

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Dave Wood, Cabinet Member for Neighbourhoods	
MEETING/ DECISION DATE:	On or after 30 July 2022	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3378
TITLE:	Approach Golf Course Procurement	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Please list all the appendices here, clearly indicating any which are exempt and the reasons for exemption Appendix 1 – Engagement Report		

1 THE ISSUE

- 1.1 Bath and North East Somerset Council has undertaken a market engagement exercise to both alert the market to the potential upcoming procurement process, and to assist with the development of tender documentation to find a new operator of the Approach Pitch and Putt Golf Course.
- 1.2 There appears to be adequate interest from the supplier market to continue with the procurement process as planned.
- 1.3 The recommended procurement approach would be competition with negotiation or competitive dialogue, as there is very likely to be a need to discuss the proposals with suppliers before asking for a Final Tender Submission.
- 1.4 An Engagement report (appendix 1) summarises the responses received and recommends actions.

2 RECOMMENDATION

The Cabinet Member is asked to;

- 2.1 Approve moving to Stage 2 of the procurement process to find a new operator for the Approach Pitch and Putt Golf Course.

- 2.2 Approve use of £30K from the capital budget for 22/23 from the £100k Parks Improvement Fund. This capital could be utilised by bidders to upgrade the kiosk and get the site operational.

3 THE REPORT

- 3.1 Bath and North East Council has a requirement for an operator for the café/golf at the Approach Pitch and Putt Golf course.
- 3.2 The Approach is a golf course with an 18- hole and a 12-hole course. There are multi entry points, which makes access difficult to control and ensure pay to use. There is use by residents for dog walking, and outdoor, informal activities. The facilities include a payment kiosk (small shop) and toilets, and it is located centrally with limited car parking on site.
- 3.3 In 2015 as part of the Leisure contract procurement the golf courses were offered to the market as a separate lot to allow golf operators to bid. No bids were received despite contact with local golf operators as they did not believe that the operation was viable. GLL took on the operation of the sites alongside the main leisure contract while the Council considered its options for future use and operation. The golf courses required a considerable subsidy from the council with reducing numbers of users.
- 3.4 The Approach site was closed as a golf course as part of the Covid restrictions and has remained closed for golf since that time. It is currently being managed as a park and green open space and used by residents and visitors for outdoor recreation.
- 3.5 At the Cabinet Meeting held on 22 July 2020, a decision was taken to run a further open procurement exercise to seek a new operator for the Approach Golf Course site. In accordance with the Cabinet decision and in consultation with the Cabinet Member, the Council undertook a procurement exercise August 2020 and January 2021.
- 3.6 The result was a single proposal for disc-golf. Cabinet decided that whilst this bid in the report was proceedable, Cabinet was not satisfied that there were sufficient benefits to commit to a long-term solution. It further decided that the site would be retained as public open space to increase the range of informal uses on the site.
- 3.7 The procurement and subsequent Cabinet decision ignited local interest with a petition to keep golf on the Approach organised by a volunteer group gaining momentum and 5000 signatures.
- 3.8 Shortly after Cabinet, a political and public commitment was made to retain golf at the Approach site, subject to a viable operator being identified. This aspiration was further endorsed by the ward councillors, who wished to see golf provision on the site.
- 3.9 The golf facility has been closed since the pandemic. However, the grounds have been maintained by the Parks Service to an agreed standard, but this standard is somewhat lower than would be required for a golf course.

- 3.10 The maintenance does require funding resource of between £20K and £30k per annum, from the Council, and the aim of the procurement process is to remove any financial burden relating to the sites and potentially generate an income from the improved facilities.
- 3.11 Bath and North East Somerset Council approached the market with a concession procurement process, during Early June 2022, to procure a concessionaire to operate the facility at the Approach.
- 3.12 The new engagement exercise was aimed at alerting market to the upcoming procurement and to receive comments on the intended approach and method statement headings.

4 STATUTORY CONSIDERATIONS

- 4.1 Before completing any disposal of the land for a golf concession the Council must comply with the following provisions:
- 4.2 The Local Government Act 1972 section 123 (2A) by advertising the disposal in accordance with that section and considering any representations made.
- 4.3 The Local Government Act 1972 section 123 (2) the Council must not dispose of the land, other than a short tenancy, (less than 7 years) for a consideration less than the best that can reasonably be obtained.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The current cost of maintaining the whole site as a green space by Parks is £28K per annum. This includes both East (18 hole) and West (12 hole) sides of the site.
- 5.2 To restart a golf operation, some investment in the site will be required to get the greens up to the required level and to service the irrigation system. This is estimated at a minimum of £10K - £15K, however it is hoped this cost would be transferred to any incoming operator as part of the procurement process.
- 5.3 A condition survey completed in June 2022. The council have established that the essential and recommended works would account for approximately £30K. These works should be completed before the buildings are handed over to an operator.
- 5.4 The capital budget for 22/23 contains a sum of £100k Parks Improvement Fund. It is proposed that £30K of this capital should be utilised for the essential and recommended works identified.
- 5.5 Procurement support for the Stage 1 engagement is £5250. Stage 2 will cost a further £13,000. A reserve request has been approved to cover these costs.
- 5.6 A Lease will be required at an estimated cost of £500

- 5.7 The Project Officer Leisure will be responsible for on-going monitoring of the contract. This will require approximately 1 day per month.
- 5.8 It is anticipated that the council will receive a fee via the concession which could offset the cost of maintaining the site and provide additional income.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.
- 6.2 It should be noted that there is a risk of legal challenge. During the most recent procurement a pre-judicial review letter was received by the Council threatening legal action because of the procurement - robust communication plans are in place to inform the numerous interest groups surrounding the site. The decision to move to stage 2 of the procurement process is registered as a SMD on the forward plan and therefore in the public domain. This details the objectives and provides a clear timeline on the process.

7 EQUALITIES

- 7.1 A draft EIA is in the process of being completed. We have spent time engaging with service users and potential service users - to make sure that we are seeking the views and experiences of and meeting the needs of a wide cross section of our communities.

8 CLIMATE CHANGE

- 8.1 Bidders will be asked to provide detail relating to their approach to Climate Change Policy and Climate Emergency. The response should Support ambitions of the Council and help deliver the Climate and Ecological Emergency action plans. A facility related travel should be included for travel to and from site.
- 8.2 Other areas to consider:

- Delivery and promotion of green sport and leisure, not just biodiversity
- Operation of Kiosk / Café
- Cycle racks, lockers, etc
- Use of LED lighting
- Local sourcing of resources

9 OTHER OPTIONS CONSIDERED

- 9.1 To not proceed with the procurement and leave the site as public open space managed by parks. This has been rejected by the current administration at this time.

10 CONSULTATION

10.1 Conversations with residents' associations have taken place.

10.2 Some are supportive others are not. Key arguments against the return of golf to the site have been around access for non-golfers/users and the maintenance regime required for golf full sized golf courses which have traditionally required some chemical inputs and considerable water use.

Contact person	Martin Pellow 01225 396431
Background papers	Appendix 1 – Engagement Report
Please contact the report author if you need to access this report in an alternative format	