

Agenda Item	13
Report No	CP/41/21

HIGHLAND COUNCIL

Committee: Communities and Place

Date: 10 November 2021

Report Title: Investment in play parks and developing a play parks strategy

Report By: ECO Communities and Place

1. Purpose/Executive Summary

- 1.1 The Council has 338 play parks and over 2500 pieces of play equipment. The Council agreed in January 2021 that the budget and decision-making for play areas are devolved to Area Committees. Since then, officers have been working with Members locally to identify investment priorities for the play parks in their Wards.
- 1.2 Members agreed at Council in January 2021 that unspent Covid budget and any place-based investment funds could be allocated to improve playparks to support the four harms of Covid. Area Committees are deciding allocations and an update is provided in the report.
- 1.3 The Council agreed in September 2021 the motion agreed at the Caithness Area Committee of 12 August 2021 that the Council creates and implements a wide playground strategy that considers the needs and expectations of communities and supports the active play, wellbeing and social activity of our children and their families. This report recommends the approach to developing the strategy.
- 1.4 The Scottish Government made a manifesto commitment to renew play parks across Scotland, so that all children have access to quality play in their own community, backed by £60 million over the period of the Parliament. The first allocation is £5m of capital grant nationally for 2021/22. Highland Council's allocation is £234,000. This report proposes options for Members to consider for the distribution of that funding which can be enhanced by local placed based funds. Future phases of funding are yet to be determined.

2.

Recommendations

- 2.1 Members are asked to **NOTE:**

- i. the £415,013 local funds committed by Area Committees in 12 Wards by mid October 2021, supported by local place-based discussions and play parks information. Some of this is required to cover the costs of play park to enable play parks and play items to remain open;
- ii. the national principles, guidance and reporting associated with the Scottish Government investment for play parks renewal for the £234k capital allocated to the Council for 2021/22, with scope to carry this forward into 2022/23 and that future phases of funding are yet to be determined;
- iii. the play park renewal programme will extend for 4 years;
- iv. the need to develop wider engagement and evaluation plans to involve children and young people in Wards as well as sharing good practice and annual reporting to Government. This work needs to be supported and coordinated by a time-limited post with full costs recovered from the award; and
- v. play parks are within scope of the amenities review being considered by the Redesign Board and that as the play parks strategy develops progress reports will be considered by the Board before being finalised.

2.2

Members are asked to **AGREE**:

- i. the Council strategy for play parks is developed through:
 - a. the place-based review underway locally. This involves an understanding of the equipment and its condition and the usage of play parks and any potential alternative uses or ownership that may be considered. This will lead to local plans and investment priorities being agreed locally and within the context of Council budget availability alongside any other external resources.
 - b. a recognition that different areas will have different needs and resources available, so consistency in approach for a Highland strategy is supported by adopting Highland-wide principles for:
 - play areas to be safe;
 - play areas to be inclusive – both in design and use; and
 - play areas to be environmentally and financially sustainable.
 - c. the evolving local plans and gathering best practice to identify if any other common themes are emerging that can be developed as additional principles.
- ii. that the Scottish Government's play park renewal fund is apportioned to Area Committees as set out in option 3 of Appendix 4, i.e. 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% on rurality.

3. Implications

3.1 Resource

The current revenue budget for play parks is £176,900¹. This covers staff, plant and fleet, materials and some contractor costs. There are three dedicated technical staff in the play park inspection team, having in-sourced the function in 2020/21. Costs associated with supporting the engagement and reporting are estimated to be £15k in 2021/22 (pro rata for four months) and £45k for a year. There is no Council capital

¹ In 2021/22 there is an additional one-off developer contribution of £20k for a development in Easter Ross (Evanton).

budget. The backlog of repairs and replacement reported to Council in January 2021 was estimated to amount to £3.4m. The current estimate is £3.7m.

- 3.2 Since January 2021 Area Committees have allocated £415,013 for play areas in their Wards from their local funds and some Committees are yet to consider their allocations. Further place-based capital funding of £1.963m has been allocated to Area Committees from the Scottish Government's place-based investment programme as [reported](#) to the Economy and Infrastructure Committee in September 2021. Some Area Committees have been able to identify external funding to support their ambition to improve play areas in their Wards too.
- 3.3 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 Highland allocation and the phasing of the funding over the period have not yet been clarified.
- 3.4 The Scottish Government has stipulated that the engagement of children and young people is required for deploying the capital funding as part of the process of agreeing local priorities. In Highland this can include:
- schools and nurseries;
 - youth forums and Youth Parliament networks; and
 - the Highland Children's Forum which specifically engages with children with additional support needs, ensuring the importance of taking an inclusive approach and considering the needs of all children and young people.

Further work is required to develop and implement an effective Engagement and Communications Plan, evaluation, sharing good practice and reporting on progress and this needs to be resourced. For this purpose, a fixed term post is required at a cost of £15k for 2021/22 and an annual cost of £45k from a future allocation for full cost recovery.

3.5 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.

- 3.6 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.

3.7 Community (Equality, Poverty and Rural) implications

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 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.

3.8 Climate Change 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.

3.9 Risk implications

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

3.10 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.

3.11 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 to carry uncommitted expenditure forward into 2022/23.

3.12 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 and developing the strategy for play parks

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 underway and being taken forward in discussions with Members locally, with any reporting required to the Area Committee. 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 It is therefore proposed that the Council strategy is developed from the place-based work underway. This involves an understanding of the equipment and its condition and the usage of play parks and any potential alternative uses or ownership that may be considered. This will lead to local plans and investment priorities being agreed locally and within the context of Council budget availability alongside any other external

resources. Different areas will have different needs and resources available, so consistency in approach for a Highland strategy can be supported by adopting Highland-wide principles for:

- play areas to be safe;
- play areas to be inclusive – both in design and use; and
- play areas to be environmentally and financially sustainable.

As local plans are developed, and best practice is gathered any other common themes emerging can be developed as additional principles; allowing the strategy to be developed bottom-up and learning from best practice.

4.5 Good progress is being made with discussions with Members locally. This involves sharing information about:

- the number of sites in each Ward;
- the condition of each site;
- the outstanding maintenance backlog costs associated with each site;
- the current budget available for each committee area;
- external funding opportunities for improvements; and
- opportunities for community involvement in re-using, owning and/or maintaining sites.

4.6 Discussions so far have also focused on:

- Member ambitions for play parks in their Wards;
- agreeing the priorities for their Ward, considering issues of inclusion;
- accepting that emergency repairs must be carried out to avoid play park equipment being removed or play parks being closed to ensure safe play for children; and
- in some areas agreeing an alternative use for a play park no longer needed.

4.7 There are good practice examples emerging already, with community food growing considered as an alternative use in Ardersier, community action and external funding creating new provision in Kyleakin and refurbishment of play parks ongoing in, for example, Ullapool, Reay, Edderton, Lybster, Staxigo and Watten.

4.8 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. The need for wider engagement is set out in the four national principles for the play park renewal programme and in the supporting guidance provided. These are attached along with the reporting template at Appendices 1, 2 and 3.

4.9 It is worth noting that play parks are in scope within the amenities review and this reports to the Redesign Board. The development of the play parks strategy will be reported to the Board.

5. Budget and investment

5.1 The revenue budget for play parks in 2021/22 is £176,900. This includes labour, plant and fleet, materials and some contractor costs. There is no provision within the current capital programme for play areas.

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 In the Council meeting in January 2021 the local funds highlighted that could be used for play park use were:
- 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); and
 - other local sources of funding with examples including coastal communities funding, Common Good funds, any appropriate national funding streams as well as local donations.

These funding options can all be considered for play parks and other local priorities. Members consider this in their Wards for decisions to be made in Area Committees.

- 5.4 As noted above, since then an additional capital fund of £1.963m has been allocated to Area Committees as part of the Scottish Government's place-based investment programme and £234k capital grant is allocated from the Scottish Government's play park renewal programme.
- 5.5 At the time of writing, some Area Committees have allocated £415,013 funds for play parks for 12 out of 21 Wards as detailed below. Other Area Committees are still to consider the resource priorities for the Wards in their area. Some of the money allocated will require to be spent on revenue maintenance, in particular the replacement of bark safety surfaces as there is no longer any service budget for this and without it play parks will close or play items will be removed. The funds available below can be spent either on revenue or capital items.

Ward	Covid Funds	Ward Place Based Investment
Ward 1	£0	£0
Ward 2	£0	£40,000
Ward 3	£0	£40,000
Ward 4	£0	£80,000
Ward 5	£0	£0
Ward 6	£15,000	£12,000*
Ward 7	£0	£20,000
Ward 8	£0	£0
Ward 9	£0	£0
Ward 10	£0	£0
Ward 11	£0	£0
Ward 12	£19,688	£20,000
Ward 13	£875	£50,000
Ward 14	£0	£0
Ward 15	£700	£0
Ward 16	£0	£55,000
Ward 17	£0	£0
Ward 18	£0	£10,000
Ward 19	£1,750	£0
Ward 20	£0	£0
Ward 21	£0	£50,000
Total	£38,013	£377,000

*funding for play officer

6. Options for allocating the play park renewal capital funding in 2021/22

6.1 For funding purposes, all Highland Council play parks meet the Scottish Government's eligibility for funding i.e.

“Local authority owned, managed or maintained sites, designated for play, which are free to access and open to all. Play parks in private ownership, those that require an entry fee or those only available to specific groups / with conditions for entry would be out with scope. We would expect that play parks with equipment (swings, slides etc) aimed at children aged 0-14 would be included as would other facilities used by the same age group (e.g. pump tracks), but MUGAs (Multi use Game Areas) or dedicated sports fields would be out with scope.”

6.2 This funding is for capital works relating to refurbishing play parks, and not intended for ongoing maintenance costs. Given the backlog for replacement of items, the focus will need to be on replacing play items rather than purchasing additional items. This is because there are revenue consequences for maintenance and inspection of purchasing additional new play equipment and these resources are constrained.

6.3 As noted above the Scottish Government has developed:

- nationally agreed principles against which spending plans should be developed. Key to this will be the engagement of children and young people as part of the process of agreeing local priorities (see Appendix 1);

- supporting guidance for renewal of play parks in Scotland. This sets out some practical steps Councils should take when considering delivery of the programme to renew play parks within their estate. This includes developing play park inventories, the importance of engagement, and prioritising playpark investment (see Appendix 2); and
- an annual report template to describe how the funding has been deployed. This will include information about the overall number of play parks in their estate, the number of parks identified for renewal, and the number of play parks that have been refurbished, the type of work that was undertaken and information about evaluation and engagement with Children, Young People and Families (see Appendix 3).

6.4 It is worth noting that the funding allows local authorities to consider investment in items other than play equipment to make visiting parks more enjoyable and inclusive. This is listed as extra seating, suitable surfaces, toilet facilities, planting, improved access points and circulation routes, and water fountains.

6.5 In allocating funds to Area Committees, where decisions are devolved, three options are shown in Appendix 4 for Members to consider. The allocation could be based on:

1. Option 1: play park condition measured by the % share of the total value of the maintenance/replacement backlog;
2. Option 2: applying the Scottish Government allocation method - 95% on share of 0-14-year-old-population and 5% on rurality (defined as share of population living outwith settlements of $\geq 1,000$); and
3. Option 3: a combination of options 1 and 2 above, using the mid-point between them.

6.6 There are pros and cons for each option as described below.

- Option 1: this provides a needs-based approach to play park renewal and aligns better with Scottish Government guidance on the need for renewal. It could be seen as aiding the prioritisation of play parks, focusing on where the need is greatest, and this could aid the local reviews. As above, it may mean that the value allocated to some areas would be insufficient to make an impact unless it was enhanced with other local funds. It does not take into account where decisions have already been made to remove items or close or change use for e.g. food growing. It does not reflect the distribution method for Highland in the national approach.
- Option 2: this follows the national distribution method. It is not needs based in terms of condition and it is not proportionate to the number of play parks. The inclusion of data on the young population is helpful, although it does not necessarily reflect the number of play areas within a specific community.
- Option 3: this reflects condition and is aligned with the renewal purpose of the funding and it reflects the total allocation made to Highland based on the national criteria used.

6.7 Option 3 is recommended for phase 1 funding. The renewal programme will be phased over four years and future allocations across Highland can be considered when the Highland allocation is determined.

National Principles for Play Park Renewal Programme

Principle 1: Children, young people, and families are best placed to inform what quality play looks like to them, and should therefore be involved throughout the process, from the review of parks through to helping design the renewal of individual play parks. This is in line with Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) which sets out that every child who is capable of forming his or her own views has the right to express those views freely. The views of children, young people and families provide valuable insight into how they interact with parks and facilities.

Principle 2: All children have the right to play under the UNCRC Article 31. Access to play should be as wide-reaching and inclusive as possible, ensuring that children, young people, and families have easy local access to play spaces where they feel safe and comfortable to use them. Inclusiveness looks different for everyone, so meaningful engagement with the children who will be using your play parks is fundamental.

Principle 3: Play parks and spaces should seek to bring together local communities, children and young people of all ages and abilities, creating a greater sense of place and cohesion. The design and renewal of play parks should be done in a way that best meets the social and environmental needs of communities and its children and young people.

Principle 4: The renewal programme will be strengthened by sharing and learning from best practice and making use of existing national resources. There are several other tools that can help local authorities to take a strategic and evidence-based approach to the design and renewal of their local play parks. Tools such as Play Value Assessments¹, an internal audit and inventory of play parks, and existing legislation and standards can provide a helpful basis for prioritising work.

Supporting Guidance for Renewal of Play Parks in Scotland

This guidance is intended to support local authorities in the delivery of the programme to renew play parks within their estate. The guidance is not statutory and is intended to provide a framework that local authorities can draw upon in the renewal programme.

The Inspiring Inclusive Design guidance could be used as a starting point on how to approach the design and the Catherine Street design brief provides a useful case study. The play sector nationally and locally (including Play Scotland) could provide further advice and guidance and could be engaged throughout the renewal process. Local authorities should consider whether new or replacement equipment is always the best answer, or if the use of existing nature or landscaping features could provide increased play opportunities.

In line with the national principles and existing practice, local authorities are expected to keep a comprehensive inventory of all play parks in their estate, the age and condition of each park and its equipment, and how they fit with the needs of local communities. As part of this process, local authorities should engage with children and families local to each park, listening to those that use the park and what they like about it, and those who do not use it and their reasons why.

The inventory will assist in assessing which play parks are in:

- Immediate need of renewal
- Medium term need for renewal
- Long term, or no renewal required in the foreseeable future

It is for local authorities to determine the prioritisation of parks for renewal under the suggested factors above, some additional factors they may wish to consider are:

- Length of time since built or refurbished
- Condition of equipment and other elements
- Feedback from children, young people and families
- Local community demographic profile
- Availability of other local play spaces
- Accessibility, inclusivity, and availability of additional facilities where appropriate

Local authorities should consider if they have adequate provision of inclusive equipment and other inclusive design features throughout their play park estate to ensure that the needs of their communities are met.

Local authorities should consider if work on inclusive parks should include features other than equipment that will support families to visit and enjoy the parks. For example, extra seating, suitable surfaces, toilet facilities, planting, improved access points and circulation routes, and water fountains may all help to make parks more inclusive, welcoming and enjoyable.

In order to ensure the renewals will meet the needs of disabled children and young people and their families, local authorities should engage with groups and stakeholders from this sector, alongside the children and families themselves, to

ensure they are making parks inclusive, and how to ensure disabled children and young people and those living with long term conditions or additional support needs in their local authority can all access and enjoy play parks.

It is recommended that in adhering to existing legislation, guidance and standards that local authorities are mindful of the following:

- Inclusion and accessibility, as per article 2 of the UNCRC that protects against any form of discrimination, and the public sector equality duty, ensuring all children will be able to reach and access a play park that they can fully enjoy, with particular consideration for disabled children and young people and those living with long term conditions or additional support needs.
- Play value, refurbished parks should take a balanced approach to the play opportunities on offer, providing an opportunity for stimulating play experiences
- Environmental sustainability, with regards to relevant ISO standards for equipment as well as how play parks connect with their natural environment and make a lasting difference in their community

Local authorities should build in ongoing evaluation to their play park renewal programme. As the funding runs until 2026, gathering feedback on refurbished parks will allow local authorities to inform future renewals.

Local authorities will be asked to report annually on how they have allocated their funding. This will include information about the overall number of play parks in their estate, the number of parks identified for renewal, and the number of play parks that have been refurbished and the type of work that was undertaken.

In addition, any feedback from the evaluation findings on the impact of the renewal (and how the renewal will improve access and quality of play) would be very helpful to inform future play policy developments at a national and local level and facilitate shared learning. The Scottish Government would welcome any evidence on children and young people's interest in outdoor play, how they use parks and any other emerging themes that might inform wider play policy. A reporting template is provided in Annex C.

Renewal of Play Parks in Scotland - Reporting Template

The Scottish Government made a commitment to renew play parks across Scotland, so that all children have access to quality play in their own community. It is recognised that the extent of renewal will vary across the whole play estate and will be influenced by local plans and investment priorities and engagement with children and young people. We would expect that the whole play estate will be considered and all play parks that have been identified for renewal in line with nationally agreed principles and influenced by local plans and investment priorities will be renewed.

Local authorities will be expected to report annually on progress using the reporting template below. The template should be completed by 1 March each year and sent to Christopher.russell@gov.scot.

Local Authority:

Funding Allocation:

Number of Play Parks in Estate:

Number of Play Parks identified for renewal: (renewal can include, introducing new equipment, replacing existing equipment, extra seating, suitable surfaces, toilet facilities, planting, improved access points and circulation routes, water fountains and other suitable measures to make parks more inclusive, welcoming and enjoyable)

Number of Play Parks renewed / updated using the funding in the reporting period:

If available, a brief description of the work undertaken:

Number of Play Parks refurbished since the start of funding period (September 2021)

Information about evaluation and engagement with Children, Young People and Families

Funding options for the allocation of the capital play park renewal funds by Area Committee*

Area Committee	No. of play parks	Current backlog value (replace /repair)	Option 1 Allocation based on Condition (Share of backlog maintenance / replacement)	Option 2 Applying Scottish Government (SG) Award Criteria - 95% on the share of 0–14-year-olds and 5% on 'rurality'	Recommended Option 3 Mid-point between Play Park Condition and SG Award Criteria
Badenoch and Strathspey	23	£122,650	£7,216	£11,732	£9,474
Black Isle	11	£121,720	£7,161	£9,626	£8,394
Caithness	51	£378,400	£22,263	£23,362	£22,813
City of Inverness	93	£898,867	£52,884	£79,449	£66,167
Dingwall and Seaforth	14	£61,006	£3,589	£13,097	£8,343
Easter Ross	33	£394,487	£23,209	£22,682	£22,946
Isle of Skye and Raasay	9	£103,324	£6,079	£8,845	£7,462
Lochaber	35	£968,478	£56,979	£18,859	£37,919
Nairnshire	9	£74,400	£4,377	£11,474	£7,926
Sutherland	39	£254,600	£14,979	£10,202	£12,591
Wester Ross, Strathpeffer and Lochalsh	21	£344,415	£20,263	£9,672	£14,968
Highland	338	£3,722,347	£219,000	£219,000	£219,000

*Area allocation total is £219k as £15K is required for programme support on local engagement and reporting in year 1.