

CRANFIELD PARISH COUNCIL

Section 17

Play Equipment and Amenities

1. Policy Statement.

This policy is intended to cover areas of play owned, adopted or managed by Cranfield Parish Council. (The council) The council wishes to encourage as many people as possible to use the play areas (PA) for informal recreation.

The council recognises the UN Charter on Article 31 of the United Nations Convention on the Rights of the Child which states 'children have the right to rest and leisure, to engage in play and recreational activities appropriate to their age and to participate freely in cultural life and the arts'. Play enables children to develop social, physical and intellectual skills and is a vital part of growing up.

PA should be fun places to be. It is not possible to avoid all risk, but risk has to be managed. PA need to be *as safe as necessary – not as safe as possible*. (RoSPA). Therefore, this policy should be read in conjunction with the Cranfield Parish Council Health and Safety Policy at Section 5.

This policy applies to all Council owned Play equipment and Amenities such as External Adult Fitness Equipment.

2. Duty of Care and Relevant Legislation.

The Council recognises that it has a 'duty of care' to members of the general public visiting the PA.

The 'duty' specified is to take 'reasonable' care, and this can be defined as "what the reasonable person would have foreseen as being necessary". A certain level of risk is acceptable and it is expected that safety measures will be applied 'so far as is reasonably practicable'.

The legislation, which has been taken into consideration, is;

- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Occupiers Liability Act 1957
- Public Health Act 1936
- Environmental Protection Act 1990
- Disability Discrimination Act 2005

3. **General Principles.**

The general principles covered are those contained in the RoSPA Code of Good Practice guide, 2004. The provision, management and inspection of the council's PA are important in order to maintain a high standard where children can play safely and creatively.

The council will endeavour where possible to provide Play Areas with a wide variety of play equipment suitable for a wide range of age groups and accessible to all.

4. **Siting and Design.**

Play Areas shall be sited in positions which are suitable for purpose and which may be reached in safety. Any surrounding features, which are likely to constitute a danger to children using the area, shall be removed or protected by appropriate safety measures.

The design of the area and equipment shall comply with normal safety standards and, where appropriate to relevant British Standards.

The design of a PA should take into account The Disability Discrimination Act. Reasonable provision should be made for equal opportunities for disabled people, but anything that affects the safety of others should be considered.

The Children's Space Design Guide issued by Central Bedfordshire Council should be used as the reference guide for play area design. The design of the area and the equipment shall be appropriate for the anticipated age of the intended users.

Where appropriate standards do not exist, advice shall be sought from organisations such as RoSPA, FIT, the unitary authority or other appropriate bodies. Reference documents are contained in section 5 of this policy

Appropriate consultation with stakeholders will take place during the design phase. This could include schools, youth groups, unitary authorities and the police as well as publicity in local media.

The council recognises that vandalism does occur and designs should take this into account.

Play Area designs should incorporate appropriate measures to exclude dogs and there will be appropriate signs to notify the public about the position of Dogs and Play areas

Fences around PA should be constructed and erected in accordance with the appropriate part of BS 1722, with a minimum height of 1.0m recommended.

5. **Standards of Equipment.**

All new equipment shall, wherever possible, comply with Standards set out in EN1176.

Where new equipment does not comply with the standard an explanation of acceptability, evidence of third party testing or a risk assessment shall be provided by the supplier.

Compliance may be judged by a BS Kitemark, TÜV mark or such testing as may be carried out on site by a recognised body such as RoSPA. Any such requirement for testing will be at the supplier's expense. The supplier shall provide written confirmation of compliance with the standard.

6. **Surfacing.**

Appropriate surfacing shall be provided wherever appropriate. Where protective surfaces are provided they shall be tested to BS7188 and EN1177. Protective surfacing shall be laid in areas recommended by EN1177. Items covered by any other standard shall have protective surfaces not less than the standard outlined in EN1177. The supplier shall provide a test certificate from a recognised test house such as BSI or RAPRA.

7. **Installation.**

The installer shall provide written confirmation that equipment has been installed in accordance with the manufacturer's or designer's instructions and to the relevant standard where appropriate.

Where appropriate a post installation inspection shall be carried out by a relevant body such as RoSPA or FIT.

Ancillary items such as seats and bins suitable for the intended use will be provided where appropriate. In general ancillary items should meet the general requirements of EN1176

8. **Signs.**

Appropriate signage will be provided.

A risk assessment of new equipment shall be carried out and signs indicating ownership, appropriate age range limitations, emergency actions and other requirements shall be displayed.

Signs for PAs should specifically exclude dogs, except for guide dogs. Where possible pictograms shall be used. All signs are to be reviewed/inspected annually and replaced/updated as necessary.

9. **Adoption of Play Areas under a Section 106 Agreement.**

The council will in principle consider adoption of PA offered under a S106 agreement. The council is not obliged to adopt any asset being offered. It is recommended that any developers consult the council at an early stage.

This is the adoption procedure for areas of land to be transferred to the Council under a Section 106 Agreement of the Town and Country Planning Act 1990 (otherwise known as a Planning Obligation). It guides the Developer through the various requirements that are necessary in order to successfully complete the land transfer and adoption of a PA, such as LAP, LEAP or NEAP as defined in the Children's Space Design Guide (Ref. paragraph 3 above). The detailed design of the PA must comply with the requirements of paragraph 3 unless otherwise agreed.

The council may consult with the planning authority or any other relevant body or agency during the adoption process. The council must be made aware of the proposed commuted sum. After construction the PA should be inspected and any defects are to be rectified by the developer. After defects are rectified to the satisfaction of the Council, the PA will be deemed to have been completed.

On finalisation of the land transfer and receipt of Commuted Sum, the Council will adopt the PA, but subject to a Defect Correction Period of twelve months which will be deemed to cover material defects and poor workmanship only. However, the Defect Correction Period will not be expected to cover misuse of equipment or any form of vandalism.

When the land transfer is finalised, the Developer is to hand over an inventory of all the play equipment together with all maintenance certificates. The name of the manufacturer of the equipment must be clearly stated together with contact details to enable the Council to obtain any spare parts that may be required in future for maintenance purposes. Paragraph 7 shall apply to this procedure.

The council is not obliged to adopt any PA offered under a S106 agreement. The council's decision is final and no reasons need to be given, although the council will endeavour to do so.

10. Procurement and Request for Quotation.

The council recognises that it needs to obtain best value for the council taxpayers. It will endeavour to have a clear specification and fair bidding process. Best value does not necessarily mean cheapest. The council's decision on any quotation received is final and no reasons need to be given.

When procuring new equipment the council's RFQ (Request for Quotation) procedure must be followed when tenders are being sought. The Cranfield Parish Council Policy (Selection and Management of Contractors) Section 12 should be referred to and used in conjunction with this policy. In particular Annex 12a, 12b, 12c, and 12e of that policy will be of particular help in the procurement process

The following information must be provided to the potential supplier as part of the RFQ package;

1. Type of PA (LAP, LEAP etc.) and intended purpose of the PA.
2. Age range of expected users.
3. A copy of the Children's Playspace Design Guide (paragraph 3.3.2)
4. A copy of this policy.
5. Any other specific requirements (fencing, lighting, seating, signage etc.)
6. Historical incident and injury data.
7. A statement that; "the supplier shall demonstrate their design complies with this policy and that lessons learned from any incident data supplied are incorporated."
8. A statement that; "the supplier shall supply the following;
 - Any quality management standards such as ISO 9001 with which they comply.
 - A list of other similar installations that they have undertaken, together with contact details.
 - Full guarantee details.
 - period of work
 - details (and copy of certificate) of the supplier's Public Liability, Product Liability and Professional Indemnity insurance cover.
 - Spare parts prices and expected maintenance details;
9. A statement that; "no installation work may be sub-contracted unless specifically agreed with the council before commencement."

11. **Management and Inspection.**

The council recognises the need to carry out regular inspection and maintenance of play areas. The provision and management of inspection and maintenance programmes are essential if safe opportunities for children to play creatively are to be preserved.

Routine inspection of the PAs will take place at least on a weekly basis by the council's appointed representative inspector or a suitable member of the council or the clerk. The council's representative inspector will be appointed via competitive tender on a yearly basis.

Training for Council employees will be provided as necessary.

A routine inspection checklist shall be compiled by the council for each PA. This checklist will be modified when there is a significant change in the equipment. These inspections shall be recorded and the results reported to the council.

These weekly inspections primarily look at the following;

- No evidence of vandalism / damage.
- Impact absorbing surfaces satisfactory.
- Uprights firmly secured in the ground.
- Bolts tightly secured.
- Chains - no broken links or shackles.
- Areas clear of glass, animal faeces and litter.

Inspections will cover the play equipment, and ancillary equipment such as fences, gates, seats and bins. Minor repairs may be carried out at the time of the routine inspection. If at any time, the council's appointed inspector, the clerk or a member of the council identify that a piece of play equipment is deemed to be unsafe due to wear, vandalism or other failure, use of the equipment will be prevented by any suitable means until such time as the situation can be rectified. The council reserves the right to repair or remove any play equipment as it sees fit.

An annual inspection of play equipment will be carried out by a suitably qualified independent person. This is to a more detailed level than the routine inspections. The purpose is firstly to ensure that the equipment is safe for use and secondly to identify any improvements required in terms of the European standards. The results will be recorded and reported to the council.

The results of the inspection will be discussed by the council and appropriate actions made. Again if the inspector, the clerk or a member of the council identify that a piece of play equipment is deemed to be unsafe due to wear, vandalism or other failure, use of the equipment will be prevented by any suitable means until such time as the situation can be rectified. The council reserves the right to repair or remove any play equipment as it sees fit.

12. **Risk Assessments**

Risk assessments will be carried out by a suitably qualified person annually. The results will be recorded using the Risk Assessment Process set out in the Council's Health and Safety Policy Section 5, Annex 5a. Additional risk assessments may be carried out if there is a significant change to the play equipment. The results of the risk assessments will be discussed by the council and appropriate actions made.

13. Play Area Register, Injuries and Accidents.

The council will monitor safety by keeping a record of all reported injuries and incidents on its PA's. The information gained will be taken into account when updating existing play areas and planning new ones. To do this a Register of all Play Areas and the Equipment will be kept. This will contain:

- A copy of the Parish Play Area Policy.
- Site plans.
- Full equipment details.
- Documentation on the planning and development of the site.
- Routine inspection, annual inspection, maintenance and forward plan details.
- Details of Reported Accidents and Serious Incidents.

The community will be encouraged to take responsibility for daily inspection to ensure that play provision is maintained and kept free from vandalism. The community will be encouraged to report any faults with the Play Equipment to the Council and its officers.

14. Updating and Implementation of this Policy

The council will monitor legislation and best practice on PA's and update the policy when necessary. A list of relevant legislation, documents and organisations is listed at Annex 17a

To enable implementation of the Play Policy, the Council needs to ensure awareness of the policy among the committees of the council, and the part each committee can play;

Committee	Responsibility
Environmental	Report on play area inspections, and recommend actions. Recommendation on new and upgraded play equipment provision. Recommendations on maintenance programmes. Recommend appropriate byelaws. Formulate a forward plan.
General Purposes	Publicise play area provision and public awareness of parents' responsibilities.
Finance & Grants	Set appropriate budgets for maintenance and replacement programmes. Co-ordination of award of contract to responsible person(s) for play area inspections and minor repair. (Responsible Inspector)
Planning	Study planning applications for opportunities to request S106 play area provision. Adoption of new play areas under S106 agreements.
Burial Grounds	N/A

Parents will be responsible for the safety and conduct of children when using the PA's and this will be made clear to them in notices and information boards.

The council will endeavour to make parents aware that they have a responsibility to children at play, and seek their help to provide a safe environment. The Clerk will do this every 6 months using Facebook, Parish Boards etc. This can be achieved by highlighting and explaining the need and reasons for the following:-

- parental/adult supervision in play grounds
- parents/supervisors need to take responsibility to help inspection and maintenance by reporting faults to the clerk.
- prevention of children acting aggressively or dangerously on the equipment
- wearing of sensible clothing and shoes (toggles on a hood can become caught on a slide and strangle the child).
- community consultation for future play provisions
- dogs must not be taken into an enclosed play area
- the need to remove any faeces deposited by dogs
- the need to keep their dogs on leads in designated areas.

15. **Responsibility.**

All people referred to within the scope of this policy are required to adhere to its terms and conditions.

REFERENCES

Organisations

Royal Society for the Prevention of Accidents (RoSPA)

Fields In Trust (FIT) (formerly National Playing Fields Association)

Documents

Babergh District Council Play Policy

(<http://www.babergh.gov.uk/NR/rdonlyres/7315F194-C455-4FC3-AD98-6374D850B48C/0/PlayPolicy190707.pdf>) [Accessed 13/09/2009]

Ditton Parish Council Play Policy (<http://www.dittonparishcouncil.gov.uk/PlayPolicy.htm>) [Accessed 13/09/2009]

Central Beds Council Children's Playspace Design Guide

Mid Devon District Council Adoption Procedure Town and Country Planning Act 1990 (Section 106 Agreement) or Planning Obligation (<http://www.middevon.gov.uk/CHttpHandler.ashx?id=337&p=0>) [Accessed 15/09/2009]

Norfolk County Council Outdoor Play Equipment Guidance and Procedures. (www.esinet.norfolk.gov.uk/.../outdoor_play_equipment.guidance.doc) [Accessed 15/09/2009]

Omagh District Council Play Policy (www.omagh.gov.uk/download_files/Play_Policy.pdf) [Accessed 13/09/2009]

The Royal Society for the Prevention of Accidents, Play Safety Information Sheet Revision Date: 20.10.2004 Information Sheet Number 6, Code of Good Practice

The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 20.10.2004 Information Sheet Number 9 Dogs on Play Areas

The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 20.10.2004 Information Sheet Number 10 EN1176 Playground Equipment Standard

The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 20.10.2004 Information Sheet Number 18 Signs For Play Areas

The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 20.10.2004 Information Sheet Number 20 Fencing for Children's Play Areas
The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 18.10.2004 Information Sheet Number 25 Risk Assessment of Children's Play Areas

The Royal Society for the Prevention of Accidents Play Safety Information Sheet Revision Date: 31.01.06 Information Sheet Number 29 Tendering and Specification

(www.rospace.com) [Accessed 16/09/2009]

Somerset County Council Playground Equipment Section 35 (www.six.somerset.gov.uk/sixv3/do_download.asp?did=11359) [accessed 20/09/2009]