

Key Decision Required:		In the Forward Plan:	
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ENVIRONMENT PORTFOLIO HOLDER

REPORT OF CORPORATE DIRECTOR OPERATIONAL SERVICES

A.3 PLAY AREA, HALSTEAD ROAD, KIRBY CROSS

(Report prepared by Ian Taylor)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

- a) To seek approval for the installation of an inclusive play area and the refurbishment of existing play equipment at Halstead Road, Kirby Cross, based on the design proposed by the selected contractor.
- b) Seek approval for the use of Section 106 contributions allocated to this play area to deliver the project.
- c) Delegate further details to officers to facilitate the delivery of the foregoing.

EXECUTIVE SUMMARY

- As a result of an acknowledged deficit in play provision in the area, planning applications 15/00278/OUT, 19/00117/FUL and 19/00120/FUL, relating to housing developments in Kirby Cross secured unilateral undertakings for payments in respect of open space and play totalling £100,854.
- The s106 agreements all require the Play Equipment Contribution to be used towards the provision of equipment and / or the improvement of play facilities at the area of open space in Halstead Road, Kirby Cross.
- The Council tendered for ideas and designs for the refurbishment, and / or replacement of existing equipment on the site up to the value of £90,000.
- Tenderers were requested to ensure the refurbishment of the existing play area as well as the introduction of new equipment and features whereby all children as well as those with mobility and other special needs are able to play and interact with each other.
- The overall cost of the project is estimated at £100,000 with £90,000 allocated to the play equipment and associated infrastructure and a further £10,000 for landscaping and general site improvements.
- It is intended to maximise use of the £10,000 for landscaping and perimeter improvements by using in-house services within the Council.
- The operation and future maintenance of the play area will continue to be met within existing budget and resources allocated to the Public Realm play area service.

RECOMMENDATION(S)

That the Portfolio Holder approves

- a) the construction of a refurbished and enhanced Play Area including additional landscape improvements at the location, shown red, on the Plan attached as Appendix A to this report using £100,000 from s106 contributions allocated.
- b) the selection of Kompan UK Ltd for the design and construction of the Play Area following a competitive tender process. The design and proposal is attached as Appendix B.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The recommendations if approved will contribute to the following corporate priorities:

Our Council / Our Community

- Deliver High Quality Affordable Services
- Make the most of our Assets
- Support the vulnerable
- Transform the way we work

Our Opportunities

Supports

- Vision for economic growth and prosperity
- Our Coast
- Tourism

Our Challenges

- Improving poor infrastructure
- Reducing budgets while delivering key services

Our Values

- Innovative, flexible professional staff committed to delivering excellence

FINANCE, OTHER RESOURCES AND RISK

Planning applications 15/00278/OUT, 19/00117/FUL and 19/00120/FUL secured unilateral undertakings for payments in respect of open space and play totalling £100,854.

The s106 agreements all require the Play Equipment Contribution to be used towards the provision of equipment and / or the improvement of play facilities at the area of open space in Halstead Road, Kirby Cross. It is not possible to spend the money anywhere else.

The only alternative to using the contribution towards the improvement of the play area in Halstead Road, Kirby Cross is to return the money to the developers.

The proposal in this report if agreed, will ensure the provision of high quality play facilities available to local children including the most vulnerable younger members of the Tendring community, with no impact on existing budgets.

Inspections and maintenance of play areas have been carried out in-house since July 2017 and it is anticipated that future maintenance requirements for the play area will continue in accordance with existing arrangements in Public Realm.

The play areas are insured but current excess premiums exceed the cost of most equipment. It is however possible to separately insure individual items for everything other than acts of vandalism. The service takes out insurance on this basis if it is considered prudent and cost effective to do so.

The play area budget is able to support replacement or repair of most items should the situation arise.

LEGAL

The land is owned by Tendring District Council.

In coming to decisions in relation to the management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district. The construction of a play area in Kirby Cross is for the benefit of the District and its visitors and there are no restrictions within the Council's legal title of this land.

The procurement process has been undertaken in accordance with the Council's Procurement Rules as set out in Part 5 of the Council's Constitution.

OTHER IMPLICATIONS

Consideration has been given to the implications of the recommendations proposed and any significant issues are set out below.

The proposals, if agreed, will support the Council's vision to put community leadership at the heart of everything it does, supporting the improvement of Council assets helping to reduce budgets while delivering key services.

Consultation/Public Engagement – The proposal if agreed will provide a significant benefit to the community in Kirby Cross and will help to offset a deficit of play equipment in the area as well as Tendring generally. Interest in such facilities is considerable. The open tender process for the design and construction required stakeholder engagement.

Crime and Disorder – Improving assets is part of a wider strategy to combat anti-social behaviour by improving the appearance of public realm, generating increased pride, awareness and responsibility for our District. There is a clear correlation between neat well managed assets and lower crime as opposed to poorly maintained assets.

Equality and Diversity / Health Inequalities – The proposal if agreed will support existing Council policies and further support the most vulnerable members of the community, raising the profile and reputation of the Council. The facility is designed to contain inclusive play equipment for children with a range of physical disabilities.

Area or Ward affected – Kirby Cross.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Play areas act as focal points for the community, providing a meeting area for children and parents alike. In an age when younger generations can appear more concerned with the latest technology than social interaction, the importance of playgrounds cannot be underestimated in bringing people together. They offer a place for children to play and forge new friendships, while ensuring they remain healthy and active.

It is for this reason that the planning process requires that areas of open space and play are preserved and where possible enhanced, when new housing developments are proposed.

Extending the scope of play areas to include all children and in particular those with special needs can only increase opportunities for the whole community and to broaden children's knowledge and experience as well as provide significant social benefit associated with the community gathering for a common purpose.

The benefits of play to children both for their physical and mental health as well as their future emotional development are incalculable and this new facility will provide a significant benefit to the community in Kirby Cross.

CURRENT POSITION

There are over sixty designated play areas with free access to the public across the District, the majority of which are provided by the District Council. The facilities range from general play equipment to skate parks.

There are few freely available play areas with equipment of sufficient size, originality and attractiveness to children to be regarded as destinations in their own

right and fewer that could be considered inclusive to the extent whereby they can be used by all children, including those with mobility related and other special needs.

Tendring District Council has been attempting to improve access to play equipment for all children and to improve the overall standard of play equipment provided.

The allocation of up to £100,000 from s106 money towards this project and the introduction of new as well as the refurbishment of existing play equipment and associated landscape improvements will provide a welcome area of enhanced open space in the Kirby Cross area.

An open tender for the design and construction of the play area has been completed and the contract for delivering the project is to be awarded to Kompan UK Ltd, subject to funding.

OPTIONS CONSIDERED AND PROPOSAL

Location

There is no alternative location for the allocation of s106 funding for the purpose of addressing a deficit in local play equipment in this area.

Proposal for Design

The proposal for the project was to create a play area that will meet requirements for children with special requirements as well as to provide a considerably enhanced playground that will showcase the local area.

The proposal required the play area and open space to take into consideration children with mobility issues including wheelchair access as well as children with special educational needs who would benefit from sensory elements.

CONCLUSION AND WAY AHEAD

The introduction of this facility along with associated improvements to the existing public realm will attract a great deal of positive attention and will enhance the reputation of Kirby Cross as well as the wider District of Tendring enhancing its reputation as a great place to live.

Improved access to open spaces and general public realm provides significant benefits to all families and in particular those with disabled children (or adults) which in turn provides considerable benefit to the Council.

This project supports TDC inward investment and health and well-being strategies.

The project will enable the Council to refurbish and regenerate an existing leisure area which is currently under used, enhancing the local area.

Use of funds available from local development set aside for this purpose means the project and associated benefits will be achieved at no direct cost to the Council.

APPENDICES

Appendix A – Site Location Appendix B - Design Proposal
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BACKGROUND PAPERS FOR THE DECISION

None
