

Culture and Communities Committee

10.00am, Tuesday, 15 June 2021

Petition for Consideration: Street Hockey & Skate Park

Executive/routine	Executive
Wards	City Centre / Morningside
Council Commitments	

1. Recommendations

- 1.1 To consider the terms of the petition 'Street Hockey & Skate Park' as set out in Appendix one.

Andrew Kerr

Chief Executive

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Report

Street Hockey & Skate Park

2. Executive Summary

- 2.1 The Culture and Communities Committee is asked to consider a petition at this meeting.

3. Background

- 3.1 The City of Edinburgh Council at its meeting on 22 June 2017 agreed the Petitions Committee be discontinued and that petitions would be sent to the responsible executive committees or in future locality committees for consideration.
- 3.2 At the meeting, the committee can:
- a) request a report on the issues raised by the petitioner and the committee;
 - b) agree that the issues raised do not merit further action and/or
 - c) agree to take any other appropriate action.

4. Main report

- 4.1 A valid petition entitled 'Street Hockey & Skate Park' has been received. The petition received 422 signatures.
- 4.2 The petition calls on the Council to provide 'safe facilities for both skating and street hockey in the city centre'. It proposes there is a space in The Meadows which may be suitable for these purposes.
- 4.3 To assist committee with the consideration of this petition, officers considered any immediate implications of this proposal. The City of Edinburgh District Council Order Confirmation Act 1991 is applicable in The Meadows. The relevant section of the Order (S.22) is attached at Appendix 2.
- 4.4 The Order decrees that 'the following buildings (but no others) are allowed on the Meadows and Bruntsfield Links: Bandstands, public conveniences, police boxes, and buildings for housing apparatus for the supply of electricity or gas'. It is considered very likely that a street hockey development and skatepark would be

deemed “a Building” for the purposes of the 1991 Order and therefore the Petition to provide such facilities would contravene the 1991 Order.

- 4.5 It is also worthwhile noting that this does not mean a total prohibition of the development, as it is possible to derogate from the 1991 Order, through a court process. However, undertaking such a process would need to be considered carefully in view of expense, time and benefits achieved..
- 4.6 There may also be further implications of the Meadows forming ‘Common Good’ land meaning that the Council cannot change its use, specifically when we have imposed a restriction.
- 4.7 The Council provides two roller hockey courts, one at Gyle Park and one at Saughton Park; and concrete skate/wheels areas at Saughton Park and a smaller one at Easter Drylaw.
- 4.8 In addition, metal framed skate parks are located at Sighthill Park, Burdiehouse Burn Valley Park, Gyle Park and Muirhouse Park.

5. Next Steps

- 5.1 The committee will determine next steps at this meeting.

6. Financial impact

- 6.1 Any proposals would be required to be fully costed, including any legal implications and agreed through the annual budget process.

7. Stakeholder/Community Impact

- 7.1 Any proposals would require full community consultation.

8. Background reading/external references

- 8.1 Minute of the City of Edinburgh Council 22 June 2017.

9. Appendices

- 9.1 Appendix 1 – Petition - Street Hockey & Skate Park
- 9.2 Appendix 2 - City of Edinburgh District Council Order Confirmation Act 1991 (‘the 1991 Order’)

Appendix 1 - Street Hockey & Skate Park

Date made available for signatures	Date closed for signatures	Petitions Title and Petitions Statement	Wards affected
21 January 2021	26 April 2021	<p>Street Hockey & Skate Park</p> <p>We the undersigned request the City of Edinburgh Council to provide safe facilities for both skating and street hockey in the city centre. There is a space in The Meadows, opposite the tennis courts which may be suitable for these purposes.</p> <p>The nearest skate park to the city centre is in Saughton Park, which is three miles from the city centre (1 hour's walk). This is not convenient for city centre residents who wish to skate. Skaters are forced to continue to skate in areas such as Bristo Square and Castle Terrace, which leads to conflict with University of Edinburgh security and the police. This situation is clearly unsatisfactory, and wastes the time of these professionals.</p> <p>In addition, existing sports provision which could be used for the growing sport of street hockey is located in Saughton Park, but is not fit for this purpose. A street hockey player was recently involved in an accident at this location and sustained broken ribs. A dedicated facility for this sport is required.</p> <p>"[Evidence from the Scottish Household Survey shows that] people who participate in culture and sport ... are more likely to report that their health is good and they are satisfied with their life." (Healthy Attendance? The Impact of Cultural Engagement and Sport Participation on Health and Satisfaction with Life in Scotland, Scottish Government, 2013)</p>	City Centre/ Morningside

Appendix 2

City of Edinburgh District Council Order Confirmation Act 1991 ('the 1991 Order')

Part VI: Buildings

S.22. Restrictions on buildings in certain parks:

"Subject to the provisions of this Order there shall not be constructed in any of the parks specified in the First Column of the following table any permanent buildings other than buildings of the description specified in the Second Column of that table in relation such park:-

(First Column) **The Meadows**, Bruntsfield Links, Leith Links.

(Second Column) Bandstands, public conveniences, police boxes and buildings for housing apparatus for the supply of electricity or gas."

The term "Building" in the 1991 Act has the same meaning as in the Building (Scotland) Act 1959 (as repealed by the Building (Scotland) Act 2003, s.55) which is as follows:

"any structure or erection of what kind or nature so ever, whether temporary or permanent, and every part thereof including any fixture affixed thereto, not being a structure or erection or part thereof consisting of, or ancillary to-

- (a) Any road, whether public or private, including in the case of a public road (but not in the case of a private road) any bridge on which the road is carried;
- (b) Any sewer or water main which is, or is to be, vested in a public authority;
- (c) Any aerodrome runway;
- (d) Any railway line;
- (e) Any large reservoir within the meaning of the Reservoirs (Safety Provisions) Act, 1930; or
- (f) Any telegraphic line as defined in section two of the Telegraph Act 1878;"