

Young Peoples Play – Scheduled and New Improvement Works

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WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS?

The proposals will provide and support opportunities for community empowerment in terms of developing and managing play areas for young people. At the same time they will ensure that the Council's play areas are safe and fit for purpose.

WHY HAS THIS REPORT COME TO THE EXECUTIVE?

At the request of Executive.

RECOMMENDATIONS:

- (a) that the proposals set out in paragraphs 2.1 and 2.2 of the report relating to improvement works to the play area at Distington (Option 2), The Foreshore play area at St Bees, Newlands Avenue play area at Mirehouse, Ling Road, Egremont Orgill play area at Egremont, Scalegill Road, play area, Castle Park play area and High Street, Skatepark in Whitehaven be approved at a total of £97,500 enabling the remaining Capital programme balance of £42,000 to be released
- (b) that members approve the revenue elements of this report amounting to £22,500, which can be met from the 2011/12 revenue base budget.
- (c) that the proposal set out in paragraph 3 of the report relating to the Scalegill Road, Moor Row new play area be approved and that the Council acts as facilitator for the grants subject to the risks associated with such being mitigated as far as is reasonably possible; and
- (d) that the Executive notes the Council's work in supporting local communities to improve play provision across the Borough through the above recommendations

1. INTRODUCTION

1.1 The Copeland Play Strategy 2007-2012 states that "children and young people in Copeland [should] be able to take part in and enjoy play in all its forms in their local communities. We will ensure that children and young people have access to a range of good quality facilities, opportunities and environments that stimulate free play", a copy of the Play Strategy has been deposited in the members room.

1.2 For the purpose of this report, play facilities have been classified into one of the following definitions:

A Neighbourhood Play Area (Strategic)

These are play areas which provide for the wider community, to which users are likely to travel/visit to use and as such these tend to be larger in size than Estate Play areas, and generally provide more play equipment and play value. Castle Park and St Bees foreshore are examples of Play Areas within this category.

An Estate Play Area (Non Strategic)

These are play areas which serve the specific local need and are principally used by young people residing in that area and as such, tend to be smaller in size than a Neighbourhood Play area and therefore tend to provide a more limited range of play equipment.

Appendix A to this report lists the play facilities that the Council maintains.

1.3 The Localism Bill currently progressing through Parliament encourages people to take charge of their lives and to "push power downwards and outwards to the lowest possible level, including individuals, neighbourhoods, professionals and communities as well as local Councils and other local institutions". The Council's Play Strategy as indicated in 1.1 is broadly compatible with the intentions of the Localism Bill. In support of this, the Council's Open Spaces Team has been working with community groups to draw down external funding, to improve and upgrade four play facilities in the borough. A further advantage of this community working has resulted in negating the need for the Council to complete the scheduled works identified at these play sites. This has resulted in an element of the Council's Capital funding no longer being required. The four community play areas are High Street and Castle Park in Whitehaven, Jacktrees Road, Cleator Moor and Main Street, Parton. This community work is continuing with two further groups being supported to improve and develop the play areas in Pica and Moor Row.

- 1.4 This community work has not just limited to the Council's play areas and the Open Spaces Team have also worked with Seascale Parish Council to develop the BMX Park, Gosforth Parish Council and Hensingham Community Group to implement two Multi User Game Areas (MUGA's) and with Millom Town Council and Millom Park Friends Group to implement an outdoor gym in Millom Park. The proposal in respect of the Moor Row play area is considered further in paragraph 3 below as this requires an additional involvement by the Council.
- 1.5 Coming back to the Council's Capital programme and the maintenance of the Council's play assets, there is work to be done this year. In August of 2008 Executive agreed to support a programme of improvement works, to reflect the Play Strategy to which the works identified in this report relate, if approved, this completes the final phase of programmed works. Completing this work will also, ensure that the play safety, play value and play access is maintained for the young people of the Borough.

2. PROPOSALS – COUNCIL IMPROVEMENTS TO EXISTING PLAY AREAS

- 2.1 It is proposed to complete the final phase of improvement works to the following play facilities: -

2.1.1 Distington

Replacement of play equipment nearing the end of its service life; covering the age range of 2 to 14 year olds and designed to accommodate for the access needs of all children.

Option 1

- Hinnings Road - Replace all 3 items on this small site with new equipment and appropriate surfacing - £17,000
 Barfs Road - Replace unserviceable item of equipment - £8,000

Option 2

- Hinnings Road - Remove all outdated equipment from this site as it has clearly seen little use in recent years. Return site to grassed open space for play.

- Barfs Road - Focus resources on improvement on this site to equipment, access and surfacing - £25,000

The preferred option is Options 2 which enables a larger and more comprehensive offer at Hinnings Road, without compromising the play offer to the residents of Distington.

Capital Cost £25,000.

2.1.2 The Foreshore, St Bees

Replacement of the junior modular multi-play unit, the current unit is 19 years old and fast deteriorating; these will need to be removed within next 12 months. It will be replaced with modern multi play units which will be designed to accommodate the needs of all children, including a provision of child fall safety surfacing and a fence to protect toddlers (age 2 – 5) from gaining access.

Capital Cost £40,000.

2.1.3 Newlands Avenue, Mirehouse and Ling Road, Egremont

Newlands Avenue play area is a low lying and damp site and very prone to flooding thus, it is intended to supply, install and link a surface drainage system into Pow Beck preventing use. Ling Road has similar issues and the intention is to construct a soak-a-way to relieve surface water from the low lying areas.

Capital Cost £10,000 (of which £6,500 has already approved by Executive)

A further £3,500 is required to cover for draining the surface water in to Pow Beck. We are no longer allowed to link in to the United Utilities sewer system.

2.1.4 Orgill, Egremont and Scaregill Road, Moor Row

Replacement of damaged fencing at Orgill play area; to supply and install a play and protect fencing to divide off the play area to protect toddlers accessing other age group areas.

With reference to Scaregill Road play area, Moor Row, Section 3 of this report describes in detail the community group's proposal for improving this play area. If this proposal is approved by Executive, it is intended that the supply and installation of the play and protect fencing (£5,000) will be used as part-match funding in support the community proposals in drawing down external funding.

Revenue Cost £15,000.

2.1.5 High Street, Castle Park and the Youth Skate Park, Whitehaven

New fencing required; to supply and install a play and protect fencing to divide off the play area to protect toddlers accessing other age group areas.

Revenue Cost £7,500.

- 2.2 Executive is recommended to agree the funding for the listed works. The cost of this work is £97,500 which is made up of £75,000 of capital, (of which £6,500 Capital has already been approved for the drainage works at Newlands Avenue and Ling Road) In Capital program terms the total expenditure of £75,000 from the remaining Capital approval of £117,000 leaves an unallocated balance of £42,000 that can be released. Due to the nature of the works, the £22,500 of one-off revenue costs which Executive be mindful to agree this report could be met from the 2011/12 base revenue resources. The total revenue budget for the maintenance of the Council's play facilities is £11,176 and due to anticipated maintenance during the year, the £22,500 of revenue cannot be absorbed within the existing budget, but other budgets can be identified to meet the one-off cost.

3 PROPOSAL – SCALEGILL ROAD, MOOR ROW PLAY AREA

- 3.1 A community group at Moor Row wish to install new play equipment on the existing Council run play area at Scalegill Road. The Council has for some time leased this area of land from the Cumbria County Council for play area use. The existing play equipment is tired, of limited range and difficult to maintain. The proposed play area will comprise of a range of new equipment including a zip wire. The local youth club have designed the play area and are supportive of the proposal. The community group proposing the project runs the club. The cost of the new play area is estimated to be £75-80,000. The community group has asked for the Council's support to make the proposal workable.
- 3.2 Regardless of whether the project is delivered the existing lease of the play area with the Cumbria County Council needed renewing. Terms have now been finalised and agreed with that Council for a new 15 year lease at a peppercorn rental with an option on this Council to terminate the lease at the end of the fifth year. This option will only be exercised if the project fails to materialise and the existing play equipment is removed due to it becoming irreparable. Approval of the new lease was dealt with under contract procedure rule 28.
- 3.3 At the outset of the project it was emphasised to the community group that the Council should not be under any greater responsibility than it is now, namely undertaking inspection, paying for third party liability insurance

and undertaking basic maintenance and reserving the right to remove an item of equipment if it became beyond repair and the community group did not have the funds to pay for such repair.

3.4 One of the grant funders, Waste Recycling Environmental Limited ('WREN'), contributing £50,000 towards the cost of the project, requires this Council to be applicant for the grant. WREN states that this is because they hold the Entrust registration for the project and they are duty bound to ensure that projects funded by them remain in the public realm and available for use by the community for a specified number of years. There is logic to this as the community group might cease to exist. This however brings about two risks for the Council:

3.4.1 Firstly, one of the conditions of the grant requires the Council, inter alia, to maintain the play area in good order and repair for a period of 5 years from completion of construction. This means that the Council loses its right to remove a piece of equipment. This creates a risk for the Council where the community group does not have sufficient funds to pay for a repair, whether the repair be major repair or total replacement. Measures designed at mitigating this risk are being explored and include:

- (a) the community group making a capital payment to the Council or money being held in a joint bank account to cover such risk – this depends on other grant funders being willing to make grants for maintenance rather than capital outlay;
- (b) the WREN grant being specifically applied to the more resilient equipment; and
- (c) insurance of the risk – this might be limited to vandalism as opposed to equipment failure through wear and tear.

Quantifying the risk is difficult. The risk of total failure of all equipment coupled with the community group ceasing to exist or not having sufficient funds to pay for the repair is unlikely but cannot be ruled out. The community group at the present time is stable.

3.4.2 Secondly the Council needs to pay the contractor's invoice prior to receiving the grant from WREN. The chances of WREN ceasing to exist during that period must be remote. A risk however exists in that WREN's funding is coming from the Landfill Communities Funds and the proposed grant conditions specifically state that if that Fund does not deliver the grant then WREN's obligation ceases as well. This is mitigated by WREN having to give one month's notice that stage payments would cease. WREN have commented that it might be possible for them to pay the

contractor direct although VAT would not be payable. This is being explored forward.

- 3.5 The application needs to be considered by WREN at its October panel. It is intended that discussions continue with the community group and WREN to mitigate the risks outlined above. A supplementary updating note will be issued to members prior to the Executive meeting.
- 3.6 Provided that the risks are mitigated as far as possible it is recommended that the Council supports the Moor Row proposal. If this project fails the village will not have any community asset nor anywhere for children to play as the existing play area will continue to deteriorate and eventually need to be removed on safety grounds. Risks have been accepted by the Council before in facilitating the Seascale BMX track, Gosforth play area, Brisco Mount play area and Hensingham play area when the Council acted as a catalyst for Big Lottery grants.
- 3.7 The proposal supports the Play Strategy in that it will provide safe play for all (by modernisation with up to date equipment), maximises funding opportunities (by working in partnership with the community sector to secure external funding) and the provision of venues for plays in appropriate locations or communities (meeting the needs of children, increasing outdoor play provision, user consultation and adjacent a school). The play vision statement states that 'We want children and young people in Copeland to be able to take part in and enjoy play in all its forms in their local communities...'. This proposal clearly supports local provision.

4. ALTERNATIVE OPTIONS TO BE CONSIDERED

- 4.1 To do nothing, other than to remove equipment and fencing and reinstate the grounds of which these costs will be contained within existing service budget. This will result in a loss of play areas and have an adverse impact on the communities involved.

5. CONCLUSIONS

- 5.1 The Council has had a track record in working with a number of community groups and have successfully improved local young peoples play facilities; this has resulted in the groups taking on local ownership and raising of funds to further enhance and this approach supports the concepts of the Localism Bill. It would however be appropriate to revise the Council's Play Strategy 2007-12 in the light of the Localism Bill as the strategy is nearing the end of its term.

- 5.2 The Council is undertaking an improvement programme to its play areas which is in its final phase of completion, in approving the recommendations Executive are enabling the final phase of the original envisaged improvement plan to its play areas. This approach will ensure that the play facilities provided by the Council are well managed and maintained to ensure that they are fit for purpose, and to minimise the risk of accidents and potential claims against the Council.

6. STATUTORY OFFICER COMMENTS

- 6.1 The Monitoring Officer's comments are: Legal issues are set out in the report. The Council's legal powers to provide play areas derive from the Open Spaces Act 1906, as land being used for the promotion of recreation, and the Local Government Act 2003, as play areas support social well being.
- 6.2 The Section 151 Officer's comments are: The budget was originally awarded for specific areas of work. As the report states some of these works have now been carried out through other means (external funding), some do not need carried out. The current capital budget remaining is £117k but within this ,Executive has already approved a spend of £4k for Newlands Avenue and £2.5k for Ling Road The funding was carried forward into this year on the proviso that a report came to executive to state what it would be spent on.

There is currently sufficient capital budget in 2011/12 to support these works, with £42,000 being returned to capital reserves. Revenue works of £22,500 will need to be funded from existing base resources and it is anticipated that budgets can be identified to meet this one-off cost.

- 6.3 EIA Comments: No social groups will be disadvantaged by the improvement works to play. Improved play provision will provide accessibility for young people and support social inclusion.

7. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?

- 7.1 This works will be undertaken, principally through an external contractor, with some of the smaller works being undertaken by the Council's in-house team and will be delivered and managed in accordance with the Council's financial procedures.

8. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM

THIS REPORT?

8.1 That 10 of the Council play areas will see improvements

List of Appendices

Appendix A – List of Play Sites

List of Background Documents:

Copeland Play Strategy 2007-2012

Appendix A

List of Children's Play Sites Owned and Maintained by the Council

No	Site	Location	Class
1	Jacktrees Road	Cleator Moor	Neighbourhood Play
2	Barfs Road	Distington	Neighbourhood Play
3	Hinnings Road	Distington	Estate Play
4	Main Road	Pica	Neighbourhood Play
5	Orgill	Egremont	Neighbourhood Play
6	Ling Road	Egremont	Estate Play
7	Scalegill Road	Moor Row	Estate Play
8	Church Drive	Moresby	Estate Play
9	Foreshore	St Bees	Neighbourhood Play
10	Castle Park	Whitehaven (Harbour)	Neighbourhood Play
11	High Street	Whitehaven (Harbour)	Neighbourhood Play
12	Hensingham Open Space	Whitehaven (Hensingham)	Neighbourhood Play
13	Jericho	Whitehaven (Hillcrest)	Neighbourhood Play
14	Welfare Field	Whitehaven (Kells)	Neighbourhood Play
15	Newlands Avenue	Whitehaven (Mirehouse)	Neighbourhood Play
16	East Road	Lowca	Estate Play
17	Fairview	Whitehaven (Bransty)	Estate Play

List of Teen Spaces Maintained by the Council

No	Site	Location	Type	Owned
1	Palladium Grounds	Millom	Teen Shelter	Copeland Council
2	Millom Park	Millom	MUGA	Millom Town Council
3	The Green (Opposite the Shops)	Whitehaven (Mirehouse)	MUGA	Home Group
4	Wyndham Place	Egremont	Skate Park	Copeland Council
5	Open Space	Hensingham	MUGA	Copeland Council
6	Wagon Road	Whitehaven	Skate Park	Copeland Council
7	Welfare Field	Whitehaven (Kells)	MUGA	Copeland Council
8	Robert Owen Avenue	Cleator Moor	MUGA	Home Group

**List of Children & Teen Play Sites which have been developed through
Community Partnerships**

No	Site	Location	Facility	Cost	Funding
1	Jacktrees Road	Cleator Moor	Redevelopment of Play Area	£60K	Playbuilder
2	Main Road	Parton	Redevelopment of Play Area	£50K	Playbuilder
3	Castle Park	Whitehaven (Harbour)	Redevelopment of Play Area	£50K	Playbuilder
4	Community Field	Seascale	New BMX Track	£50K	Big Lottery
5	Playing Field	Gosforth	New MUGA Redevelopment of Play Area	£40K	Big Lottery WREN
6	High Street	Whitehaven	Redevelopment of Play Area	£40K	Playbuilder
7	Briscoe Mount	Egremont	New Play Area	£40K	Big Lottery
8	Robert Owen Avenue	Cleator Moor	New MUGA	£40K	Big Lottery
9	Hensigham Open Space	Whitehaven (Hensingham)	New Play Area New MUGA	£90K	Big Lottery WREN

**List of Children's Play Sites the Council Inspects and Maintains by request
of 3rd Parties**

No	Site	Location	Owner
1	St John's Close	Cleator Moor	Home Group
2	Prospect Row	Cleator	Cleator Moor Town Council
3	Recreation Ground	Moresby	Moresby Parish Council
4	Main Street	Parton	Parton Parish Council
5	The Foreshore	Seascale	Seascale Parish Council
6	The Green (Opposite the Shops)	Whitehaven (Mirehouse)	Home Group
7	Woodhouse	Whitehaven	Home Group
8	Greenbank	Whitehaven	Home Group
9	Newtown	Frizington	Home Group
10	Pleasure Ground	Haverigg	Millom Town Council
11	Millom Park	Millom	Millom Town Council
12	Town End	Seascale	Seascale Parish Council
13	Community Green	Seascale	Seascale Parish Council

14	Bankend View	Bigrigg	Home Group
15	Village School	St Bees	St Bees Parish Council