

Ettington Parish Council

6 November 2020

Response to comments by parishioner received on 7 October 2020

This has been formatted such that the parishioner's comments are in **bold font** with the council's response being in *italics*. Text of the parishioner which was in **bold font** in the original is **now bold underscored**.

Whilst your deliberations regarding the skatepark continue, I would like the PC to consider a few issues and answer a couple of questions.

Firstly, it is a 'myth' that the money must be spent on a skatepark. Having looked in more detail at the s106, here is the definitive wording.

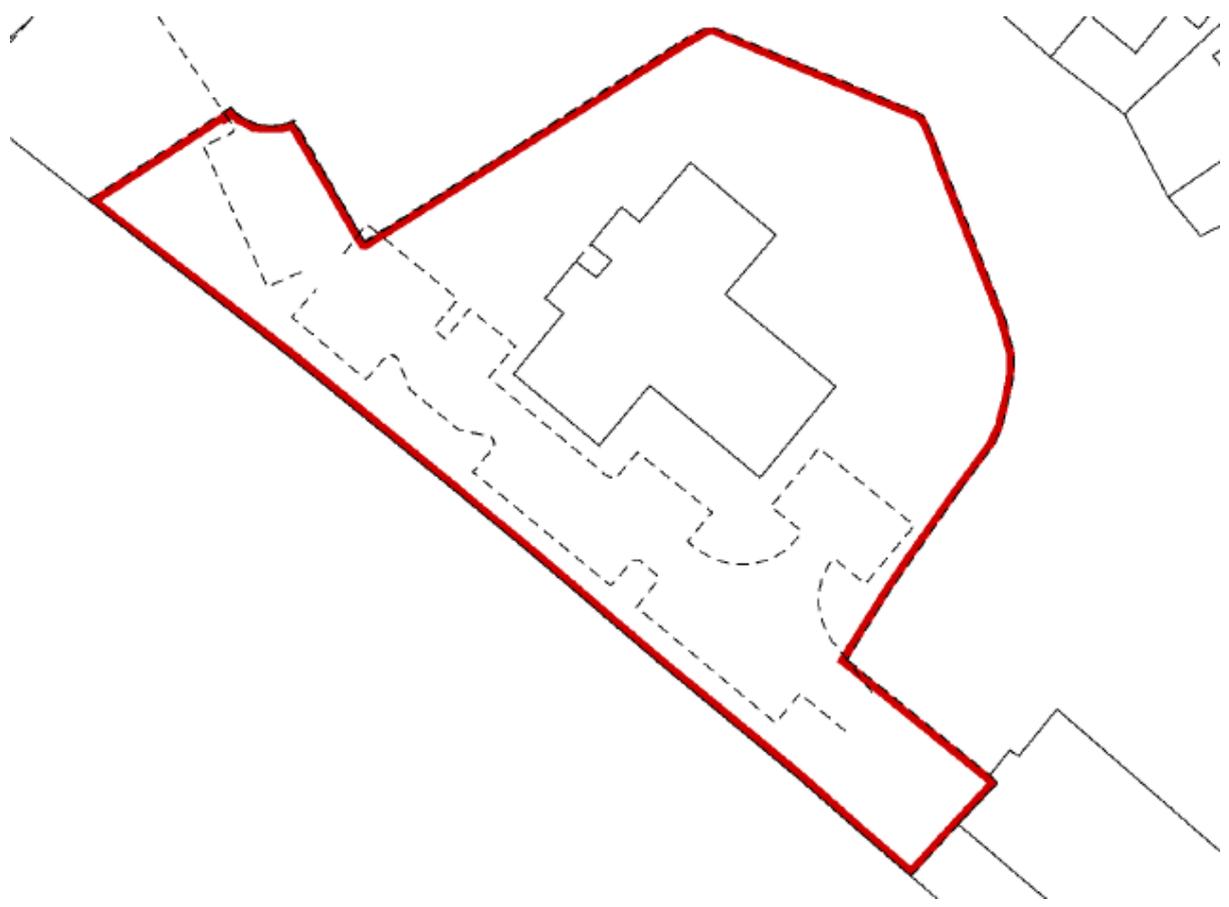
Project: in respect of the enhancement and upgrading of existing recreation facilities for children within the parish of Ettington which might reasonably be used by residents of the Development (as defined in the s.106 Agreement). The Contribution shall be used by the Recipient for the delivery of the Project and for no other purpose.

At no point has the Parish Council stated that the funds must be spent on a wheeled play area (skatepark). It may be that the 'myth' has been perpetuated by ill informed discussions over time, mainly, though not exclusively, on social media.

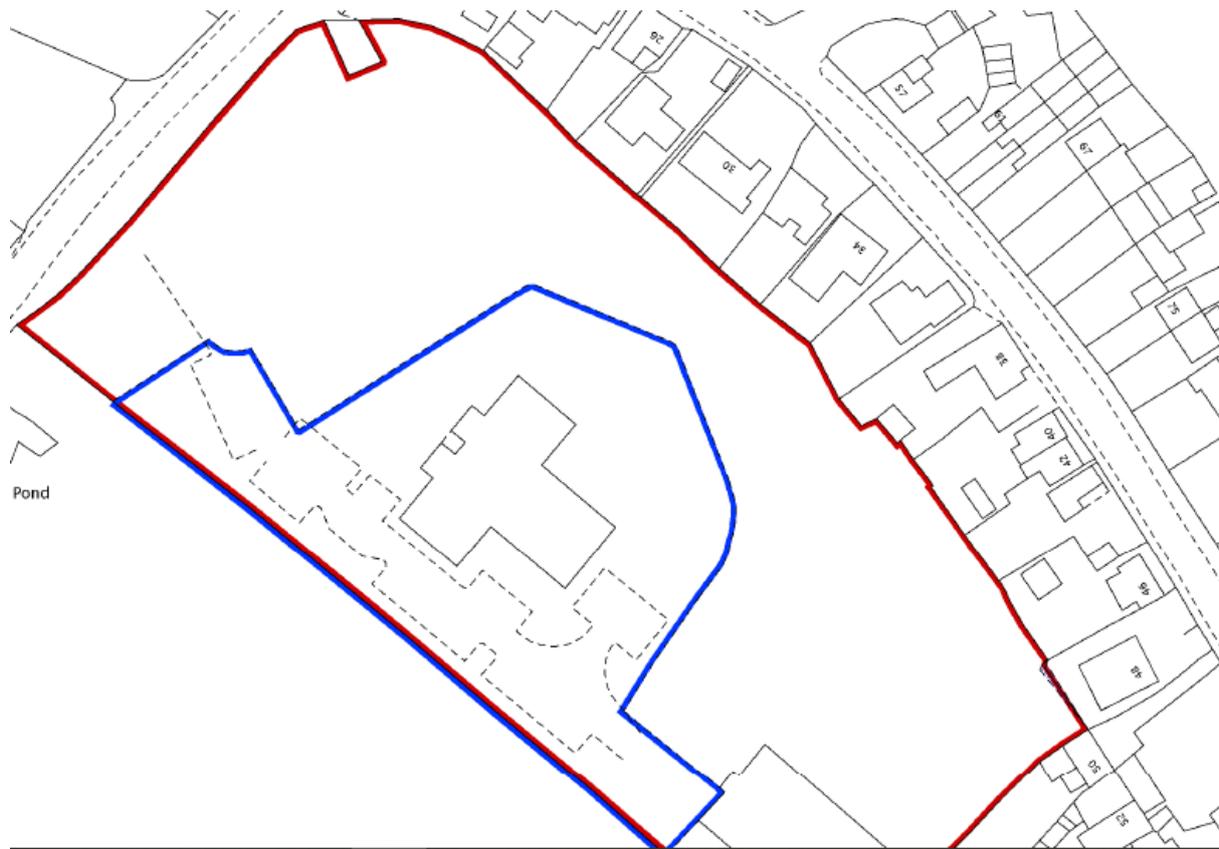
There is an argument to say that the skatepark is not an existing recreation.

This is not an argument to which the Parish Council would put any weight. The existing recreation facilities encompass the entire area of the playing field as identified in the map 1 below excluding the area marked blue in map 2 below. The council subscribes to the view that any additional facility added to the playing fields is an enhancement and modification of an existing facility would constitute an upgrade.

MAP 1



MAP 2



Secondly, only a small proportion of the funding / grants are linked specifically to a skatepark, so most of the funding remains in place.

At present all the funding remains in place though, should the decision be made, following consultation, that the wheeled play area is not the project of choice then the Council will need to a) seek permission for variation of use in respect of those grants which identified expenditure against a wheeled play area/skatepark. If this is not granted then the council will be morally obliged to offer to pay back the grant; b) consider how the Ear Marked Reserves of the Council should be spent.

Regarding the actual cost of the project, I understand the price of concrete has increased significantly in the past 2/3 years (circa 30%).

Has anyone updated the costs of the project? What if this is now 130K? What if there is an overrun of actual costs once the project is underway – how will that get funded?

The Council is establishing whether Canvas Spaces are able to proceed at its tender price. If they are and, following consultation, the project proceeds then it will be on a fixed sum basis in line with the tender.

Finally, with reference to the ‘youth council’. I respect the time and effort they put in during the early days of the proposal. However, I have a concern that ‘social responsibility’ was not part of their considerations. 12 and 13-year olds should not be expected to think about that, but those who were giving them guidance should.

The fact is you do not have the funds to facilitate a noise barrier. It appears that **you are prepared to let nearby residents suffer from noise and disturbance in your determination to get this project in place no matter what the consequences are.**

Please do not mention the 'average' noise levels. Making the noise levels an average from 7 am to 11 pm (16 hours) to make them lower, is, in my view condescending and a slap in the face to residents.

The council engaged the services of a competent professional noise assessment service in order to satisfy the needs of the planning officer and provide the information necessary for the environmental health officer to come to a judgement. While that report is publicly available and you were provided with a copy on request, at you are liberty to draw your own conclusions. The council does not consider itself expert in the assessment of such a report and so made the decision that, this being the case, it was content to rely on the expertise of said environmental health officer. The council has, therefore, fulfilled its public duty to the community in respect of this matter.

However, the point of my asking for this opportunity to address the council is as follows.

Here are 4 statements / facts from PC minutes – hopefully, you will recognise the contradictions.

1 - If the noise impact is significant, then the Council would consider what tree planting would minimize this. PC minutes – Q4 2018

The excerpt from the minutes of November 2018 is correct and predates the independently commissioned acoustic survey and the noise impact is more fully addressed in query 2.

2 - The wider benefits of the community should be considered and noise impact should not pose a constraint to achieving planning permission for the development, providing the mitigation measures herein are followed (i.e. some form of acoustic barrier) This is in the Councils own independent noise assessment survey.

Following this being received, here is an extract from the correspondence between the PC and the proposed builders of the project, QUOTE 'the 'report results were not what we wanted to see''. Subsequently, the PC asked for a version of the report that did not include comments ref mitigation.

The quote is correct and is taken from an email dated 5 March 2020 from an employee of Canvas Spaces to Mach Accoustics and is not, therefore, attributable to members or employee of the Parish Council. Canvas Spaces, not the Parish Council, requested a second version of the report with the mitigation measure section removed. Once this was received, the Parish Council made the decision to submit the original version. As you were aware, inadvertently, the revised version was submitted and once the Council became aware of this, and following discussion with the Planning Officer the original was submitted and Environmental Health were given the opportunity to submit a second comment to the planning portal (which they did).

3 – ‘The youths of Ettington have proven, via their well-behaved use of the youth shelter, that anti-social behaviour is not an issue’. Councillor Smith on more than one occasion including the District Council Planning meeting and in the minutes of the PC in April 2019.

This is factually correct.

4 – We do not want an acoustic barrier because it will create anti-social behaviour. March 2020

The minutes do not record this statement. However, it may have been stated in the discussion and if this was the case it would have been better worded (and indeed may have been) as ‘..... It has the potential to allow.....’

So, to paraphrase and submit my question –

We will look at noise issues / there are no anti-social problems / there are noise issues / we will not do anything about that because it will cause anti-social behaviour.

The Council has addressed the potential for noise by commissioning a report and ensuring that the environmental health officer has been availed of it in order to make a full assessment. Since the officer is content, the council considers the matter of potential noise resolved.

During consultations regarding the project, the council has learnt that a number of factors increase the likelihood for facilities to become misused/subject to antisocial behaviours. Two important factors noted are siting facilities distant from communities and/or hiding them behind screens or walls, both of which amount to making facilities ‘out of sight’. The council was always against a noise barrier due to the incongruity of a significant fence across the field and the risk that this increased potential for antisocial behaviour.

The council welcomed the fact that Warwickshire Police stated in their response to the planning application that having liaised with the local Safer Neighbourhood Team ‘they have no concerns regarding crime and anti-social behaviour....’

Whilst a minority of the council are not in favour of the project, can any of those who are in favour please square the circle for me on the 4 points made above since it would appear that only the Youth Council will be making decisions on this important (for some of us) issue?

The Youth Council has no voting right in decisions of the Council and are used for consultation. The Council believes it should consult with them and give due regard to their opinions.