

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Overview and Scrutiny Committee

Date: **Thursday, 26th November, 2020**

Time: **7.00 pm**

Venue: **[Ashfield District Council's YouTube Channel](#)**

For any further information please contact:

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01623 457317

OVERVIEW AND SCRUTINY COMMITTEE

Membership

Chairman: Councillor Andrew Harding

Vice-Chairman: Councillor Dale Grounds

Councillors:

Jim Blagden

David Walters

Caroline Wilkinson

Phil Rostance

Lee Waters

FILMING/AUDIO RECORDING NOTICE

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SUMMONS

You are hereby requested to attend a meeting of the Overview and Scrutiny Committee to be held at the time and on the date mentioned above for the purpose of transacting the business set out below.



Carol Cooper-Smith
Chief Executive

AGENDA

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1. To receive apologies for absence, if any.
2. **Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests.**
3. To receive and approve as a correct record the minutes of the meeting of the Committee held on 24 September 2020. 5 - 10
4. **Scrutiny Review: Play Park Accessibility.** 11 - 18

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OVERVIEW AND SCRUTINY COMMITTEE

Virtual Meeting held on Thursday, 24th September, 2020 at 7.00 pm

Present: Councillor Andrew Harding in the Chair;

Councillors Jim Blagden, Dale Grounds,
David Walters and Lee Waters.

Apologies for Absence: Councillors Phil Rostance and
Caroline Wilkinson.

Officers Present: Lynn Cain, Mike Joy and Shane Wright.

OS.6 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

No declarations of interest were made.

OS.7 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 16 July 2020,
be received and approved as a correct record.

OS.8 Scrutiny Workplan Management

The Service Manager, Scrutiny and Democratic Services introduced the report and outlined the purpose of the meeting which included receiving updates on the work being undertaken by Scrutiny Panels A and B, as well as the recently established COVID-19 Response and Recovery Scrutiny Panel.

Workplan management was also a key responsibility of the Overview and Scrutiny Committee, as set out in the Council's Constitution and Members were also being asked to agree the particular terms of reference for the two new reviews added to the Scrutiny Workplan for 2020/2021, namely, 'Accessibility in Ashfield' and 'Recycling and Collection Rates in Ashfield'.

COVID-19 Response and Recovery Panel

Following recommendations from Cabinet, the COVID-19 Response and Recovery Panel was established and formalised at the Council meeting held on 9 July 2020; set up to review the Council's response to the COVID-19 pandemic and to take an active role in the Council's recovery plans.

The Panel had so far met on two occasions and were operating in accordance with a work programme approved at the first meeting. The Panel meeting dates had been scheduled to ensure they aligned with scheduled Cabinet meeting dates, thus enabling swift action on any Panel recommendations as required.

At the second meeting of the Panel, Members welcomed attendance from all members of the Corporate Leadership Team (CLT) with the focus of the meeting being centred around local recovery themes. The meeting took a question and answer format as questions from the public were put to the relevant CLT Director, alongside questions from Panel Members.

The October 2020 meeting of the Panel was intending to focus on the main theme of small business support in Ashfield particularly during the recovery stages of the pandemic. Various business representatives across a variety of sectors had been invited and again, questions would be encouraged from local communities through the Council's social media platforms.

The COVID-19 Response and Recovery Panel's Vice Chairman, Councillor Jim Blagden, took the opportunity to congratulate the Council's employees for showing great resolve and unstinting commitment to the residents of Ashfield during the lockdown by delivering a full range of services under very difficult circumstances.

Members were also keen to pursue the erection of a permanent memorial to celebrate and honour all the key workers and volunteers within Ashfield who had shown great bravery and commitment to others during the pandemic. A formal letter of thanks was also due to be sent from the Council to all local foodbanks and community groups for their unwavering support towards the more vulnerable groups within Ashfield during this time.

The questions asked at the second Panel meeting had also revealed some concerns surrounding the following:

- the long term viability of small local businesses;
- the gap in funding affecting churches and charities following the lockdown;
- the increase in Council tenant rent arrears and its impact on homelessness issues;
- the real prospect of a second wave of coronavirus and its impact on local communities within Ashfield.

It was felt that all the above issues would be sufficiently addressed by the COVID-19 Response and Recovery Panel as it worked through its agreed programme over the next 10 months. A suggestion was made that the Panel would be well placed to consider Covid-19 safety measures at polling stations in readiness for the elections in May 2021 but it was accepted that this work was already being undertaken by the Election Team and the Polling Places Review Group. It was agreed that an update to the Panel in relation to this issues, would still be welcomed at some point in early 2021.

Scrutiny Panel A

Scrutiny Panel A were due to hold its first formal meeting of the municipal year in September 2020 and would be commencing a new 'Veterans and Service Personnel' Workplan topic. This review was originally set to take place as a separate Scrutiny Commission as announced at Council during June 2019, but due to several unforeseen circumstances over the past year, work on the commission had been delayed.

The previous, ongoing review in relation to 'Bus Provision', as commenced by Scrutiny Panel A in early 2020, was being held in abeyance pending approval of new legislation and initiatives regarding public transport following the Covid-19 outbreak.

Scrutiny Panel B

Scrutiny Panel B had been undertaking a review of the Council's Community Protection Service since January 2020 and was continuing.

'Accessibility in Ashfield' Review – Terms of Reference

Panel Members were reminded that this item had been suggested by Councillor Dale Grounds who wished to investigate the possibility of increasing the inclusiveness of the Council's parks for all special needs and disability groups, both for children and adults.

Recent plans for upgrades to three of the Council's park play areas did not show any proposals to provide full wheelchair access or install suitable disabled access play equipment. Nottingham City Council had recently included the installation of some sensory equipment within a children's play area in Bilborough and this type of equipment would be beneficial to so many children/adults dealing with special needs and disabilities within the Ashfield area.

Members concurred that any Council should be prioritising inclusive access to all its parks and open spaces for both children and adults. It was acknowledged that Ashfield was already doing excellent work to accommodate all groups within its communities, but it was still felt that more could be done. It was agreed that a site visit to an inclusive park would be extremely beneficial to Members as part of the review process and to enlist the views of local community groups and ambassadors working with special needs and disability groups in the area.

'Recycling and Collection Rates in Ashfield' Review – Terms of Reference

The inclusion of this review on the Scrutiny Workplan had been suggested by Councillor Phil Rostance in response to the recent Covid-19 lockdown and not as a result of any previous poor results or lack of recycling/collection initiatives from the Council.

Ashfield District Council had always been at the forefront of initiatives to encourage increases in recycling rates including the 'Ashfield Spring Clean', 'Bag It' and 'Spring into Summer' campaigns. Also, the Council had fought hard to decrease incidences of fly tipping within the District with tough penalties being enforced on identification of offenders.

The review had been suggested due to the reduction in recycling and collection rates over the previous six months (and lockdown period) including the impact of recycling centres being closed across Nottinghamshire.

It was acknowledged that data from the recent recycling campaigns during 2020 would be important to the review and required analysis to see if the Council had effectively mitigated against the recent difficulties caused by the pandemic.

It was agreed that Members could usefully work with the Environment Team to analyse the results and gain some understanding as to the impact on the Council's recycling/collection rates during the outbreak and to examine any possible solutions for improvement over the coming year.

RESOLVED that

- a) the updates in relation to the work of Scrutiny Panels A and B and the COVID-19 Response and Recovery Panel, be received and noted;
- b) the terms of reference for the 'Accessibility in Ashfield' review be as follows:

Review Objectives

The objectives of the review will be to:

- Ensure that all parks and open spaces in Ashfield are accessible with appropriate adaptations and equipment;
- Potentially expand this objective to include the District's Town Centres (with consideration to the Towns Fund and Future High Streets Fund) and the Council's buildings (Urban Road, Brook Street etc)
- Ensure that all Council consultation exercises regarding parks and open spaces are fully inclusive.

Methodology

The review will utilise the following methodology:

- Reviewing Council policies and strategies relating to accessibility;
- Exploring the Section 106 allocation process;
- Gaining a full understanding of what facilities are already in place;
- A site visit to view a best practice example of an accessible and inclusive environment.

Key Involvement

Members will seek involvement from the following over the course of the review:

- Community Groups;
 - Planning;
 - Community Engagement;
 - Place and Wellbeing;
 - Portfolio Holder for Streets, Parks, and Town Centres.
- c) the terms of reference for the 'Recycling and Collection Rates in Ashfield' review be as follows:

Review Objectives

The objectives of the review will be to:

- Ensure the Council is doing everything possible to improve recycling and collection rates in the District;
- Establish the impact of bespoke events such as the Big Ashfield Spring Clean, Bag It, and Skip into Summer schemes have had following implementation.

Methodology

The review will utilise the following methodology:

- Reviewing current performance and performance targets regarding recycling and collection;
- Consider the impact of the pandemic on the recycling and collection rates of 2020;
- Review the impact of the Council's bespoke schemes on recycling and collection rates.

Key Involvement

Members will seek involvement from the following over the course of the review:

- Environmental Services;
- Portfolio Holder for Streets, Parks, and Town Centres;
- Waste and Recycling Service Partners.

The meeting closed at 7.43 pm

Chairman.

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Report To:	OVERVIEW AND SCRUTINY COMMITTEE	Date:	26 NOVEMBER 2020
Heading:	SCRUTINY REVIEW: PLAY PARK ACCESSIBILITY		
Portfolio Holder:	NOT APPLICABLE		
Ward/s:	ALL		
Key Decision:	NO		
Subject to Call-In:	NO		

Purpose of Report

The purpose of this report is to introduce the Play Park Accessibility review topic to Overview and Scrutiny Committee Members. Members have previously set terms of reference for this topic, detailed in this report. This report presents Members with some background information and national context regarding accessible play parks and provides some perspective on the restrictions and challenges faced by disabled children and parents in accessing play opportunities.

Recommendation(s)

Overview and Scrutiny Committee Members are recommended to:

- a. Note the information contained within this report.
- b. Review the previously established terms of reference.
- c. Consider the most appropriate information and involvement needed to progress the review at the next meeting of the Committee.

Reasons for Recommendation(s)

Play Park Accessibility was added as a topic to the Scrutiny Workplan 2020/2021 by the Overview and Scrutiny Committee in July 2020.

Alternative Options Considered

No alternative options have been considered at this stage.

Detailed Information

TERMS OF REFERENCE

Play Park Accessibility was added to the Scrutiny Workplan 2020/21 at the July 2020 meeting of the Overview and Scrutiny Committee.

Members set introductory terms of reference for the Play Park Accessibility topic at the 24 September 2020 meeting of the Overview and Scrutiny Committee.

Review Objectives

- Ensure that all parks and open spaces in Ashfield are accessible with appropriate adaptations and equipment
- Ensure that all consultation exercises undertaken by the Council regarding parks and open spaces are fully inclusive.

Methodology

- Reviewing Council policies/strategies relating to accessibility, particularly regarding parks and open spaces
- Exploring the Section 106 allocation process
- Gaining a full understanding of what facilities are already in place
- Potential for a site visit to a best practice example of an accessible and inclusive park/open space

Involvement

- Community Groups
- Planning/Community Engagement/Place and Wellbeing
- Portfolio Holder for Streets, Parks and Town Centres

Members should review the previously set terms of reference to ensure they are still fit for the purpose of the review, and to make any necessary additions to review objectives, methodology, and involvement.

ACCESSIBLE PLAY PARKS

Play England

Play England is a registered charity with a vision for England to be a country where everybody can fully enjoy their right to play throughout their childhood and teenage years, as set out in the UN Convention on the Rights of the Child, and their own Charter for Children's Play.

The resources made available by Play England could be valuable throughout the review of Play Park Accessibility.

Play England aims to ensure that:

- All children and young people have the freedom – time, space, permission, and opportunity – to play throughout their childhood and teenage years
- All residential neighbourhoods are child-friendly places where children and young people can regularly play outside
- Everyone is aware of the importance of play – outdoors and indoors – as part of children and young people’s daily lives

Play England works to achieve these aims by:

- Raising awareness of the importance of play for families and communities
- Campaigning to influence decision-making at all levels of government and across the public sector
- Influencing, informing, and sharing good practice across all those who shape children and young people’s freedom to play
- Building on evidence and sound knowledge – from research, stakeholders, and staff
- Supporting people to get involved in helping more children play outside more often where they live
- Disseminating learning and using findings to inform practice and campaigning

Play England seek to work in partnership with like-minded people and organisations to achieve these aims. Play England also have many resources available regarding parks and outdoor play.

Making the Case for Play – Sense Public Inquiry

A 2016 public inquiry into the provision of play opportunities for disabled children with multiple needs, established in response to concern that disabled children had fewer opportunities to access play services and settings than families with non-disabled children, identified failings at every level that result in a disabled children missing out on opportunities that are vital to their emotional, social, and physical development. A lack of attention by government, insufficient funding at a local level, and negative attitudes towards disabled children and their families are all barriers highlighted in the inquiry.¹

The inquiry is not solely focused on outdoor play parks but is still an extremely useful resource to provide background information and perspective on the key issues faced regarding Play Park Accessibility.

Key findings within the inquiry included:

¹ Sense Public Inquiry, *Making the Case for Play*, February 2016.

- Play is vitally important for children with multiple needs, bringing a wide range of developmental and emotional benefits.
- Children with multiple needs face significant barriers to accessing play.
- 92% of parents surveyed felt their child did not have the same opportunities to play as their non-disabled peers.

The inquiry resulted in a large set of recommendations regarding inclusive play opportunities for children, please see some of the more notable recommendations for the Committee to consider:

- The Government should begin a national dialogue to promote the need for strategic local approaches on play. Local authorities should then be expected to draft and submit regional play strategies to the Department for Education based on local circumstances.
- The Equality and Human Rights Commission should investigate the exclusion of children with multiple needs from mainstream play settings. It should provide clarity on the current legal requirements for settings and take action to support enforcement of the Equality Act 2010.
- Local authorities need to make better use of data in order to identify the number of children with multiple needs who are living in their local areas. Health and Wellbeing boards should take the lead in pulling together regional data on provision and demand.
- Local authorities should be required to take action, as necessary, against play settings that intentionally exclude disabled children and fail to meet their legal duties under the Equality Act 2010.
- Local authorities should take a lead on increasing awareness and understanding of the general public and other parents about disabled children. This could be centrally funded by locally delivered.
- Local authorities should provide easily accessible information for parents to help them find out about existing play and support services. This should include signposting to potential sources of play and support soon after the child is identified as having multiple needs.

Play Safety – The Royal Society for the Prevention of Accidents

The Royal Society for the Prevention of Accidents (RoSPA), a charity working across occupational health and safety, and road, home, leisure, and education safety, have produced some guidance regarding the play safety.² The guidance includes information on the Equality Act, inclusion, why play is an important part of life, and basic play activities and design points.

The Equality Act requires reasonable provision to be made for equal opportunities for disabled people except where it affects the safety of others. The Act also applies to places where children play, such as play areas. It is illegal to treat disabled persons any less favourably than non-disabled persons.

The key word in the legislation, as set out by RoSPA, is the word 'reasonable'. The Act does not require all play areas suitable for disabled children as it is impossible to make a play area totally

² RoSPA, *Play Safety – Equality Act*, January 2020.

suitable for all form of impairment. However, all reasonable measures, bearing in mind safety of other users, must be taken to ensure a play area is as suitable for disabled children as possible.

RoSPA provide some definitions for clarity:

- **Impairment** – A physical or mental factor which affects the ability of the person. Only when an impairment is sufficiently severe to affect a person’s lifestyle can they be classified as being disabled.
- **Disabled Person** – A person who has an impairment which adversely affects their lifestyle. A Disabled Person is therefore is just someone whose level of impairment is greater than that of a non-disabled person.
- **Non-Disabled Person** – A person without any impairment that has any measurable effect on their lifestyle.

RoSPA, like many other organisations, identify play as an important part of life, essential to the physical and emotional development of a child. This remains just as true for disabled children as it does non-disabled children. Play parks should therefore be places where children of different abilities can meet and play together.

Integration and variety are the key factors regarding play parks, as children play together, they develop social skills and learn about behaviour, acceptance, and friendship. Modern thinking revolves around the concept of inclusion – meaning instead of a focus on a disability, inclusion concentrates on a child’s abilities. The tendency to focus on what a child can’t do should change to a focus on what the child can do, and this should inform policy around play.

RoSPA continue to state that play areas should be accessible to all people with an impairment. This includes learning difficulties, emotional and behavioural difficulties, visual and audible impairment, and mobility impairment.

Of course, due to the wide variety and complex nature of impairments it is not possible to design a single play area which is suitable for all forms of impairment.

Further details of the RoSPA guidance regarding play safety can be found on their website: <https://www.rosipa.com/play-safety/services/dda>.

Surewise article – *How Can We Make Playgrounds Safe & Fun for Disabled Children?*

Surewise, who provide guidance regarding risks and support in daily life produced an article in 2016 discussing how playgrounds can be made safe and fun for disabled children.³

The article states that whilst playgrounds are places of enjoyment for children, not all children can enjoy them because many playgrounds do not cater to special needs. Often, children with disabilities can be unintentionally discriminated against in public parks and playgrounds. Surewise sets out that there have been many cases of communities lobbying local authorities to improve accessibility in parks and open spaces.

A lot of equipment in playgrounds labelled as ‘universally accessible’ can often be misleading, particularly for children who rely on wheelchairs etc or/and with special sensory needs.

³ Hannan, Richard. *How Can We Make Playgrounds Safe & Fun for Disabled Children?* Surewise, October 2016.

Surewise state that there are many manufacturers who produce disability-friendly equipment, as well as designers with expertise in planning safe and accessible playgrounds for all children. When designing an accessible playground, a full understanding of the complexities of different special needs is vital, ensuring suitable spaces can be designed efficiently and safely. The idea is not only to provide a fun space, but also to provide a challenging space that will help disabled children develop skills and build strength and confidence.

As identified in the terms of reference, a site visit to an example of an accessible and inclusive play park would be beneficial to the review. Members should consider the most appropriate site to visit, with a view of conducting this visit in the new year, if COVID-19 restrictions allow.

Examples of Accessible Equipment

The Playpark Exeter is an inclusive playground where most of the equipment is wheelchair accessible and designed to encourage co-operative play. They have many different partners who supply this equipment.

The Playpark Exeter website provides some examples of accessible and inclusive equipment, including things such as:

- Wheelchair accessible seesaws/roundabouts/picnic tables/swings
- Sensory facilities, such as sandpits and chimes
- Information points for non-verbal visitors, braille, 'widgit' symbols

For full details of the accessible and inclusive equipment at the Playpark Exeter visit: <https://www.theplaypark.co.uk/play-equipment>.

NEXT STEPS

Members should consider what information is required to progress the review of Play Park Accessibility; this could include:

- Full details of existing play parks in Ashfield, including:
 - Any accessible or inclusive equipment already installed
- Details of the Green Spaces Capital Investment Programme, and any other plans of the Council for play parks and open spaces
- Examples of Council consultation exercises regarding play parks and new equipment
- Scoping for a site visit in the new year (if COVID-19 restrictions allow)
- Exploration of any partnership working opportunities

Implications

Corporate Plan:

One of the key priorities set out within the Council's Corporate Plan 2019-2023 is that the Council exists to serve the communities and residents of Ashfield. This should include ensuring accessible and inclusive services for all residents in Ashfield, including play parks and open spaces.

It is further set out within the Corporate Plan, as part of the ‘Cleaner and Greener’ priority, that the Council will:

- Review the standard of all parks, play areas and sports facilities
- Continue to improve parks and green spaces with a rolling programme of investment.

Legal:

There are no direct legal implications resulting from this report.

Finance:

There are no direct financial implications resulting from this report.

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Members have identified the potential lack of accessible and inclusive play park equipment in the District.	Members will be reviewing the facilities the Council currently has in place as well as the possibility of implementing equipment in the future.

Human Resources:

There are no direct HR implications resulting from this report.

Environmental/Sustainability

There are no direct environmental/sustainability implications resulting from this report.

Equalities:

There are no direct equalities implications resulting from this report. Members will be reviewing the play parks and open spaces in the District to ensure accessibility and inclusivity.

Other Implications:

There are no other implications resulting from this report.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

Report Author and Contact Officer

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