

Finance and Resources Committee

10.00am, Thursday, 23 May 2019

Ground Lease to Leith DIY Skateboard Park

Executive/routine	
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1. Recommendations

1.1 That Committee:

- 1.1.1 Approves a Ground Lease of 25 years to Leith DIY Skateboard Park, on land at Hawthornvale, on terms outlined in this report and on other terms and conditions to be agreed by the Executive Director of Resources.

Stephen S. Moir

Executive Director of Resources

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2. Executive Summary

- 2.1 This report seeks approval for a ground lease to facilitate the relocation of Leith DIY skateboard park from Melrose Place to an area of open space at Hawthornvale. The current site at Melrose Place is required for the construction of the Tram.

3. Background

- 3.1 Leith DIY are a youth group that provide a focus for skateboarders of all ages within the Leith Local Community. They have an organic approach to the design, construction and delivery of Skateboard Parks which encourages all members to become involved in all aspects of the process.
- 3.2 An unauthorised Skateboard Park was erected on waste ground on Melrose Drive; which is in the ownership of Forth Ports and is licenced to the City of Edinburgh Council for the construction of the Tram. When the Tram project is completed, the Council will take ownership of the land. In August 2018, part of the original Skateboard Park on Melrose Drive was removed for health and safety reasons due to the proximity of an electrical substation.
- 3.3 Construction works are due to commence on Lindsay Road for the York Road to Newhaven Tram project in September 2019, which will directly affect the Melrose Place site. Accordingly, there is a risk of delay to the Tram project if the skateboard park is not relocated.

4. Main report

- 4.1 Research was undertaken to consider a number of alternative site. After a site visit with Leith DIY and local Councillors, Hawthornvale was selected as a preferred site. The proposed lease site is located on an elongated parcel of land extending to circa 1,200 sq.ft. or thereby. It is adjacent to an existing basketball court and cycleway, which runs through the area. The land is held on the Housing Account.
- 4.2 The following main terms and conditions have been provisionally agreed with Leith DIY:

- Subjects: An area of land located adjacent to Hawthornvale Cycle Path and Basketball Court and as shown on the attached plan;
- Length: 25 years;
- Rent: £1 p.a.(if asked);
- Use: Skateboard Park, subject to planning permission being sought;
- Repairs: Fully Repairing and Insuring obligation;
- Legal Fees and Costs: Each party will meet its legal costs and fees.

4.3 The lease will ensure that no construction works will be undertaken until planning permission is approved in writing. The lease will also obligate the tenant to renew or remove from the site at the end of the lease.

5. Next Steps

- 5.1 It is aimed to remove the existing skateboard park in June 2019 which is when the Council are legally obliged to remove it from this site. Failure to do so will mean the Council will be in breach of the licence with Forth Ports. The tram works are scheduled to commence in September 2019 at this location.
- 5.2 The next steps will be to draft the lease and for the community group to gain planning permission and grant funding for the skateboard park on the new Hawthornvale site.

6. Financial impact

- 6.1 The Council will incur the costs of removing the current skateboard park, which will be covered by the Tram budget as part of the ground works for this site. There is a minimal, long term risk of the Council having to remove the future park at the end of the 25-year lease, or before, should Leith DIY disband, and the park no longer be required.
- 6.2 The subjects of lease are a former railway embankment and currently comprises open space that has limited alternative use of value.

7. Stakeholder/Community Impact

- 7.1 Councillors and MSP's have been engaged in this process and attended a site visit prior to a partial removal of the skateboard park in 2018. Several briefing notes have been issued subsequently.

- 7.2 It is envisaged that Leith DIY will undertake community engagement through the planning process.
- 7.3 The impact on equalities has been considered. The Integrated Impact Assessment (IIA) checklist has been completed and the outcome is that a full IIA is not required for this report. There will be a positive benefit on equality and rights through this project which aims to improve the community integration and services in this area.

8. Background reading/external references

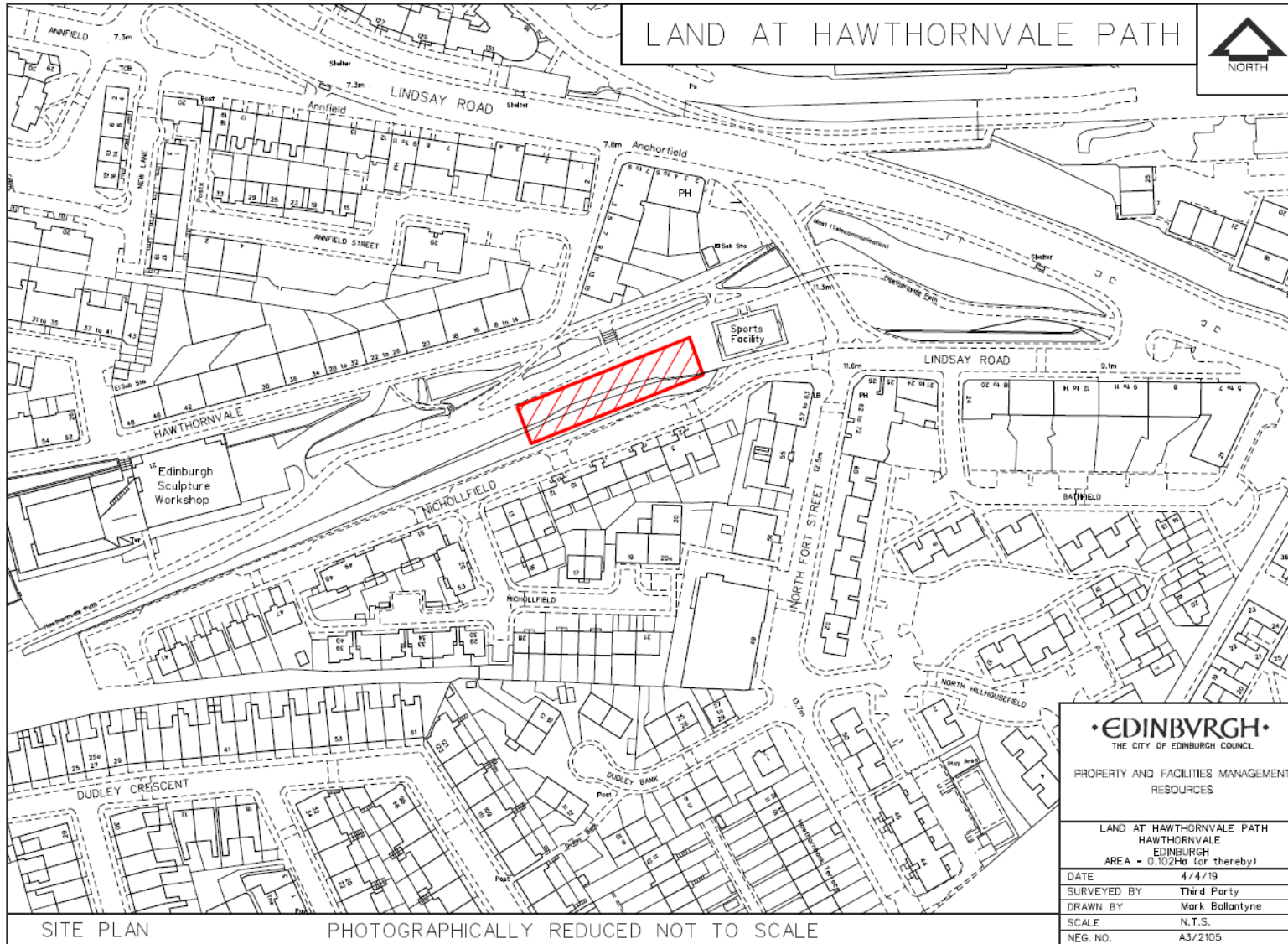
- 8.1 None

9. Appendices

Appendix 1 – Location Plan.

Appendix 2 – Tram Construction Plan.

Appendix 1



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Appendix 2

Tram Layout showing Melrose Place Skateboard Park

