

SYSTON BOWLING CLUB

Company Limited by Guarantee
Registered Community Amateur Sports Club (CASC) Reg No: 05278
"At the heart of the local community for more than 80 years"
www.systonbowlingclub.org

Please reply to: **Colin Grimes**, Chairman, 8 Quenby Crescent, Syston LE7 2BW
Tel: 0116 2608412 **email:** systonbowling@btinternet.com

Mr Ian Macdonald
Acting Town Manager
Syston Town Council
Community Centre, School Street
Syston
Leics. LE7 1HN

08 April 2014

Dear Ian

ACCESS TO THE CLUBHOUSE AND GREEN

I wish to take the opportunity to appeal the regrettable and damaging decision of the Council on 25th March to prohibit all vehicular access to our clubhouse. Should this ban continue for any length of time the viability and continued operation of our Club remains under serious threat.

May I place on record at the outset our deep regret that, as current custodians of an important community resource, we appear to be unable to persuade the Council to unite with us in achieving our simple goal of creating a top-quality community facility, open to all, in line with our status as a formally registered Community Amateur Sports Club. The Council repeatedly appears to be unduly influenced by a small and unrepresentative faction rather than being willing to consider the wider needs of the community - especially the elderly, frail and vulnerable.

At the March meeting two quite separate issues were unnecessarily confused. Questions about the current legality of the recently installed disabled access are in no way connected to the question of vehicular access to enable the servicing of our clubhouse and green - a legal right of access which is enshrined in the terms of our Lease.

We fully appreciate and share the Council's concerns about the question of liability should a claim be made arising from the installation of the ramp. In total good faith in the planning and implementation processes, we followed the guidance offered to us by both Charnwood Borough and Leicestershire County Councils. At no time were we advised of the possible need to consult with the Secretary of State. Having now been given such notice, we have acted promptly to ascertain the true legal position, through the County Solicitor, and are committed, if so required, to taking whatever action is now necessary to ensure that full retrospective approval is gained. As will be seen in the most recent communication from the Highways Officer who brought the matter to our attention, he now expresses the hope that the

Council will accept the ramp as being in the interests of both residents and users of the green and signals no anticipated problems with gaining retrospective approval from the Secretary of State. In a very sympathetic message, he goes on to apologise for any inconvenience occasioned with regard to his previous letter and assures us that every effort will be made to rectify the situation as soon as possible. There is no suggestion of any kind of censure or sanctions against the Club (or Council) for the situation which has been created.

In the meantime, we have, as requested, gained and submitted to you written confirmation from our insurance underwriters that the ramp is included in our existing £5 million public liability insurance policy arrangements.

In addressing the issue, raised at the Council meeting, about our alleged ignoring of an alternative ramp design, I would remind you that we had already given a full response to that proposal in my letter dated 14th May 2012. In that letter I pointed out that a ramp, as suggested, along the clubhouse frontage to the main entrance, would block a significant proportion of the public footpath. Such a ramp would need to be at least six feet wide, to match the full width of the clubhouse door, and would require handrails and an “apron” at the top approximately 6 feet square. Such a construction would make access to the clubhouse less convenient for all users; would seriously interfere with speedy evacuation in the event of an emergency; make deliveries of supplies into the clubhouse more difficult and, from the Council’s point of view, seriously interfere with and restrict vehicular access to the groundstaff’s Mess and garage/equipment storage facilities. The asphalt ramp running between the clubhouse and green, **as designed, approved and installed by the County Council Highways Department**, presents a much more convenient, aesthetically pleasing and cost-effective solution, presenting minimal inconvenience to all users of the public footpath and clubhouse.

In the very limited time available since last Tuesday, we have not yet received a response from the County Solicitor. However, unless he is minded to provide a contrary ruling on the need for approval by the Secretary of State, it is unlikely that his reply will add anything significant that could change our current understanding.

Under the circumstances, therefore, we would respectfully suggest that all concerns raised on the issue of the ramp have been satisfactorily addressed.

Turning now to the quite separate issue of vehicular access, and leaving aside the gratuitous insult of your changing the lock on the Melton Road gates, implying a lack of trust in the Club’s intentions to respect your temporary injunction, we would remind you again that **right of such access is enshrined in our Lease**. Without such access, the two most important considerations must be:

- (a) the contractor responsible for maintenance of the green has confirmed that, even if he could find parking adjacent to the Park in St Peters Street (*difficult at the best of times*) the width of each of the pedestrian gate entrances is inadequate to permit passage of his greenkeeping machinery (mowers, scarifiers, rollers etc). Without vehicular access to the side of the green from Melton Road, therefore, it is not possible to maintain the green **Any continuation of the ban thereby threatens the continuation of our activities as a Club.**
- (b) **in withholding from us a duplicate key to the Melton Road gate lock, the Council is causing us to be in breach of our obligations, under planning law**

building regulations, which require us to ensure adequate means of access to the emergency services at all times while the clubhouse is in use.

In addition, of course, lack of access gives rise to many problems associated (*for the time being*) of completing the clubhouse extension project and associated re-instatement of the ramp to the adjacent hut. In the longer term, regular deliveries of bar supplies and other materials are made much more problematical and unnecessarily onerous.

Vehicles used in servicing the clubhouse and green, in accordance with our leasehold rights, rarely pass over the area now occupied by the ramp. Any concerns the Council hold apply solely to vehicles used by Council staff on a daily basis. While we believe that there would be no risk or danger involved in re-instating vehicular access to Council groundstaff, enabling them to access their Mess and stores, we must leave that as a matter for the Council to decide.

We now trust that as a result of the prompt and effective response to the issues which you have raised, we can move forward to the re-instatement of the *status quo* in the confident knowledge that the Club will indemnify the Council against any claim arising from the ramp installation. In addition, we give a formal undertaking to continue to act responsibly in the exercise of our rights to limited vehicular access to the clubhouse.

I close with a repeat appeal to the Council, recognising and accepting the special considerations that must be invoked as a consequence of the registration of Central Park as a Village Green, to commit to join with us in a supportive partnership, based on mutual respect, recognising the special needs of the disabled, elderly and infirm, to work towards the continued development of the bowling club as a top-quality recreational resource, of which Syston as a whole can be proud. I commend to you the above wording (or similar) as a suitable motion to be debated and decided with the minimum of further delay.

Sincerely yours

Colin Grimes
Chairman

P.S. In the light of the advice now in our possession, it might be prudent for the Council to check whether the approval of the Secretary of State was ever sought/given for projects such as the erection of the hut adjacent to clubhouse, the replacement of the tennis courts by the Peace Garden, the modifications made to the main entrance to Central Park from Melton Road and all other works that have been made in recent times!