

# Birmingham City Council

## Report to Cabinet

17<sup>th</sup> March 2020



**Subject:** **BIRMINGHAM OUTDOOR PLAY FACILITIES POLICY**

**Report of:** **Acting Director of Neighbourhoods**

**Relevant Cabinet Member:** **Councillor John O'Shea, Cabinet Member for Street Scene and Parks**

**Relevant O & S Chair(s):** **Councillor Penny Holbrook, Housing and Neighbourhoods**

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007430/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

### 1 Executive Summary

- 1.1 The Birmingham Outdoor Play Facilities Policy has been developed over a number of years to incorporate nationwide research into how children interact with their environment through play including Play England guidance on future provision of play. Furthermore the Parks Service's experience in providing formal play spaces over many years and how these are managed to ensure children can experience fun play opportunities in a safe environment wherever they are in Birmingham has informed the content of the Policy, which combines the vision of the former Play Strategy with design guidance to achieve the best outcomes for purpose built outdoor play facilities.

- 1.2 The purpose of the Policy is to set out a delivery and management framework for Birmingham City Council which manages over 240 children's play areas across the city and to provide a guide to private developers, who are required through planning obligations to install and manage play facilities in new residential developments to equivalent design standards.

## **2 Recommendations**

### **2.1 That Cabinet:**

Approves the Outdoor Play Facilities Policy being adopted by Birmingham City Council as the official guidance in relation to the design and management of publically accessible outdoor play areas across the city.

## **3 Background**

- 3.1 Birmingham Parks Play Policy Group requested that an official Outdoor Play Facilities Policy be drawn up for adoption by the City Council following a number of enquiries from the public and private developers in Birmingham. Prior to this document being drafted there was a Play Strategy and Parks and Open Spaces Strategy that were adopted but nothing specifically produced for the City's approach to outdoor play provision.
- 3.2 The Landscape Practice Group (LPG), in Street Scene, had produced a design guide for play areas but this had not been officially adopted and had become outdated. It was therefore agreed that LPG would draw up a new document that incorporated the design guidance, elements of the Play Strategy and nationwide research into children's interaction with their environment through play and more recent guidance on natural play from Play England.
- 3.3 Where play is required as part of a new residential development in Birmingham it has been necessary to provide guidance to both private developers and the Birmingham Municipal Housing Trust. The policy provides for continuity and minimum design standards for play areas provided by agencies other than the Parks' Service.
- 3.4 The Policy sets out a vision for play provision in Birmingham aiming to create inspiring play spaces where all children and young people, from its diverse communities and neighbourhoods, can enjoy living, learning, developing and achieving, and where they can feel secure in a child and family friendly city.

## **4 Options considered and Recommended Proposal**

- 4.1 The option to carry on with the informal guidance was considered but due to the number of enquiries asking for an official Outdoor Play Facilities Policy and the significance of Play in the development of children in the City it was deemed no longer viable to not provide formal guidance through an adopted policy.
- 4.2 The preferred and recommended option is to develop existing guidance and draw on previous strategies to create a policy document that will provide consistent

design advice and parameters for play across Birmingham. The Birmingham Outdoor Play Facilities Policy is the result of this work.

## **5 Consultation**

The draft Policy was shared with the Parks Play Policy Group, whose comments have been incorporated into the final document and they have confirmed their support for the Policy to be adopted by the Council.

In February 2019 the Birmingham Open Spaces Forum were consulted on the draft Policy and agreed that it should be approved for adoption.

## **6 Risk Management**

- 6.1 There are no specific risks identified in respect of the Policy but it does refer to national legislation and British and European Standards which have to be complied with by those who maintain and commission play facilities. They have a legal obligation to undertake risk assessments in relation to their particular play areas and should take due consideration of paragraph 2 - Play Area Safety Inspections - of the Policy, which sets out how and when risk analysis should be undertaken.

## **7 Compliance Issues:**

### **7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

7.1.1 The new policy will contribute to the Council's key priorities namely:

#### **OUTCOME 2 'Birmingham is an aspirational city to grow up in':**

- Providing an adopted Outdoor Play Facilities Policy will help Birmingham to be an inspiring place where all children and young people can enjoy living, learning, developing and achieving, and where they can feel secure in a child and family friendly city.
- Promoting healthy lifestyles and behaviours through an adopted Outdoor Play Facilities Policy, well-designed and managed play and recreational facilities will help reduce dependence on health services.

### **7.2 Legal Implications**

7.2.1 Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 gives powers to provide recreational facilities.

7.2.2 Section 164 Public Health Act 1875 allows for the laying out and maintenance of open space for public recreation.

### **7.3 Financial Implications**

7.3.1 There are no financial implications as this report relates to the adoption of policy rather than the delivery of services or assets. Existing financial arrangements for the resourcing of play area inspections, repairs and maintenance are not affected by this policy. Where work is carried out on a

new or existing facility the relevant managing service will be required to resource and approve the expenditure.

#### **7.4 Procurement Implications (if required)**

7.4.1 There are no procurement implications relating to this report.

#### **7.5 Human Resources Implications (if required)**

7.5.1 There are no Human Resources implications relating to this report.

#### **7.6 Public Sector Equality Duty**

7.6.1 An initial screening was undertaken which indicated that a full Equalities Assessment is not required as the Policy allows for the provision of improved facilities for everyone and all opportunities for promoting equality have been taken. The initial screening was approved on 17th May 2019. The EA reference number is EQUA237. See appendix 2.

### **8 Background Documents**

Nil

### **9 Appendices**

9.1 Appendix 1: Birmingham Outdoor Play Facilities Policy 2020

9.2 Appendix 2: Equalities Assessment Parks Play Policy EQUA237

9.3 Appendix 3: Public Sector Equality Duty

9.4 Appendix 4: Risk Assessment