

## RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER

This form **MUST** be used to record any decision taken by the Elected Mayor or an individual Executive Member (Portfolio Holder).

The form must be completed and passed to the Chief Officer Legal, Performance and Democratic Services no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 days have passed and the Chief Officer Legal, Performance and Democratic Services has confirmed the decision has not been called in.

**1. Description of decision**

Approve entering into an agreement with the Lawn Tennis Association (LTA) for capital funding **£86,935.13** to renovate and reduce courts in **Bedford Park** from the LTA and DCMS's Park Tennis Investment Fund, and to delegate to the Chief Officer Environment, in consultation with the Deputy Mayor & Portfolio Holder for Environment and the Councils Legal department the authority to finalise the details of the funding agreement and to take any further actions necessary to complete the funding agreement. The supplier that will renovate the tennis courts will be procured by the LTA through the LTA National Framework.

Delegate authority to the Chief Officer Environment, following consultation with the Deputy Mayor & Portfolio Holder for Environment and the Councils Procurement Department, to enter into a works contract between Bedford Borough Council and the successful contractor for the renovation of the courts.

Approve the commencement of a procurement exercise to identify and contract with a supplier for the provision of a tennis court operator and delegate authority to the Chief Officer Environment, following consultation with the Deputy Mayor & Portfolio Holder for Environment and the Councils Procurement Department, to enter into a contract between Bedford Borough Council and the successful contractor. Approval in this regard to include delegating to explore and decide the best model between the council and the operator, which model may include a straight/conventional contract, a works concession contract or any other model that will be most effective.

**2. Date of decision**

09 June 2023

**3. Reasons for decision**

To enable the tennis courts in Bedford Park to be renovated to a playable standard, increasing participation of tennis in the borough, and ensuring that the courts are maintained in the long term by being financially sustainable.

This decision will support the Council priority of addressing health inequalities by providing all residents with playable tennis courts that can be booked in advance, coaching sessions for all ages, and the opportunity to play competitive tennis against others of a similar ability. There would be pay and play sessions and membership opportunities in place with the income generated, ensuring that the courts can be maintained to a good standard, but there would also continue to be some free sessions and coaching available.

**4. Alternatives considered and rejected.**

The alternative is to do nothing. The existing courts are in a poor condition and based on existing budget, without external grant funding, current conditions are likely to remain or deteriorate further resulting in court closures for safety reasons.

**5. How decision is to be funded**

Grant Award Funding from the Lawn Tennis Association (LTA) and Department Digital, Culture, Media, and Sport (DCMS) through the Park Tennis Investment Fund to renovate tennis courts in parks.

**6. Conflicts of interest**

| Name of all Executive members who were consulted AND declared a conflict of interest. | Nature of interest | Did Standards Committee give a dispensation for that conflict of interest? (If yes, give details and date of dispensation) | Did the Chief Executive give a dispensation for that conflict of interest? (If yes, give details and the date of the dispensation). |
|---|--------------------|--|---|
|   |                    |  |   |

The Mayor has been consulted on this decision.

Yes

*Tom Wootton*

Signed ..... Date ...9<sup>th</sup> June 2023...Name of Decision Taker .....Mayor, Tom Wootton.....

**This is a public document. A copy of it must be given to the Chief Officer Legal and Democratic Services as soon as it is completed.**

Date decision published: .....12 June 2023.....

Date decision can be implemented if not called in: ...21 June 2023.....

(Decision to be made exempt from call in.....NO.....)

**Bedford Borough Council – Report to the Mayor**

**Date: 09 June 2023**

**Report by: Chief Officer Environment**

**Subject: Tennis Courts - Investment Funding and Operation (Bedford Park)**

**1. EXECUTIVE SUMMARY**

- 1.1 This report seeks approval to enter into an agreement with the Lawn Tennis Association (LTA) to secure grant funding for the renovation of tennis courts in Bedford Park, to proceed with the procurement for renovation of the courts and for an operator to manage the courts.
- 1.2 This report is to focus on Bedford Park tennis as the funding to renovate these courts would result in a reduction of tennis courts but would ensure that they are protected for the future along with the implementation of a sustainable model. Also, changes to provision within Bedford Park require consultation with the Bedford Park Trustees.

**2. RECOMMENDATION**

**2.1 That the Mayor considers, and if satisfied, agrees to:**

- **Approve entering into an agreement with the Lawn Tennis Association (LTA) for capital funding up to £86,935.13 to renovate courts in Bedford Park from the LTA and DCMS's Park Tennis Investment Fund, and to delegate to the Chief Officer Environment in consultation with the Deputy Mayor & Portfolio Holder for Environment and the Council's Legal department, the authority to finalise the details of the funding agreement and to take any further actions**

necessary to complete the funding agreement. The supplier that will renovate the tennis courts will be procured by the LTA through the LTA National Framework.

- Delegate authority to the Chief Officer Environment, following consultation with the Deputy Mayor & Portfolio Holder for Environment and the Council's Procurement Department, to enter into a works contract between Bedford Borough Council and the successful contractor for the renovation of the courts.
- Approve the commencement of a procurement exercise to identify and contract with a supplier for the provision of a tennis court operator and delegate authority to the Chief Officer Environment, following consultation with the Deputy Mayor & Portfolio Holder for Environment and the Council's Procurement Department, to enter into a contract between Bedford Borough Council and the successful contractor. Approval in this regard to include delegating to explore and decide the best model between the council and the operator, which model may include a straight/conventional contract, a works concession contract or any other model that will be most effective.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To enable the tennis courts in "Bedford Park" (*Appendix 1 – Location Plan*) to be renovated to a playable standard, increasing participation in tennis in the borough, and ensuring that the courts are maintained in the long term by being financially sustainable and reducing the impact on the council financially.
- 3.2 This decision will support the Council's priority of addressing health inequalities by providing all residents with playable tennis courts that can be booked in advance, coaching sessions for all ages, and the opportunity to play competitive tennis against others of a similar ability. There would be pay and play sessions in place with the income generated ensuring that the courts can be maintained to a good standard, but there would also continue to be some free sessions and coaching available.
- 3.3 The LTA are currently securing their funding allocations, so if approval is given to proceed with the above recommendation's confirmation is required before 14 June, so we can confirm whether this is still a viable option for the LTA at that point.

## 4. **IMPLICATIONS**

### Policy Issues

- 4.1 The Council's Corporate Plan highlights the importance of sport and leisure within the community. The closure of any tennis courts would limit people's ability to lead healthy, happy, and more active lives and have a drastic impact on England's community tennis infrastructure. Tennis facilities play an essential role in the borough's future leisure provision through reconnecting with communities and bringing people together through sport and physical activity after the pandemic. It is therefore important that we provide sport and leisure services within the community (including tennis courts) where possible.

### Legal Issues

- 4.2 The respective approvals sought in this report are consistent with one another and with the underlying council objective to renovate the tennis courts and maintain them at a playable standard. To this extent the objective of the council and the means to achieve these are lawful.

The council will remain the Contracting Authority in relation to the procurement of the renovation works contract, while employing the LTA to manage the process and this is in order. The Procurement of a specialist tennis operator to manage the courts is also in line with the council's best value obligations in law. Therefore, the approvals sought are lawful, consistent with the council's legal obligations regarding fairness, transparency, equality, and value for money. They are also in line with and adhere to the provisions of the Public Contract Regulations 2015 and of the Council's Contract Procedure Rules.

Consultation has taken place with the new Park Trustees over this proposal and there are no known legal reasons or any constraints on the tennis courts in regard to undertaking these works. Under the terms and conditions of the grant, there is a requirement to set aside a sinking fund for future replacement of the courts. The LTA recommend that this is set at £1,200 per court per annum. With three tennis courts in this funding application, the total sinking fund requirement is £3,600 per annum.

### Resource Implications

- 4.3 Lawn Tennis Association (LTA) and Department Digital, Culture, Media, and Sport (DCMS) launched the Parks Tennis Investment Fund to renovate tennis courts in parks. The LTA has undertaken a technical survey to inform the detailed renovation works required and determined the level of grant funding allocated to Bedford. The courts at "Bedford Park" were deemed to be too damaged by tree

roots to re-surface in their current condition, but an alternative has been suggested (*which would be eligible for funding*) that would result in a reducing the number of courts from 9 to 3. However, reducing the number of courts would ensure that the playing surface is safe and unaffected by tree roots going forward. There is no capital match funding requirement from the Council for this option. To ensure that there is no net cost impact on the Capital Programme, the Council would only enter into a funding agreement with the LTA should the full costs of the court renovation be met from their capital grant.

There is a requirement to set aside a sinking fund for future replacement of the courts. The LTA recommend that this is set at £1,200 per court per annum. With three tennis courts in this funding application, the total sinking fund requirement is £3,600 per annum. Other on-going running costs include cleaning & litter picking, general repairs and maintenance are all costs which the Council incurs currently, but there would be an additional cost associated with access gates, which is currently £536 per gate per annum (there is only one gate per site).

The introduction of a pay and play scheme will ensure that income is generated to fund on-going costs of the tennis courts. This report recommends the use of a not-for-profit third-party operator to run the tennis courts via a competitive procurement process, therefore pay and play prices are to be determined by the successful bidder. However, the pricing strategy will set out parameters within which the operator needs to follow. Other sources of income include annual membership subscriptions and coaching sessions. The exact delivery model will be the responsibility of the third-party operator.

The proposed procurement strategy will be that the third-party operator is required to provide a fixed guaranteed income per annum at a minimum level of £3,600 (equivalent to the sinking fund requirement). The council would also look for the operator to have full responsibility for the entrance gates (including repairs and servicing) and litter picking the courts to reduce some maintenance burden on the council, and therefore any financial risk. The sinking fund will be held in an earmarked reserve for future replacement of the tennis courts, ensuring a long-term sustainability of the facility. This will ensure that funding is available when capital investment is required in future, avoiding the reliance on capital borrowing. The option of appointing a third-party operator will minimise the financial risks to the Council. Should the tennis courts be managed in-house, there would be customer support, administrative and other back-office costs.

#### Risk Implications

- 4.4 The grant funding from the LTA provides an opportunity to secure external investment into the borough. The grant investment will place an obligation on the authority to maintain the courts for a 15-year period and the appointment of an operator that develops a sustainable model with appropriate fees and charges to fund future repairs and maintenance will be key.

Tennis courts in parks are currently free of charge with no booking system in place. Therefore, existing users and wider residents may raise concerns around the potential change in operation including the introduction of online booking and charges. An Equality Impact Assessment has been completed identifying support around booking technology and cost. There are extensive national examples of where similar parks tennis operating models have been introduced successfully with options around free use programming and appropriate booking support to be considered as mitigation.

To support in positive delivery, an action plan will be agreed with the Council's communications service, covering communications requirements and channels to be used.

#### Environmental implications and contribution to achieving a net zero carbon Council by 2030

- 4.5 The proposals and acceptance by the Council for this funding award would serve to enhance the local environment providing safe and playable tennis courts with a model which provides future ongoing maintenance of the facilities for the benefit of residents, visitors, and users of the tennis courts in which they are located, as well as preserving the Council's physical assets.

#### Equalities Impact

- 4.6 In preparing this report, consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

An Equalities Impact Assessment has been conducted (*Appendix 2*). The assessment identified that the recommended option would not have an adverse impact on any of the protected characteristics. The proposals, which will bring all the tennis courts up to a playable standard, will improve access to tennis for the community and will have a positive impact for people of all ages, for those with a disability (with specific sessions for this target group to be held), and for all race/ethnic groups. There would still be some free tennis sessions available at some of the parks and the Council would work with the tennis operator to ensure that the charging rates for the play and play sessions are affordable for all including for children and older people. The tennis operators would be expected to detail in a tennis development plan what types of coaching sessions they would provide, including for people with disabilities, as part of the procurement process for a tennis operator. The operator would also be expected to offer competitive tennis opportunities.

## 5. DETAILS

- 5.1 In October 2021, the Government announced it was investing £22m into public tennis courts across Britain. This funding, together with an investment from the Lawn Tennis Association (LTA) of £8.5m, is aimed at bringing public park tennis courts in poor or unplayable condition back to life, for the benefit of their local community. A key objective also is to increase the number of people playing tennis and to provide more tennis coaching and competitive tennis opportunities. Local Authorities are identified by the LTA as being eligible for funding to use it repair and resurface the courts, repair fencing, and to install gate access technology. The funding programme also enables the introduction of an online booking system. Whilst local authorities can include match funding as part of their application there is no requirement to do so. Local authorities need to confirm their agreement to fund a sinking fund, ongoing maintenance costs, as well as the ongoing costs associated with the access gates. The introduction of pay and play will ensure that the courts can be maintained to a good standard with the income generated being reinvested into the courts. The sinking fund would be funding that would be kept aside by the council each year so that when the courts need resurfacing at the end of their life (usually 10-15 years, depending on their usage) there will be funding available for this. The LTA recommends that a sinking fund of £1,200 per court per annum is ring-fenced.

The public tennis courts in the Borough's parks are currently available on a turn up and play basis with no booking facility available and are free to use at all times.

### Why is a change required?

- 5.2 An assessment of the public tennis courts in all the Borough's parks was undertaken as part of the Bedford Borough Council Playing Pitch and Outdoor Sport Strategy. This strategy was undertaken by a consultant, Knight, Kavanagh & Page who identified that the majority of park tennis courts are in a poor condition, including Bedford Park. Details of this assessment are in Table 1 below. The Council does not have the capital funding available to bring the courts at Bedford Park up to a good standard, and limited maintenance budget available to maintain all the courts to their present condition. The report recommended working with the LTA to implement improvements.

Table 1

| <b>Park</b>  | <b>Number of Courts</b> | <b>Current Condition</b> |
|--------------|-------------------------|--------------------------|
| Bedford Park | 9                       | Poor                     |

LTA national insight shows that just 16% of park users are happy with the ability and opportunity to book tennis courts and 40% of people are unaware of where their nearest local park tennis facility is. Nearly three quarters of park players, report that they would



be keen to play more often if barriers around court quality, booking journey and programming were addressed. Since early 2022, Officers have engaged closely with the LTA to discuss the potential for investment. There is an opportunity to work with the LTA to invest in and radically improve the quality of the tennis offer in parks across the borough.

5.3 Following the announcement of this funding stream, the LTA engaged a technical services consultant to conduct site visits to locations targeted for capital works, including Bedford Park. The purpose of these visits was to confirm current court quality, advice regarding upgrade works required and provide a project cost. The technical reports have been assessed by Officers and the LTA. The consultant surveying these areas felt that the damage caused to the playing surface by tree roots at Bedford Park was too severe to make initial investment in these courts viable. However, following Officers further discussion with the LTA another option was put forward to include a funding provision as detailed below:

|              |   |                   |
|--------------|---|-------------------|
| Bedford Park | Re-orientate courts to only provide three courts as per the attached plan ( <i>Appendix 3</i> ). The funding will cover resurfacing, re-painting, and re-constructing 88m <sup>2</sup> of the court to repair the areas of root damaged surface | £86,935.13        |
|              | <b>Grand Total</b>  | <b>£86,935.13</b> |

#### 5.4 Bedford Park Proposals

##### Option 1: **Recommended.**

- Accept the LTA Funding for £86,935.13 which will re-orientate three courts as per the attached plan (*Appendix 3*). The funding will cover resurfacing, re-painting, and re-constructing 88m<sup>2</sup> of the court to repair the areas of root damaged surface.
- The LTA are requiring the remainder of the tarmac area (red on the attached plan, *Appendix 3*) to be painted another colour so it is clear this area is not part of the court. The cost of this would be £9,900.80 and would need to be covered by BBC.
- A charging structure would need to be implemented (as per the other LTA funded courts) to create a sustainable management model and secure a sinking fund for future works.

Officers having reviewed this option, there would seem to be an opportunity to install another basketball court on the area between the final tennis court, and the existing basketball court when funding allows. An estimated cost for this would be approximately £40-50k which would have to be covered by BBC. It would also seem to be sensible to potentially remove the redundant tarmac area, rather than paint it which would cost BBC more, possibly in the region of £40-50k.

#### Option 2:

- Decommission the worst four-fifths tennis court by removing nets, burning out lines and undertaking remedial repairs to eliminate trip hazards from tree roots. This would have an estimated cost to BBC of £15-20k.
- We could then look to put in a basketball court when funding allows, next to the existing court for an estimated cost of £40-50k.

There would be an ongoing cost to BBC to continue repairing damaged surface on the tennis courts where tree roots continue to disturb the tarmac surface. The courts would remain free to use with no involvement from the LTA or a management organisation, but in turn there would be no sinking fund for future repairs. The courts would remain a liability to the Council.

#### Option 3:

- BBC re-surfaces existing tennis courts as they are for a cost of between £150-180k.
- This would be surfacing over tree roots rather than removing them to protect the trees. This would mean that the life expectancy of the surface would be much less than the LTA option 1, as the tree roots will continue to damage the tarmac surface.
- The courts can remain free to use to the public, but there will be no sinking fund for future repairs.

The surfacing will not have a warranty on it and will have a significantly shorter life expectancy before it begins to be damaged by tree roots again. There will be no sinking fund for future repairs/resurfacing, meaning that it will be a liability going forward. As this is not a sustainable option, then the LTA will not fund this, and full costs will be down to BBC.

Costs are very much estimates at this point, apart from the exact costs provided by the LTA in option 1.

The LTA are currently securing their funding allocations, so if option 1 is preferred we need confirmation as soon as possible (*before 14 June*), so we can confirm whether this is still a viable option for the LTA at that point.

#### 5.5 Tennis Operational Model

The proposed investment into the above tennis courts through the LTA's Park Tennis Investment Fund, would significantly improve the tennis provision that we have in Bedford, however there are some conditions that we need to agree to.

1. The courts must be run sustainably going forward i.e. courts must be maintained to a playable standard with a sinking fund in place for eventual resurfacing.
2. An operational model must be in place for court bookings and activities.

3. We would need to use the Clubspark booking software and appear on the LTA court search website.
4. Commit to at least 1 hour per week of organised coaching for free tennis.
5. Commit to recreational competition offer – Local Tennis Leagues (we already do this); and
6. Agree to all works being undertaken through the LTA's framework and having their successful contractor undertaking the works.

The council will need to look at implementing an operational model, to drive tennis activity and bookings across the borough. There are a number of different options to do this ranging from retaining the management in-house to fully outsourcing the management of the court bookings and on court activities.

We have had some initial discussions with the National Tennis Association (a tennis operator) regarding point 2 above, which would in turn ensure the Council are also meeting points 1-5. From these discussions, the council would be looking to ensure that the below is included in any procurement exercise as requirements that the council needs on park tennis courts. This is to ensure tennis in our parks is accessible for all, and the newly introduced charges are not a cost associated barrier.

- Weekly free tennis session - professional led and all equipment provided, in line with the LTA's Park Regeneration Fund requirements to offer this scheme.
- Free school tasters / community events - we plan to offer free tennis opportunities within schools and offer annual open days and support with community events to promote parks tennis.
- Funding to subsidise Annual Pass - we will look at working with the local sports partnership to seek funding to subsidise annual passes for those that may not be able to afford it.

For the scheme to be sustainable (i.e. having a sinking fund) there must be a balance with the pay to play scheme and the elements of the above free access to the community. However, the council would also be looking for the tennis operator to offer free informal tennis on one court at each venue for up to 4 hours per week.

- 5.6 We have also considered in-house management options, but there would be limitations of this in terms of in-house capacity and tennis specialism which points to exploring options for outsourcing the operation of the courts. The core advantages of outsourcing are:

The LTA can support with developing an operator agreement, identifying potential operating partners in line with the council's procurement process and existing leisure contract requirements. Operating agreements may include conditions around maximum

court charges, maximum number of courts used for coaching, programme expectations around free tennis sessions and taster days etc, as well as any financial arrangements between the operator and Council.

The change in operation would include the introduction of online bookings, self-access control gates, and the implementation of fees & charges for court bookings. The move to charging for parks tennis courts would be supported by an element of free tennis programming to engage those where cost may be a barrier.

- Income – agreed income through an operator agreement that can be reinvested back into court repairs and maintenance.
- Technology support – operators will be responsible for uploading courses, managing sign up, booking communications etc.
- Marketing & communication support – expertise on how to market tennis to park users to drive sign up and, where relevant, income etc.
- Workforce development – operators are responsible for identifying coaches with capacity to deliver the agreed programme.

#### 5.7 Conclusion

In conclusion it is recommended that the LTA and DCMS's Park Tennis Investment Funding of £86,935.13 is accepted for the renovation of the "Bedford Park" tennis courts, by reducing provision from nine courts to three courts to ensure their long-term viability. This will secure the council and Bedford residents newly renovated tennis courts for many years to come, providing users with good quality tennis facilities and reducing the impact on the council financially.

It is also recommended that a tennis operator model is explored to create a sustainable model to secure the future of tennis in Bedford Park (along with other Bedford Borough tennis provision in park locations).

## 6. **SUMMARY OF CONSULTATIONS AND OUTCOME**

- 6.1 A consultation exercise was undertaken in the summer of 2021, and this was undertaken to link with the project. However, unsurprisingly it was not particularly supportive of introducing fees and 48% of respondents felt the courts were either in very good or good condition, with 32% thinking they were average. Contrary to the respondent's views on the condition of the courts, the LTA survey confirmed that some of the courts are in a poor and dangerous condition. However, with no budgets or income to contribute towards repairs or infrastructure the current position is unsustainable. Due to some of the courts being in a poor, some dangerous condition it is apparent challenging decisions will be made into closing some courts if a more sustainable investment plan is not implemented for the future of the tennis courts.

6.2 The following Council Units or Officers and/or other organisations have been consulted in preparing this report:

Deputy Mayor & Portfolio Holder for Environment  
Director of Environment – Craig Austin  
Chief Officer for Finance – Rhian Bevan  
Chief Officer Legal, Performance and Democratic – Margaret Martinus  
Manager for Commissioning & Procurement - Lucy Munt  
Bedford Part Trustees

No adverse comments have been received.

## 7. **WARD COUNCILLOR VIEWS**

7.1 This Report is not relevant to an individual ward as the proposal effects all wards as the Tennis Courts are located across the borough. The consultation process detailed in 6.1 provided an opportunity for any comments.

*Report Contact Officer:* Paul Pace – Chief Officer Environment, [paul.pace@bedford.gov.uk](mailto:paul.pace@bedford.gov.uk) ext. 47275

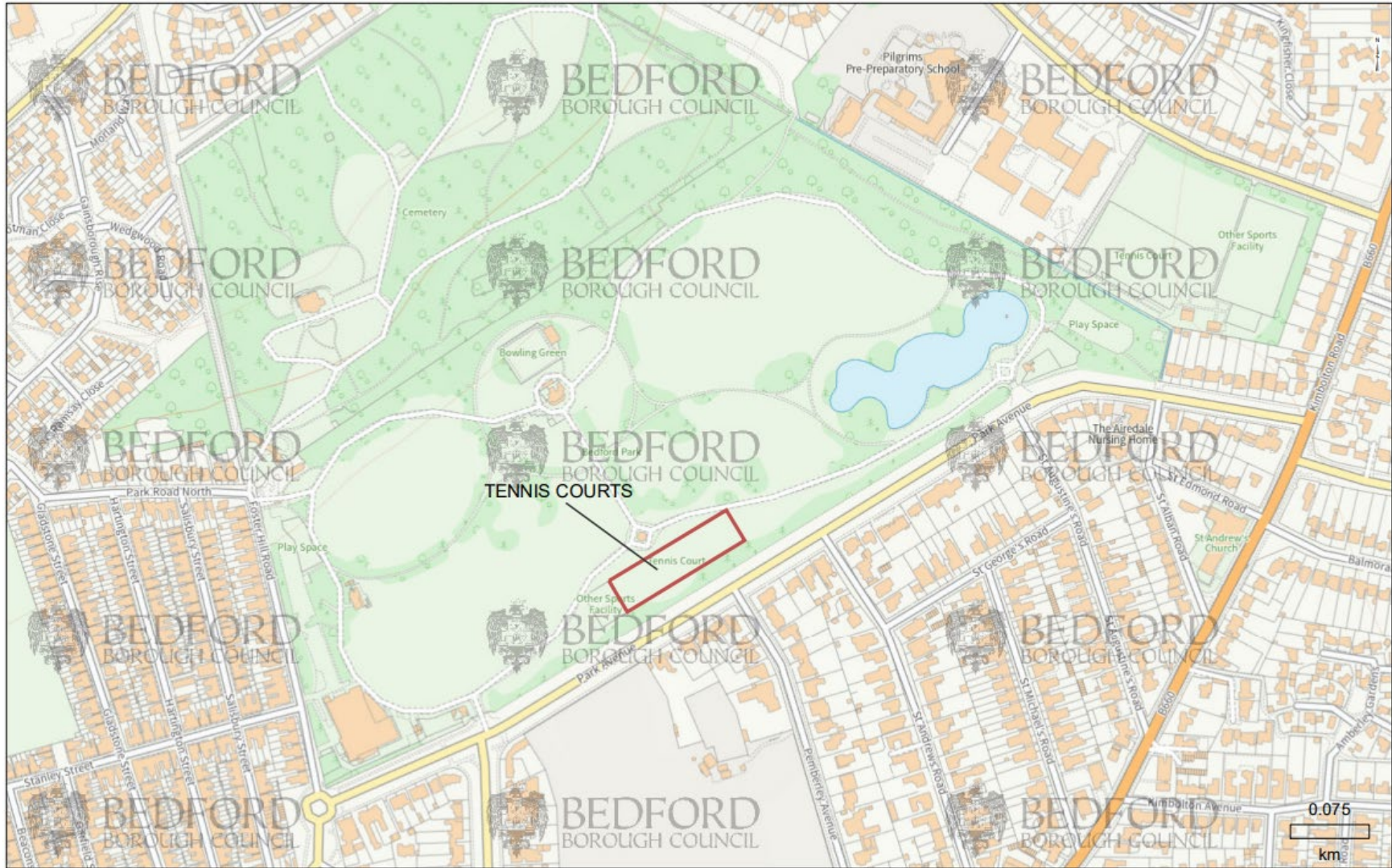
*File Reference:* I: Environment/Committees/Reports/Decisions

*Previous Relevant Minutes:* None

*Background Papers:* None

*Appendices:* Appendix 1 - Location Plan of the Tennis Courts  
Appendix 2 - Equalities Impact Assessment  
Appendix 3 - Plan to show re-orientate courts

*Appendix 1 - Location Plan of the Tennis Courts*



BEDFORD  
BOROUGH COUNCIL

## Bedford Park

1:3,307.0

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**Equality Analysis Report**

|   |  |
|---|--|
| <b>Parks Tennis Investment Funding and Operation</b>  | <b>Executive Decision - Mayor</b>                                      |
| <b>Service area</b><br>Environment  | <b>Lead officer</b><br>Environmental Development and Viability Officer |
| <b>Approved by</b><br>Chief Officer – Environment   | <b>Date of approval</b><br>23 May 2023                                 |
| <b>Description of activity:</b><br>Renovation & Operation of the Tennis Courts in Bedford Borough Parks |  |

**Please refer to the Equality Analysis Template Notes for guidance on completing this form.**



## **Relevance Test**

|   |     |                                     |    |                                     |
|---|-----|-------------------------------------|----|-------------------------------------|
| 1. The outcomes of the activity directly and significantly impact on people, e.g. service users, employees, voluntary and community sector groups.  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| 2. The activity could / does affect one or more protected equality groups.  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| 3. The activity could / does affect protected equality groups differently.  | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> |
| 4. One or more protected equality groups could be disadvantaged, adversely affected or are at risk of discrimination as a result of the activity.   | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> |
| 5. The activity relates to an area where there are known inequalities.  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| 6. The activity sets out proposals for significant changes to services, policies etc. and / or significantly affects how services are delivered.  | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> |
| 7. The activity relates to one or more of the three aims of the Council's equality duty.  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| 8. The activity relates to the Council's Corporate Plan objectives, is a significant activity and / or presents a high risk to the Council's public reputation.   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| 9. An equality analysis of this activity is required.   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |
| This activity has no relevance to Bedford Borough Council's duty to eliminate unlawful discrimination, harassment, and victimisation; to advance equality of opportunity; and to foster good relations. An equality analysis is not needed. |     |                                     |    |                                     |
| <b>Explanation why equality analysis is not needed.</b>   |     |                                     |    |                                     |

## **Scope of equality analysis**

|   |  |
|---|--|
| <b>Who is / will be impacted by the activity's aims and outcomes?</b> | To enter into a funding agreement with the Lawn Tennis Association (LTA) for funding awarded through the LTA and DCMS's Investment Fund for capital funding to improve tennis facilities at a number of the Bedford Borough's parks that are currently in a poor condition to increase use of the courts and improve levels of physical activity in the borough. This will include the resurfacing of the courts, repairs to fences, as well as the introduction of gate access technology and an online booking system. A pay and play system would be in operation with the introduction of charging for members of the public to hire the courts per hour or through annual membership. There would, however, be free weekly tennis session at all park tennis sites. This would be in accordance with the LTA's criteria for usage that there is a free weekly tennis session at all parks involved to address |
|---|--|

|  |   |
|--|---|
|  | income inequality and maximise take up. The income generated will be reinvested into maintaining the courts to a good standard ensuring that the courts are sustainable going forwards. It is proposed that the courts would be operated by a tennis operator who will also deliver coaching sessions to help increase the number of people playing tennis and to enable players to develop their skills.   |
| <b>Which particular protected equality groups are likely / will be affected?</b> | No protected characteristic would be adversely affected by these proposals. Renovating the tennis courts to a playable standard and introducing a pricing strategy for usage that will ensure the courts can be maintained in the future and will improve access to tennis for the whole community. There will still be some free weekly sessions at all the park tennis sites to ensure that there is a maximisation of usage and to address income inequality. A tennis operator will be procured to manage the refurbished courts and will provide coaching sessions and the opportunity for the public to play competitive tennis if they wish to do so. This will have a positive impact for people of all ages and gender, and for those with a disability with specific sessions for this target group to be held by the operator, and for all race/ethnic groups. The new access gates will be fully accessible being the required width for wheelchair users and the gate keypad located at a height accessible to all. There would be an online booking system introduced to improve the customer's journey to hiring a court making the process simpler and easier, but the tennis operators would also be expected to detail how the courts could be booked for those with limited access to a computer or who have limited digital skills. |

**Evidence, data, information, and consultation**

|   |   |
|---|---|
| <b>What evidence have you used to analyse the effects on equality?</b>  | Lawn Tennis Association Inclusion Strategy 2021-23 ( <a href="https://www.lta.org.uk/about-us/what-we-do/governance-and-structure/policies/equality-and-diversity/">https://www.lta.org.uk/about-us/what-we-do/governance-and-structure/policies/equality-and-diversity/</a> )  |
| <b>What consultation did you carry out with protected equality groups to identify your activity's effect on equality?</b> | The draft proposal went out to public consultation during June and July 2021 for a 6-week period. The consultation process was widely promoted through a range of press releases, online publicity, posters, email newsletters and social media. There was a total of 511 responses received, which resulted in a wide range of comments/feedback on the draft proposal. All the feedback received during the process was reviewed by the Council and the LTA. The primary concern regarding the proposal was the impact low-income households and young people which has been addressed in the final proposal. There were also comments regarding wheelchair access to courts which has also been considered within the final proposals. |

|   |  |
|---|--|
| <p><b>What does this evidence tell you about the different protected groups?</b></p>  | <p>The LTA's Inclusion Strategy 2021-23 looks to make tennis inclusive and available to all. We are working closely with the LTA on these changes in the hope of making our park tennis provision inclusive to all. This is through taking tennis into the local communities and ensuring that we are delivering to meet everyone's needs.</p> <p>We are playing our part in the LTA Inclusion Strategy by providing a venue that is fully inclusive, and entering a partnership with an operator who will work with all areas of the community to ensure everyone's tennis experience is that they feel included.</p> <p>A key part of this tennis project is to increase tennis participation and to reach out to different groups to ensure that their needs are being met. Bringing a tennis operator into the project with LTA support will help us to achieve this. We will also be including LTA tennis programmes which are delivered in partnership with Sports England to address any current or future inequalities in Bedford such as LTA Pair &amp; Play, LTA Cardio Tennis and LTA Tennis Express.</p> <p>We have listened and responded to the consultation undertaken on this project proposal in 2021. We are ensuring that our tennis courts will be more suitable for wheelchair users with accessible gates, and good quality playing surfaces. We are committed with ensuring an element of free or reduced rate tennis provision is included in tennis coaching programmes, so Bedford's provision is available for all.</p> <p>From the evidence from both the LTA and our own consultation, users are telling us to make sure that tennis is available for everyone to participate in and ensure that they feel included. This proposal addresses this and ensures that the courts are protected for future generations to also enjoy.</p> |
| <p><b>What further research or data do you need to fill any gaps in your understanding of the potential or known effects of the activity?</b></p> | <p>We will continue to engage with National research findings to amend and improve our understanding. We will contact local networks to see if there is any further understanding</p>  |

**General Equality Duty**

**Which parts of the general equality duty is the activity relevant to?**

|                              | Eliminate discrimination, harassment, and victimisation | Advance equality of opportunity | Foster good relations |
|------------------------------|---|---------------------------------|-----------------------|
| Age                          | NA  | Yes                             | Yes                   |
| Disability                   | NA  | Yes                             | Yes                   |
| Gender reassignment          | NA  | NA                              | NA                    |
| Pregnancy and maternity      | NA  | NA                              | NA                    |
| Race                         | NA  | Yes                             | Yes                   |
| Religion or belief           | NA  | NA                              | NA                    |
| Sex                          | NA  | NA                              | NA                    |
| Sexual orientation           | NA  | NA                              | NA                    |
| Marriage & civil partnership | NA  |                                 |                       |

**Impact on equality groups**

| <b>Based on the evidence presented what positive and negative impact will your activity have on equality?</b> |                                     |                          |                          |  |
|---|-------------------------------------|--------------------------|--------------------------|--|
|   | Positive impact                     | Negative impact          | No impact                | Explanation  |
| Age   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Bringing all the tennis courts up to a playable standard will benefit people of all ages as it will make tennis more accessible and provide opportunities for people of all ages to attend coaching sessions and to participate in competitive tennis with people of a similar ability if they wish to do so. Whilst the charge rates for the pay and play sessions will be set by the tennis operator, the Council will work with the operator to ensure that the charging rates are affordable for all (including some free sessions). There would be an online booking system, but tennis |

|                              |                                     |                          |                                     |   |
|------------------------------|-------------------------------------|--------------------------|-------------------------------------|---|
|                              |                                     |                          |                                     | operators would be expected to detail how the courts could be booked for those with limited access to a computer or who have limited digital skills.  |
| Disability                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | Bringing all the tennis courts up to a playable standard will benefit people with a disability. The specification for the procurement of a tennis operator would include a requirement to ensure that there are sessions aimed at people with disabilities, and there will be some free tennis sessions available at some of the parks to address income inequality.                            |
| Gender reassignment          | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Pregnancy and maternity      | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Race                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | Black, Asian, and Multi-Ethnic residents make up around 24.3% of our borough's population followed by White groups at 75.7%. Bringing all the tennis courts up to a playable standard will benefit people from all ethnic groups. There will be some free sessions and concessionary rates targeted towards residents from different ethnicities from disadvantaged socio-economic backgrounds. |
| Religion or belief           | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Sex                          | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Sexual orientation           | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Marriage & civil partnership | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No specific impact has been identified for this protected characteristic from these proposals   |
| Other relevant groups        | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |   |

### Commissioned services

|   |   |
|---|---|
| <b>What equality measures will be included in Contracts to help meet the three aims of the general equality duty?</b> | The proposal to apply for funding to bring the tennis courts up to a playable standard in several of the parks and introduce a pricing strategy with a weekly free session at some of the parks to address income inequality and maximise usage will enable sustainable greater participation in tennis in the borough for all ages and abilities. Coaching sessions will also be introduced and there will also be the opportunity for people to play competitive tennis if they wish to do so. This will help to meet the |
|---|---|

|  |   |
|--|---|
|  | sport and physical exercise needs of the whole community and bringing different communities together. |
| <b>What steps will be taken throughout the commissioning cycle to meet the different needs of protected equality groups?</b> | NA  |

### Actions

|  | What will be done?  | By who?                                   | By when?       | What will be the outcome?  |
|--|---|---|----------------|--|
| <b>Actions to lessen negative impact</b>                           | NA  |   |                |  |
| <b>Actions to increase positive impact</b>                         | Targeted interventions for greater diversity  | Sports Development Team                   | September 2023 | A focus on increasing tennis activity programmes and opportunities for key target groups   |
| <b>Actions to develop equality evidence, information, and data</b> | The data collected through the booking system will be used to monitor success and reviewed as part of the monitoring process    | Environment Team/ Sports Development Team | April 2024     | Evidence base to illustrate outcomes of programmes   |
| <b>Actions to improve equality in procurement / commissioning</b>  | We will support, promote, and enforce the LTA/Tennis Foundation Fair Play values within all tennis activities and environments. | Environment Team                          | Ongoing        | Tennis court operators are encouraged to adopt the objectives and principles of the vision |
| <b>Other relevant actions</b>                                      | NA  |   |                |  |

### Recommendation

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>No major change required</b> | <input checked="" type="checkbox"/> |
|---------------------------------|-------------------------------------|

|   |                          |  |
|---|--------------------------|--|
| <b>Adjustments required</b>                   | <input type="checkbox"/> |  |
| <b>Justification to continue the activity</b> | <input type="checkbox"/> |  |
| <b>Stop the activity</b>                      | <input type="checkbox"/> |  |

### **Summary of analysis**

In preparing this report, consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

The proposal highlights the importance of participating in physical activity, and to get the best use from the parks tennis courts and to make them sustainable into the future, the information in the assessment and the report lists the many benefits and puts forwards key objectives that will help increase participation opportunities for all members of the community for taking up and playing park tennis.

### **Monitoring and review**

|   |  |
|---|--|
| <p><b>Monitoring and review</b></p> <p>A review of the parks tennis courts is recommended to see how the facilities are being utilised by the community, this will be possible with this proposal as the information will be captured through the booking system and enable the council and the tennis operator to monitor the usage of the courts and the impact on the equality groups, it will also provide the data to help target certain groups as well to drive up participation through marketing campaigns and to embed a culture of everyday inclusion.</p> | <p><b>Review date</b></p> <p>July 2024</p> |
|---|--|

Appendix 3 - Plan to show re-orientate courts

