

Provision For Wheels-Based Recreation In The City

City of Edinburgh Council

26 June 2003

1 Purpose of report

To report developments regarding the plans for the provision of wheels-based recreation facilities in the city and seek approval for further action.

2 Background

- 2.1 On 8 October 2002 the Council Executive approved a report by the Director of Culture and Leisure which put forward proposals to address the growing demand for skateboarding/rollerblading facilities in the city.
- 2.2 The Report of 8 October 2002 included the following recommendations:
 - To approve the proposed partnership with skateboarders to design a competition standard central skatepark.
 - To approve the development of a competition-standard skatepark facility at either the Meadows or Inverleith Park after detailed consultation with the skateboarders, the local community, Parks Friends and other appropriate organisations, and the Planning Division.
 - To approve the development of a 'pilot' skatepark at Sighthill Park and other satellite sites as appropriate following a full assessment of the success of the pilot.
 - To note that £380,000 had been allocated from the Scottish Executive Reallocation budget for the provision of the skatepark facilities in the city.
- 2.3 The project to develop a pilot skatepark at Sighthill is now well underway. The Culture and Leisure Department has been working with the Broomhouse Tenants and Residents Association and local young people, who have been successful in securing a Sports Lottery Fund award of £39,166 towards the overall costs of approximately £85,000. The young people also have been involved in the design of the skatepark, following a public consultation meeting in Broomhouse Church Hall.
- 2.4 There has been consultation with young people, specifically skaters and boarders from the Edinburgh Skatepark Project (ESP), regarding the proposal to create a central competition-standard skatepark in the city. The Meadows was identified at an early stage as the venue of choice for the majority of young people, due to it being perceived as a non-territorial, central location, well served by public transport and close to Bristo Square (which has become a

focus for informal skateboarding and rollerblading). Following presentations about the project to the Culture and Leisure Scrutiny Panel, and the Central and South Local Development Committees, a public meeting was held at St Thomas of Aquinas School on 22 January 2002. A questionnaire survey was carried out at the end of the meeting, and of those that responded, the overwhelming majority were in favour of creating a skatepark in Edinburgh, with the majority in favour of the Meadows as the best location.

3 Main report

- 3.1 In proceeding to consider the Meadows as a location, it became apparent that there may well be a legal impediment to the proposal as the wheels area in the Meadows involved the erection of a building or structure. In terms of the City of Edinburgh District Council Order Confirmation Act 1991 ("the 1991 Act"), there are restrictions imposed on the erection of new buildings on the Meadows.
- 3.2 Following the public meeting, an article in the "Evening News" indicated that the Friends of the Meadows and other individuals might seek to lodge a legal challenge to the Council's proposals. Counsel's opinion on the possible outcome of a legal challenge was sought at a consultation and an Opinion was received. Counsel advises that as the definition of building is so comprehensive, were the Council to proceed with a skatepark in the Meadows, a legal challenge might be made.
- 3.3 The Council Solicitor is now urgently seeking further Counsel Opinion to consider whether a legal challenge is likely to be successful. In parallel with this the Council Solicitor is considering the means to amend the 1991 Act with a view to the provisions on buildings being disapplied, including considering the statutory processes which could be undertaken to amend the 1991 Act. Appropriate liaison with Parliamentary Agents will also be urgently undertaken.
- 3.4 In addition to the restrictions it places on buildings in certain parks, the provisions of the 1991 Act relate to other aspects of the Council's work. Consequently, the Chief Executive has decided to establish a short-life working group to review the terms of the Order, with a view to making recommendations as to how they might be updated, including the possibility of the Council promoting a new local Act.
- 3.5 The Scottish Executive Reallocation Fund has provided £380,000 for the provision of skateparks in the city. £45,000 of this has now been allocated to Sighthill, leaving £335,000. The competition-standard skatepark specification, which has been worked out in consultation with ESP and the specialist architect, has now been costed at £440,000. It is therefore proposed to submit an application to the Sports Lottery Fund for additional funding.
- 3.6 The Director of Culture and Leisure will, in parallel with the action above, secure further consultation on the siting for the competition standard skatepark facility.

4 Recommendations

The Council is requested to:

- 4.1 Note the progress made to date in respect of provision of wheels-based recreation in the city.
- 4.2 Note that Counsel has advised there may well be a legal impediment to the proposal to locate the facility in the Meadows.
- 4.3 Note that further legal opinion will be sought, including further legal consideration of means to amend the 1991 Act.
- 4.4 Note the further consultation which will be undertaken in respect of this facility.
- 4.5 Approve the Chief Executive establishing a short-life working group to review the provisions of the City of Edinburgh District Council Order Confirmation Act 1991.
- 4.6 Approve the submission of a grant application in due course to the Sports Lottery Fund for financial assistance for a competition standard skatepark.
- 4.7 Note that a report will be submitted to the Executive on further progress as soon as possible.



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Director of Culture and Leisure

19/6/03



Jim Inch
Director of Corporate Services

19/06/03

Appendices	None
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Wards affected	All
Background Papers	Executive of 8 October 2002 (Item 21)