

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Alice Park Trust Sub Committee	
MEETING/ DECISION DATE:	23 April 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Skatepark Design Brief and Implementation.	
WARD:	Lambridge	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A – Project Scope and Objectives		

1 THE ISSUE

- 1.1 £97k capital has now been fully approved by the Council for the installation of a skate park. It is recommended that of the £97k, £25k be ring-fenced and used for other park improvements. In addition, it is required that the £30k pledged by the Community to be deposited in the Council's account in order to frame the total skatepark project budget available being circa £102k.
- 1.2 The Council has appointed a contractor (Canvas) and, if agreed, they will work to the proposed brief which is:-
 - o The skate park should be located in the lower corner by the play area
 - o The skate park should ideally be 200 sq m in size – but not limited to this allowing for a 10% variance and based on the design produced by the contractor
 - o The skate park should ideally be 1m height - but not limited to this and based on the design produced by the contractor
 - o To consider an opening in the corner for easier access
- 1.3 The upper age limit for skate park usage is 14yrs so the design should reflect this.
- 1.4 To ask for the best design for the skate park which will be brought back to the Sub-Committee for scrutiny.

2 RECOMMENDATION

- 2.1 That the Trust agrees the above brief to allow commencement of the project.
- 2.2 That the Trust arranges the transfer of the £30k into the Councils account by 30/04/18 or earlier.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 £97K capital has been allocated by the Council for the development of a skate park in the east of Bath and which includes £25k for further capital improvements.
- 3.2 The Council's contribution will be capped at a maximum of £97K including all associated project and officer costs.
- 3.3 The Trust has confirmed that £30K of private donations have been committed to developing the skate park and receipt of this in the councils account is required from the outset.
- 3.4 The inspection and maintenance of the facility is intended to be carried out by B&NES within the existing level of subsidy that it gives to Alice Park. There will be additional revenue expenditure but under normal circumstances this is anticipated to be minimal, particularly if the inspections are carried out by the Council's play inspectors who already visit the park, and if the skating community and volunteers are tasked with helping keep the site clear of litter and in good order.
- 3.5 Should the costs be more than reasonably budgeted for then the Council will need to consider its position and may seek to reduce the extent works within the current subsidy by re-prioritisation. The Trust should be prepared to contribute financially to any identifiable shortfall from its own resources/income streams.
- 3.6 Insurance – as the skate park will be maintained and inspected by B&NES the insurance liability will be picked up under the Council's Insurance arrangements and is within existing budgets.
- 3.7 As this is intended to be a Council facility to be placed on the park with the Trust's agreement, there will need to be a lease including full repairing covenants and agreement to remove this facility at the end of its useful life imposed upon the Council.
- 3.8 The Council's property services department will produce the lease but the trustees must satisfy their s.36 Trustee Act duty to get best value for the land. The trustees need to obtain their own valuation (from a surveyor) at their own cost. The fees for drafting the lease being attributed to the Alice Park Trust and funded from within the £97k capital funding. This will need to be agreed prior to commencement of any capital works being undertaken.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Council is sole corporate trustee of the Alice Park Trust. The Alice Park Trust's Sub-Committee's terms of reference are to undertake the operational management functions in respect of the Alice Park site and its resources, in accordance with Trust's objects and the duties it owes pursuant to the Charities legislation.
- 4.2 Members in their capacity as Trustee must administer the Trust in good faith, abiding strictly to the objects of the Trust and administering the Trust for the benefit of the public which may at times conflict with the interests of the Council.
- 4.3 The objects of the trust require the land bequeathed to be used as a public park and children's recreation ground. The Sub-Committee must consider whether any

proposed use falls within the trust's objectives, and if so whether to permit the use requested. If it permits the use then it must decide on what terms, in order to ensure effective use of the park whilst minimising any conflict between the different uses to which the park is subject to under the terms of the trust deed.

4.4 One important consideration for the APT Sub-Committee to consider, when deciding upon the issue of expenditure generally but specifically in respect of the skateboard park is, that the income from the Endowment and arising from the Trust Property is currently insufficient to maintain the park without a subsidy from B&NES and therefore a very clear legal basis is required in order to enable B&NES as trustee to permit any project to go ahead, if that would involve future expense.

4.5 The Trust would need to agree for the Council to lease the land for the use of a skate park. The Council would then construct the facility within the funding envelope available and provide maintenance as necessary.

4.6 The Trust will agree the final design of the skatepark prior to installation.

5 THE REPORT

5.1 At its meeting on the 3 July 2017 the Sub-Committee detailed the preliminary design specification and which has been refined as per point 1 above to offer agreed design parameters.

5.2 The skate park will be a predominantly sprayed concrete construction and the design will need to fit the located area and provide features that will meet the need of the user group.

5.3 The provision of facilities that will be suitable for use by skate boarders, BMX riders, inline skaters, roller bladers, roller skaters and scooter riders so that park users will be provided with a park that they can ride time and time again and have fun exploring the lines in many different ways whilst developing their skills in the process.

5.4 The Project scope and objectives are outlined in Appendix A.

5.5 The key outcomes and success factors for the project are;

- to be completed by no later than 30 September 2018.
- to be completed within the approved budget (including fees for lease/licence, project management and Parks Officers time).
- to meet BS EN 14974
- for the contractor to provide an after care service for 2 years
- for the surfaces and rides to have a life expectancy of 20 years
- A skatepark is a bespoke item and a 'design and build' contract framed by a brief is the most cost effective method of procuring this due to its specialist nature. This allows the parameters of the brief (including the overall budget) to be worked within and the end users and stakeholders to judge/score against ensuring best suitability.

6 RATIONALE

6.1 The skate park brief is now to the satisfaction of the Sub-Committee members.

7 OTHER OPTIONS CONSIDERED

7.1 These have previously been detailed to the Sub-Committee in order to determine the specification now decided upon to build a skate park.

8 CONSULTATION

8.1 Initial designs will be taken out to consultation with the public user group and the Sub-Committee as part of the evaluation process.

8.2 Once the contract has been awarded further design work may include further consultation with future users of the park and organised in conjunction with Bath & North East Somerset Council's Parks officers.

8.3 Procured Contractors should have experience of, and be confident with, working with young people and the public as part of the design process and will present their designs to representatives of user groups and to Council Officers.

8.4 The Council's S 151 officer approval has been received to release the £97K funding.

8.5 The Council's legal team have had opportunity to comment on this report.

9 RISK MANAGEMENT

9.1 Risks to the project's successful completion are;

- Over-running - project delivery to endeavour to achieve by 30 September 2018.
- Project cost exceeding the allocated budget (The Council has been clear that its contribution will be capped at £97K); there will be an 8% contingency fund allocated to the project which is considered reasonable to the risk.
- Currently unknown site constraints such as sub surface ground conditions; trial pits are planned to ascertain sub-terranean conditions.

9.2 A risk assessment related to the issue and recommendations has not been undertaken as yet.

Contact person(s)	<i>Mark Cassidy 01225 396811</i>
Background papers	<i>None</i>
Please contact the report author if you need to access this report in an alternative format	

Appendix A

PROJECT SCOPE AND OBJECTIVES

We anticipate that the successful design will incorporate features to satisfy the following user groups:

Skate facilities for a variety of users:

- Skate boarders (including Penny boarders)
- Scooter riders
- BMX riders
- Inline skaters / roller bladers / roller skaters

Age demographic

- The upper age limit for skate park usage is 14yrs (so the design should reflect this)

Working group:

PROJECT SCOPE

Possible features to include a selection of the following (to be confirmed during the consultation design development process):

- ramps / curved transitions
- a selection from street and plaza features such as rails, steps, blocks, banks, kerbs etc
- rideable space for gentle cruising, away from other skate lines i.e. not in the path of features. This is to prevent riders crashing into one another and to allow beginners space to practice balancing
- DDA compliant rideable access and pathways from the existing park path to connect with and encircle the skate facility (removing any need to ride over grass to get on / off the skate park)
- design to include maximum possible noise attenuation within the available budget
- design to incorporate include necessary, suitable and sufficient screening and planting

The project may also require appropriate external works:

- drainage
- surface treatment for non-rideable surfaces i.e. pathways, rubber matting / SAFA surface
- soft landscaping to soften edges and provide some visual screening
All activities must be outside of the drip line of any trees.

OUTLINE PROJECT DELIVERABLES AND/OR DESIRED OUTCOMES

General conditions:

- We are looking for a lifespan of at least 20 years for surfaces, rides and external features.
- We are happy for contractors to sub-contract the build where relevant. Any subcontractor proposed should be submitted to the Council for approval prior to commencement.

MATERIALS

Materials chosen by the contractor, and construction methods chosen should be fit for purpose and able to withstand intensive use over a 20 year period.

CONSTRAINTS

- The council's budget is limited to £97,000 inclusive of all fees (including internal fees) and costs, and the contractor's submission must demonstrate that this is achievable.
- £25k out of £97k allocated to Alice Park to be ring-fenced and used for other park improvements (such as equipment, H&S, etc)
- **Planning permission** is not required for this site providing design and construction is limited to a maximum height above ground level of 4m and a maximum cubic capacity of 200m³. However the Trust ask the Council's contractor to work with the working group on the design of the skate park with the following preferences (in order to blend with the area):-
 - The skate park should be located in the lower corner by the play area
 - The skate park should ideally be 200 sq m in size – but not limited to this and based on the design produced by the contractor
 - The skate park should ideally be 1m height - but not limited to this and based on the design produced by the contractor
- No trees should be cut, trimmed or removed for construction.
- The adjacent boules area cannot be impacted upon, removed or relocated.
- The size and design should be proportionate to the size of the park so that it shall in no way dominate the park or detract from the enjoyment of other park users and neighbouring residential occupiers.
- To consider an opening in the corner for easier access
- To ask for the best design for the skate park which would be brought back to the Sub-Committee for scrutiny