



Author: Lynda Powell, Town Clerk
Committee: Full Council: 25th March 2024
Agenda Item: 106 Skatepark
Date: 18.3.2024

1 **Purpose.** To receive an update on the skatepark and resolve to submit a planning application.

2 **Decision Required.** Councillors are asked to consider the recommendation at 7.

3 **Background**

3.1 At the last meeting of Full Council Councillors reiterated their support for a skatepark as outlined in June 2022

- *To agree to add the proposed Millpool site to the devolution ask, own the site but day to day management will rest with the new group headed by Boundless Trust;*
- *To agree to work collaboratively with Looe Development Trust and Boundless Trust to deliver this provision;*
- *To agree to submit and pay for the planning application with Looe Development Trust paying for the noise survey;*
- *To agree to insure the site, once built, and to pay for the annual safety inspection (circa £200).*

3.2 Councillors discussed concerns about the Cornwall Council draft Heads of Terms.

It was **RESOLVED** to not accept the Heads of Terms and restriction on the devolution of the land. Council are happy to accept the need in principle for a skate park in line with the original resolutions, but not in the current form. Proposed Cllr Gregory and seconded Cllr Holmes. 3 for/1against. 1 abstained.

4. **Progress to date**

4.1 **Meeting with Looe Development Trust.** The Mayor, Deputy Mayor, Cornwall Councillor Armand Toms and Town Clerk met with the Chair of Looe Development Trust, Justin Spreckley and Kim Spencer to discuss the draft Heads of Terms and the unforeseen burdensome requirements upon the Council including full re-instatement of the site to its current condition at the end of the lease period. The meeting agreed:

- 4.1.1 To investigate the legal arrangements for the provision of skateparks in other Cornwall towns, particularly where Cornwall Council previously owned the land or continues to do so.
 - 4.1.2 When the above information is available, to work to persuade Cornwall Council to devolve the land freehold as, reportedly, originally intended.
 - 4.1.3 That LTC would, at its expense, submit the planning application when it was fully prepared. It was recognised that uncertainty over the ownership of the land did not preclude such an application.
 - 4.1.4 That the relationship between Looe Development Trust, Boundless Trust and LTC would be formalised as soon as possible with appropriate documentation embodying their individual, joint and shared responsibilities for delivering, sustaining and managing the facility. The parties would agree to positive messaging about each other and the project overall.
 - 4.1.5 That the agreement between the three parties would include the creation, over an agreed period not to exceed five years, of a ring-fenced fund that would provide for the whole life project costs including all the ongoing expenses of the facility, its ultimate removal and re-instatement of car parking as now, a reasonable contingency against unforeseen risks and a provision for ongoing inflation on all costs. These funds to be held securely and ring-fenced with release only for costs relating to the facility unless or until any prospect of such costs no longer existed. The three parties would all contribute to the creation of the fund through the means available to each. These could include an annual contribution from LTC on behalf of Council taxpayers, surplus from relevant grants, fundraising, events, crowd funding, sponsorship and advertising.
 - 4.1.6 That a mutually agreed positive joint media announcement would be made about the planning application, while making it clear that many obstacles remained in the way of achieving the project.
- 4.2 **Skateparks operated by Town and Parish Councils.** Cllr Armand Toms assisted the Clerk and Kim Spencer from Looe Development Trust with contacts at Town and Parish Councils who run skateparks. There are over 35 skateparks in Cornwall the majority of which are run by Town and Parish Councils.
- 4.3 The Clerk and Kim Spencer have spoken to St Ives, Torpoint, Liskeard, Cubert, Millbrook and St Austell Town/Parish Councils. Each council was asked about ownership of land and arrangements with Cornwall Council if applicable, how they managed the site, any issues and what budget they had set aside and who insured the site.
- 4.3.1 Liskeard and Torpoint both operate skateparks on land owned by Cornwall Council. In Liskeard the skatepark is part of their devolution ask but is yet to be agreed. In Torpoint all their recreation land skatepark, tennis courts and parks are on 125-year leases from Cornwall Council. Torpoint Council do not consider their lease arrangements onerous and do not have concerns about the length of the lease or the future liability placed on the Council. They have secured £200,000 of funding to upgrade facilities and are firmly of the view that their role is to provide high quality facilities for their community. They would be very happy to host a visit to view their facilities and discuss their lease arrangements.
 - 4.3.2 Councils reported only minor issues with their skateparks around parking and a small amount of graffiti. Some have trained their staff to undertake ROSPA inspections. Inspection regimes vary from three times a week to weekly checks by maintenance staff. St Austell highlighted the need for regular litter picking and lots of bins.

4.3.3 St Ives provided some useful advice about insuring that the concrete is sealed as part of the installation process as this will reduce maintenance.

4.3.4 No Council had made budgetary provision for future improvements to their skatepark.

4.4 Costs.

4.4.1 Zurich who currently provide insurance for the Council have quoted £920 per year to insure the skatepark.

4.4.2 Cornwall Highways have provided a rough estimate for reinstatement of the carpark. 320m² of asphalt = £11,000-£15,000

4.4.3 Demolition and removal costs of the skatepark are more difficult to estimate but Simon Fisher suggested a figure of £10,000.

4.5 Heads of Terms

4.5.1 The Cornwall Link Officer has discussed with Cornwall Council's legal team the possibility of adding a clause into the Heads of Terms that would allow the leased land to be used for community use if a skatepark was no longer required. The response was that this could be considered during negotiations over the Heads of Terms.

5. Planning Application

5.1 Considerable progress has been made in working with partners to consider how the longer-term issues associated with managing and maintaining the skatepark. Consultation with other Town and Parish Councils has identified that skatepark provision is part of their offer to the community with resources put in place to make this happen. Arrangements with Cornwall Council vary but long leases are being accepted by other Councils.

5.2 Work still needs to progress on an MOU with partners and further work is required on the Heads of Terms but we do need to progress the project.

5.3 In 2022 Council committed to submitting a planning application. Undertaking this work now would allow the public opportunity to comment on the plans and for Council to understand the public appetite for the scheme and any planning constraints that need to be considered.

5.4 The skatepark designers have prepared all the drawings and Looe Development Trust have commissioned an acoustic survey so the costs associated with preparing and submitting the application should be minimal.

7.0 Recommendation

7.1 Council submit a planning application for the skatepark.

7.2 Council continue to work with partners on the development of an MOU to cover the full life costs and management of the skatepark.

7.3 Council continue to work with Cornwall Council on the Heads of Terms.