

# Finance and Resources Committee

10.00 a.m, Tuesday, 3 February 2015

## Proposed Ground Lease to Braidwood Bike Group

|                          |                     |
|--------------------------|---------------------|
| <b>Item number</b>       | 8.5                 |
| <b>Report number</b>     |                     |
| <b>Executive/routine</b> | Routine             |
| <b>Wards</b>             | Southside/Newington |

### Executive summary

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Braidwood Gate, is woodland amenity ground located at the western boundary of Holyrood Park, between St Leonards and Dumbiedykes, and opposite the Craggs Sports Centre. It is currently underused and as a result, attracts some anti-social behaviour.

The Braidwood Bike Group (BBG) has developed plans to invest in the area to create a bike skills park, whilst sensitively retaining the woodland surroundings. This report seeks committee authority to grant a 25 year lease to BBG, to allow the implementation of a bike skills facility at this location.

### Links

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|                                 |                      |
|---------------------------------|----------------------|
| <b>Coalition pledges</b>        | <a href="#">P42</a>  |
| <b>Council outcomes</b>         | <a href="#">CO20</a> |
| <b>Single Outcome Agreement</b> | <a href="#">SO2</a>  |

## Proposed Ground Lease to Braidwood Bike Group

### Recommendations

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It is recommended that Committee:

- 1.1 Approves the grant of a 25 year lease of 0.805 hectares (1.99 acres), or thereby, of land at Braidwood Gate, Dumbiedykes, to the Braidwood Bike Group on the terms and conditions contained in this report and on other terms and conditions to be agreed by the Director of Services for Communities and the Head of Legal, Risk and Compliance.

### Background

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- 2.1 The Braidwood Bike Group (BBG) is a locally-based charitable community group, comprising bike enthusiasts, educators, and cycling advocacy groups.
- 2.2 The SKELF is the name given by the BBG for the proposed urban bike skills park to be created in the heart of Edinburgh, making mountain biking, trials and BMX accessible in the city centre. The group is now a Scottish Charitable Incorporated Organisation (SCIO) registered under that name with OSCR, the Scottish charity regulator (charity No: SC044576).
- 2.3 BBG believe that creating a top-class urban bike skills park in the heart of Edinburgh will help to address the shortcomings of limited good quality and accessible recreational and bike facilities in the city. This view is, in part, supported by the Scottish Government's "The Sustainable Development of Mountain Biking in Scotland: A National Strategic Framework" which identifies urban mountain bike facilities as a way of developing the activity. BBG has initially suggested that the new cycling facility based on the 'Skills Park' model should have the following aims:
  - A fun and accessible outdoor bike skills facility for the city as a whole, making keeping fit fun;
  - A place where mountain/BMX/trials bike skills at all levels can be learned in a structured way;
  - A safe place for local schools to run bike skills and exercise programmes; and
  - A focus of positive activity for local young people.

- 2.4 In November 2012, the Council approved a motion by Cllr Burgess “that relevant Council departments provide appropriate advice and information so that Braidwood Bike Group are supported in bringing forward their feasibility study for this proposal.” The full motion is attached to this report as Appendix 1.
- 2.5 Since the above motion was agreed the Group has obtained £76,000 of funding, in principle, from the 2014 Active Places Fund to progress the project.

## Main report

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- 3.1 BBG has progressed proposals for the establishment of the bike skills track within an area of wooded land situated at Braidwood Gate, at the western boundary of Holyrood Park, between St Leonards and Dumbiedykes and opposite the Craggs Sports Centre.
- 3.2 The subjects comprise steeply sloping ground extending to 0.805 hectares (1.99 acres) currently used as open space and scrub woodland, as shown outlined in red on the plan at Appendix 2. There have been complaints from local residents regarding anti-social behaviour in the area. The majority of the site is held on Housing Revenue Account with a small area on Services for Communities General Property Account.
- 3.3 There were previously tenements on the site but these were demolished over 50 years ago as part of the Dumbiedykes clearance. The current planning use is open space. BBG has had initial discussions with the Council’s planners regarding the proposed project and was advised that it would require planning consent for a change of use.
- 3.4 The proposed trail and pump tracks have been designed by Architrail and VeloSolutions and the design of the track will ensure that the area remains tree covered and publicly accessible.
- 3.5 The proposals are subject to the group obtaining Planning consent and will also require the provision of Risk Assessments and appropriate Public Liability insurance cover, prior to the commencement of works.
- 3.6 The Group has requested a long lease and provisional agreement has been reached on the grant of a 25 year lease subject to the following main terms and conditions:
- Subjects: 0.805 hectare, or thereby, at Braidwood Gate.
  - Term: 25 years.
  - Rental: £1 per annum, if asked.
  - Use: Urban bike skills park.
  - Costs: BBG will bear the Council’s reasonable legal and surveyors costs.

- Other Statutory consents will be obtained by the tenant, including planning consent.
- 3.7 A long lease is proposed on the basis that BBG will invest in the development and operation of this new facility and will draw down £76,000 Active Places funding in order to do so. As a registered charity, BBG will operate on a not for profit basis, with any surplus funds being reinvested in the project.

### **Measures of success**

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- 4.1 Allowing BBG the security of a long term lease will enable this area to be brought into a more productive use for the community while still remaining publicly accessible, providing health and wellbeing benefits for all ages both within the local community and further afield.

### **Financial impact**

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- 5.1 BBG has obtained funding for the project so the Council will not be put to any expense as a result of this letting. Moreover, given the site's steep and sloping topography and its planning use as open space, it has no alternative commercial value.
- 5.2 BBG has confirmed that it will pay the Council's reasonable legal and surveyors costs and expenses incurred in the preparation of the lease.

### **Risk, policy, compliance and governance impact**

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- 6.1 This letting does not seek to change any policies which are currently in place. The alteration of the ground will have a minimal impact on the open space provision for the area. There is minimal risk to the Council as the project will be developed and managed by the BBG.

### **Equalities impact**

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- 7.1 An Equalities and Rights Impact Assessment has been carried out for this project. The establishment of a bike track in this area will encourage the local community, including those with relevant protected characteristics, to participate in a physical activity, thereby enhancing skills and promotion healthy living.

### **Sustainability impact**

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- 8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered, and the outcomes are summarised below.
- The proposals in this report will be carbon neutral because the area will remain as public open space;

- The proposals in this report will increase the city's resilience to climate change impacts because it will maximise the use of urban greenspace;
- The proposals in this report will help achieve a sustainable Edinburgh by promoting personal wellbeing;
- The proposals in this report will help achieve a sustainable Edinburgh because the area will be an improved environment for the local and wider community and will be run by a third sector organisation; and
- The proposals in this report will help achieve a sustainable Edinburgh because once the tracks are completed there will be a minimal impact on the environment, allowing the natural woodland environment to flourish.

8.2 Relevant Council sustainable development policies have been taken into account and are noted at Background Reading later in this report.

## **Consultation and engagement**

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- 9.1 An extensive local consultation by Housing and Regeneration within Services for Communities has taken place, including the delivery of 300 consultation letters to residents in Dumbiedykes and St. Leonard's in February 2014. Of the 10 responses received, five were in favour of the proposal in principle, subject to certain details being addressed and five respondents objected on the grounds of increased traffic and noise. The bike park architects will be asked to take this feedback into account when designing the details.
- 9.2 Edinburgh Tenant's Federation offered no comment and no Community Council views were available.
- 9.3 Local ward members have been consulted and all support the proposal.

## **Background reading/external references**

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[Local community plan](#)

[Local and strategic development plans](#)

[Open Space Strategy](#)

[Public Realm Strategy](#)

[Resource Use Policy](#)

Appendix 1: Council Motion – 22 November 2012 Item 9.1

Appendix 2: Location Plan

## John Bury

Acting Director of Services for Communities

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## Links

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|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Coalition pledges</b>        | P42 – Continue to support and invest in our sporting infrastructure.                                                                                                         |
| <b>Council outcomes</b>         | CO20 – Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens. |
| <b>Single Outcome Agreement</b> | SO2 – Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health.                                                                    |
| <b>Appendices</b>               | Appendix 1 – Motion: Braidwood Cycle Track Proposal.<br>Appendix 2 - Location plan.                                                                                          |

# THE CITY OF EDINBURGH COUNCIL

22 November 2012

## AMENDED MOTION

### Item 9.1: Braidwood Cycle Track Proposal

This Council:

Welcomes the interest by Braidwood Bike Park Group in establishing a recreational bike-skills track within Council-owned land between Dumbiedykes and St. Leonard's adjacent to Holyrood Park in the Southside;

Recognises the potential of this initiative to contribute to a number of Council aims particularly improving access to healthy activity for young people;

Notes the existence of a number of such cycle tracks around the city including the Muirhouse Youth Development Group 'Cyclone track' at Gypsy Brae and the 'VAT run' at South Queensferry;

Recognises the informal community consultation held on the 3rd of November at the Craggs Sports Centre and the indications of support from a wide range of organisations and individuals including Canongate Youth Project, Southside Community Centre, the Braidwood Centre, Lothian & Borders Police – Safer Neighbourhoods Team, and Scottish Cycling;

Understands that most of this scrub woodland is currently not well-used apart for rough-sleeping and anti-social behaviour;

Understands that prior to the land being used for a cycle track, proposals will have to undertake further comprehensive community consultation, meet planning regulations, health & safety assessment, and ensure that biodiversity is protected;

Notes the intention to establish a charitable organisation and to seek external grant funding to take forward this cycle track proposal including from the Scottish Government 'Legacy 2014 Active Places Fund' which funds capital projects to create places in local communities where people can go to get active;

*Therefore agrees that relevant Council departments provide appropriate advice and information so that Braidwood Bike Group are supported in bringing forward their feasibility study for this proposal.*

Proposed: Cllr Steve Burgess

Seconded: Cllr Jim Orr

