



**Report of:** Director of Communities and Environment

**Report to:** Executive Board

**Date:** 24<sup>th</sup> September 2020

**Subject:** Proposals for Road Safety Park, Family Cycle Trails, Children's Play Area, Café, Re-modelled Golf Provision and Landscape Improvements at Temple Newsam

Capital Scheme Number: **33388**

Are specific electoral wards affected? If yes, name(s) of ward(s): Temple Newsam	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## Summary

### 1. Main issues

- Following a meeting of Executive Board in October 2019, the Parks and Countryside service launched a public consultation on proposals for the area of land where Temple Newsam golf course is currently located. This consultation exercise took place from December 2019 until the end of March 2020.
- The consultation received responses from over 2,000 people.
- In summary, the consultation revealed that a majority of consultees, including the local ward members, local residents and Temple Newsam Golf Club, support developing a range of visitor facilities (including cycling and walking trails, a road-safety park, a play area and a cafe) at Temple Newsam, alongside a re-modelled golf course and other landscape improvements.
- In light of the findings, this report outlines proposals for the golf course area as requested by Executive Board in October 2019.

## **2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- The proposals in this document support the Best Council Plan, particularly the following priorities: Health and Wellbeing, Inclusive Growth, Culture, Sustainable Infrastructure and Age and Child Friendly Leeds.

## **3. Resource Implications**

- The proposals anticipate a £71.8k saving to the council per annum, which includes paying back the prudential borrowing costs required to fund the new developments, reduced maintenance costs (as a result of decreasing the size of the golf courses to 18 holes) and increased income (through the café and facilitating events) going forward.

## **Recommendations**

Executive Board is requested to:

- a) Approve the following changes to the area of Temple Newsam that is currently a golf course:
  - A reduction in the size of Temple Newsam golf course from 27 to 18 holes.
  - The re-development of the building which currently serves as the golf clubhouse to include an attractive and accessible café, toilets and other supporting recreational facilities alongside golf provision.
  - The development of a road-safety park, children's play area, walking and cycling trails and other historical, educational and environmental landscape improvements.
- b) Inject £1.2m into the capital programme for the delivery of the scheme.
- c) Delegate authority to spend approval of the full scheme to the Director of Communities and Environment, subject to consultation with the Executive Member for Environment and Active Lifestyles.
- d) Note that the Chief Officer Parks and Countryside will be responsible for implementation of the scheme.

## **1. Purpose of this report**

- 1.1. This report outlines the findings of the recent public consultation on proposals for the land currently occupying the golf course at Temple Newsam Estate.
- 1.2. The report also makes proposals for the future of this area of land based on the consultation findings.

## **2. Background information**

- 2.1. The following was resolved in light of a report to the council's Executive Board on 16<sup>th</sup> October 2019:
  - a) That, in taking into consideration the comments made during the discussion on the submitted report, the Board's consent be provided for the Parks and Countryside service to commence a public consultation exercise on the proposed closure of the golf course and the proposed developments, as outlined within the submitted report;
  - b) That following the conclusion of the consultation exercise (as detailed in resolution (a) above), the outcomes from such consultation together with any proposals regarding the future of Temple Newsam golf course be submitted to Executive Board for consideration and determination, with it being noted that the relevant Scrutiny Board could consider such matters, should it wish to do so.
- 2.2. A comprehensive consultation exercise has been conducted and, in line with Executive Board wishes, this report provides a summary of the findings which are outlined in more detail in Appendix A. The consultation questionnaire and accompanying proposals are contained in Appendix B and Appendix C for reference.

## **3. Main issues**

### **3.1. Public Consultation**

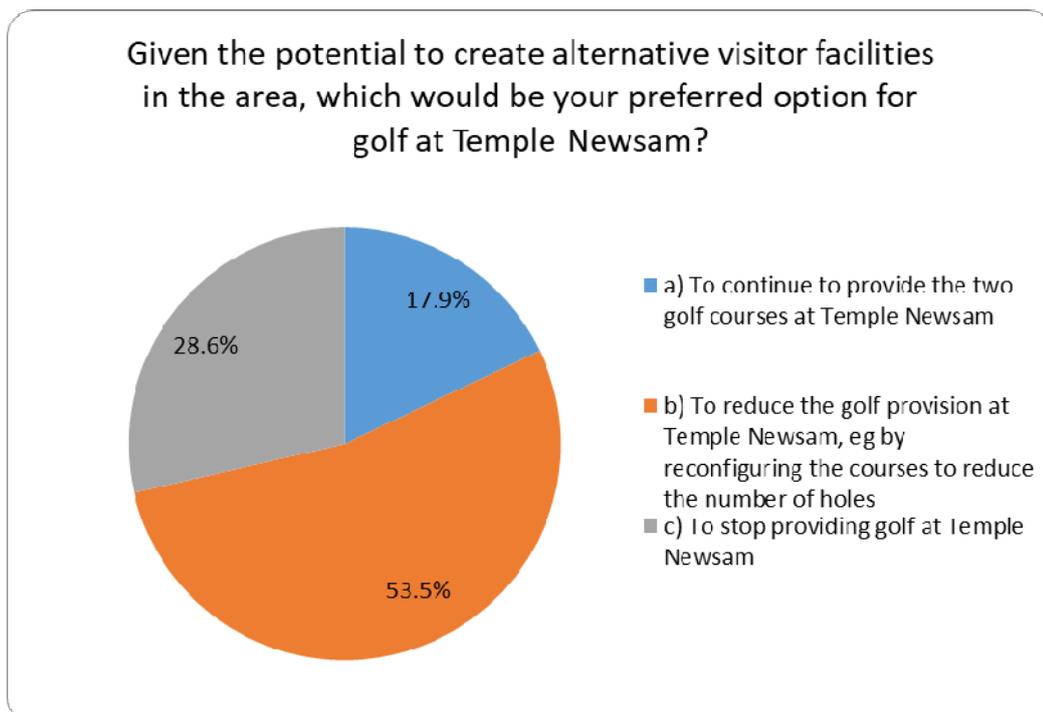
- 3.1.1 The Parks and Countryside service undertook a public consultation on proposals for the area of land where Temple Newsam golf course is currently located, from December 2019 until the end of March 2020. A summary of the main findings is set out below and a detailed analysis is contained in Appendix A. The consultation questionnaire and accompanying proposals are contained in Appendix B and Appendix C respectively.
- 3.1.2 A total of 2,164 people filled in the questionnaire - 1,906 online and 258 on paper. The paper returns included 242 handed to the council by Temple Newsam Golf Club (who also submitted an official response to the consultation in writing) on 23<sup>rd</sup> March 2020. Cycle Pathways CIC also submitted a written response to the consultation and Leeds Conservative group submitted a response to the survey questions. In addition, a number of face to face meetings were held with key stakeholders as part of the consultation process.
- 3.1.3 The demographic characteristics of the respondents were as follows:
  - The majority live local to Temple Newsam with 55% of them saying Temple Newsam is their nearest park.
  - 24% play golf at Temple Newsam (6% indicated that they are members of Temple Newsam golf club).

- The majority are aged 30 or over with 35% aged 30-44 and 37% aged 45-64, representing the largest groups of respondents.
- 40% have children under 16 years old.
- 54% of respondents cycle.
- They tend to visit Temple Newsam reasonably often, with 40% visiting once a week or more, and 86% of them reporting visiting at least four times a year.
- 61% of respondents indicated that they attend events at Temple Newsam.

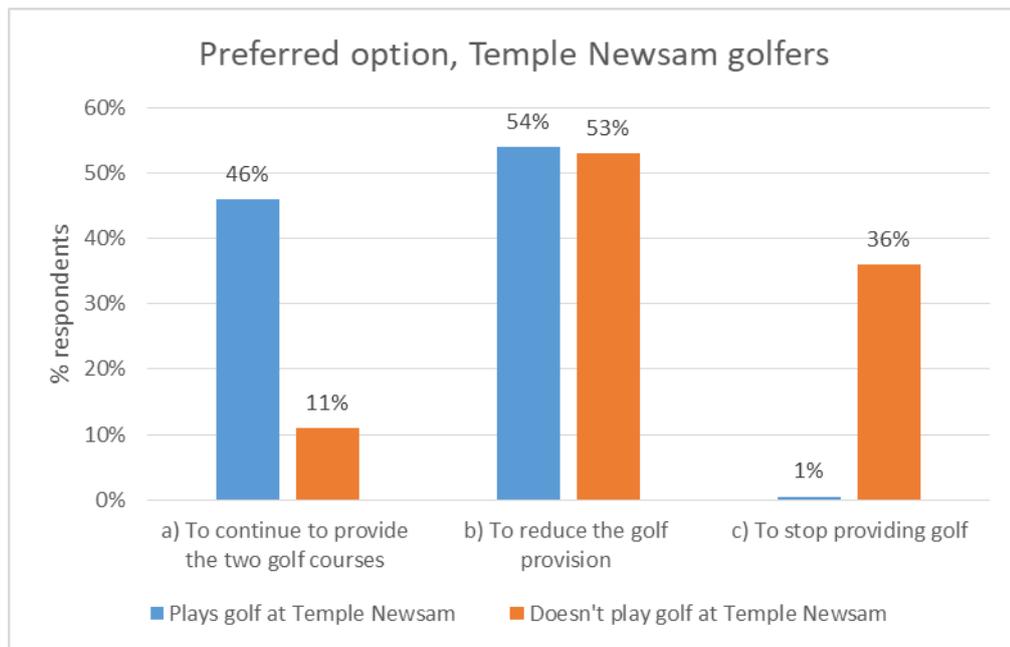
3.1.4 The key question in the survey was: *Given the potential to create alternative visitor facilities in the area, which would be your preferred option for golf at Temple Newsam?*

- *To continue to provide the two golf courses at Temple Newsam.*
- *To reduce the golf provision at Temple Newsam (e.g. by reconfiguring the courses to reduce the number of holes).*
- *To stop providing golf at Temple Newsam.*

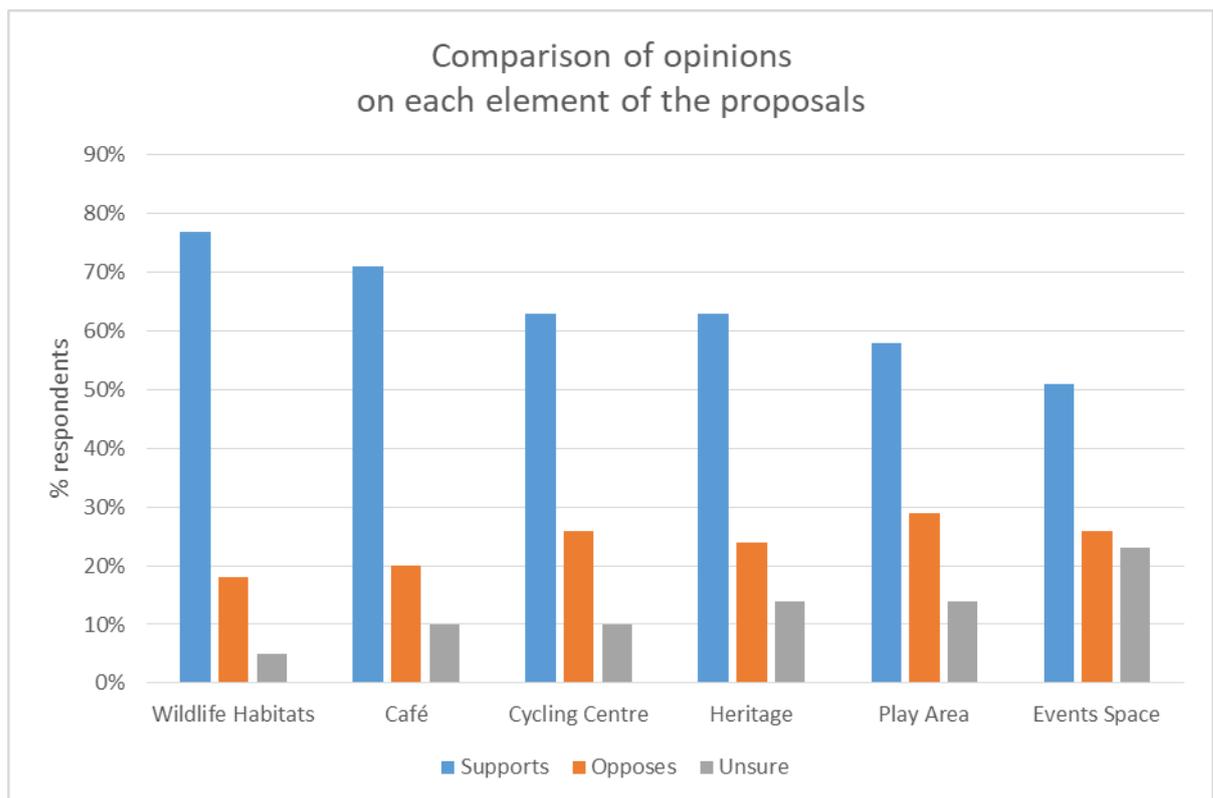
3.1.5 The majority of respondents (54%) indicated that their preferred option would be for golf provision to be reduced, with 29% preferring ceasing to provide golf altogether and 18% preferring both golf courses to remain. A majority of all demographic groups, including Temple Newsam golfers, preferred the option to reduce golf provision on the site but not close it altogether. Reasons for their choices are outlined in the consultation report.



3.1.6 The graph below summarises the response of Temple Newsam golfers compared with non-golfers to the question. Golfers made up 24% of total survey respondents.



3.1.7 Participants were also asked if they supported the various proposals outlined individually *'if the golf course at Temple Newsam is closed or remodelled...'* The graph below summarises the results in order of popularity.



3.1.8 All of the proposals were supported by a majority of respondents with wildlife habitats (including tree planting) and developing a café at the site proving the most popular, supported by 77% and 71% of respondents respectively.

3.1.9 A majority of 60% of respondents said that if the proposed changes were to be implemented, they (and/or their family) would visit the site more often or for longer. There were 33% who indicated that it would not result in them visiting more often or for longer and 9% were unsure.

- 3.1.10 During the consultation with local representatives of British Cycling and the Leeds Cycling Partnership, it was suggested that providing a play area for younger children alongside the proposed cycling facilities would be a good way to introduce those children to cycling, and would complement other cycling facilities in the city to support the *Leeds Cycling Starts Here* strategy. The consultation with local school children also suggested a play area, alongside the 'road-safety park' would be popular with that target audience.
- 3.1.11 The local Ward Councillors for Temple Newsam are very supportive of the new proposals alongside the retention of golf at Temple Newsam.
- 3.1.12 In summary, the findings of the consultation support reducing the size of the golf courses at Temple Newsam whilst seeking to improve the range of recreational facilities there. This includes creating new opportunities for walking, cycling and childrens' play, improving the landscape for heritage, events, wildlife and the environment, and developing a new café.
- 3.1.13 Outside of the formal consultation process agreed at executive board, the council received two submissions and a petition with a summary of the submissions as follows.

- Summary of submission from Temple Newsam Golf Club

Following consultation meetings, Temple Newsam Golf Club provided a detailed submission which is available to view in Appendix D. Notwithstanding a number of concerns raised about the process to date, the golf club wish to retain golf at Temple Newsam as part of an integrated solution incorporating a café, road safety park, cycling and play facilities, by reducing the number of holes from 27 to 18 (with the option of two 9 hole offers included). The submission includes a new proposed layout on page 12.

- Summary of Submission from Leeds Urban Bike Park

The submission from Cycle Pathway Community Interest Company based at Leeds Urban Bike Park in Middleton Park support any proposal to give more people access to cycling activities in Leeds. They would like to have been consulted at an earlier stage and are concerned in particular about the practicality of having a shared walking and cycling trail. Their wish is to work in collaboration with Leeds City Council to seek funding from Sport England and British Cycling to complement the facility at Middleton and deliver cycling-focussed activities that connect both sites.

- Petition

A petition entitled 'Stop Leeds City Council potential closure of Temple Newsam Golf Club / Course' was also submitted to Leeds City Council before the official consultation began. The petition proposed that golf should remain and could do so alongside the new proposed facilities. It received 2,886 signatories.

### 3.1.14 Response from Scrutiny

3.1.15 The outcomes of the consultation were presented to Leeds City Council, Scrutiny on 18 June 2020 with the following response (taken directly from the minutes):

3.1.16 'The Chair sought and received agreement from the Board that the following conclusions should be reflected in the recommendations to the Executive Board:

- The Board welcomed the work and effort of officers to address the issues raised through the Referral to Scrutiny process.
- The Board welcomed the detail provided through the consultation, noting members were satisfied that the consultation had been conducted in a clear, thorough and effective manner.
- The Board recommends that the Executive Board report includes clarity regarding affordability as part of the presentation of a robust business case.
- The Board recommends ongoing communication with all local stakeholders to minimise and mitigate any concerns ahead of the Executive Board meeting.

**RESOLVED** – The Scrutiny Board (Environment, Housing and Communities):

- a) Noted the contents of the report, along with members comments raised during the meeting;
- b) Requested that the information relating to finances be reflected in the upcoming Executive Board report, together with clear recommendations for the golf course as set out by the Chair at the conclusion of this item.'

## 3.2 Proposals for the future of Temple Newsam golf course

3.2.1 Following the comprehensive and wide-reaching public consultation outlined above, it can be concluded that a majority of respondents would like to see the size of the golf provision at Temple Newsam reduced and a range of new visitor facilities introduced in the area, to include: cycling and walking trails, a road-safety park, a café, a play area, a new event space, and improvements to the landscape for the benefit of heritage, wildlife and the environment. Consequently, it is proposed that the golf course area at Temple Newsam is reduced from 27 holes to 18 holes.

3.2.2 It is also proposed that the following visitor facilities, as outlined in more detail in the consultation document in Appendix C, are developed alongside the remaining golf course area:

- Accessible cycling and walking trails (*example image below*)



- Road-safety park (*example image below*)



- Play area (*example of play area below*)



- Café and toilets (*Image of potential café building below*)



- Educational and engaging interpretation features such as signage and trail guides.



- Use of the former golf course area to support the estate events programme (illustrated in Appendix E).

3.2.3 As part of the developments, it is also proposed that some changes to the landscape be made to:

- Make the area even better for wildlife and climate



- Re-create and improve access to, and education about, some of the heritage features of the historic estate

*Original, Capability Brown site design shown below:*



- 3.2.4 It is proposed that the cycling facilities are targeted at families and younger children to provide an introduction to cycling with a focus on trails, the road-safety park and a playground.
- 3.2.5 Site plan: An indicative plan, setting out how the smaller golf course and the new trails and visitor facilities might sit in the landscape, is provided in Appendix E. If approval is given to implement the proposals, then landscape architects will work up a detailed design to ensure the new facilities and landscape developments fit sensitively into the area, deliver maximum benefits to golfers, visitors and local residents alike, and complement each other and the historic estate.
- 3.2.6 Golf clubhouse/café proposals: Plans for the two floors of the current golf clubhouse, showing the area proposed for use by Leeds City Council for the potential café, are provided in Appendix F. If the proposals are approved, architects will be engaged to produce a fully functional design taking into account the constraints of the current building.
- 3.2.7 As the plans indicate, some of the building is currently occupied by Temple Newsam Golf Club and most of the rooms they currently use will still be available for them alongside the new café as it is a large building with plenty of room for development. However, the golf club female changing rooms may need re-locating and if this is necessary, it is proposed that reasonable costs of doing so are met as part of the overall project delivery spend.
- 3.3 Benefits of the proposals:
- 3.3.1 As well as being in line with public opinion, as identified through the consultation process, some of the many benefits of the proposals are as follows:
- They provide new and exciting facilities for local people and visitors from further afield to enjoy, and allow more people to access the beautiful and historically significant Temple Newsam estate.
  - As outlined below, they contribute to many of Leeds City Council's Best City Priorities such as Health and Wellbeing, Safe, Strong Communities, Culture, Sustainable Infrastructure, Child and Age-Friendly Leeds and Inclusive Growth.

- They complement and enhance current cycling provision in the city and contribute to delivery of Leeds Cycling Strategy.
- They retain the benefits of municipal golf (such as for health and wellbeing).
- They provide an opportunity to re-create and share some of the precious heritage of Temple Newsam estate. As well as being good for education and the cultural offer of the city, and complementing the current Resilient Heritage project, such developments would increase the likelihood of success for a future large funding bid to the National Lottery Heritage Fund for restoration works at the site.
- They provide an opportunity to create more wildlife habitat, something that is very important to the general public (as revealed in a range of local and national consultations relating to green space management).
- They will contribute to the council's aim to become carbon neutral in the light of the climate emergency by increasing the number of trees on site.
- They provide an opportunity to hold some events away from the main estate visitor hub, and reduce disruption from events to local residents.
- As outlined below, costs to the council of managing the area will be reduced.

## **4 Corporate considerations**

### **4.1 Consultation and engagement**

4.1.1 This report summarises the response to a public consultation exercise undertaken by Parks and Countryside from December 2019 to the end of March 2020. The way the consultation was promoted is outlined below:

4.1.2 Online:

- On the front page of the Temple Newsam website and on the Leeds City Council, Parks & Countryside consultations web page.
- On Temple Newsam, Leeds Parks and local community committee social media.

4.1.3 On site:

- Posters in notice boards.
- Paper copies available in shop and café.

4.1.4 In the community:

- Letter sent to local residents.
- Local community groups were approached directly.
- Local schools were approached directly.
- Posters in local shops and other community centres like libraries.

4.1.5 Stakeholders:

- Relevant Leeds City Council officers and stakeholders such as Historic England were approached directly.

4.1.6 Additional submissions were received from the following organisations:

- Temple Newsam Golf Club
- Leeds Urban Bike Park

## **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 With regards the findings of the consultation, all demographics expressed a preference for option b (*To reduce the golf provision at Temple Newsam*) which is the option suggested for implementation above.
- 4.2.2 An equality screening has been completed and is attached to this document and, once the final designs are developed, they will be subject to a further screening and impact assessment if necessary.
- 4.2.3 One of the aims of the proposed scheme is to get more people using the golf course area so a larger number of people can enjoy the great views, wildlife, fresh air and heritage landscape. The recent coronavirus situation has demonstrated how essential to physical and mental health local public green space is, which is why it is so important that as many people as possible have access to it. All will be welcome and the new facilities (except the café of course) will be free to use. Many of the respondents expressing support for the proposals said it was because the proposed facilities would be used by more people, and/or because they were more inclusive.
- 4.2.4 Additionally, the proposed scheme will make the site more physically accessible through the creation of new, accessible walking and cycling routes for use by people of all abilities. New signage, interpretation and trail information will ensure people are aware of the paths and how to explore them.
- 4.2.5 Accessibility will also be taken into account when designing all other aspects of the development such as the road safety park and the café.
- 4.2.6 It is very likely that the changes will result in more people visiting the site; off-road cycling and family visitor attractions have proved very popular in the city in recent years and 60% of consultation respondents said they would personally visit the site more often, or for longer, if the proposed improvements were implemented.

## **4.3 Council policies and the Best Council Plan**

- 4.3.1 The proposals supported by survey respondents can make a contribution to the following Best Council Plan priorities:
- Health and wellbeing by supporting healthy, physically active lifestyles through the provision of cycling, walking, children's play and golf facilities.
  - Inclusive Growth through using the civic enterprise model to generate income to fund the new wide-reaching visitor facilities and provide a return on investment.
  - Safe, strong communities by providing a new, inclusive community resource for local people and visitors from further afield.
  - Growing the cultural sector through restoring, promoting and sharing the heritage of the site, and ensuring that it can be experienced by anyone. Making additional event space available to support the estate's cultural programme 'enhancing the image of Leeds through major events and attractions'.
  - Child Friendly Leeds through improving health and wellbeing and enhancing the city 'now and for future generations'.

- Sustainable infrastructure through promoting the sustainable transport option of cycling and improving the resilience of the city's natural environment.
- Age friendly Leeds through making public spaces and buildings safe, clean and welcoming, and promoting opportunities for older people to be healthy, active and included.

4.3.2 The scheme would help achieve the Key Performance Indicator of allowing more people to enjoy greater access to green spaces.

#### Climate Emergency

4.3.3 Reducing the size of the golf course allows the council to replace some of the close-mown fairways with a more biodiversity-rich habitat including grassland meadows and woodland.

4.3.4 It will will reduce the city's contribution to climate change and its impact through; using less machinery (for mowing); delivering a net increase in trees on site to absorb carbon, cool the air and provide shade; growing denser vegetation to reduce the risk of local flooding and increasing the diversity of habitats to improve the resilience of local wildlife.

4.3.5 The proposal is also about promoting cycling, road-safety education and encouraging and inspiring people to use more sustainable forms of transport, more often.

#### **4.4 Resources, procurement and value for money**

4.4.1 The net actual cost to the council of running the golf course in 2019-20 was £243k as indicated below:

	<b>Budget</b>	<b>Actual</b>	<b>Variation</b>
<b>Income</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Golf pay and play/season tickets	-150.4	-126.8	23.6
Food, retail and buggy hire	-29.6	-17.0	12.6
Dwelling rents	-10.4	-12.5	-2.1
<b>Total</b>	<b>-190.4</b>	<b>-156.3</b>	<b>34.1</b>
<b>Expenditure (via FMS)</b>			
Staff at point of sale / management	75.0	90.8	15.8
Building costs incl. utilities	17.0	34.6	17.6
Re-saleable food, drink and retail items	18.2	8.6	-9.6
Vehicle and other supplies / services	9.2	9.8	0.6
<b>Total</b>	<b>119.4</b>	<b>143.8</b>	<b>24.4</b>
<b>Net Position (FMS)</b>	<b>-71.0</b>	<b>-12.5</b>	<b>58.5</b>
<b>Estimates and apportionments</b>			
Staffing apportionment (reflects role at Roundhay Golf Course)	0.0	-7.5	-7.5
Horticultural management	263.4	263.4	0.0
<b>Total</b>	<b>263.4</b>	<b>255.9</b>	<b>-7.5</b>
<b>Estimated Overall Net Position</b>	<b>192.4</b>	<b>243.4</b>	<b>51.0</b>

4.4.2 A 'spend to save' business plan has been developed for the proposals outlined above allowing the council to make savings of £71.8k per annum from 2022-23 by remodelling golf course provision and increasing income from a new café and event space.

4.4.3 The following table illustrates the financial impact of remodelled golf provision with a reduction from 27 holes to 18:

	<b>Budget</b>	<b>Projected</b>	<b>Variation</b>
<b>Income</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Golf pay and play/season tickets	-150.4	-107.4	43.0
Food, retail and buggy hire	-29.6	-6.6	23.0
Dwelling rents	-10.4	-12.5	-2.1
<b>Total</b>	<b>-190.4</b>	<b>-126.3</b>	<b>64.1</b>
<b>Expenditure (via FMS)</b>			
Staff at point of sale / management	75.0	28.9	-46.1
Building costs incl. utilities	17.0	15.0	-2.0
Re-saleable retail items	18.2	3.3	-14.9
Vehicle and other supplies / services	9.2	7.1	-2.1
<b>Total</b>	<b>119.4</b>	<b>54.3</b>	<b>-65.1</b>
<b>Net Position (FMS)</b>	<b>-71.0</b>	<b>-72.0</b>	<b>-1.0</b>
<b>Estimated horticultural management</b>	<b>263.4</b>	<b>187.6</b>	<b>-75.8</b>
<b>Estimated Overall Net Position</b>	<b>192.4</b>	<b>115.6</b>	<b>-76.8</b>

4.4.4 The following table illustrates the impact of developing a new café:

<b>Description</b>	<b>Temple Newsam Proposed Café</b> <b>£'000</b>
<b>Income</b>	<b>-248.2</b>
<b>Expenditure</b>	
Staffing	99.0
Building costs incl. utilities	18.0
Re-saleable Materials / Food and Drink	51.2
Other costs	35.0
<b>Total</b>	<b>203.2</b>
<b>Net Position</b>	<b>-45.0</b>

4.4.5 In addition it is anticipated that an additional net contribution from events of £21k could be achieved by using the identified event space which formed part of the golf course.

#### 4.4.6 Summary of business case

4.4.7 The following table summarises the overall financial position anticipated from the proposals:

Description	£'000
Net budgeted saving from remodelling of golf course	-76.8
Net income from commercial use of the building	-45.0
Additional net income from events	-21.0
<b>Total Revenue Contribution</b>	<b>-142.8</b>
Ongoing material cost for playground and trails	10.0
Prudential borrowing costs	61.0
<b>Surplus Generated</b>	<b>-71.8</b>

4.4.8 As indicated once the scheme is in place, the anticipated outcome will be a net contribution to the medium term financial plan of £71.8k per annum from the financial year 2022-23.

4.4.9 The cost of proposed developments at the site is estimated to be £1.2 million as follows.

Description	Cost £'000
Play area	200
Walking and cycling trails	300
Golf course reconfiguration	125
Other landscape related costs	75
Fees / project development	100
Building costs	400
<b>Total</b>	<b>1,200</b>

4.4.10 Note that this does not include the £350k road safety park investment that is already in the capital programme.

4.4.11 In order to fund the remaining developments, it is proposed that Parks and Countryside access £1.2 million through prudential borrowing. The estimated cost of servicing this borrowing requirement once the scheme is fully up and running is £61k each year.

4.4.12 The table below provides a summary breakdown of the capital cost requirements for the scheme. As indicated above this does not include the £350k road safety park element as this is already in the capital programme.

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2019 £000's	FORECAST				
			2019/20 £000's	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	1000.0			250.0	750.0		
FURN & EQPT (5)	100.0				100.0		
INTERNAL DESIGN FEES (6)	100.0			100.0			
OTHER FEES / COSTS (7)	0.0						
<b>TOTALS</b>	<b>1200.0</b>	<b>0.0</b>	<b>0.0</b>	<b>350.0</b>	<b>850.0</b>	<b>0.0</b>	<b>0.0</b>
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2019 £000's	FORECAST				
			2019/20 £000's	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023 on £000's
LCC Corporate Borrowing	1200.0			350.0	850.0		
Total Funding	1200.0	0.0	0.0	350.0	850.0	0.0	0.0
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

4.4.13 The table below shows the revenue effects of the scheme

	2021/22 £000's	2022/23 Subsequent years £000's
EMPLOYEES	65.6	99.0
PREMISES COSTS	11.9	18.0
SUPPLIES & SERVICES	80.9	157.4
EXTERNAL INCOME GENERATED	-189.2	-346.2

## 4.5 Legal implications, access to information, and call-in

- 4.5.1 Elements of these proposals will require planning permission and the appropriate planning application will be made if a decision is made by Executive Board to take the proposals forward. Preliminary discussions have taken place with colleagues in Planning Services and it is proposed to continue this dialogue. The planning policy position is complex as the affected land carries a number of planning policy designations including Green Belt, Special Landscape Character, Greenspace and Urban Green Corridor. In addition Temple Newsam Park is a Grade II listed Park and Garden and there are a number of listed buildings within the wider estate including the Grade I listed Temple Newsam House. Of course, in light of this, great care will be taken in formulating the detail of the proposals to address the relevant planning policies and associated issues. Any further discussions with colleagues in Planning Services will be without prejudice to the final determination of any planning application that is forthcoming.
- 4.5.2 If Executive Board approve the development of a café in the building that currently acts as the golf club house (see appendix F) it will mean the space occupied by the club is likely to need to be reduced slightly.
- 4.5.3 As a consequence, Temple Newsam Golf Club Limited's lease of a section of the building will need to be amended or terminated before a café can be developed in the building. That lease has the benefit of a statutory right to a renewal lease, pursuant to the Landlord and Tenant Act 1954.
- 4.5.4 Officers have shared with the golf club a draft head of terms (including floor plans) and are in preliminary discussions with members of the club to renegotiate a lease

subject to Executive Board approval. However, if Temple Newsam Golf Club Limited do not choose to terminate their lease voluntarily then the Council, as landlord, will only be entitled to terminate the lease if it can demonstrate one or more prescribed grounds for doing so as set by the Landlord and Tenant Act 1954. One of the prescribed grounds is that a landlord intends to redevelop the property and so the Council will be able to rely on this ground (the Council may be entitled to rely on additional grounds subject to what any final proposals are).

- 4.5.5 The Council will also be required to follow a statutory process in order to terminate the lease in accordance with the Landlord and Tenant Act 1954. The Council will be required to serve Temple Newsam Golf Club Limited with a formal notice to terminate the lease which needs to be served not more than twelve months and not less than six months before the proposed termination date.).
- 4.5.6 If the Council has to terminate the lease under the Landlord and Tenant Act 1954 procedure and relies on the ground that it intends to redevelop the property then Temple Newsam Golf Club Limited will be entitled to a statutory compensation based upon the rated value of the club house.
- 4.5.7 The current proposals for the use of the building as a café do not impact on the residential flat in the building. But, in case the plans change for unexpected reasons, it is worth noting that the Council does not yet know the specific legal basis for the residential steward's occupation of the club house's flat and will not have further details (and any relevant documentation) until consultations with Temple Newsam Golf Club Limited start. However, if there were reason to change the lease on the flat, there are two likely scenarios:
- The steward occupies the flat under a service occupancy agreement. If this is the case, then the steward's right to occupy the flat would end if and when the lease is terminated; or
  - The steward occupies the flat under a form of sub-lease granted by Temple Newsam Golf Club Limited. If this is the case then the steward's sub-lease of the flat would not terminate automatically with Temple Newsam Golf Club Limited's lease of the club house building. If the steward did not choose to voluntarily end the sub-lease then there would need to be a separate notice process to terminate the flat sub-lease. The notice period required and notice process would depend upon the terms of any sub-lease and whether termination is instigated by Temple Newsam Golf Club Limited prior to the end of their own lease of the club house or by the Council after the end of the club house lease. If any sub-lease is not terminated by Temple Newsam Golf Club Limited then the Council would become the landlord for the sub-lease and the sub-lease would likely become subject to the provisions Housing Act 1985 which apply to secure tenancies. The Council would still be able to terminate the sub-lease but it would need to show a relevant ground for doing so (again the Council's intention to redevelop the building will meet one of those grounds) and the steward may be entitled to compensation. The Council would also have to show that suitable alternative accommodation would be available to the steward, which may mean the Council re-housing the steward.
- 4.5.8 As noted above, more specific information on the legal basis for the steward's occupation of the flat will be known after consultations with Temple Newsam Golf Club Limited have taken place and copies of any relevant sub-lease or other agreement has been obtained. The Chief Officer for Parks and Countryside will then seek further legal advice from Legal Services.

## **4.6 Risk management**

- 4.6.1 If a decision is made to leave the golf course open as is, the council will need to manage the costs, and acknowledge that the site will only be used by a limited audience.
- 4.6.2 If the decision is made to reduce the size of the golf course but not implement the proposed developments, there will still be a (reduced) cost to the council of maintaining the area, but no opportunities to generate a new income. Potential benefits to local people, wildlife and the environment are unlikely to be achieved as a result.
- 4.6.3 The risks of going ahead with the proposed reduction in the size of the golf course, development of various new visitor facilities, and landscape improvements are that the income-generating aspects of the scheme are unsuccessful, and/or that the costs to the council are higher than anticipated. This has been considered as part of the business plan which, at a conservative estimate, suggests the risk of such a failure is small. If/when a design is fully worked up, the costs will be revisited to ensure they remain within budget and any plans reconsidered if necessary.
- 4.6.4 Although the Temple Newsam Golf Club's submission suggests that they are in support of the recommendations outlined in this document, there is a risk that they will not be supportive of the plans when they are drawn up in detail. Officers will continue to liaise with the club at every stage of the scheme's delivery to achieve a positive outcome.
- 4.6.5 Risks to the scheme associated with Covid 19 (which may impact on the success of the café, for example) will be considered on an ongoing basis to ensure the risk management is appropriate in rapidly changing circumstances.
- 4.6.6 Other risks of the proposed development include anti-social behaviour and vandalism. These risks will be taken into consideration at the design stage. For example, CCTV might be necessary by the buildings, robust materials will be required for the road safety park and vehicle barriers may be required to restrict access by motorised vehicles to the cycle trails.
- 4.6.7 The experience of the Parks and Countryside Service suggests that lack of use of the proposed facilities is an unlikely risk.
- 4.6.8 Consultation with Planning through a pre-application process will minimise risk with regards to planning matters.

## **5 Conclusions**

- 5.1 The wide reaching public consultation described above has revealed that a majority of consultees, including the local ward members, local residents and Temple Newsam Golf Club, support developing a range of visitor facilities (including cycling and walking trails, a road-safety park, a play area and a cafe) at Temple Newsam, alongside a re-modelled golf course and other landscape improvements. There is scope to develop these proposals on a 'spend to save' basis with a £1.2 million investment resulting in a £71.8 annual saving.

## **6 Recommendations**

6.1 Executive Board is requested to:

6.2 Approve the following changes to the area of Temple Newsam that is currently a golf course:

- A reduction in the size of Temple Newsam golf course from 27 to 18 holes.
- The re-development of the building which currently serves as the golf clubhouse to include an attractive and accessible café, toilets and other supporting recreational facilities alongside golf provision.
- The development of a road-safety park, children's play area, walking and cycling trails and other historical, educational and environmental landscape improvements

6.3 Inject £1.2m into the capital programme for the delivery of the scheme.

6.4 Delegate authority to spend approval of the full scheme to the Director of Communities and Environment, subject to consultation with the Executive Member for Environment and Active Lifestyles.

6.5 Note that the Chief Officer Parks and Countryside will be responsible for implementation of the scheme.

## **7 Background documents<sup>1</sup>**

7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.