

Consideration of motion presented to Council by Councillor O'Driscoll

Community Services Committee Tuesday, 17 January 2023

Report of: Executive Head of Communities

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

- This report follows the Standing Order 7 motion brought by Councillor O'Driscoll for accessible play equipment to Full Council on 15th December 2022. An amendment to the motion was agreed that the matter would be discussed at the next Community Services Committee.
- The Council is committed to continue to provide play areas for residents. The previous programme for replacement and upgrades is being reviewed as part of the service review of Operational Services.
- The refreshed programme will give full consideration for inclusive equipment to be included and involve consultation with stakeholders to design demand appropriate play spaces.
- This report is to request that the Committee set policy to confirm accessible, inclusive equipment as part of all plans.

This report supports the Council's priority of: Creating the homes, infrastructure and environment we need and Becoming a greener, more sustainable District

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Recommendation to Committee:

That all refurbishment and redesign of Council playgrounds provide inclusive, accessible equipment and environments.

Reason for recommendation:

This report is being brought to Committee following the Motion under Standing Order 7 brought by Councillor O Driscoll to Full Council on 15th December 2022. The Council has a programme for playground refurbishment and renewals which has been delayed due to service reorganisation and resource issues. The Motion has highlighted an area which Officers will include in all proposals regarding playgrounds.

This recommendation supports the priorities in the strategic plan 'Building a better council - providing residents with the best possible services' and 'Creating the homes, infrastructure and environment we need'.

Introduction and background

- 1 Cllr O'Driscoll raised the issue of accessibility for all to playground equipment at Full Council on 15th December 2022. The motion and a report highlighting the issues written by Councillor O'Driscoll is attached as Appendix A.
- 2 The Council has 39 playgrounds which are maintained by the Council's contractors and inspected. The Council's Open Space Strategy adopted March 2021 expresses the Council's commitment to the importance of maintaining and improving facilities.
- 3 A programme of playground refurbishment has been carried out previously with playgrounds planned to be upgraded on a regular basis. It was recognised that a review of the process, choice of park and equipment was required in Spring 2022. It was recognised that the best outcomes would be achieved with earlier stakeholder consultation and a review of demand in particular locations. This work has been delayed due to the service review of Operational Services.
- 4 It is considered that although this delay has been unfortunate, it will ensure that playgrounds have a more comprehensive consideration of the design by residents and maintenance requirements will be fully incorporated in the budget of the programme.
- 5 Going forward, the need to provide Disability Discrimination Act (DDA) compliant equipment will be included in tenders. This had not been fully considered in the past. The playground inspection and maintenance company have already suggested several playgrounds that could be made more compliant. These locations are being inspected for early action. Once completed, Officers will provide information on the

Council's website to enable families with disabled members to identify which playgrounds have disabled facilities.

- 6 Accessible equipment is in particular in relation to walk in / wheelchair access roundabouts and swings. Other equipment can relate to sensory items are also available. In addition to equipment, general accessibility to playgrounds will also be improved by creation or improvement for accessible paths.
- 7 The Council has a playground capital budget available for replacement and refurbishment of the playgrounds. The budget and proposed revision is outlined below. The importance of correctly forecasting works prior to including costings in budget is important for efficient budgeting.

| | 2022/23 | 2023/24 | 2024/25 | 2025/26 | Total |
|----------|----------|----------|----------|----------|----------|
| Budget | £425,700 | £174,500 | £131,800 | | £732,000 |
| Proposed | | | | £134,400 | £134,000 |
| Total | £425,700 | £174,500 | £131,800 | £134,400 | £866,400 |

- 8 In addition to the capital budget, funding is available through the UK Shared Prosperity Fund (UKSPF). The Council was allocated £1m over three years, subject to an Investment Plan, finalised in January 2023. The Investment Plan identified this funding would be directed to the priorities within the Open Space Strategy. Projects are to be finalised through consultation with the CIL Working Group.
- 9 CIL funding can also be applied for either to Parish Councils or through the Council. An element of match funding is required for the Council's CIL funding to be granted and all bids are assessed through a competitive bidding process.

Other options considered

The option to continue to provide only general equipment was considered and rejected as it would neither not complying with our responsibilities under equalities priorities.

Consultation

Consultation with ward Councillors, local schools and residents will take place as part of planning for all proposed works.

Key implications

Comments of the Chief Finance Officer

The budget quoted is consistent with the current and proposed capital programme set out in the *Community Services Committee – 2023/24 Draft General Fund Budget and Medium-Term Financial Strategy* report to this

Committee. Capital allocations are reviewed annually, giving Members opportunity to ensure that planned investment remains aligned with priorities and commensurate with spending need. Affordability constraints must be considered, so additional investment would require reprioritisation elsewhere in order to maintain a balanced budget.

Comments of the Head of Legal Services

The purpose of this report is to make specific recommendations with regard to playground provision in the light of Standing Order 7 motion brought by Councillor O Driscoll at the Council's last Full Council.

The Disability Discrimination Act came into full force in October 2004. It requires reasonable provision to be made for equal opportunities for disabled people except where it affects the safety of others. The Act also applies to places where children play (play areas, games area etc). It is illegal to treat disabled persons any less favourably than non-disabled persons. The key word is "reasonable". The Act does not compel the Council to make all our play areas suitable for disabled children, indeed it is impossible to make a play area totally suitable for all forms of impairment. What is required is to take all reasonable measures, bearing in mind safety of other users, to make play areas as suitable for disabled children as possible.

To address these issues going forward, there does need to be a planned approach to playground provision in the future which should include consultation with young people and hard to reach groups.

Equality

The planning and procurement of new facilities would have an Equality Impact assessment undertaken to ensure that the works are compliant, positively impact and do not discriminate or disadvantage any groups with protected characteristics in the community.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix A - Cllr O Driscoll's Motion to Full Council and Report

Background papers

None.

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