

Cabinet

15th July 2015



Review of Fixed Play Provision

Key Decision NS/14/11

Report of Terry Collins, Corporate Director Neighbourhood Services

Cllr Maria Plews, Portfolio Holder Leisure, Libraries & Lifelong Learning

Purpose of the Report

1. The purpose of this report is to approve a development framework for future play provision within the County. The framework supports the Council's continued commitment to play by establishing a minimum core offer for fixed play provision in order to develop fairer and more equitable access to play across the County in the future.
2. Whilst providing a framework to shape and inform decisions on future provision the report recommends the retention of all existing play sites with the exception of a small number that are beyond economic repair. The report also proposes how the framework outcomes can be achieved by further working with members, community groups, Parish and Town Councils.

Background

3. Play is an essential part of every child's life. It allows them to discover a sense of wellbeing, develop their emotional responses and helps them to manage risk. It improves their interpersonal skills and increases their ability to interact with other children in their community. It also has many health benefits in terms of helping prevent obesity and increases resilience to mental health problems.
4. The Council recognises play as an important aspect of their corporate ambitions, with its strong cross cutting links across the Altogether Better for Children and Young People, Altogether Healthier and Altogether Safer Partnerships. It is therefore important that the Council embraces this and goes forward with developing a fair and equitable offer for fixed play provision across the County in order to address the current imbalances.
5. Public health in County Durham has developed the Healthy Weight Strategic Framework which seeks to achieve a sustained upward trend in healthy weight for children and for all adults by 2020. This review supports one of the key strategic actions within the framework 'to maximise affordable opportunities available to become physically active'. Fixed play provision

clearly provides such opportunities and makes a positive contribution to this agenda.

6. The Council has continued to recognise the importance of play, and since 2009, following the move to a unitary authority, has continued to work with communities to further develop play provision. The Authority was successful in obtaining Playbuilder Funding of circa £1m and in total has invested in excess of £2.1m of capital resources in the development of play over this period.
7. A report was previously presented to Cabinet outlining the Council's proposals to adopt an approach³ to reviewing fixed play provision in order to address the substantial variations across the former districts. Cabinet agreed that the Council would need to undertake an extensive consultation exercise on this approach. The report also addressed short term issues following member requests to invest neighbourhood budgets in fixed play whilst this framework was in development. This resulted in a further investment of £350,000.
8. The report highlighted that the Council is responsible for 176 of the 334 fixed play sites in the county. There are increasing pressures from various funding sources and community groups to develop new fixed play sites; it is therefore necessary to determine a framework for the allocation of resources. This will allow the distribution of provision to develop in a more equal and fair manner.
9. It should be noted that the Council also has a number of fixed play sites across the County that are aged and in need of significant improvement or removal. Without an agreed framework for the distribution of play sites the Council is often criticised and challenged when these play sites are taken out of a community. This issue is intensified if residents perceive that neighbouring communities are getting a better offer.

Consultation

10. In developing a framework, consultation was undertaken in three stages. A comprehensive engagement plan was developed and delivered for each stage. The first stage, presented a proposed minimum core offer which related to the settlement hierarchy. The consultation plan set out to consult the wider community regarding these proposals before further consultation with town and parish councils.

Phase 1

11. The method of engagement for phase 1 was primarily based on a web survey along with presentations at AAP Forum Events. A full range of communications mechanisms were used to raise awareness of the consultation and information was widely circulated to countywide organisations and individuals including One Point Service, youth centres/clubs, schools extranet, customer access points, libraries, leisure centres and media releases. The following is a summary of the key findings from the 224 questionnaires received from the general public:
 - 82% of respondents felt play provision should be based on the current population of young people **not** the settlement hierarchy.

- More than three-quarters of respondents felt main towns should be divided into play sectors.
 - Proximity to other facilities was the most common factor which should influence the location of play sites.
12. The consultation did not require any changes to the previously reported minimum core offer other than it should be linked to child population instead of the settlement hierarchy. This resulted in an extensive exercise to determine child population in relation to developing the play offer.

Phase 2

13. The second phase of consultation focused on how future and current provision would be affected if the proposed core offer were to be implemented. This consultation was primarily with Town and Parish Councils and social housing providers in the form of three countywide workshops, officers also presented at the County Durham Association of Local Councils meeting.
14. All of the 115 Town and Parish Councils received a briefing note setting out the proposed core offer following stage 1 of the consultation, and were invited to the workshops. Seventeen Town and Parish Councils attended with one other Town Council providing a written response. The following is a summary of the key findings :
- Overall agreement with the proposed county-wide minimum Core Offer (as outlined below);
 - Overall agreement with the proposed play site types (A,B,C);
 - Overall agreement with splitting up of larger towns and settlements into play sectors;
 - There was a general willingness to investigate further the transfer of play sites which would be deemed beyond the minimum core offer as part of this framework.
15. In general the consultation process provided a positive response to the proposals put forward, with both processes clearly supporting the need for a countywide strategic approach to the distribution of children's play.

Phase 3

16. The third and final stage of the consultation focused on elected members with subsequently a particular focus on the larger settlements in County Durham which have a child population greater than 1,000. The report sets out below the application of play sectors for these settlements.
17. Officers attended group meetings and provided an overview of the work to date and the proposed framework. There was general acceptance on how the minimum core offer was to be applied across the county; however, further consultation was requested on the use and location of play sectors.

18. A further 15 consultation events took place with the elected members whose electoral divisions fell within the 15 settlements initially listed. The following is a summary of the key outcomes
- Greater clarity on how new housing development will impact upon the provision of fixed play
 - Additional play sectors for Consett, Durham City and Stanley
 - An acceptance of the play sectors for Crook and Shildon, however, an agreement that investment be prioritised initially to sites at Glenholme and Hackworth Parks.
 - Peterlee and Horden (initially one settlement) be dealt with as two independent settlements for the purpose of play sites
 - Removal of Dalton-Le-Dale from the Seaham settlement
 - The redrawing of play sector boundaries in Anfield Plain
 - A number of minor corrections to the location and type of play site defined on the maps

Minimum Core Offer

19. The consultation process has clearly identified that child population should be the key factor in determining the Council's Minimum Core Offer. The previous report used The County Durham Settlement Study Hierarchy to align future fixed play provision to settlement type. However, the categories (type A, B or C) of play provision remain unchanged.
20. In the absence of any national guidance it is proposed that the starting point for the provision of fixed play in the future be set at 100 children of the age of 16 and under.
21. Therefore, the future offer of fixed play is:

Settlements with fewer than 100 children and young people - aged 16 and under.

- **No fixed play provision allocated**, however, a suitable play space should be identified and protected for the purpose of child's play.

Settlements with Children and young people numbers within 100/200

- **Type 'A'** - Younger Children's Fixed Play site suitable for children aged 8 years and under. These areas usually have no more than 5 items of equipment (of different types).

Settlements with Children and young people numbers within 201/500

- **Type 'B'** - Younger / Older Children's Fixed Play site suitable for children aged up to 12 years. These areas may have 5 to 8 items of equipment (of different types).

Settlements with Children and young people numbers are within 501/999

- **'Type 'C'** - Items of fixed play suitable for all ages including teenage provision. These provide for social interaction as well as activities such as skateboarding, trim trails, BMX bikes and ball court space. In some cases they may consist solely of a 'youth shelter' in an appropriate open area. These areas do not include provision for motorised sports.

Settlements with children and young people numbers exceeding 1000

- **Play Sectors** – Settlements with children and young people's populations in excess of 1,000 are significant urban areas in which main roads, railways and other infrastructures may limit the safe movement within these settlements. The allocation of provision has therefore been divided into play sectors, taking into account the local constraints presented in each settlement. Each 'sector' will qualify for a play site (please note that it is not possible to allocate child population numbers to each sector as they are not coterminous with data models for population spread such as parish wards or lower super output areas).
- Within such areas the total population size will therefore not be the determining factor in determining the number of sites but more so the complexity of the settlements infrastructure. A smaller town with rail, river and main road constraints may therefore receive a greater allocation than a larger town without such constraints to safe movement. For example

Durham City has a child population of 4,794 and is dissected by the A1M, A690, A691, A167, East Coast Railway Line and the River Wear. It is divided into 12 play sectors.

Consett has a child population of 5,779 and is dissected by the A691 and A692. It is divided into 8 play sectors
(See appendix 2 for maps of the proposed sectors for the above)

- Within these settlements consideration needs to be given to the overall play offer. Each play sector will be allocated a type B provision. However, it is recognised that there will be a mix of type A,B,C provision across the settlement.

22. Where two or more settlements are within close proximity or adjoining, then the combined total of children and young people may be taken into consideration when determining the play type. Any decision to adjoin settlements will be made in consultation with local members.
23. It is recognised that child populations will fluctuate, and officers will review settlement population data as and when it is published. New housing developments will also change the allocated provision of a settlement and an approach to this is set out below.
24. With a total of 247 settlements across County Durham it is inevitable that a number will fall below the starting point for the provision of fixed play. It is

important that in these areas that green space is protected to ensure children have a safe place to play, as advocated by Play England.

25. It should be noted that the above is intended as a minimum core offer. Town and Parish Councils as well as other organisations may choose to provide in excess of this offer. The prioritisation of future Council capital investments and indeed funding opportunities will be to ensure the minimum core offer is delivered across the County. This framework will provide a strategic approach to ensure this is achieved.
26. There are 158 fixed play sites across the County that are under Town and Parish Council, Community or private developer ownership or management and in many areas they are the sole provider of these facilities. It is proposed that this provision contributes to determining whether the core offer is met.

Housing Developments

27. Housing developments impact upon both population figures and the physical boundaries of a settlement. It is important that play provision is reviewed at the earliest stages of planning. Historically developers have created play sites to enhance their developments and assist sales with a view that the council will adopt the site.
28. This approach is not sustainable and it is important that early needs assessment takes place. If a new development does not significantly increase the population or change the settlement boundary then it is unlikely that additional play sites will be adopted. Developers could however, be required to invest in existing sites elsewhere in the settlement or indeed take a decision to develop and maintain their own site in perpetuity. The latter is often done by the developer charging an annual fee to residents.
29. The Council will not intervene in developer – resident arrangements unless the provision aligns with this framework i.e. the settlement or play sector does not meet the minimum offer. Furthermore the adoption of any site must also pass the standards test and the Council will refuse to adopt sites that are not to standard regardless of whether the offer has been met.
30. There will be developments that are significant enough to require additional play sites as they either create new play sectors or increase child population figures to a level at which fixed play is required. The council will work with the developer in designing appropriate play and ensuring the site is constructed to an accepted standard. These sites will be adopted and will be subject to a commuted sum for their ongoing maintenance.
31. If a settlement has existing play and a new development increases the child population to a level that changes the type of provision, an assessment will take place with an emphasis on improving existing provision rather than creating additional. This will be conducted in consultation with elected members and Town or Parish Councils.

Impact of Proposal

32. To understand the outcome of the proposals Appendix 3 identifies County settlements, their under 16 population, the proposed minimum core offer that should be achieved and the current provision from the Council as well as Town and Parish Councils.
33. The key outcomes of applying this framework are the identification of:
- 15 settlements that do not meet the proposed Core Offer of which:
 - 6 have no provision
 - 5 play sectors require provision
 - 4 require an increased or enhanced offer.
 - 80 play sites are beyond the minimum core offer of which 10 play sites are considered as being beyond economic repair.

Next Steps

34. The purpose of any framework is to provide a context in which future decisions can be made. Having developed the nature and scope of a proposed minimum core offer the above section considers this against current provision. With this insight the following recommendations are proposed as next steps:
- The 15 settlements identified as having below the minimum offer are prioritised for development. A funding strategy is to be developed that considers all opportunities that exist for grant and partnership funding including the allocation of 106 monies. These settlements in alphabetical order are:
 1. Blackhall Colliery and Rocks
 2. Burnopfield
 3. Castle Eden
 4. Chester-le-Street
 5. Consett
 6. Crook
 7. Easington Village
 8. Ebchester
 9. Flinthill
 10. Perkinsville
 11. Shildon
 12. Stanley
 13. Station Town
 14. Wellfield
 15. Wheatley Hill
 - Although the framework identifies a number of sites above the core offer, these sites will be retained and maintained whilst they provide an attractive and sustainable play opportunity. Of the 80 sites which fall into this category 10 are currently beyond economic repair, interest has been shown regarding 5 of the sites which could be transferred into

Town or Parish Council ownership, with the respective councils committing to develop the site. The remaining five should be removed for reasons set out below.

Sites to be transferred

1. Broompark Play Area (transfer completed)
2. David Terrace, Quarrington Hill
3. Finchale Avenue, Brasside
4. Station Road, Waterhouses (transfer completed)
5. South Lea, Witton Gilbert

Sites for removal

1. **Clink Bank, Witton Gilbert**, this is one of 4 play sites located in the village and is in a very poor condition. There has been recent investment in 2 other sites within the village of which the parish and community chose as their preferred locations.
 2. **Dunelm Place, Shotton Colliery**; this site currently has one piece of equipment which is damaged located in a fenced area with safety surfacing.
 3. **Hillside View, Sherburn Village**; this site currently sits on the edge of the village in a poor location with 3 pieces of equipment in excess of 30 years old. The community invested to develop a new site at the leisure centre as opposed to refurbishing this site due to its location issues.
 4. **Racecourse, Durham City**; this site currently has 3 pieces of equipment that are dated and unattractive. The site does not sit within a dedicated community and recent investment has been made into the St Oswalds site within the same play sector. It is however, noted that this site does attract visitors who use the riverside walks and any future developments in this area should consider some play provision.
 5. **St Johns Road, High Pittington**; The community have recently invested in another site within the village which was chosen as the preferred location. The site is unattractive and in a poor condition whilst being close to elderly accommodation.
 - Further work via the 'Big Ask' will take place in relation to further exploring the potential for communities to take responsibility for these play sites.
35. The above steps will all be undertaken in liaison with elected members, Town and Parish Councils and local communities. In five areas where fixed play sites need to be removed efforts will be made to protect the space for informal play.

Equality Impact Assessment

36. An EIA has been undertaken and reviewed following consultation phases (appendix 4). The framework will however have a greater impact upon young people.

Conclusion

37. The Council recognises the importance of play alongside the need to set out a framework for the future investment in play provision across the County. The consultation clearly identifies that our communities and partner organisations also value play provision. It is a recommendation of this report to retain a number of sites beyond the minimum core offer set out within the framework, clearly demonstrating that Durham County Council is committed to children's play. On this basis the council will retain 166 of its current 176 sites. It is hoped that a further five will be transferred as part of the Big Ask whilst five will be removed as they have reached the end of their operational life.
38. The consultation exercise demonstrated that residents support the fair distribution of fixed play through the establishment of the minimum core offer based primarily on child age population.
39. In the absence of any national guidance, officers have been required to develop local standards in order to establish a fair and equitable core offer for Council provision. The Council requires this strategic framework to assist in prioritising future capital and revenue spend.
40. The Council will continue to designate officer time in supporting communities in developing opportunities that they are able to sustain beyond a core offer. However it recognises the need to sustain and develop play in a controlled manner that allows for a high quality of service.
41. The Council often has to make decisions which are unpopular when play sites are in poor condition. The framework is intended to help direct investment into existing facilities rather than the creation of new ones if they are not deemed necessary.
42. During the phase 2 consultation four Town & Parish Councils have expressed an interest in transferring ownership of 5 of the 10 play sites currently identified as beyond economic repair, 2 of which have now been transferred. This clearly demonstrates a willingness from partners to protect play opportunities beyond this core offer and that they share the County Councils intention of protecting play sites.
43. The Council continues to invest in play provision and the adoption of a fair and equitable framework will strengthen the Councils position in accessing funding opportunities as and when they arise. The core offer will be used to determine investment priorities, focusing, firstly on gaps in provision. Ensuring that both internal and external investment is targeted to the areas of greater need.
44. The Town and Parish provision is of great value and the Council will continue to work with this sector to develop better play opportunities. The Council

remains committed to providing opportunities for children and young people and will continue to invest in play. Play sites will only be removed for reasons of safety and economic viability. The removal of any play facility is a last resort and the Council will always seek to find alternatives to play site removal.

Recommendations and reasons

45. It is recommended that:

- a. The Council continues to support play across the County through the provision of fixed play sites.
- b. 166 of the Council's 176 play sites are retained and maintained; the remaining 10 play sites identified as being beyond economic repair are transferred or removed.
- c. The framework for future provision as set out in this report is adopted including:
 - i. The use of child populations as the key factor in determining the proposed minimum level of provision.
 - ii. The thresholds for types of play areas as defined in section 21.
 - iii. The use of the defined play sectors in highly populated settlements
- d. A funding strategy will be developed that gives priority to the 15 settlements that are identified as being under provided.
- e. Officers continue to work with Members, Town and Parish Councils and local communities through the 'Big Ask' to assist in developing provision.
- f. The approach to new developments be agreed as set out within the report

Background papers

Cabinet Report 24th July 2012

2001 census

2011 census – first data release (DCC document)

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Appendix 1: Implications

Finance: Capital and Section 106 monies

Staffing: None

Risk: The risks associated with the implications of this report are identified within a risk register. One risk is identifiable as reportable as set out below.

| Risk Description | Potential Impact | Measures to mitigate the risk (if not already in place, state implementation date) | Risk Owner |
|---|--|---|--------------|
| 1. If a framework for Fixed Play Provision is implemented, 80 existing play sites may exceed the core offer and therefore be deemed beyond the minimum requirement. | Perceived unfairness by stakeholders. Reputational damage to the Council. | 1. Removal of additional play sites will be a last resort. Consultation will take place with other providers such as Town and Parish Councils (where exist) or community groups about the possible transfer of ownership. 2. Removal of additional play sites will be linked to their economic viability and safety. | Steve Howell |

The safe provision of play sites is beyond the scope of this report as the Council will continue to monitor and repair/remove those play sites not meeting Health and Safety requirements. This will remain unchanged by this report.

Equality and Diversity/Public Sector Equality Duty: An EqIA impact assessment has been carried out and is available.

Accommodation: None

Crime and Disorder: None

Human Rights: None

Consultation: The development of the policy has been consulted upon and is set for further consultation regarding its implementation. Full consultation results will be placed on the councils website following approval of the framework

Procurement: None

Disability Issues: Some play sites that will be removed will have dedicated equipment for disabled users

Legal Implications: Legal advice has been sought. Issues relating to funding grants will need to be checked before any play site is removed.

Appendix 2

Please refer to attached sample play sector maps for Durham City 2.a and Consett 2.b

APPENDIX 3

Please refer to attached spreadsheet