

Leicester
City Council

WARDS AFFECTED: VARIOUS

CABINET

5th December 2005

Play Areas - Housing Sites

Joint Report of the Corporate Director of Regeneration & Culture, and the Corporate Director of Housing.

1. Purpose of Report

- 1.1 To advise Cabinet of the implications of transferring ownership and responsibility for maintaining and replacing play areas on Housing Department owned land.
- 1.2 To seek agreement to the preferred option for the future management and maintenance of all play areas on land managed by the Housing Department.

2 Summary

- 2.1 There are 66 play areas on land managed by the Housing Department which are inspected and maintained by the Regeneration & Culture Department on behalf of the Housing Department. However, the current Housing budget is inadequate to ensure the proper maintenance, repair and replacement of equipment.
- 2.2 Cabinet on 4th April 2005 called for a report outlining the implications of transferring ownership from the Housing to the Regeneration & Culture Department. A working group of officers from both departments was established to consider the options for transferring responsibility including the whole life cost of both maintaining and replacing play equipment.
- 2.3 The possibility of transferring land ownership and sites to Regeneration and Culture has been explored but rejected because the Director of Housing considers that land ownership should remain with Housing to give flexibility for any future housing developments. It would also be inappropriate to transfer enclosed sites which are for the sole use of residents.
- 2.4 This report, therefore, proposes a renegotiated service agreement between Housing and Regeneration and Culture. Cabinet are asked to consider 3 options:-
 - a) A service agreement within the existing allocated budget of £43,100. This would enable play areas to be inspected in accordance with existing standards, but there would be insufficient funding to undertake minor repairs. Once the repairs allocation is exhausted, Housing would be contacted to consider additional

funding for necessary repairs or replacement of equipment in order to keep play areas/equipment operational.

- b) An enhanced service agreement at a cost of £77,900. This would offer Housing the same level of service for inspections and maintenance that Regeneration & Culture currently carry out on their sites. This includes an increased allowance for repairs to play equipment, safety surfacing, and hard surfaces but not replacement equipment. Any equipment requiring replacement will be removed and only replaced if funding is available.
 - c) An enhanced service agreement for the management and maintenance of all Housing play areas with adequate funds to inspect, maintain and replace equipment as and when necessary. This has been calculated at a cost of £190,700 per annum. This would ensure that housing play areas are inspected, maintained and equipment replaced as necessary together with works being carried out to non play equipment ie: seats, bins, fences, gates, etc. Approval of this option would mean that Housing play areas would be maintained and replaced to a higher standard than currently applies to Regeneration & Culture play areas.
- 2.5 The Corporate Directors of Housing and Regeneration and Culture favour Option b) above, as this ensures a consistent approach to the management and maintenance of play areas across the city.

3. Recommendations

Cabinet consider the options for the future maintenance and replacement of housing play areas and decide on the most appropriate way forward.

4. Financial & Legal Implications

Financial Implications

- 4.1 Each option has a different financial implication. No budget exists to pay for any additional expenditure so compensating savings would need to be found. Given the overall pressures on housing finance the Director of Housing favours option (b) above. It clarifies Regeneration and Culture's responsibility for inspection and maintenance and would result in a net cost to the Housing Revenue account of £34,800 per annum. In line with the Cabinet decision on 4th April 2005, £180,000 capital money is being spent on replacing play equipment in the current year. A second cabinet resolution was that a further amount of £200,000 should be included in the Housing Capital Programme in 2006/07. The view of the Director of Housing is that this should be reconsidered in the light of financial pressures and other calls from priority areas on the capital programme. This will be done as part of the Capital Programme Review.

Rod Pearson – Head of Finance (Housing)

Legal Implications

- 4.2 The Council has statutory and common law duties with regard to the health and safety of persons who may use, or be on, these play areas. The request for an enhanced specification would therefore be the most effective solution to control the risk arising.

Joanna Bunting – Head of Commercial and Property Law

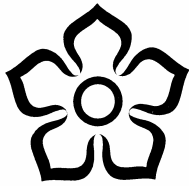
5. Report Author/Officer to contact:

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DECISION STATUS

Key Decision	Yes
Reason	Significant effect on one or more wards
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)



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**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
CABINET**

5th December 2005

Play Areas – Housing Sites

Joint Report of the Corporate Director of Regeneration & Culture, and the Corporate Director of Housing.

Report

1. Background

- 1.1 There are 66 play areas within the city on Housing Department owned land that are maintained under a trading agreement with the Regeneration & Culture Department. This agreement includes the inspection and maintenance of play equipment and minor repairs.
- 1.2. Visual inspections are carried out on a weekly basis by the Play Area Inspectors. More detailed operational inspections are carried out monthly by qualified Play Area Mechanics. Both levels of inspection require officers to produce condition reports for every play site. All inspections are carried out in accordance with the European Standards for Playgrounds. Minor repairs are carried out as part of the day to day process, subject to funding being available within the allocated budget. There is currently no financial provision for replacing a piece of play equipment or other ancillary items.
- 1.3 In January 2005 it was identified by the Play Area Mechanics that some of the wooden structure play equipment on 13 of the play area sites within St. Matthews and St. Peters estates had reached a point where they posed an unacceptable level of risk to users. This was confirmed in an independent report provided by ROSPA. The equipment on these 13 sites were originally installed as part of the Estate Action Improvement programme some 15 years ago. Cabinet on 4th April 2005 approved a recommendation from the Director of Housing that these 13 pieces of play equipment be removed and replaced as a matter of urgency at a cost of £200,000.

Cabinet also resolved:

that a further report be submitted outlining the inspection process in place, and the implications of transferring ownership from the Housing to the Regeneration and Culture Department.

- 1.4 In order to assist with assessing the implications of transfer and to establish the financial commitment required to manage, maintain and replace play areas, it was decided to commission work to identify the whole life costs of maintaining and replacing play area equipment with associated facilities on all housing sites. These costs to include repairs, maintenance and replacement of play equipment, safety surfacing, fencing, gates, paths, seats, bins, signs etc. This work was commissioned by a project team involving staff from both the Housing and Regeneration & Culture Departments supported by Quantity Surveyors. The outcome of this work based on a 15 year average cost is summarised in the table at paragraph 1.12. (All figures at current prices).
- 1.5 To arrive at this calculation all play sites managed by the Housing Department are surveyed and all equipment together with appropriate safety surfacing are quantified. In addition the life expectancy for each item of play equipment has been independently assessed by ROSPA. Costs associated with these items are then projected by Quantity Surveyors in City Consultants and verified by Clarus Consulting (an independent Quantity Surveyor) over their life expectancy including ancillary items such as fencing, paths, gates, seats, bins, signs etc. Current unit rates for each play area are obtained including replacement and repair costs, surface maintenance and a contingency for general wear & tear and vandalism etc.
- 1.6 The current budget allocation for the maintenance of Housing play areas is insufficient to maintain areas to an acceptable standard. Over the years this has led to a gradual decline in the upkeep of these areas. An increase in budget for maintenance would allow for the sites to be kept to an acceptable standard. This would ensure that safety surfacing, play and ancillary equipment would be regularly maintained to appropriate levels together with necessary repairs being undertaken without unnecessary delay, allowing for the play area to remain in use.
- 1.7 If additional funding is not made available to maintain Housing play areas then consideration will need to be given to de-commissioning equipment/sites when vandalised or when assessed as worn out or unsafe. Any equipment that poses a potential risk must be repaired or removed in order to minimise risk to users. This action will lead to complaints from residents/tenants and may result in negative publicity for the City Council.
- 1.8 Regeneration & Culture play areas have a refurbishment programme for replacement or major repairs to equipment. This has been limited to a capital allocation of £100,000 per annum over recent years. However, the capital allocation for 2005/06 has been deferred to 2006/07 and there are currently 14 sites awaiting refurbishment where major pieces of play equipment have been removed due to health & safety.

Funding beyond 2006/07 for refurbishment of play areas will be dependant on priorities within the Council's Corporate Capital Programme.

1.9 Officers have also looked at the feasibility of transferring all housing play areas to Regeneration & Culture responsibility.

The following issues have been considered:

- transfer of land ownership.
- transfer of sufficient budget to maintain/replace equipment as necessary.
- site access issues.
- liaison/consultation with residents/tenants.

1.10 The transfer of land ownership and sites to Regeneration & Culture has been considered. However, the Corporate Director of Housing has indicated that land ownership needs to remain with Housing in order to give flexibility for any housing developments in the future. It would also be inappropriate to transfer the enclosed sites which are for the use of residents only.

1.11 3 options have been identified for consideration by members:-

- a) Negotiate a new service agreement within the existing allocated budget of £43,100. This would mean sites would only receive minimal maintenance with no resources to consider development, repair or replacement. Any substantial financial contribution required in the future would need to be identified from within the housing revenue or capital budgets.
- b) A new service agreement be set up with Cultural Services to maintain housing play areas on the same basis as Cultural Services maintain their own sites. This will include carrying out regular inspections to identify potential safety issues and minor repairs to sites and associated equipment. However, equipment replacement would be subject to funding being made available from within housing budgets as and when required. The additional cost to the Housing Department would be £34,800 per annum. This option is favoured by the Corporate Directors of Housing and Regeneration and Culture
- c) Transfer responsibility for the management, maintenance and replacement of all housing play areas to Regeneration & Culture without transfer of land, subject to the allocation of adequate revenue funds being provided to Regeneration & Culture for the agreed level of service. This would involve an additional revenue cost of £147,600 per annum. If this option was agreed, this would mean that Housing play areas would be managed and replaced to a higher standard than currently applies to Regeneration & Culture play areas.

1.12 The financial implications of the options are summarised below

	Option a Current Provision	Option b Proposed Provision	Option c Full Life Cost Replacement
Maintenance and Inspection	43,100	77,900	77,900
Play Equipment Replacement	-	-	55,300
Other Equipment Replacement - fencing, seats, gates, bins, etc	-	-	45,000
Contingency	-	-	12,000
Total	43,100	77,900	190,700

2. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

Financial Implications

2.1 These are included in the summary report

Legal Implications

These are included in the summary report

Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	no	
Policy	no	
Sustainable and Environmental	yes	1.5,1.6,
Crime and Disorder	no	
Human Rights Act	no	
Elderly/People on Low Income	no	

3. Risk Assessment Matrix

	Risk	Likelihood L/M/H	Security Impact L/M/H	Control Actions (if necessary or appropriate)
1.	Decommission equipment and/or sites if financial contribution not identified.	H	M	Areas would need to be cleared/fenced off as appropriate.
2.	Complaints/negative publicity if equipment/areas not maintained/replaced.	H	M	Consultation to be carried out with residents/tenants.

4. Background Papers – Local Government Act 1972

Agenda and minutes of Cabinet meeting on Monday 4th April 2005.

5. Consultations

Consultee	Date consulted
Legal Services	4 th November 2005
Finance, Regeneration & Culture/Housing	4 th November 2005

6. Report Author

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