

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 21 JULY 2011

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Meadows (Chair), Wells (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb, Davey, Deane, Duncan, Farrow, Fitch, Follett, Gilbey, Hamilton, Hawtree, Janio, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Lepper, Littman, MacCafferty, Marsh, Mears, Mitchell, A Norman, K Norman, Oxley, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Turton, Wakefield, Wealls and West

PART ONE

7. PETITIONS FOR COUNCIL DEBATE

7(c) The Level

7.42 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition concerning The Level.

7.43 The Mayor invited Mr. A. Morris to present his petition.

7.44 Mr. Morris thanked the Mayor and stated that a total of 3,044 people had signed the combined paper and e-petition which read as follows:

"We the undersigned petition the council to take account of our opposition to any structural development of the area of the Level north of the Rose Walk. We believe that a new and improved skate park should be built in the southern play area."

7.45 Mr. Morris stated that he hoped the council would take account of the number of people who had signed the petition and noted that the two interest groups who were integral to the lottery fund bid felt ignored throughout the consultation process. The concern expressed by parents who would have children using the play area in the south and the relocated skate park in the north had not been addressed and it would appear that the impact of the new skate park had not been fully explained as part of the consultation. He believed that The Level was a historic open space and it needed to remain as such and any relocation of the skate park to the north would be a disaster.

- 7.46 Councillor West noted the petition and stated that Mr. Morris had been given the opportunity to present it to the Cabinet Member Meeting at which the decision was taken, but chose not to and therefore it could not be taken into account. He noted that the consultation process had been extended and the options put forward for people to express their views on. The majority of respondents had indicated they were in favour of moving the skate park and wanted to see the bid succeed. In taking the decision he felt that he had to take account of the majority of people being in favour of moving the skate park and to breathe new life into city centre with the development of the area. He acknowledged that his personal view had been to leave the skate park in the south but the public view was that it should be moved and he wished to thank the residents and officers for their work in taking the project forward.
- 7.47 Councillor Mitchell stated that she wished to move an amendment on behalf of the Labour & Co-Operative Group to the report's recommendation. She believed that the matter had become controversial and that people were not clear about the impact of moving the skate park to the north would have on the area as a whole. She queried the timing of the second round for the lottery bid and suggested that there was time to review the situation and ensure that the bid had the support of the two interest groups.
- 7.48 Councillor Fitch formally seconded the amendment and noted that over 3,000 signatures had been obtained on the matter. He suggested that there was time to re-think the proposals and to submit the bid, whilst maintaining the open spaces that the users of the area wanted.
- 7.49 The Mayor congratulated Councillor Fitch on his maiden speech.
- 7.50 Councillor G. Theobald queried whether the bid had been submitted or if there was time to amend it given the degree of opposition expressed by the number of signatories to the petition. He suggested that further consultation could be undertaken and confirmation of their support obtained from the two interest groups that were party to the lottery bid.
- 7.51 Councillor Mears stated that she fully supported the investment in The Level but could not support the proposed relocation of the skate park to the north. She argued that The Level had two distinct areas, the north being recreational and the south a play area. She was also concerned about how the regular Fair and Festival activities would be accommodated if the skate park was moved to the north. She queried whether the funding for the skate park was attributed to the lottery bid or was to be found via a Section 106 Agreement.
- 7.52 Councillor Smith stated that he could not support the loss of an area that was used by residents as recreational space with the imposition of the skate park. He believed that further consultation should take place and the Cabinet Member should consider the matter further.
- 7.53 Councillor J. Kitcat stated that a thorough consultation process had been undertaken and 55% of the respondents had voted in favour of moving the skate park to the north. He also noted that at the recent Cabinet Member Meeting, opposition councillors had not raised the question of reviewing the matter or deferring the decision and had not

made a call-in request following the decision. He stated that there was a need to accept the views of the majority and to take forward that mandate.

- 7.54 Councillor Peltzer Dunn referred to the proposed amendment and suggested that it was possible for Councillor West to reconsider the decision and to take account of the views expressed by a significant number of people.
- 7.55 Councillor Simson stated that she felt there was a need to take account of the views of the families that used the current play areas and their concerns should the skate park be moved to the north of not being able to watch their children in both areas. She also suggested that there was time to re-examine the options and to retain the skate park in the south.
- 7.56 Councillor West noted the comments and stated that the consultation process had shown 3 times more families in favour of moving of the skate park to the north and to be separate from the play area. Of the 28,000 people consulted, 55% had been in favour of moving the skate park and he felt their preference should be supported. He noted that the proposed amendment 2.2 referred to the second round of the lottery bid and that to date there had only been one round, the intention was to submit the bid for the second round. He believed local ward councillors, officers and residents had worked very hard to take the project forward and therefore he could not support the amendment and stated that the bid should be submitted.
- 7.57 The Mayor noted that an amendment had been moved along with the recommendation to refer the petition to the Environment & Sustainability Cabinet Member Meeting and stated that she would put them to the vote.
- 7.58 The Mayor then put the Labour & Co-Operative Group's amendment to the vote, which was carried.
- 7.59 The Mayor then put the substantive recommendations as amended to the vote which were carried.
- 7.60 **RESOLVED:**
- (1) That the petition be referred to the Environment & Sustainability Cabinet Member Meeting for consideration; and
 - (2) That it be noted Brighton and Hove City Council was successful in the second round of the Heritage Lottery Fund Parks for people funding programme and that the council's bid for funding has to demonstrate engagement with community groups;
 - (3) That it be noted the friends of The Level and The Triangle Community Group, both named in the bid, are opposed to the moving of the skate park into the northern area;
 - (4) That given the degree of public opposition as evidenced by this petition to the decision by the Cabinet Member for Environment and Sustainability to move the skate park into the northern area and the fact that the Cabinet Member stated

when he took the decision that he is personally opposed to this move, that the proposals are now reviewed;

- (5) That as a part of this process the council should draw up and publish more detailed plans and illustrations that clearly demonstrate the impact that the skate park would have on the open, northern area including any safety features such as fencing, planting and landscaping; and
- (6) That meanwhile all monies held by the council in relation to The Level are ring-fenced and safeguarded for that purpose.

The meeting concluded at 10.25pm

Signed

Chair

Dated this

day of