

## PLAY AREA REPORT

### Decisions to be made:

Following the significant increase in Play Area inspection fees by Mid Devon District Council, the Parish Council is to consider whether to retain some or all of the play areas leased from them, the frequency of future play area operational inspections for those retained and the sourcing of an alternative provider to carry out the inspections.

### Background

The Parish Council is currently responsible for 6 play areas in Willand. Jubilee Field is partly owned by the Parish, with the football pitch area leased from Mid Devon District Council. The other 5 play areas are wholly leased from Mid Devon.

The Litter Picker currently undertakes weekly inspections, which are recorded and sent to the Clerk monthly. A Mid Devon District Council officer carries out monthly operational/safety inspections and provides reports to the Parish Council, and annually there is a full RoSPA inspection. The Parish Council currently pays Mid Devon for the monthly and annual inspections on each area. The fees set for 2024-25 will be an increase of 83% on the year 2023-2024.

### Inspection Fees

In the financial years 2021-22 and 2022-23 the Parish Council paid £1,157.88 per annum plus VAT for 5 play areas to be inspected (excluded Chestnut Drive as the agreement was to start charging following completion of the refurbishment), this was paid twice a year, each instalment being £578.94 plus VAT.

For 2023-24 the Parish Council budgeted £2,000 for play area inspections due to an increase in fees. The proposed fees were £1,910.88 plus VAT. For the first 6 months the Council was charged at the old rate of £578.94 plus VAT, and for the second half of the year, charges were £955.44 plus VAT, which was at the new rate plus the inclusion of Chestnut Drive following completion of the refurbishment. The total paid for the year was £1,534.38 plus VAT. Compared to the previous 6 months this was a 40% increase (after removing the Chestnut Drive fees).

For 2024-25 Mid Devon is proposing an increase to £2,808 plus VAT, which is an 83% increase to that paid in 2023-24, and a 47% increase on the last 6 months of this financial year; in real terms our inspection costs have increased by 142.5% since the first 6 months of 2023-24.

### ***Table of charges per inspection by Play Area***

<b>Play Area</b>	<b>Charge up to 30/09/23</b>	<b>Charge from 01/10/23-31/03/24</b>
Chestnut Drive	N/A	£24.15 per month
Jubilee Field	£24.08 per month	£28.92 per month
Mallow Court	£17.25 per months	£24.15 per month
Orchard Way	£17.25 per month	£33.71 per month
South View	£20.66 per month	£24.15 per month
Worcester Crescent	£17.25 per month	£24.15 per month

### ***The proposed new monthly charges are calculated as follows:***

First Play Area inspected will be £84 plus VAT

Second Play Area - £50 plus VAT

Each Play area Thereafter - £25 plus VAT

As we have 6 play areas that will be: 1 x £84, 1x £50 and 4 x £25 – a total of £234 plus VAT a month, £2,808 plus VAT annually

## **RoSPA and Insurer Requirements re Frequency**

RoSPA recommend weekly inspections and quarterly operational inspections (the latter may be dispensed with if the weekly are sufficiently detailed), plus the annual RoSPA inspection as required by law.

Our Insurer is satisfied with weekly inspections and the legally required annual inspections.

The Parish Council could therefore consider altering the frequency of the current monthly inspections.

## **Play Areas – details of leases & spend to date**

***Note: 3 months' notice is required to terminate the leases***

- Chestnut Drive – Lease runs from 01/06/2022 – 31.5.2047. Only just refurbished with funds from Mid Devon. Prior to the Parish taking this on Mid Devon had indicated their intention to close the play area.
- Jubilee Field – Part owned by the Parish Council and part leased, the lease runs from 19/12/2016 – 18/12/2041.
- Mallow Court – Lease runs from 19/12/2016 – 18/12/2041.
- Orchard Way – Lease runs from 29/4/2019 – 28/4/2044.
- South View – Lease runs from 23/11/2017 – 22/11/2042.
- Worcester Crescent - Lease runs from 19/12/2016 – 18/12/2041.

Cost of Play Area inspections by financial year:

<b>Financial Year</b>	<b>Net Cost</b>
2016-17	£300.00
2017-18	£300.00
2018-19	£950.88
2019-20	£1,054.38
2020-21	£1,157.88
2021-22	£1,157.88
2022-23	£1,157.88
2023-24	£1,534.38

Leases for Mid-Devon Play areas commenced from December 2016 over a period of time until the last lease agreed at Chestnut Drive in June 2022. Charges for Mid-Devon inspections commenced in the financial year 2018-19. Prior to that the Parish Council was charged £300 per annum plus VAT for Jubilee Field - £25 per month plus VAT.

The Parish Council pays the cost of ongoing maintenance and repairs for each play area. New equipment to date has been paid for either by funding from Mid-Devon, Section 106 funds or Parish resources. Going forward Parish earmarked reserves and capital funds will need to be used although there are still some S106 funds available.

It is difficult and time consuming to separate out the maintenance and repair costs per play area prior to this financial year due to the way the accounts were recorded on the previous spreadsheet system. An overall cost is set out below for each financial year since 2018-19. This excludes inspection costs and capital costs to purchase new or replacement equipment.

<b>Financial Year</b>	<b>Play area repairs &amp; maintenance costs excluding inspections</b>
2018-19	£4,105.98
2019-20	£7,617.68
2020-21	£5,259.35
2021-22	£7,862.01
2022-23	£7,354.97
2023-24 to date	£7,303.71

**\*Excludes replacement equipment**

In recent years repairs and maintenance costs, excluding play inspections, has exceeded £7,000 per annum (other than during Covid in 2020-21). When inspection fees are factored in this increases costs to £8,500-£9,000 per annum.

### **Way Forward**

Options are:

- Continue as per existing arrangements and pay the amount requested by Mid-Devon.
- Alter the frequency of the monthly inspections to bi-monthly or quarterly as recommended by RoSPA or dispense with them completely as the insurer is satisfied with weekly and annually.
- Obtain quotes from alternative suppliers based on the frequency agreed and re-calculate the cost for Mid-Devon to undertake if the frequency is altered.
- Hand back some or all of the leased play areas and re-calculate costs for remaining areas based on Mid-Devon's charging formula and/or obtain alternative quotes.

Considerations:

- It is recommended that Jubilee Field is retained as a whole to ensure the same level of maintenance and care throughout and given that most of the equipment is within the boundary owned by the Parish Council. In addition, the Parish Council has an agreement with the air ambulance to use the field in the Mid-Devon area as a landing site.
- Given the recent refurbishment at Chestnut Drive, funded by Mid-Devon, it is recommended that this play area is retained.
- Concerns that handing back some or all of the play areas could result in closure or reduced maintenance, highlighted in the risk section below.

### **Alternative Suppliers**

There are other suppliers in the market from whom we can obtain alternative quotes. The Clerk had an initial conversation with Cullompton Town Council who undertake their own inspections, other than the annual RoSPA which they contract out to a suitably qualified provider, and they may be able to carry out the Parish inspections currently undertaken by Mid Devon and will provide a quote once it is decided on the frequency, subject to full details of our requirements and their capacity.

### **Risks**

1. Altering the frequency of inspections might increase the risk of defective play equipment potentially leading to injury or harm, increased costs, insurance claims, legal action or action by the Health & Safety Executive and affect the Parish Council's reputation. In mitigation the weekly inspections would always continue so any medium or high risk issues should be spotted in a timely fashion. The legally required RoSPA inspection would also be undertaken and if a lesser frequency such as bi-monthly or

quarterly was approved for additional inspections these would still be more frequent than required legally or by the Council's insurer.

2. The quality of inspections might reduce. The Parish Council will need to ensure that any alternative supplier is suitably qualified and referenced.
3. Handing back play areas to Mid-Devon may result in their closure or maintenance at a lower level than provided by the Parish.
4. There is the risk of reputational damage if the Parish makes a decision that results in injury or harm, additional costs and insurance claims, legal action or the closure or reduction in maintenance of the play areas.

**Debbie Bird, Clerk to Willand parish Council**  
**25<sup>th</sup> January 2024**