

Agenda Item 9

Cabinet Member: Councillor David Draper, Cabinet Member for Leisure

Strategic Leadership Team Lead: Paul Anderson, Executive Head of Service

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Date: 22 June 2021

Ward(s) affected: Dorking North

Key Decision: No

SUBJECT: BMX and Mountain Bike Park, Ranmore

Recommendation:

1. That the Cabinet approves in principle to enter into an agreement with Surrey Bike Park for the management of the Ranmore Road BMX and Mountain Bike Park.
2. That the final decision be delegated to the Executive Head of Service with responsibility for parks and open spaces in consultation with the Cabinet Member with responsibility for leisure services.

Cabinet has the authority to determine the Recommendation

Executive Summary: The Ranmore BMX track was built by MVDC, in partnership with the Mole Valley Cycling Forum, in 2003 to provide a safe place for local mountain/BMX biking enthusiasts to practice. The site has since become overgrown and dominated by scrubland which has meant that many of the original tracks are now unusable.

In recent years, a small voluntary group of local cyclists carried out work to cut back some of the overgrown scrubland, however, the group have ceased work at the site and there is no budgetary provision to maintain the site.

MVDC has been approached by a local organisation that runs Mountain Biking courses at Belmont School. They have proposed taking on responsibility for the BMX track and investing in it under the name of 'Surrey Bike Park'.

Council Strategy Priority Outcomes:

- Promote opportunities for residents of all ages to live safe, healthy and fulfilling

lives.

- Encourage participation in sports, leisure, cultural and educational activities, to promote responsible enjoyment of our parks, open spaces, heritage and countryside.
- Promote Mole Valley as a place for people to spend their leisure time and support local businesses to maximise opportunities from recreation and tourism.

1.0 Background/Introduction

- 1.1 The Ranmore BMX track was built by MVDC in 2003 in partnership with the Mole Valley Cycling Forum, to provide a safe place for local mountain/ BMX biking enthusiasts to practice. MVDC has a duty of care to make sure the site is safe and carries out monthly inspections of the site to ensure it is safe to use.
- 1.2 The 2 hectare site has the potential to be a popular and much valued venue for local cycling enthusiasts of all ages to visit. However, there are two main challenges with the site: ongoing maintenance costs and antisocial behaviour.
- 1.3 **Maintenance:** The site requires a high level of ongoing maintenance, particularly in relation to the condition of the track itself and surrounding vegetation. There is no existing budgetary provision for this.
- 1.4 There has also been a period of time where the site became overgrown and unusable. During the two preceding summers a small voluntary group of local cyclists have worked on the site, cutting back the overgrowth and bringing some of the tracks back into use. Unfortunately the volunteers are no longer in a position to carry out low level maintenance at the site and many of the tracks remain closed due to the level of clearance work required.
- 1.5 **Antisocial behaviour:** There is an ongoing issue with anti-social behaviour. Historically, there were longstanding issues with the driving of motorised quad bikes along the tracks, which causes a health and safety and, potentially, a liability issue as well as intimidating other users, however this has been largely solved by the installation of barriers to the entrance to the site. More recently, there have been issues with unsanctioned clearing and jumps being created using fires and heavy spades, creating a potentially unsafe environment for site users and nearby pedestrians. We continue to work with the Police to address these issues as far as is possible.
- 1.6 We have been approached by a local organisation that run Mountain Biking courses at Belmont School. They are keen to take on responsibility for the BMX track and invest in it, rebranding it Surrey Bike Park.
- 1.7 Scrutiny Committee considered an initial report on this matter on 9 March, however the Cabinet decision was deferred until June to allow further consultation with key stakeholders and the public on the proposals. The purpose of this report is to seek Cabinet's views on whether they support leasing the site to Surrey Bike Park.

2.0 Proposal from Surrey Bike Park Ltd

- 2.1 Surrey Bike Park Limited has been set up by the local team that run the Trail Academy site at Belmont School. They propose to lease the site from MVDC and remodel it into a well maintained, staffed Bike Park offering a range of trails for every ability. In so doing they will take on responsibility for insurance, health and safety and ongoing maintenance. Their intention would be to open the new facility in December 2021 (subject to planning permission).
- 2.2 Their short-term objective is to establish the Surrey Bike Park in Dorking, Surrey as a community asset for all genders, ages and abilities. They have provided proposals setting out various examples of the investment they wish to make, including:
- Rebuild and remodel the site, bringing it up to a standard that will attract people of any genders, age and ability.
 - Erecting welcome boards explaining the park, the trails on offer and abilities they suit, along with emergency procedures, first aid contact details and emergency access details.
 - Provision of toilet facilities, an outside seating area and locally sourced food and drink options that support Surrey farmers and producers.
 - Creation of a secure site boundary using a ditch and bund system, with native hedging on top.
- 2.3 The site will be staffed 6 days a week, Tuesday to Sunday. The site would be closed on Mondays for park maintenance. Opening hours will be based on the season's light availability.
- 2.4 In order to recover the investment, and cover ongoing staff and running costs, a small fee will be charged to people who wish to use the site. There have been some initial conversations around this with a key issue being the accessibility of the site to people on low incomes. The proposed operators have expressed a desire to work with MVDC to introduce a pricing structure that supports this objective.
- 2.5 Any proposals to remodel the site will be subject to planning consent. Consultation with local residents and users will be included within this process. Surrey Bike Park estimate that their initial investment of circa £50,000 will take 24 months to recover so they are seeking a 5 year lease initially, with the first year rent free to allow time to build up the business and remodel the site.
- 2.6 The proposed Surrey Bike Park pricing structure is set out below. Concessionary rates are applied to those on low income:

Annual Membership (single annual payment)

Adult	£125.00
Public Services (NHS/Forces)	£100.00
Youth (Under 18)	£90.00
Full Time Student	£90.00
Family 2 Adults 2 Children	£305.00

Day Pass (for non- members)

All day access –standard rate	£10.00
After School – standard rate	£5.00
All day access (concessionary)	£7.50
After school access (concessionary)	£3.75

3.0 Consultation

Stakeholder engagement

3.1 Meetings have been held with following key stakeholders to discuss the proposals and understand any issues or concerns they had:

- Ranmore Road Allotment Site Agent
- Community Orchard
- BMX Site Volunteers
- Mole Valley Cycling Forum

3.2 The consultees were supportive of the proposals subject to their specific concerns being addressed. The main concerns raised were around affordability, parking and maintaining access to the Community Orchard. These are outlined further in table 1 below, along with the proposed mitigation.

Risk/Issue	Proposed Mitigation
Affordability: The level of investment to the site means that a small charge will be introduced to users. At the moment the site is free and open to everyone, and it is essential that the site remains an inclusive community asset.	Surrey Bike Park have proposed a range of prices from an annual membership for regular users or ad hoc day pass and after school rates. Discounts are available to low income families, with an after school visit costing £3.75.
Parking: There is one car park that is shared with allotment holders and walkers and there is a risk that the number of users to the site prevent access to the wider community. However, the car park is of a reasonable size and can accommodate 10 - 15 cars. It is essential that allotment holders continue to be able to park on the site. There is already pressure on parking at the site from walkers and other visitors.	No parking would be available on site for Surrey Bike users. Site users would be advised that they can drop people off and park in nearby car parks, or travel by Train. The current car park area could accommodate a further 6 cars if brambles are cut back, and the ground levelled. It is proposed that this work is completed should the Surrey Bike Park take on the site. 2 of these spaces would be designated for Surrey Bike Park staff parking.
Community Orchard access: Access to the community orchard is via a track adjacent to the allotments. There were concerns that any development would	The Orchard have a right of way to the site, and the established track will sit outside of the development. Access will be maintained for vehicles.

Risk/Issue	Proposed Mitigation
impact on vehicle and public access to the orchard.	

Table 1: Summary of stakeholder engagement outcomes.

Public consultation

3.3 Public consultation was launched on 10 May, seeking views on the proposals and interest within the community to help maintain the site. The consultation received 1235 responses.

3.4 The quantitative results are summarised in table 2, below.

Question	Answer	No. of responses	Response %
How often do you visit the BMX Track?	Weekly or more	156	13%
	Once or twice a month	198	16%
	A few times a year	398	32%
	I never have	367	30%
	Other	114	9%
	Skipped question	2	
How would you rate the site as it is currently managed and maintained?	Good	202	18%
	Average	388	35%
	Poor	517	47%
	Skipped question	128	
What do you think about the proposal to run the site as a commercial company that can provide investment in creating a fully managed and maintained facility?	I'm in support of the proposal	887	72%
	I'm against the proposal	224	20%
	I'm not sure	102	8%
	Skipped question	2	
If Mole Valley District Council were to continue to manage the site, would you be willing to volunteer to help maintain it?	Yes	269	22%
	No	682	51%
	Not Sure	333	27%
	Skipped question	5	

Table 2: Quantitative results of consultation

3.5 Additional comments were also invited. The vast majority of these gave further reasons for the answers given to the questions. Of those that supported the proposals for a commercial company to develop the site, the main themes from comments were the lack of safe, managed spaces for mountain bikers south of London, and a desire to have a safe environment for children to learn and progress. For those that were not in support of the proposal, the main reasons given were that

the site should remain free and the view that no changes were needed. A few comments were concerned about the impact on wildlife.

- 3.6 In addition to the online responses to the consultation, written responses were also received from Epsom and Ewell Green Party, Members of Mole Valley Nature Conservation Group, Save Surrey Countryside Alliance and Mole Valley Cycling Forum. The feedback included concerns that development would have an adverse impact on the ecology of the site, with a suggestion that the site should be turned into a nature reserve. There was also a concern that local children should not be priced out from using the site, and a suggestion that they should be able to continue to use the site for free.

Petition

- 3.7 A petition was launched on the MVDC website by a local resident in March 2021. The petition requests that:

“The site should be kept within community control and with open or low admittance access fees charged. All options for the rejuvenation of the site should be considered alongside any proposals from commercial companies. Grants funding, Community Interest Company and volunteer led agencies should be approached. This facility is much loved and used by young people and active adults and it is needed more than ever following Covid-19 and the restrictions which have been placed on the community.”

- 3.8 The petition closes on Saturday 29 May, which is after publication of the Scrutiny papers. At the time of publication there were 47 signatures on the petition. If the final number of signatures changes, this will be provided as an addendum to this report.

4.0 Benefits to MVDC

- 4.1 There are a number of benefits to taking this forward:

- **Provision of high quality community facilities** – the level of investment proposed will bring more visitors to the site.
- **Safety and Security** - the site will be staffed 6 days a week and secured, to deter anti-social behaviour. Surrey Bike Park will take on all responsibility for health and safety.
- **Reduced costs** - MVDC will no longer incur costs to maintain, inspect and insure the site.
- **Income** - Leasing the site to Surrey Bike Park will bring in a small annual income to MVDC

Opportunities

- 4.2 The site is accessed by a public car park which is commonly also used by local walkers and allotment holders. The access road and car park are in need of some repair due to pot holes. As part of the lease agreement MVDC would seek a contribution to the cost of repairs from the leaseholder.

5.0 Next Steps

- 5.1 Cabinet is asked to agree to the proposal to enter into an agreement with Surrey Bike Park to operate the site.

6.0 Financial Implications

There are no significant financial implications. The agreement with the Surrey Bike Park will provide a small financial return. There will also be a marginal saving in Grounds Maintenance costs.

7.0 Legal Implications

As referred to in the report:

- (1) The structure of any legal agreement would be conditional on planning consent being provided first (if appropriate), and
- (2) A leasehold agreement would be structured to enable the passing of potential occupier's liability claims to the future tenant.

Members are also reminded of the requirement in s123 Local Government Act 1972, not to dispose of land (i.e. including by way of lease) without obtaining the best consideration reasonably obtainable. The main caveat to this prohibition is found in a General Consent (The Local Government Act 1972: General Disposal Consent (England) 2003) where, subject to some caveats, disposals at undervalue can take place where the disposal is likely to contribute to one or more of the promotion or improvement of the economic, social or environmental well-being of the area. Advice from MVDC's Estates team will be obtained prior to any disposal.

In addition, the land is open land, so any disposal would need to be advertised in the local press for two weeks, and, if there are any objections these would be considered by MVDC's Cabinet.

8.0 Risk Implications

The key risk to MVDC is around accessibility to the site. It is currently free to use and available to all. However, the current site is not heavily used, and is not managed to a standard that many users would require. The proposal will make it a paid for service, and therefore there is a risk that it becomes inaccessible to some people on low income. If approval is given to proceed, the proposed pricing structure set out above would be included within the terms of the lease, with a requirement to maintain accessibility for those on low income.

This proposal provides an opportunity to make better use of currently under-used land and transform the site into a community asset. This would also transfer liability for the health and safety of the site onto Surrey Bike Park, who would have a daily presence on site.

Paragraph 3.3 of the report also sets out the issues raised by stakeholders along with mitigating measures.

9.0 Options

Cabinet essentially has two options – to support the recommendations or to reject them. It could require a further report to a future meeting, although that will impact on the desire from Surrey Bike Park to open in 2021 and it is therefore likely that that decision would equate to rejecting the report.

10.0 Corporate Implications

Monitoring Officer commentary

The Monitoring Officer confirms that all relevant legal implications have been taken into account.

S151 Officer commentary

The Section 151 Officer confirms that all relevant financial implications have been taken into account.

Equalities Implications

There is potentially an impact on low income families as a result of the recommendations. Surrey Bike Park are committed to providing reduced charges for low income families. It is critical that concessionary rate requests are handled discreetly and Officers will work with them on the details of this. It is noted that concessionary rates for those on low incomes are already offered at our Leisure Centres and we will seek to align processes where possible. The final arrangement will be approved by the Executive Head of Service in consultation with the Cabinet Member.

It is hoped that providing a safe, secure and supervised site will encourage people of all genders, ages and abilities to visit the site.

Employment and Resource Implications

There is no significant impact on resources as a result of this report. The operator will pay a rent on the site and there will also be a slight saving on management and maintenance.

Sustainability Issues

We will work with the operator to ensure that the site is managed in line with the principles of the Climate Change Strategy, including protecting biodiversity. All future site management (volunteer or private sector led) must seek to accommodate both natural habitats, and the associated species, as well as those using the site for recreation. If approved, Officers would work closely with Surrey Bike Park on ecological issues.

Any changes to the layout of the site will require planning permission, where a baseline habitat survey would be requested.

Consultation

The consultation undertaken in relation to the recommendation is set out in the body of the report and in Appendix 1.

Communications

Not applicable

Background Papers None

Appendix 1: Ranmore BMX Public Consultation

Question 1: How often do you visit the BMX track?

Question 2: How would you rate the site as it is currently managed and maintained?

Question 3: What do you think about the proposal to run the site as a commercial company that can provide investment in creating a fully managed and maintained facility?

Question 4: If Mole Valley District Council were to continue to manage the site, would you be willing to volunteer to help maintain it?