

Agenda Item	9
Report No	BSAC/05/22

HIGHLAND COUNCIL

Committee: Badenoch and Strathspey Area Committee

Date: 15th February 2022

Report Title: Play Park Funding

Report By: Executive Chief Officer Communities and Place

1. Purpose/Executive Summary

- 1.1 Members agreed at Communities and Place Committee in November 2021 to allocate the funds received from the Scottish Government's play park renewal fund to Area Committees based on a blend of play park conditions and the criteria used by Government which is 95% based on the 0-14 year-old population, and 5% based on rurality.
- 1.2 This report proposes Members agree to distribute Badenoch and Strathspey's Scottish Government allocation of funding (£9,474), and also for the repurposing of Ward 20 Covid funding in support of repairs to play areas across the Ward.

2. Recommendations

- 2.1 Members are asked to;

Note;

- the funding available and the funding already committed to invest in play parks in the Badenoch and Strathspey Area; and
- a further £55m is to be awarded to Scottish Councils over the lifetime of the parliament

Agree

- that the Scottish Government funding be used to replace key items of play equipment with any remaining balance to be carried forward for spend in 2022/23;
- the remainder of the Ward 20 Covid fund, £21,463, be repurposed as required for essential repairs to play equipment and delegated to the Amenities Manager for allocation in consultation with local Members; and

- the homologation of the repurposing and spend of £7,084.50 of Covid Ward Funds in support of replacement of an item of equipment at Campbell Crescent, Kingussie.

3. Implications

3.1 Resource implications:

In September 2021, £234,000 of capital grant has been allocated to the Council as part of the Scottish Government's commitment to play area renewal. The principles for investing this funding and reporting on its use are now confirmed as described in the report. This is the first tranche of funding amounting to £5m nationally. The further £55m will be distributed to Scottish Councils over the lifetime of the Parliament. The quantum for the allocation and the phasing of the funding over the period have not yet been clarified.

Members agreed at Communities and Place Committee in November 2021 to allocate the funds received from the Scottish Governments play park renewal fund to Area Committees based on a blend of play park conditions and the criteria used by Government which is 95% based on the 0- 14-year-old population and 5% based on rurality.

3.2 Legal implications:

Play areas are not a statutory service; however, where they are provided, we must comply with the Health and Safety at Work Act 1974 and the Occupiers Liability (Scotland) Act 1960 for employees and members of the public attending play areas. We must also comply with our duties under the Equality Act 2010 and the Fairer Scotland Duty.

Article 31 of the UN Convention on the Rights of the Child states that children have the right to relax and play, and participate in a wide range of cultural, artistic and cultural activities. The Council's earlier approach to support these rights was set out in the [Play Strategy 2016-20](#). This recognises the value of informal spaces for play as well.

3.3 Community (Equality, Poverty and Rural) impacts:

The work underway with Members takes a place-based approach to reviewing all the play areas within a Ward. It enables views to be gathered on options for play areas including repair and replacement of equipment or whether an alternative use should be considered. Members locally are focused on creating positive experiences for children and young people using play parks across Highland and that provision is made to ensure access for all. There is no charge to access at any Highland Council play park. This is in line with the Scottish Government's requirement for this award, that there remains an emphasis on play parks being as inclusive and valuable to children as possible, in line with the United Nation Convention Rights of the Child (UNCRC) duty. There is a need to widen engagement on play area renewal as a condition of the Government's funding and this aligned to the Council's vision of being connected and the development of its place-based approach.

3.4 Climate Change / Carbon Clever implications:

In line with the Council's net zero targets, consideration will be given to the environmental impact of new pieces of play equipment, with natural play equipment being considered where appropriate.

3.5 Risk implications:

Inspecting and maintaining and/or replacing play park equipment will prevent injury to children and claims being made against the council.

The approach to engaging locally on play area options with Members and other community bodies and children will enable honest conversations about prioritising resources. This not only reduces the risk of unreasonable public expectation given the importance of an affordable play estate, but it also enables joint problem solving and the identification of external funding and volunteering support.

There is a risk that the full capital allocation of £234k cannot be committed within 2021/22, especially as other Councils may be contacting similar suppliers. This has been mitigated by permission from the ECO Resources and Finance to carry uncommitted expenditure forward into 2022/23.

3.6 Gaelic implications:

There are Gaelic implications for any new signage required ensuring it has bi-lingual content in keeping with the Council's policy.

4. Background

4.1 Playparks have positive social and mental health benefits for children and young people. This has been highlighted by the ongoing COVID-19 pandemic and associated lockdowns.

4.2 The Council has 338 play parks and over 2500 pieces of play equipment. The provisions of play parks is not a statutory duty; but the inspection and maintenance of equipment once installed, is a mandatory requirement. For this reason, play parks are subjected to daily, weekly, fortnightly or monthly inspection based on usage and risk, and an annual inspection carried out by a qualified playground inspector.

4.3 A place-based review of play parks is well underway and being taken forward in discussions with Members locally. This is aligned to the Council agreement in January 2021 that:

“budget and decision-making are devolved to Area Committees to enable a place-based approach that uses local knowledge, community effort and resources alongside Member views and staff advice to solve problems together and to identify possibilities for a more sustainable approach to the play estate.”

4.4 To comply with the conditions of capital grant from the Scottish Government's play park renewal programme, wider engagement is required along with reporting back on how the investment is being deployed. Wider engagement will align well to the principle of inclusion above and support Members in their local decision-making. In some Wards interested groups have already been involved.

5. Budget and Investment

- 5.1 The annual revenue budget for play parks for the Badenoch and Strathspey Area 2021/22 is £4,700. This includes labour, plant and fleet, materials and some contractor costs.
- 5.2 Following consideration at the Community and Place Committee on 25 November 2020, the Council agreed in January 2021 that budgets and decision-making for play parks would be devolved to Area Committees. This has involved more local discussions with Members within their Ward, given the Ward funds available and to enable a more local consideration as part of the place-based approach
- 5.3 Local funds that can be used for play park use are:
- any unspent COVID ward funding towards playparks, along with a further £240,000 allocation to make sure each Ward had the same amount of Covid ward funding available;
 - an additional £110,000 for each of the 21 wards for discretionary spending (£2.31m);
 - other local sources of funding with examples including coastal communities funding, Common Good funds, any appropriate national funding streams as well as local donations;
 - an additional capital fund of £1.963m allocated to Area Committees as part of the Scottish Government's place-based investment programme; and
 - £234k capital grant allocated from the Scottish Government's play park renewal programme
- 5.4 The allocation from the Scottish Government play parks renewal programme for the Badenoch and Strathspey Area is £9,474.
- 5.5 Following discussion with the local Members ay Ward level it is proposed that the Scottish Government allocation is used to target the replacement of key items of play equipment that have been identified through inspections. Any balance remaining from this initiative will be carried forward.
- 5.6 It is further proposed to re-purpose the majority of the Ward 20 Covid Fund, £21,463, in recognition of the poor state of the play equipment in the Ward following inspections and site visits with the local Members. Noting the importance of play to children generally and particularly at the current time, repurposing the Ward Covid Fund will enable repairs to be carried out to play areas across the area. It is proposed this funding is delegated to the Amenities Manager for allocation in consultation with local Members.
- 5.7 This is in addition to the contribution from the Ward Covid Funds of £7,084.50 agreed in principle by the Ward Members in support of the replacement of a key item of equipment at Campbell Crescent, Kingussie. The cost of this item has been shared with the Amenities Service.
- 5.8 Further commitments for spend may be given prior to the end of this financial year and where funds are not allocated, the allocation will carry forward into the next financial year.

Designation: Executive Chief Officer Communities and Place
Date: 8 February 2022
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