

## **Review of Mid Devon's play area provision**

**Cabinet Member** Cllr Neal Davey  
**Responsible Officer** Head of Housing and Property services

### **Reason for Report:**

- 1) To provide an update on the consultation with town and parish councils regarding the play areas identified that could potentially be closed; and
- 2) To inform Members of the options and restrictions when considering the closure of play areas, and to identify play areas for closure.

### **RECOMMENDATION(S):**

- 1) That this PDG recommend to Cabinet that Council approves the recommendations within annex 2 of the report;
- 2) That the contributions from town and parish councils towards the running and maintenance cost are noted; and
- 3) That the Head of Housing and Property Services, in consultation with the Cabinet Member for the Environment, be delegated to negotiate acceptable terms for the transfer of selected play area in Willand to the parish council.

**Relationship to Corporate Plan:** Well Managed Council. The Council currently needs to find financial savings to reduce the net budget by £800k in order to balance the budget for 2016/17.

**Financial Implications:** Any overall reduction in our play area provision, or contributions towards the maintenance costs from town and parish councils, will enable the reduction in the revenue budget in order to meet the budget shortfall for 2016/17 and future financial years in line with the year on year government grant reduction.

The cost of any decommissioning will be through a managed decline and any funding requirement will be met from reserves.

**Legal Implications:** The Council must have an inspection and maintenance regime for its play areas, as stated within the Health and Safety at Work Act 1974.

**Risk Assessment:** There is a potential cost of litigation should the Council be found negligent with regards to maintenance of its play areas.

## **1.0 Introduction**

- 1.1 A report was brought to this group on 22 September 2015 to update Members on the consultation with town and parish councils regarding the future provision of play areas, and offering them the opportunity to take them over.

- 1.2 As a result of that report, the PDG requested that officers should highlight any issues that may affect the closure of the play areas identified and to make recommendations.
- 1.3 Officers have carried out a search on each of the play areas to identify any restrictions that have been placed onto the sites considered for closure.
- 1.4 The annual play area condition survey was carried out in October which categorises the condition of each piece of play equipment, surfacing and fencing; this allows sites in poor condition to be easily identified.

## 2.0 Consultation with Parishes

- 2.1 **Tiverton** - Tiverton Town Council has stated that it would be willing to pay 50% of the costs of maintaining the play areas within Tiverton, up to a maximum sum of £18,000 per year, from 1 April 2016. The Council makes a condition that this funding is only used for the play areas within the parish of Tiverton.
- 2.2 In addition it requests that an account is kept of the expenditure for budget purposes and that none of the play areas are closed without prior agreement. The Town Council has stated that it would review this arrangement during the 2016/17 financial year before agreeing to anything for the 2017/18 year.
- 2.3 **Crediton** – Crediton Town Council discussed Mid Devon’s proposals regarding play area closures on 22 September 2015. The Town Council believes it is important to protect Crediton’s public open spaces and to prevent them being sold and developed upon. To this end, it was resolved for the Town Council to lease Fulda Crescent, Greenway and Spinning Path Gardens as public open spaces from Mid Devon. The Town Council was disappointed with only being offered a 25 year lease and asked if a longer lease was negotiable.
- 2.4 The Town Council queried why Beech Park, which contained play equipment, was under threat of closure when Queen Elizabeth Drive (2) contained no equipment and was more expensive to maintain.
- 2.5 At the Town Council’s meeting on 20 October it considered the clarification of points previously raised and resolved to advise Mid Devon that it is imperative for Beech Park play area to remain open as a play area. If by doing this Mid Devon still deem there is an over provision within Crediton, it should consider the closure of QE Drive (2) and thus commence a consultation with local residents with regard to this.
- 2.6 **Cullompton** – The Town Council has stated that it has no objections to the closure of the play areas at Ash Drive and Conifer Close. The Council’s preference is for the play areas at Crossparks and Swallow Way to remain open and has no objections to the closure of any three of the following sites: Spindlebury, Siskin Chase, Starlings Roost, Chaffinch Drive, Dove Close or Bullfinch Close.

- 2.7 The Town Council further stated that Tufty Park and Headweir Road play areas should be protected from closure. It will work with Mid Devon to upgrade these sites using 106 and open space monies and grant funding, with the proviso that Mid Devon keeps the Town Council informed of what it intends to do.
- 2.8 **Willand** - Willand Parish Council feels that all play areas and public open space in Willand currently needs to be maintained and there should be no reduction in levels of equipment or facilities available. It has agreed to take control of Worcester Crescent and Mallow Court play areas and has requested that Chestnut Drive be kept open. The Parish Council has submitted an extensive proposal (see Annex 1).
- 2.9 **Uffculme** - The Parish Council will discuss any plans regarding making a financial contribution towards keeping Pathfields play area open at its meeting on 10 December 2015, after receiving representations from residents urging them to keep the play area open.
- 2.10 **Bow** – The Parish Council will be discussing the potential closure of two of its play areas at its meeting on 9 November 2015.
- 2.11 **Copplestone** – The Parish Council is in the process of identifying the current usage of Fernworthy Park play area and is in talks with the local toddler group.
- 2.12 **Morchard Bishop** – The Clerk has confirmed that the closure of Greenaway play area was discussed at the Parish Council meeting held on 2 November. The Parish Council suggested that the play area could be converted into a parking area with spaces let to Greenaway residents. Over the years there have been numerous complaints and adverse comments about parking in Greenaway.
- 3.0 **Recommendations**
- 3.1 Each of the play areas at risk of closure have been placed into one of three categories; close, managed decline and to remain open (see Annex 2).
- 3.2 **Close** – the play areas in this category are not currently equipped, the play equipment is beyond repair, or the closures are in agreement with the relevant town and parish council.
- 3.3 **Managed decline** – these play areas have been considered for closure, however the equipment is still in a usable condition. Items in these play areas are considered too good to remove at present. They will be inspected to ensure that they are safe to use, but will not receive maintenance. The equipment shall be removed at a time when it becomes beyond economic repair.
- 3.4 **Remain open** – these play areas shall receive regular inspections and maintenance.

#### **4.0 Decommissioning of play areas**

- 4.1 The costs stated for the decommissioning of individual sites has been based on the best estimate available. The majority of the rubberised safety surfacing has been laid onto a concrete base and the tiles and wet pour have to be disposed of environmentally; it can not be taken to landfill.
- 4.2 Play equipment removed from a site that was installed pre 1998 cannot be relocated onto another site; it does not meet the current British Standard EN1176 for play equipment.
- 4.3 It is difficult to assess the condition of play equipment below ground level before it has been removed from a site. Manufacturers state that the average life of a piece of play equipment is between 15 and 20 years. For this reason, it is not recommended that equipment removed that is beyond this age is installed on another site.
- 4.4 Any works identified regarding site clearance will be put out to competitive tendering to ensure the best price is obtained.
- 4.5 If a site were to be disposed of, a potential purchaser may agree to clear the site as part of the sale.

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