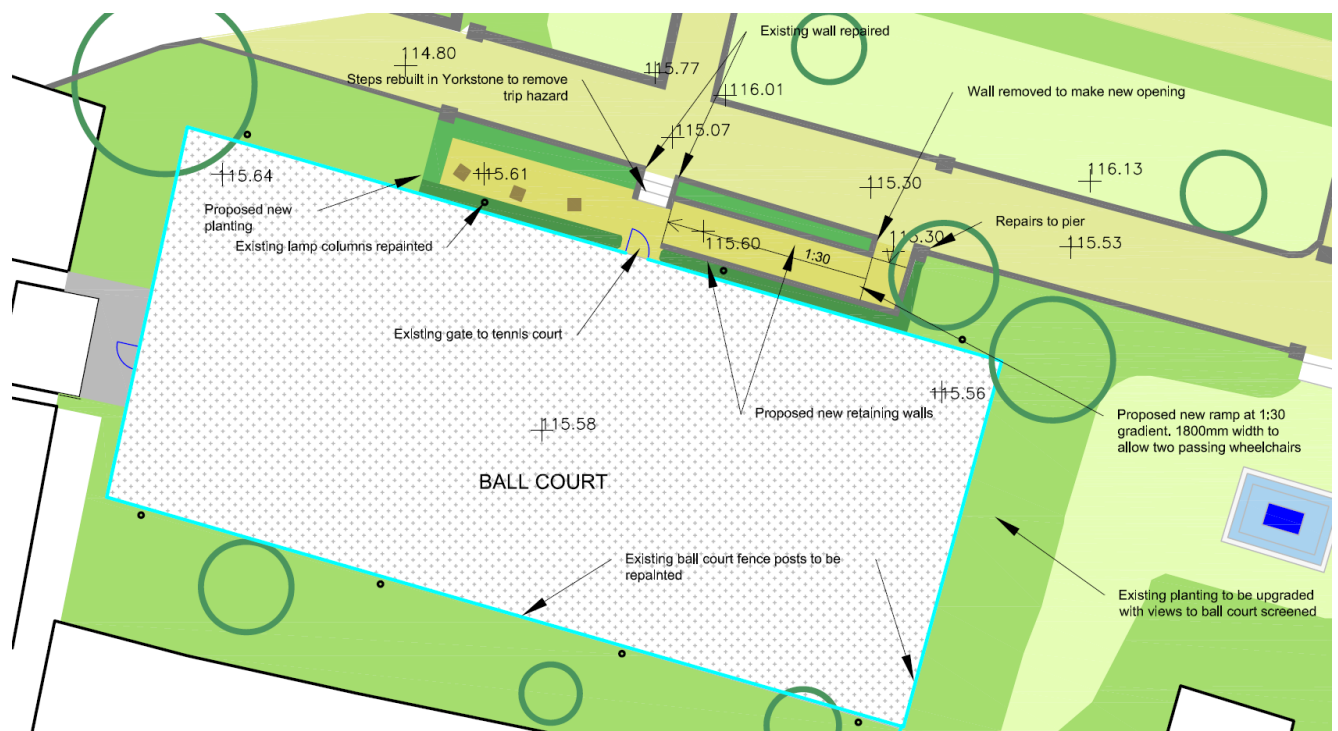




## Appendix 3 – Existing and proposed plan of ball court



Existing plan of ball court



Proposed plan of ball court