

CABINET

DATE	10 th February 2021
REPORT OF	Councillor Stan Shreeve - Deputy Leader and Portfolio Holder for Finance, Resources and Assets
RESPONSIBLE OFFICER	Sharon Wroot – Executive Director of Environment, Economy and Resources
SUBJECT	Kent Street MUGA and skateboard/ BMX park at 41 Kent Street, Grimsby, DN32 7DJ
STATUS	Open
FORWARD PLAN REF NO.	GENERAL EXCEPTION Not included in the Forward Plan – to be considered under the General Exception rules of the Constitution.

CONTRIBUTION TO OUR AIMS

The disposal of Kent Street Multi Use Games Area (MUGA) and Skateboard/ BMX Park (the “Site”) by way of a 99-year, full, repairing, and insuring lease will enable Corinthians Complex Community Interest Company (CIC) (the “Group”) to take over the management, maintenance and use of the Site and its facilities.

Providing a lease for the above term at a peppercorn rent is based on the submission of a detailed Business Case proposal setting out the social and economic return on investment; the benefits of which outweigh the monetary value that would be requested in rent over the term.

The Group intend to utilise the Site to secure a permanent playing venue for Grimsby Futsal Leagues; a league that has for over twenty years providing Futsal in Grimsby with some players aspiring to play for England; as well as expand to other compatible sports and wellbeing activities.

The Site is currently unused and in need of investment. By enabling the Group to transform the Site and attract wellbeing participation, by formulating a sustainable sporting community, the regeneration of this area of Freeman Street will be complimented and more opportunities for socialising will be created.

The lease disposal supports the Council’s outcome of ‘Stronger Communities’ by enabling the investment into a sustainable sports facility for the people of North East Lincolnshire. The Group have engaged with local community groups to encourage as many people as possible to get involved in the range of activities that will be provided. By enabling the lease for a sufficient period at a peppercorn rent ensures the proposal is sustainable for the longer term, contributing to the Council’s outcome of ‘Stronger Economy’. There would be no continued financial constraint on the Council in terms of managing the asset which will meet our determination to be an efficient and effective Council.

EXECUTIVE SUMMARY

Cabinet received a report at its meeting of 9th December 2020 proposing a long lease disposal of the Multi Use Games Area (MUGA) and skateboard/ BMX park.

The report title and content did not make it clear that the disposal included the skateboard/ BMX park with the intentions following the completion of a lease that the skateboard/ BMX park would be removed on the grounds of Health & Safety, insurance and a need to create vehicular access to the MUGA.

Two (2) matters in relation to the skateboard/ BMX park, adjacent to the MUGA at Kent Street, Grimsby were considered at the Economy Scrutiny meeting of the 12th January 2021.

The first was a petition to save the skateboard/ BMX park which was formally accepted.

The second was a call in of the cabinet decision of the 9th December in relation to the proposal to remove the skateboard/ BMX park following the completion of a lease of the MUGA which included the skateboard/ BMX park.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Acknowledges the recommendation from the Economy Scrutiny Panel of 12th January 2021 (see section 7) and whilst implementing recommendation 2 below, delegates authority to officers to engage with the skateboard/ BMX community, to explore reasonable options and assisting, supporting and signposting the Group to enable access to any available grant funding for relocating the skateboard/ BMX park, with a further report back to Cabinet once options have been fully appraised;
2. Approves the original cabinet decision of 9th December 2020 with the completion of a full, repairing, and insuring lease of the subject Site for a term of 99 years at a peppercorn rent (£1 per annum if demanded) to Corinthians Complex Community Interest Company (CIC);
3. Delegates to the Executive Director of Environment, Economy and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets, authority to:
 - 3.1 reasonably explore all opportunities as outlined in this report with a view to assisting, supporting and signposting the skateboard and BMX communities to enable them to access any available grant funding and for them to become self-sufficient; and
 - 3.2 settle all terms and ensure that all necessary actions are carried out to complete the lease disposal at Recommendation 2.
4. Authorises the Monitoring Officer to complete and execute all requisite legal documentation in relation to the matters outlined above.

REASONS FOR DECISION

The Scrutiny recommendation (Recommendation 1 above) asks Cabinet to give some assurance that any new provision for a skateboard/ BMX facility will be in

place before the skateboarding and BMX community are asked to relocate from the current skateboard/BMX park. Therefore it is recommended Cabinet acknowledges the scrutiny recommendation as well as continues to implement the original recommendation for a transfer, by way of a lease, of the Site.

1. BACKGROUND AND ISSUES

See Cabinet report of the 9th December 2020.

Further to the Scrutiny meeting of the 12th January 2021, officers have considered the following points which were raised by Scrutiny:

- *Reaffirm that there are no other options that would result in the skateboard/ BMX park staying in its current location and an alternative access point identified that would satisfy the requirement for the MUGA (i.e. from Strand Street for example).*

It is very unlikely, given the current layout design of the MUGA and Pavilion that acceptable vehicular access can be provided at any other point across the site without compromising the current MUGA facilities. The site is between two assets outside the ownership or control of the Council. To the West is access to and car park for the Val Waterhouse Centre and to the East side are the Strand Primary Academy playing fields. The skateboard/ BMX park area makes up one quarter of both facilities and would provide the most suitable access to the MUGA.

- *Engage with the original installer to understand the potential for relocation of the skateboard/ BMX park and understand potential costs.*

Corinthians have received written confirmation from the original installer that elements of the current skateboard/ BMX park could be relocated. However, there is a degree of risk with pursuing this option as it will only be known once work commences on whether the elements will remain intact during relocation. There will also be further work required at a new site and the current site to ensure there are no health and safety concerns. Consideration of options will include financial and funding implications and associated options.

- *Look to confirm an alternative location in the East Marsh.*

An initial review of the immediate vicinity suggests alternative Council owned locations for a relocated or new skateboard/ BMX park could be considered at Albion Street (adjacent to the play area), Sutherland Park (Victor Street), Garibaldi Street (part of the car park) and Grant Thorold Park.

- *Engage with the skateboard community to understand the appetite for involvement in crowd funding and managing a new site.*

Approach and request for a meeting has been actioned. Should a Group engage in a Community Asset Transfer, we will assist with advice and guidance (and signpost to Sector Support, NEL) in submitting an Expression of Interest/ Business Case which would need to evidence funding (for the relocation of or a new facility) as well as the social, economic and environmental (community) benefits which could result in the lease of land at 'less than best', subject to Cabinet approval.

- *Reach out to Boston Borough Council to learn from their recent installation.*

Research has confirmed that Boston completed a new skateboard/ BMX park facility in September 2020 at a cost of £234k, provided from three (3) funding sources. The Boston example is a larger site of 832 sq. mt. - compared to Kent

Street at c411 sq. mt. and was provided under an end-to-end process by skateboard/ BMX park specialist Maverick Industries.

- *Understand opportunities for external funding/sponsorship for relocation or a new skateboard/ BMX park.*

Some funders at present continue to divert their funding to the Covid response and recovery; and therefore the funding landscape will look very different post Covid. Business sponsorship from most larger organisations have a competitive 'grant funding pot' and others have smaller pockets of money. There is the opportunity to have a discussion with Onside – as to whether they are incorporating a skateboard/ BMX park into their plans – and using established engagement channels with young people across the Borough.

Council officers have been advised there may be an opportunity with East Marsh United (EMU) to take over a site and install a new or enhanced facility as EMU are proposing to become a CIC registered which may open wider funding opportunities.

The website <https://skateboardgb.org/news/2019/10/24/story-of-how-to-get-funding-to-build-a-skatepark-in-the-uk> provides a useful list of potential funding streams, however, the status of the Group bidding may restrict the grants that will be eligible. Business sponsorship will depend on any relationships with local businesses and whether any have funds available for community activities. A crowd funding opportunity for funds coming from various sources may be the best option for a Group.

Sport England should also be consulted (who were part of the original funding for the MUGA and skateboard/ BMX facility 17 years ago) as part of any wider community appeal in addition to a skateboard/ BMX facility. Skateboard GB is a democratic membership organisation working towards National Governing Body status as recognised by Sport England and UK Sport. Skateboard GB has been recognised by the World Skateboarding Federation (WSF) as the British national governing body of skateboarding.

- *Include in the current review of the CAT process to ensure Ward Cllrs/current user engagement going forward.*

Consultation is already included in the Community Asset Transfer (CAT) approach which is linked back to the Property Policy in terms of advertising any opportunity. Whilst the Council did not undertake direct consultation with users of the skateboard/ BMX park, the facility was considered as part of the proposal for the MUGA. This element evolved over the two (2) year period when working up a viable Business Case, which concluded that the facility was proposed for removal due to Health and Safety, insurance and the necessity for vehicular access to the MUGA. Engagement therefore was felt to have been sufficiently explored by the Corinthians Group as part of their Business Case. The opportunity to take a lease of the Site was advertised in the local media in 2018.

2. RISKS AND OPPORTUNITIES

See Cabinet report of the 9th December 2020.

The risk to the Council is two-fold. By not supporting the Corinthians proposal, the opportunity to reinvigorate life into a vacant MUGA, attract funding for investment to improve the site and base an established Group offering Futsal and ancillary activities will be lost.

Equally, the Council recognise there is interest in the use and development of a free to use skateboard/ BMX park in this part of the Borough and therefore is investigating the options to secure the current facility elsewhere and if the opportunities exist, enhance, and increase the facility through working with the Community.

3. OTHER OPTIONS CONSIDERED

See Cabinet report of the 9th December 2020.

To delay the lease of the Site to the Corinthians Group would result in the potential loss of investment and use of the MUGA site. Should the Corinthians Group have no choice but to withdraw from the potential lease, the facility will be left vacant and continue to deteriorate in condition, resulting in an increase in vandalism, anti-social behaviour and a negative effect to the street scene resulting in rising costs to the Council. This is not considered a viable option.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

There are positive reputational implications for the Council resulting from the decision to support a lease of the Site. The lease agreement will primarily enable use of the Site but will allow future investment opportunities for enhancement as well as a localised management offer for the benefit and use by the local community.

The proposal to demolish the skateboard/ BMX park facility has resulted in negative reputational implications for the Council. As part of the 'call in' option, Members have exercised their right and the matter has been deferred to Scrutiny for consideration. In addition, a petition has been received to save the skateboard/ BMX park facility from demolition.

The recommendation of Scrutiny, as outlined in this report, is to be considered by Cabinet who may provide the mandate for Officers to explore options and costs for relocation or enabling a new facility, preferably at another site in the East Marsh.

The Council's communications service has been briefed of the proposal and will issue any information requirements in respect to this proposal.

5. FINANCIAL CONSIDERATIONS

The Council will need to consider how it can enable the relocation or new skateboard/ BMX facility to ensure the MUGA transfer can take place.

The Boston example of a new skateboard/ BMX park (2020) cost £234,000. Costs for the relocation of the current facility are yet unknown and are being explored.

Meanwhile, both facilities do not receive active maintenance and will continue to cost the Council for managing reactive costs, currently c£3k per annum. These costs will increase as time passes and the facilities require increased reactive maintenance as a result of deterioration due to age, vandalism and anti-social behaviour.

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The recommendations outlined within this report have been considered so far as their impact of the proposal on climate change and the environment. In reference to the Council's environmental policy, the proposal supports the Council's environmental priorities:

- By recognising and realising the economic and social benefits of a high-quality environment.
- By working towards a low carbon North East Lincolnshire that is prepared for, and resilient to, the impacts of climate change.

7. CONSULTATION WITH SCRUTINY

The Economy Scrutiny Panel considered two (2) items in relation to the skateboard/ BMX park at a meeting of the 12th January 2021.

A petition was formally received by the panel. Petitioners spoke for 5 minutes to present their petition, after which the formal acceptance of the petition was approved.

A call in of the recent Cabinet decision relating to the transfer of the MUGA and proposed demolition of the skateboard/ BMX park was received by proposer, Councillor Rudd, and seconder Councillor Beasant who both spoke at the meeting. The item was then open to the panel for debate which concluded in a recommendation to be considered at the next Cabinet meeting, as outlined earlier in this report. See Scrutiny Recommends at Appendix 2.

8. FINANCIAL IMPLICATIONS

There would be a small ongoing saving from the site disposal on long-term lease and the transfer of responsibility would also facilitate investment in the site and increased benefits to the community that outweighs any loss of rent.

Any re-provision of the skateboard/ BMX park facility would require capital investment and result in additional ongoing revenue and maintenance liabilities. The level of cost to the Council of such a facility would depend on the new site location and cost of works and whether external funding could be attracted towards the investment.

9. LEGAL IMPLICATIONS

Clearly this matter has been the subject of a call in to the Economy Scrutiny Panel as laid out in the above report. Constitutionally it is a matter for Cabinet as to the weight (if any) it attaches to any such recommendation. Cabinet is not constitutionally bound by Scrutiny.

10. HUMAN RESOURCES IMPLICATIONS

There are no direct HR implications.

11. WARD IMPLICATIONS

This proposal directly impacts on the East Marsh Ward.

12. BACKGROUND PAPERS

The minutes, call in and petition as resolved at the Economy Scrutiny Panel meeting of 12th January 2021 are detailed online at:

<https://democracy.nelincs.gov.uk/meetings/economy-scrutiny-panel-21/>

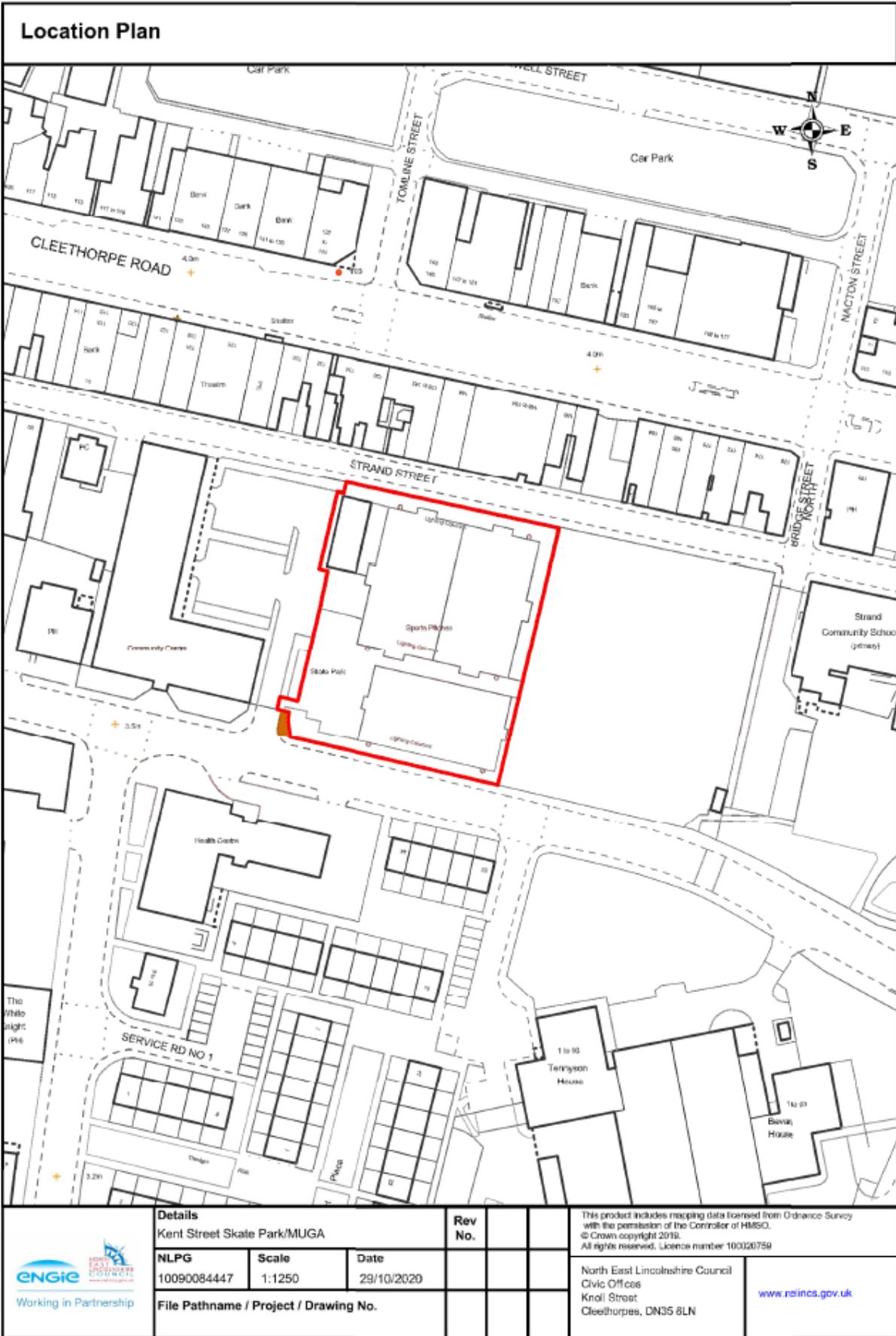
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DEPUTY LEADER AND PORTFOLIO HOLDER FOR FINANCE, RESOURCES
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APPENDIX ONE - SITE LOCATION PLAN



Details Kent Street Skate Park/MUGA			Rev No.	
NLPG 10090084447	Scale 1:1250	Date 29/10/2020		
File Pathname / Project / Drawing No.				

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**APPENDIX TWO – ECONOMY SCRUTINY RESOLUTION OF PETITION AND
CALL-IN**

The **Economy Scrutiny Panel**, at its meeting on **12 January 2021** made the following resolution.

To: Cabinet

SPE.69 CALL-IN : DISPOSAL OF PROPERTY AT LESS THAN BEST CONSIDERATION – LEASE DISPOSAL OF KENT STREET MULTI-USE GAMES AREA (MUGA)

Extract: It was proposed by Councillor Barfield, seconded by Councillor Sheridan and carried upon a show of hands (five for three against).

RESOLVED – That the matter be referred back to cabinet.

RECOMMENDED TO CABINET

That Cabinet reconsiders its decision and gives some assurance that any new provision would be place before the skateboarding and BMX community are asked to relocate.

Background

At the scheduled meeting of the Economy Scrutiny Panel held on 12 January 2021 members received a petition (SPE.68 refers) and considered a call-in (SPE.69 refers) relating to the lease disposal of Kent Street MUGA.

The draft minutes of these two items follow in their entirety

SPE.68 PETITION – KENT STREET SKATEPARK

The panel received a petition (2073 signatures) calling for Cabinet to reverse its decision to dispose of Kent Street Skate Park. The Chair called upon the lead petitioner Jake Beatty to speak in support of the petition which called for:.

North East Lincolnshire Council has ignored the action sports community in Grimsby for years and their actions speak louder than words. I've grown up skateboarding this area and all I've seen is more and more facilities taken away from us. Years ago, they already stopped taking responsibility for the skatepark, it hasn't had lights for over five years and I can't ever remember the bins not being broken yet they claim they spend £3000 a year maintaining the site. As of this year we are left with three skateparks in all of Grimsby and Cleethorpes. The first being

Trinity Road skatepark. The council has long abandoned this site with the lights also not being in working order for over 5 years, it is now privately owned by the boxing centre that took over the old youth club building (which was also abandoned around the same time). The second site is the private owned indoors skatepark 'Ghettopark' which costs £8 for 2 hours use. The third and finally is Kent Street, our last remaining free to use skatepark for the whole area of Grimsby and Cleethorpes and the council want to demolish it. In a year like 2020 full of so many negatives the one beaming light I've witnessed over this year is the amount of youths picking up a skateboard this year and spending more time exercising, it's so amazing to see. There isn't a time where these facilities are more desperately needed than now.

Mr Beatty advised that the five-minute limit to speakers resulted in him missing out a few points. He explained there were sponsored skateboarders and BMX-riders representing North East Lincolnshire at national and international levels. This, together with many private events, bike trails and projects at the site demonstrated both the achievements and potential for the area and individuals involved. He encouraged people to visit the Instagram page ([#savekentstreet](#)) where images of events were presented. Users of the Kent Street site understood that as a result of adjoining land being handed over to Grimsby Corinthians Football Club, there was a lack of safe and suitable access, leading to the skatepark site being included in the agreement, for the purposes of car parking and access. This meant that the skatepark users would have to fight for a new park. Users were grateful, in a way, that in taking away the only remaining free skatepark in the area, this had given the group a platform to campaign for a well made, fully equipped, free to use skatepark that was well maintained and fully lit to enable evening use. This was something the area has needed for years. The area has fallen behind and decision makers appear to lack understanding of the sport's importance. Skateboarding and BMX sports are some of the fastest growing sports in the country. New facilities have recently been provided in Boston and Doncaster. Immingham and Hull have their own well used skateparks. North East Lincolnshire seemed to be the only area moving backward in this field. He considered Councillors Beasant and Rudd would be more able to advise on funding streams for a project. He felt the town had 'gone downhill' in terms of abandoned facilities and decreasing events and considered himself lucky to have experienced the facilities at Kent Street. He had seen Cleethorpes skatepark at Trinity be left to decay over the years due to vandalism and poor maintenance. And he recalled being asked, infrequently, what the problems were with the site and why it was the way it was but this never resulted in anything being fixed. The site was eventually sold off to someone who was generous enough to keep the park open but at a price. He thought this situation was unheard of, yet typical of North East Lincolnshire; this being the only all outside skatepark that was 'pay to use'. This now appeared to be the way with Kent Street; Grimsby's last free skatepark; abandoned and now being sold without any regard for its users, or any plans to replace the facility. It was claimed that £3,000 was spent on maintenance each year but broken ramps and bins prevailed with torn AstroTurf and no grounds maintenance. The floodlights went out 5 years ago and have not been available since, leaving a whole generation without the

facilities. Mr Beatty knew first-hand the dangers this brought to users at the site and described how aged 16 when at Kent Street in the dark an older man threatened skateboarders with a sharpened screwdriver. More recently he had been attacked by a youth wearing a knuckleduster. He believed that crime and anti-social behaviour among young people was an issue in the town due to a lack of opportunities and facilities. He believed no sane, mentally healthy young person caused anti-social or destructive behaviour. It was due to their environment. Most kids in the town, when asked what they wanted to do or be when they were older say they want to be somewhere else. That was because there was nothing for them to do and nothing for them to stay for. The one key thing he wanted to stress was that there should not be one single day when the town would have to be without a free to use skatepark especially in town like ours where mental health and being active was at the forefront of everyone's mind. The decision to close the skatepark also went against National Government's priorities. He felt it was unnecessary, avoidable and unjust. Closing, Mr Beatty stressed that users of the skatepark were not pointing fingers but were raising their hands to show you what you already had in front of you; a large and growing community of young people who have been lucky enough to have a productive and positive outlet for expressing who they are.

The Chair thanked Mr Beatty for his introduction.

RESOLVED – That the petition be received.

**SPE.69 CALL-IN – DISPOSAL OF PROPERTY AT LESS THAN BEST
CONSIDERATION – LEASE DISPOSAL OF KENT STREET MULTI-
USE GAMES AREA (MUGA)**

The panel considered a formal request from members to call-in a decision of Cabinet on the above. The call-in was proposed by Councillor Rudd and seconded by Councillor Beasant. The reason for the call in was that on the forward plan there was no mention that the skatepark would either be demolished or relocated and within the cabinet report there is limited reference to this valuable community asset (the skatepark). The skatepark needs to be kept within the East Marsh it is an important facility. The desired outcome would be to keep the skatepark open. The decision should be referred back to Cabinet with a recommendation to either maintain the skatepark in its present location or to relocate to another site within the East Marsh Ward.

Councillor Rudd, proposer, addressed the panel. "Knowing how I felt when told to remain indoors and not to visit my friends, it clearly must have been a shock when children and young people were told they could not continue their lives in the usual way, due to the pandemic. Who knows the confusion they experienced, not being able to socialise with their friends, to take part in everyday activities; a games of football or in the play park enjoying whatever they wanted to do? And they took it for granted as part of their lives. Mental health issues amongst the young have

increased. It is vital that we are motivated, that they are motivated and encouraged to regain some form of normality, even if it is the new normality. This will not be achieved by taking away their areas and facilities. This will only make their situations worse. In fact, more areas should be planned and created. Mental health does not have a postcode. It is everywhere; in all wards, in every street and provision should be made for all young people and children. We should be looking forward rather than looking back in hindsight wishing we had. The mental health issues of young people and children are well documented.

Councillor Beasant, seconder, addressed the panel after thanking Mr Beatty for his earlier speech he commended it as one of the best he had heard. "When I first heard about Corinthians Football Club taking over the MUGA I welcomed it. I thought it was one of the best things to happen in this borough. Because I welcome young people taking part in sport and I welcome older people taking part in sport. So the idea of the Corinthians taking over the MUGA site was excellent. When I first saw the forward plan I thought "great". But what was not said in the forward plan was the removal or the demolition of this skatepark. I find that a crying shame of what was about to happen. The consultation, in my opinion, was very poor. As ward councillors, we didn't know about the removal of the skatepark until the Friday before the Cabinet meeting. When I saw that, there were three mentions of the skatepark in the cabinet report, I was alarmed that we were going to take something away from young people at this moment in time. I thought that was deplorable. I really hope that we can find a way forward tonight. We are in a situation where this is footballing, this is skateboarding. We all know football is the sport of the masses. We all know it's one of the best loved sports in the UK. Skateboarding is seen as a minority sport and some years ago was seen as a fad. Everybody said it would go away. Now it is an Olympic sport. We are letting down, if this goes ahead, potential future Olympians. We should be standing up for these youngsters and allowing them to move forward. It is a free facility and it needs to remain free for those youngsters in an area that is very, very deprived, a very challenging area. The facility has been neglected by the council, not just by this administration, but by previous administrations. I can remember when the skateboard park was first mooted. There were a lot of objections to it. People saw the skateboarders as causing anti-social behaviour, they were seen as rebel rousers in many respects. But this facility is still very well used, even after all these years of being in place. I remember speaking to a notice of motion the other month about play parks. We should provide children and young people with challenges. They should provide them grit. These youngsters know how to take a knock, how to take a fall. I admire them. The petitioner mentioned Boston, they have just recently opened a new skatepark at a cost of £234,000. I think we should be setting an example, and potentially looking for one of these facilities in our area. We are a lot bigger than Boston. Keep the facility on the East Marsh it is very much needed. Even though we have Ghettopark a few hundred yards away youngsters cannot afford to go to Ghettopark, although it does do a marvellous job. In my opinion, and I would hope a councillor will move this, we need to keep this facility in the East Marsh, that is my number one aim. But we also need to be working with the skateboarding community across the whole of the borough and come up with ideas

on other areas where skateparks can be placed. And let's get the youngsters on board and look for some massive funding to bring some joy to the youngsters at long last because it is very much needed. I hope the panel can look to support me and the young people of this borough and in particular the petitioners.

Councillor Jackson thanked the ward councillors for bringing this back to the scrutiny panel and Mr Beatty for his presentation tonight. This was something that the Leader had recently inherited when taking on the portfolio. He welcomed the additional insight gained from the ward councillors and Mr Beatty on behalf of the community. The Leader acknowledged that the skatepark and the MUGA were both in poor condition and the authority had the Corinthians' Community Interest Company (CIC) who wanted to invest a significant amount of money, time and effort into a new facility for sports in the East Marsh for all age groups including children and young people. It would be a shame to turn our back on that opportunity by sending that back to cabinet and by sending out the wrong message to the Corinthians. His preferred option, mindful that it was the panel's decision, would be that Cabinet's decision be released. Then for the authority to work with the skateboarding community to help them form a community group, with a view to seek alternative grant funding and look to build a much better facility elsewhere in the East Marsh. He believed the borough would then get the best of both worlds. A much improved MUGA and the facilities that would bring and the prospect of a much better skatepark than the one currently on site. With the opportunity for to maintain it in better condition. The item could be retained in the panel's tracking report to make sure that progress was monitored.

Members raised the following issues:

A member queried the community asset process and whether, upon receipt of an offer for an asset, current users were surveyed for interest or supported to form CIC. It would appear that at no time were the skatepark users approached for their views or asked if they wanted to come together to take on the asset. No other East Marsh organisation was approached for alternative (or better) options. It was stressed that there was no suggestion of misconduct and that proper procedure was followed. However, it was suggested that at some stage in the future this panel looked at how property disposals and asset transfers were handled. This could be done either as a working group, a special meeting or a themed meeting. Recommendations could be made to cabinet on this. Mrs Fisher advised that this particular matter had followed the community asset transfer process. The Council's approach has been working very well. However, it had been in place for some time now and it was currently under review. It would seem an ideal opportunity to take the councillor's comments forward as part of the review and this can be brought back to scrutiny for consideration and recommendation to Cabinet. The Chair supported the comments and welcomed the review to take this matter forward.

Members expressed concern that should the decision be released as it stood, with no recommendation to cabinet, the matter of the skatepark may be unnecessarily delayed. Removing the facility that brought the skateboarding and BMX

communities together would dissipate the group and make it very difficult for them to then collaborate on future provision. This was especially worrying considering the financial situation local authorities found themselves in and the unknown financial burden of covid19 on this council's budget. Delayed too long, this council could find it was not in a position to facilitate or support a new skatepark. Urgency was needed and it was suggested that cabinet be recommended to reconsider the matter. The Monitoring officer clarified that the member could make a proposal after the matter had been the subject of further debate.

A member expressed concern that this well founded sporting community were about to lose their last remaining free facility. It was questioned why the council would want to lose this provision without any firm plans to replace it, given the likely 'anti-social' implications and negative impact of skateboarders and BMX riders using the streets to practice their sport. It was stressed that any provision, once lost, was extremely hard to replace and especially so in the current economic climate. It had been mentioned that the skatepark was in poor condition but members would be interested to know how many times repairs had been reported but not actioned. This member regularly passed the site and could confirm that it was very well used. He strongly believed it was a mistake to close the site without an alternative facility for users. He supported the proposal to refer the matter back to cabinet and should recommend that an alternative skatepark be put in place to give the community time to seek funding for a permanent replacement. Mrs Fisher advised that the MUGA was introduced in 2003. It was supported by grant funding but without any consideration of its future sustainability and how it would be maintained and by whom. It was helpful that the community asset transfer policy and business development framework now ensured that these areas were considered and covered for the future of sites whether that was grant funded or council funded. However, in 2013 when the Val Waterhouse Centre (formerly Freeman Street Resource Centre) closed, both the MUGA and the skatepark were transferred over to Strand Street School. The school quickly realised the financial burden and quickly transferred it back to the authority. Over the years it has clearly deteriorated, the council simply has not had the resources to manage it without collaborating with others. The approach from the Corinthians came through with a view to revitalise the MUGA and to introduce Futsal (a type of five-a-side football) to the East Marsh. She concurred the lead petitioner was right in that the funding success, emergency access and insurance requirements of the Corinthian's project relied upon improved accessibility which could only be gained from the site of the skatepark. Mrs Fisher went on to explain that the Corinthian's funding stream could potentially be lost if accessibility requirements were not satisfied. Ms Fisher acknowledged the difficulties and the points raised by the petitioner. Referring to the remarks of the Leader she confirmed that working with the group and supporting them to become constituted would allow them to explore grant funding in the same way that other groups were securing resources. There were also other ways the authority could support the group, for example looking at other council owned land to facilitate relocation. The Council had the details of the company that installed the skatepark and could explore how it may be relocated. She stressed the importance of collaboration and was keen to talk to the skateboarding and BMX

communities about how a group might become sustainable and take on a management role for that facility. In closing Mrs Fisher mentioned an approach from a private landowner who might be interested. This was, however, in another part of the borough. Members were disappointed that this approach and the alternative options, now mooted, had not been explored before the transfer was put to cabinet. These issues should be addressed before cabinet reconsidered the matter in order that a clear delivery path for a replacement skatepark could be realised.

Members were disappointed that the ward councillors had not been fully engaged or been aware of this matter before the report to cabinet. They were not against community asset transfers and the social value these added to communities but perhaps this one had not been thought through. No alternative options had been considered and the decision potentially marginalised an active sector of the community. There was concern that deferring consideration of the skatepark would ultimately lead to it not being considered. The member referenced the parkour facility in the West Marsh ward and described further apprehension about the burden that management of facilities and resources could place on community groups.

A member referred to the parish council funded small free to use BMX track in Waltham. This facility was very well used by children and young people in the ward. This was an important facility in the Waltham ward and he appreciated the value of this facility in the East Marsh. He supported the referral back to cabinet with a recommendation to firm up the consideration and support for a relocation of the Kent Street skatepark

It should be noted that all panel members commended Mr Beatty for his eloquent, informative and passionate presentation.

It was proposed by Councillor Barfield and seconded by Councillor Sheridan that the decision be referred back to cabinet with a recommendation that there are firm plans moving towards (to roll-over) a new skatepark facility before an asset transfer to Corinthians was released.

The Chair supported a referral back to cabinet with a recommendation that a possible funding proposal for a skatepark be deliberated before any subsequent release of the decision. However, he was concerned that any delay should not jeopardise the (time sensitive) funding that the Corinthians had in place.

Ms Wroot acknowledged the comments of the members that they are minded to refer the matter back to cabinet for further review. She advised that cabinet be asked to note scrutiny's preference for a skatepark facility to be retained within the borough. This would allow council officers to explore the options around whether that is financially viable and/or deliverable. There were many aspects to consider; availability of land, provision, funding streams and whether a group could be constituted.



Recommends ...

The Chair sought guidance and clarification from the monitoring officer and asked members to vote on the proposal, as amended, this was carried (five for three against).

RESOLVED – That the matter be referred back to cabinet.

RECOMMENDED TO CABINET

That Cabinet reconsiders its decision and gives some assurance that any new provision would be place before the skateboarding and BMX community are asked to relocate.

Economy Scrutiny Panel Chair: Councillor Tom Furneaux

26 Jan 2021

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