

THE LEVEL

The Level is in the Valley Gardens Conservation area and from 2005 there were discussions how it could be restored and regenerated. A consultation was produced and showed the skate park in two different locations, both in the northern section, north of the Rose Walk. This was considered flawed and following the successful first-round application to the Heritage Lottery Fund (HLF) and Big Lottery Fund (BLF) in July 2010, it was decided by B&HCC to go ahead with a new consultation with the option of a skate park in the north or in its existing location in the south. The consultation commenced in March 2011. Two community groups, Friends of The Level and The Triangle Community Group were named in the first-round application in order to fulfil one of the five main requirements of the HLF.

History & Heritage Report by The Triangle Community Group Requested by B&HCC

- The history section of the group outlined the heritage features of The Level in the section north of the Rose Walk, which basically have remained unchanged for nearly 200 years. They also listed the changes made in 1927 by Bertie Maclaren when a children's playground was added.
- It was this second element that B&HCC chose to feature as the most important part of the heritage of The Level. The group maintain that this was a fundamental error.

The Two Locations of the Skate Park

- The skate park is not included in the bid to HLF and BLF and is to be funded from S106 monies. However, its location became a focus of the design.
- Because the consultation concentrated on a choice between a location in the north and one in the south it ceased to be a consultation about the whole of The Level. It became a referendum on the two locations.

The 2010/2011 Consultation: A Flawed Process

- At the Focus Group meeting held at the Salvation Army Hall on 28th August 2010 it was stated that the second-round bid to HLF and BLF had to be submitted by February 2011, otherwise "the money would be lost." This was incorrect. According to HLF guidelines the deadline is August 2012. B&HCC eventually changed the deadline to August 2011.
- At the same meeting, the council officers distributed four statements from skate park designers recommending the northern location. The skate park representative present objected as he had not sight of these statements and also stated that the skaters had no preference of location.
- The council officers constantly encouraged the skaters to set their ambitions outside of the views of the rest of the local community.
- The skate park was being promoted as a destination skate park that would be suitable for international competitions. Consequently, on a number of occasions, plans of the skate park in the north were shown larger than in the south.
- It was perceived that the council officers were getting too closely involved in decision making and seen to be managing the outcome indicated by the following statements: "we are going to... we will be building... our plans are..."
- It was proposed to build the skate park on a schedule six months ahead of the date when it would be known if the HLF bid had been successful. Following over four months of objections and a letter to *The Argus* in February 2011, this schedule was changed to the same schedule for the rest of the work on The Level

The 2011 Consultation: A Flawed Document

- The two communities recognise that, in the draft document produced by B&HCC, wording and structure favouring the skate park in the north were changed after suggestions and objections, but this was done under an unreasonably tight schedule.
- For several months a request was made for artist impressions of the skate park in both locations. It was assumed that these artist impressions would be taken from ground level.
- The artist impressions were only shown to the two groups 24 hours before going to press. The views taken are both from the south, at a viewpoint approximately 45 degrees above

the ground. Although the skate park in the south can be clearly seen, the skate park in the north is concealed behind the hedge of the Rose Walk and trees. The lead officer maintained there was no time for corrections. This was totally unacceptable and did not show a true representation of the skate park in the north. Therefore those who participated in the consultation were unable to visualise accurately what the skate park facility might look like. [Councillors have been supplied with the flawed illustrations as reproduced in the consultation.]

Health and Safety Questions

- Questions were asked continuously concerning health and safety, but were always dealt with the reply, “these will be considered at a later date.” A response from the lead officer to one particular H&S question by email was: “Full independent design risk assessments for particular elements such as the playground and skate park will also be carried out once actual designs have been developed.” More detailed designs have now been produced, but did not appear in the consultation.
- The risks associated with relocating the skate park to the open northern section have never been addressed. Examples of those risks being 1) dogs entering the skate park area with possible consequent dog attacks 2) danger of young children wandering / falling into the proposed sunken skate park and subsequent injury 3) considering the amount of games played on the northern section, injury to skaters caused by footballs, Frisbees etc 4) conflict between pedestrians, cyclists and skaters using the centre paths.
- It is only after the consultation had closed that H&S has been taken into consideration. According to a single page letter from an external advisor to B&HCC, it would appear that a fence is not under consideration despite the skate park being fenced in at Hove Lagoon. It would seem, from the tone of the letter, that the external advisor has not visited the site. However, the creation of banks and plantings surrounding the skate park is now proposed. [Draft B&HCC Report / 20th June 2011] This was not presented to the public in the consultation.
- Access points to the skate park on the northern section were not indicated on the consultation. These could have serious implications with H&S issues.

Consultation on The Level

- There was no direct consultation with regular users on the northern area of The Level.
- Consultation directly with dog walkers on the northern area was carried out but only after the official consultation had closed.
- At various times when B&HCC’s Playbus was on The Level, there was active encouragement for people to choose the option for building the skate park in the north.

The Consultation Workshops

- Many of the suggestions and objections, for both the south and north, at the number of workshops held were ignored and not incorporated into the final consultation.
- The northern area was largely ignored in these workshops, with little or no indication of improved seating locations, paths or lighting. A centrally located mosaic has been incorporated, but subject to extra funding.
- Incorporating a scented garden within the Rose Walk was a very popular suggestion. This was not put forward in the consultation.
- In the southern area there was fierce opposition to the removal of the paddling pool. If part of the heritage of The Level is in Bertie Maclaren’s design, the paddling pool is fundamental to it and a new pool could be built similar in style to the one on the seafront.

Conclusion

- Because the consultation, which was sent out to 28,000 households, focussed on the option of a skate park in the south versus a skate park in the north it became a referendum focussed on one key issue, rather than an actual consultation.
- Very little, or almost no reference was made to the heritage elements in the northern area in the consultation.
- The decision to solely focus on recreating the Bertie Maclaren design as the most important heritage element was a fundamental error.
- The lack of design detail of how the new skate park would be incorporated into the design of The Level within its heritage and the misleading artist impressions meant that the public could not have been able to make an informed decision.