

## Margate Town Deal - Skatepark Project

<b>Extraordinary Cabinet</b>	22 February, 2022
<b>Report Author</b>	Louise Askew, Director of Regeneration
<b>Portfolio Holder</b>	Cllr Reece Pugh, Deputy Leader and Economic Development Portfolio Holder
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Previously Considered by</b>	Cabinet meeting 16 September, 2019
<b>Ward:</b>	Cliftonville West

### Executive Summary:

The Margate Town Deal Investment Plan includes a series of projects under the banner of Coastal Wellbeing, with a project to deliver a Skatepark in Cliftonville West. Cabinet are asked to approve the lease to a community organisation, of the 'Ethelbert Putting Green' site, at nil rent for a period of 20 years.

At a Cabinet meeting on 16 September 2019 within a report titled: 'Asset Management - surplus property and land' Cabinet approved that the site should be available for disposal, with restriction on relevant use only, and not for development.

This request of the Cabinet is that they approve the site's use for delivery of the Skatepark.

### Recommendation(s):

1. To give delegated authority to the Director of Property to prepare and complete the lease and all other ancillary documents on the agreed terms, in consultation with the Economic Development Portfolio Holder;
2. To approve the capital virement of the full £59,000 capital programme skatepark project budget, to the Margate Town Deal programme. The committed skatepark project for Margate within the capital programme is now due to be delivered as part of the Margate Town Deal.

### Corporate Implications

#### Financial and Value for Money

The basis of this proposal is a lease agreement with a peppercorn rent to enable the delivery of more than £900,000 of capital investment, in one of the most deprived wards in Margate. This project aims to support improved health and wellbeing, community engagement and

cohesion as part of a broader range of projects in the Margate Town Investment plan called 'Coastal Wellbeing.

The Council would potentially be forgoing an annual rent estimated to be about £10,000 - £15,000 or possible sale proceeds in the order of £100,000 - £150,000. There are restrictions on the use of the site, with significant implications for development, which is reflected in the possible rental and capital values.

The Section 151 Officer is required to scrutinise and approve regular monitoring returns (at least six monthly) to the Department for Levelling Up, Housing and Communities (DLUHC). These returns will cover actual and forecast spend, alongside output metrics.

The Council currently holds £59,000 in its Capital programme for a skatepark in Margate. A project was proposed some years ago at Hartsdown, but it received significant opposition and was not delivered. Two skateparks were delivered in Broadstairs and Ramsgate from the funding that was allocated to those towns, but the remaining funding allocated to Margate remains unspent. It is proposed that this funding be allocated to the capital pot for delivery of the Margate Town Deal Skatepark by way of match funding.

## **Legal**

A Community Interest Company (the CIC) is being established to manage the Skatepark, for which the Council will grant a lease to for the land outlined in red on Annex 1. The lease will include obligations to repair and maintain the skatepark and ancillary facilities, meet all statutory and best practice health and safety requirements and assess and mitigate against potential operational and usage risks. The CIC will be required to have £5,000,000 public liability insurance. The agreement to lease will be subject to the funding and all relevant permissions being received and in place.

The Council has a statutory duty to dispose of land at the best value reasonably obtainable in accordance with Section 123 of the Local Government Act 1972. The project sponsors behind the CIC submitted a proposal to the Margate Town Deal to deliver a Skatepark aimed at supporting some of Thanet's most deprived communities. This significant capital grant and match funding will be used to develop the Skatepark, a facility that would unlikely be able to be delivered elsewhere in Margate and Cliftonville due to a lack of available open space. The CIC will not profit from the lease as any monies raised will be used to maintain, manage and insure the Skatepark. This significant grant investment into health and wellbeing, and on the basis that the CIC will recycle funds should ensure that the Council has obtained best value for this site. Within the body of the report there are further details outlining the opportunity provided by the delivery of a Skatepark in Margate to deliver the Council's priorities of supporting our communities, reducing anti-social behaviour, improving community cohesion and delivering economic growth.

Officers will advertise the Council's intention to dispose (long lease) of open space land in a local newspaper for two consecutive weeks and to consider objections (sections 123(2A) LGA 1972). Responses should be discussed with the Cabinet Member for Property and Cabinet Member for Economic Development before completing the final lease agreements.

The development of the skatepark will be carried out by the Council ensuring that the design and construction is of an acceptable and sustainable standard. If for any reason the CIC fails or gives up the lease the structure and facilities will revert to the Council. Use of the site will

be limited to skatepark use with alterations or additions to be approved by the Council as landlord.

## **Corporate**

Risks - compliance by the CIC to the requirements of the lease agreement, including all health and safety and insurance requirements.

Increasing costs - the design of the Skatepark will be developed by a specialist and cost consultants will price up the Skatepark on the basis of current best practice. If the project looks like it will be over budget the Skatepark will need to be scaled back, or further funding gained by the project sponsors as match funding for the scheme. Due to the nature of the project it is possible to scale back the design in order to fit within the budget allocated.

Non delivery by the CIC and the Skatepark is handed back to the Council - in this situation the Council would look to promote the site for other leisure operators to take on the delivery. However, the Project Sponsors have significant experience in skateboarding and have a number of contacts that are helping them with the delivery of the proposal. They have a large network which will support the success of the project, and there is a significant skateboarding fraternity, not only in Margate and the wider district, but within travel areas that would use the space regularly and support its management.

Opposition to the Skatepark could prove to be a risk, however the CIC have completed some community engagement to understand the views of the community surrounding the site, and there has been significant support for the project.

## **Equality Act 2010 & Public Sector Equality Duty**

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

A Customer Impact Assessment will be required in the design of the Skatepark and within the plans of how it will be used, it does not form part of this report, which is for a long lease at an exempt rent to enable delivery of this community provision.

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

- **Growth** by continuing to promote tourism in Thanet through the provision of a new attraction, adding to the offer with the aim of supporting the increase in jobs that the sector brings to the District.

- **Environment** - enhancing this site is possible through external funding and it will significantly benefit current and future residents, in particular those in the most deprived wards in Margate and a cohort of younger people across the district. Making better use of the site for health and wellbeing purposes.
- **Communities** - tackling anti-social behaviour is a key outcome in the delivery of Skateparks and has been supported by local Police teams. Through working with the different communities to deliver the project it will help to foster a shared responsibility for the space. This project will also help to increase the Council's community engagement in this area.

## 1.0 Introduction and Background

- 1.1 In August 2020 a project call out was issued for projects ideas and proposals that would deliver against the Margate Town Deal objectives. These were both local objectives and national requirements of the Town Deal programme. The proposals that were put forward went through a sifting process, in order to create a list of priority projects that would deliver the Town Deal requirements for Margate.
- 1.2 The list of projects were reviewed on the basis of evidence of need in Margate from factual data sets, and information from the stakeholder engagement. It was identified that basic health indicators associated with Margate based GPs showed higher occurrences of health issues and inequalities than Thanet or England averages. Patients in Margate are more likely to suffer long-term health conditions than people in other parts of England. 44% of Margate's economically inactive residents are stopped from working by long-term illness; Margate's GP patients report more long-term health conditions than nationally.
- 1.3 It was also identified that there was a perceived lack of cohesion between communities in Margate, in particular there were noticeable divisions between long term residents and newcomers. The evidence identified that there is a lack of social and community facilities, particularly in the Cliftonville areas. The proportion of children (0 to 15) and retirees (65+) grew by 8% and 16% respectively between 2011 and 2019, and green and blue spaces are important social amenities for these groups.
- 1.4 The Margate Skatepark proposal received support through the evidence, to help deliver one of the Margate Town Deal priorities with the aim of trying to deal with some of the health inequalities in the area. The Margate Town Deal Board was supportive of the project, which aims to promote fitness and wellbeing, be a catalyst for social engagement, help to sustain local tourism, and create some employment through the project. It has also garnered significant support through Margate and Cliftonville communities and the National Skateboarding fraternity.
- 1.5 The Project Sponsors (@margateskateboardclub) are experts in their field and have provided advice and guidance to organisations like Skateboard GB, and they have advised other local authorities on the commission and delivery of Skateparks. The

initial bid was for £1,000,000, which was submitted on the basis of an initial quote from a Skatepark construction company that was informed by knowledge and evidence from other Skateparks projects. The offer from the Margate Town Deal Board is for £750,000. The Project Sponsors have so far confirmed £100,000 match funding from Tracey Emin and there is £59,000 in the Council's capital programme for a Skatepark in Margate. The Project Sponsors are putting together a fundraising plan, which includes capacity funding for the CIC, increasing the capital funding for the construction phase and also revenue funding for community engagement, running events and activities on the site and supporting a programme to encourage people (of all ages) into skateboarding to improve wellbeing.

- 1.6 Thanet District Council is the Accountable Body for the Margate Town Deal Board, the Portfolio Holder and Chief Executive are members of the Board, and the Director of Regeneration is the responsible officer for programme management. The Council also provides the secretariat for the Board and manages the meetings through the provision of agendas and the provision of information to the Board members.
- 1.7 The Council owns the site best identified for the Skatepark, and therefore is required to go through a formal process to enable the use as a Skatepark to happen and to ensure that the funds are delivered according to the Town Funds requirements. The Council also has a responsibility to its communities to ensure that the site is managed in accordance with health and safety requirements and is kept well maintained and safe.

## 2.0 The Current Situation

- 2.1 The Margate Town Investment Plan (Annex 2) ask of £29,000,000 was submitted in December 2020, with an offer of up to £22,200,000 being received in March 2021. Although the offer was for less than the ask, the Margate Town Deal continued to support the Skatepark Project. The *Outcome* identified within the TIP for the Coastal Wellbeing intervention identifies that ***'Margate will become a wellbeing-focused town which makes use of its natural assets and tests exciting, innovative wellbeing ideas to reduce health deprivation and increase social, leisure, tourism, and civic engagement opportunities'***.

This includes the below *Outputs* that relate to the Skatepark:

- Health inequalities reduced, particularly in Cliftonville West; residents report better health
- Visitor numbers and spend increased along the coast
- Perceptions of Margate as a healthy town established
- Civic participation increased

Within the project there is a proposal to include a toilet and a kiosk on the site. The kiosk will include a hub for staff of the CIC to enable support for the community engagement activities, provide the ability for the CIC to access revenue funding to deliver health and wellbeing programmes for Thanet's residents and to provide storage facilities and cleansing equipment. The revenue from the kiosk will be used

to maintain the toilets and the Skatepark, covering running and maintenance costs for the site, including but not limited to insurance. There will be restricted uses for the office and kiosk to ensure they are used for the purpose of supporting the long term sustainability and management of the Skatepark. This will also be agreed through the lease arrangement.

- 2.2 The proposed site for the Skatepark is a vacant site that was formerly a mini golf course, and for a short period the community built a Skatepark. It is on Ethelbert Terrace in Cliftonville West. This site has been chosen due to its location in Cliftonville West and closest to the communities that the Town Deal is aiming to engage with. It is a vacant site that could not have any significant development and has been long term vacant. The site is overlooked by commercial and leisure uses and is next to a children's playground. It has been the subject of many community campaigns for a Skatepark to be delivered on this site, and to date there has been no significant funding in order to enable such delivery.
- 2.3 The Government requires a set of Green Book Business Cases for each of the projects within the Town Deal. The Coastal Wellbeing Business Case includes a number of projects including the Skatepark, and is due for completion by the 15 April deadline as set by the Department for Levelling Up, Housing and Communities. The Business Case is a technical document that assesses the value for money provided by delivering individual projects and the need for them. This will all be evidenced and provide a document to support delivery of the Skatepark.
- 2.4 Below is an outline of the next steps required for this project - some of these will happen concurrently in order to move forward.
- Approve lease of the site on a 20 year lease
  - Complete the establishment of the Community Interest Company (CIC) with appropriate representation
  - Agree Heads of Terms with the CIC
  - Complete site surveys, final design work and costings, which will be funded from the Town Deal funding
  - Carry out some engagement activities on the design and layout for the Skatepark
  - Complete the Business Case
  - Agree lease arrangements and management conditions with the CIC
  - Planning application to be submitted with the associated documents
  - Tender for contractor
  - Complete final designs

### **3.0 Options**

- 3.1 Provide the CIC with a 20 year lease at nil rent to deliver the Margate Town Deal project.
- 3.2 Refuse to provide a lease agreement to the CIC, this will require approval from the Department for Levelling Up, Housing and Communities to reallocate the Margate

Town Deal Funding (not guaranteed), a loss of £100,000 match funding from Tracey Emin, and lack of delivery of the £59,000 capital funding allocated to a Margate Skatepark within the Council's Capital Programme.

- 3.3 The Council deliver and run the Skatepark project directly, and do not use an external organisation to deliver the community asset as part of the Margate Town Deal. This will involve ongoing management and revenue costs to the local authority, and a reputational risk for not enabling the CIC to deliver.

Contact Officer: Louise Askew, Director of Regeneration  
Reporting to: Madeline Homer, Chief Executive

### **Annex List**

*Annex 1: Ethelbert Terrace site plan*

*Annex 2: Margate Town Deal Investment Plan - [www.margatetownddeal.co.uk](http://www.margatetownddeal.co.uk)*

### **Background Papers**

*Title:* Cabinet meeting 16 September, 2019 - available on the Council website

### **Corporate Consultation**

**Finance:** *Chris Blundell, Director of Finance*

**Legal:** *Estelle Culligan, Director of Law and Democracy*