

EAST AYRSHIRE COUNCIL

CABINET - 27 JANUARY 2010

**OUTCOME AND RECOMMENDATIONS FROM THE CALLED-IN DECISION OF
CABINET - 18 NOVEMBER 2009: PLAYPARK INVESTMENT PROGRAMME**

Report by the Chair of the Governance and Scrutiny Committee

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the recommendation of the Governance and Scrutiny Committee of 18 December 2009 in respect of the called-in decision of Cabinet relating to the Playpark Investment Programme.

2. BACKGROUND

- 2.1 The Cabinet, at its meeting held on 18 November 2009, considered a report by the Executive Director of Neighbourhood Services which sought approval for a prioritised programme of playpark investment across East Ayrshire.

- 2.2 The Cabinet meeting agreed:-

- (i) to approve the proposed priority programme for playpark investment as detailed within the report by the Executive Director of Neighbourhood Services; and
- (ii) otherwise, to note the contents of the report.

- 2.3 A request to “call-in” this decision of Cabinet was subsequently received by the Chief Executive on 26 November 2009. Signatories to the call-in request were Councillors Barney Menzies, Robert Keohone, Neil McGhee, John Knapp and Gordon Cree.

- 2.4 The decision was “called-in” because of issues associated with “the collating of information and the rationale behind the priority listings”.

3. CONSIDERATION OF THE “CALLED-IN” DECISION

- 3.1 The “called-in” decision was considered at the Governance and Scrutiny Committee on 18 December 2009.

- 3.2 Councillor Barney Menzies spoke in support of the reasons for the call-in. He stated that the process associated with preparation of the previous priority list for playpark investment had included consultation with the respective local Members but that this had not been the case in the preparation of the priority list which had been presented to Cabinet on 18 November 2009; no evidence had been presented within the Cabinet report of consultation with either local Members or local people.

- 3.3** Councillor Menzies also expressed concern about the nature of the “local knowledge” which had been referred to in the Cabinet report and which had been utilised in preparation of the proposed priority list. Councillor Menzies expressed the view that this was not satisfactory and that there was a need to ensure that all relevant local information, particularly with regard to location, be ingathered and taken into account in preparation of a priority list for playpark investment.
- 3.4** Councillor Menzies, by way of example, made reference to the playpark at Craigens Road, Netherthird, which was included within the proposed priority list, and advised of concerns which he had, and which had also been drawn to his attention by members of the local community, regarding location of this facility which is in close proximity to a roadway, goods yards and shops, and contested that consultation with the local Members and local people would have clearly identified these risk factors which could then have been taken into account in determining the location of this facility.
- 3.5** Councillor Robert McDill, Spokesperson for Environment and Regeneration, highlighted that the consultant’s report referred to in the Cabinet report focused on health and safety factors associated with those playparks which had not yet been redeveloped, and confirmed that other factors had been taken into consideration in the preparation of the proposed priority list. These other factors were set out in detail within the Cabinet report and Councillor McDill, by way of example, referred specifically to the inclusion of a site at Greenside, Newmilns rather than Clearmount in Newmilns since the former is a central site which is more easily accessible; at Strandhead Park, Stewarton rather than Merrygreen Place, Stewarton in order to complement the proposed development of new sports facilities at Strandhead Park; and Minnoch Road, Bellsbank, as the preferred site of the two existing sites referred to within the consultant’s report in Bellsbank.
- 3.6** Councillor McDill also confirmed that it was anticipated that within the funds currently available within the Capital Programme, six or seven playpark installations could be carried out over the period 2009/10 through to 2015/16, and that the proposed priority list of installations submitted to Cabinet represented a fair distribution of facilities throughout communities, following on from the first tranche of playpark redevelopment which had already been carried out.
- 3.7** The Head of Leisure Services suggested that preparation of the priority list for the playpark investment programme was subject to a range of factors. He also confirmed that the “local knowledge” referred to in the Cabinet report was in the form of feedback from officers involved in maintenance of playparks and ad hoc complaints and issues raised by Elected Members and those in the local community over a period of time, and “local knowledge” in this form had been reflected within the Cabinet report.
- 3.8** The Head of Leisure Services also confirmed that the consultant’s report referred to in the Cabinet report took clear cognisance of the health and safety

issues associated with existing undeveloped playpark facilities and confirmed that the proposed priority list presented to Cabinet did take cognisance of other factors as highlighted by the Spokesperson for Environment and Regeneration and, in this connection, made specific reference to the Piersland Park facility in Kilmarnock which featured as the first priority within the proposed priority list submitted to Cabinet on the basis that this is a high profile site on a well used open space located off London Road and access to alternative playpark facilities requires the crossing of main roads.

3.9 The Head of Leisure Services further confirmed that there were no immediate health and safety issues associated with any of the Council's playparks which were subject to weekly inspections by Outdoor Amenities staff. There would also be an opportunity to alter the location of any of the featured play areas within a particular community, if necessary or appropriate.

3.10 Members of the Committee then had the opportunity to put questions to, and seek clarification on matters raised, from the signatory to the call-in, the Spokesperson for Environment and Regeneration and the Head of Leisure Services.

4. SUMMARY OF ISSUES

4.1 Arising from the written and verbal submissions made, the question and answer session and the subsequent debate, the following relevant issues were highlighted:-

- concerns regarding the lack of consultation with local Elected Members in preparation of the proposed priority list for the new play park installations as set out in the Cabinet report, and about the nature of the "local knowledge" which had been utilised in preparation of the proposed priority list;
- that appropriate consultation with Elected Members and local people would ensure that all relevant local information, particularly with regard to location, could be ingathered and taken into account in preparation of a priority list;
- whilst recognising that the consultant's report referred to in the Cabinet report focussed on health and safety factors associated with those playparks which had not yet been redeveloped, other factors had been taken into consideration in the preparation of the proposed priority list which included where certain sites were considered more appropriate over others in certain localities;
- "local knowledge" referred to in the Cabinet report was in the form of feedback from Officers involved in the maintenance of playparks and ad hoc complaints and issues raised by Elected Members and those in the local community over a period of time;
- there would be an opportunity to alter the location of any of the featured play areas within a particular community, if necessary or appropriate; and
- there were no immediate health and safety issues associated with any of the Council's playparks, which were subject to weekly inspections by Outdoor Amenities staff.

5. FINANCIAL/LEGAL/COMMUNITY PLANNING/RISK ISSUES

5.1 None arising directly from this report.

6. RECOMMENDATION

6.1 Having considered the written and verbal submissions made and following discussion, the Governance and Scrutiny Committee agreed to refer the matter back to Cabinet with a recommendation that consultation be carried out on the location and usage of playpark facilities and the type of equipment to be provided, involving the respective local Members, residents in the immediate vicinity, Community Councils and such other community groups as considered appropriate by officers, and thereafter to determine a new priority list for park installations.

Councillor Tom Cook
Chair of the Governance and Scrutiny Committee

SN/FM
12 January 2010

LIST OF BACKGROUND PAPERS - NIL

Any person wishing further information on the report should contact Bill Walkinshaw, Head of Democratic Services on Tel No (01563) 576135.

Implementation Officer: Bill Walkinshaw, Head of Democratic Services, in terms of the call-in procedures.