

## **EXETER CITY COUNCIL**

### **SCRUTINY COMMITTEE - COMMUNITY 4 SEPTEMBER 2007**

#### **EXECUTIVE 18 SEPTEMBER 2007**

#### **NEW INCLUSIVE PLAY AREA AT KING GEORGE V PLAYING FIELD**

##### **1. PURPOSE OF REPORT**

- 1.1 This report seeks in principle approval for Exeter Mencap to create a new inclusive play area at King George V Playing Field (KGV) in Countess Wear and to agree to a temporary disposal at less than best consideration to facilitate the scheme.

##### **2. BACKGROUND**

- 2.1 Exeter Mencap approached the Council in autumn 2006 with a proposal to provide a play area that would truly be suitable for both able and disabled children. A particular feature would be high fencing and appropriate gates that would prevent older autistic children from running out of the play area. The gates would remain unlocked at all times, but would be designed such that good dexterity is required to open them.
- 2.2 A number of possible sites were considered by Exeter Mencap, and it was decided jointly with the Council that the eastern corner of KGV would be the most suitable (see attached plan).
- 2.3 Exeter Mencap will apply for £250,000 of lottery money from the Playful Ideas funding stream, along with contributions from elsewhere. If the funding is approved, the lottery will require that the play area must be leased to Exeter Mencap for 10 years, and Exeter Mencap will be responsible for managing the play area throughout that period.
- 2.4 The equipment and other features will all be approved by the Council and will be broadly of similar durability as items that can be found in the Council's play areas. Almost without exception the equipment has been chosen by Exeter Mencap in order to be suitable and accessible for people with disabilities. This does not preclude non-disabled people from using the same equipment.
- 2.5 At the end of the lease, ownership of the play equipment would transfer to the Council.

##### **3. PROPOSAL**

- 3.1 It is proposed that the Council offers to make the land available at no charge via a 10 year lease. This would be a formal disposal of the land, which would allow Exeter Mencap to submit its funding bid with certainty that a suitable site will be forthcoming.
- 3.2 At this stage it is understood that the lottery will require Exeter Mencap to take ownership of the play area and to be involved in its routine management. As the Council maintains more than 60 play areas in the City it would be sensible and efficient for maintenance and day to day management to be undertaken by the Council, with play events and promotion of the play area being undertaken by Exeter Mencap. However, the

Council's involvement in maintaining and managing the play area needs to be looked at, as the lottery may not be satisfied with such an arrangement. Before any disposal took place the Council will need to be satisfied that the maintenance and management arrangements for the play area are satisfactory.

- 3.3 The Council has already agreed to a new community hall being sited in the east of KGV, subject to satisfactory funding from a number of partners. It is proposed that, as long as Exeter Mencap secure the necessary funding, the inclusive play area goes ahead as soon as possible regardless of whether the community hall project comes to fruition. The attached plan illustrates how the play area would fit into the site with or without the community centre. Either way, a path to the play area would be needed.

#### **4. IMPLEMENTATION**

- 4.1 KGV is owned by the Council, but the land is held in trust and there are conditions over how it may be used. The National Playing Fields Association (NPFA), which oversees all of the country's King George V Playing Fields, has verbally indicated that the proposed inclusive play area is ideal use of such an open space and although formal consent will be needed it anticipates that there will be no problem with the granting of the proposed lease. Consent of the Department for Communities and Local Government will also be required. In addition, there is a formal advertising process to be followed in connection with the disposal of land held for open space purposes and consideration must be given to any representations received.
- 4.2 It has been confirmed that planning permission will be needed for the play area. The planning application will be submitted by Exeter Mencap with assistance in terms of plans and specifications coming from the Council. If Sport England object to the planning application it will need to be referred to the Government Office for the South West.
- 4.3 There will need to be consultation with neighbours with a view to trying to address any concerns they may have. The only immediate neighbour is the Countess Wear Lodge hotel. They, along with the closest residents, have been informed of the proposals and their feedback will be reported to the committee.

#### **5 RESOURCE IMPLICATIONS**

- 5.1 In these circumstances the Council is entitled to dispose of the land at less than best consideration on the grounds that the scheme will clearly contribute to the social wellbeing of the community. It is proposed that the annual rental of the lease be a peppercorn, this representing an undervalue of £1,500 per annum (being the market rental value of the land).
- 5.2 The cost of inspecting and maintaining the play area is estimated at approximately £1,500 a year, assuming that no items of equipment need to be replaced during the first 10 years. The Parks & Open Spaces maintenance budget will need to be increased by this sum if it is invited by Exeter Mencap to maintain the play area. This could be funded by the project, by Exeter Mencap or by the Council.

## 6. EXETER CITY COUNCIL OBJECTIVES

- 6.1 In this case such a disposal furthers the Council's own strategic aims. The Leisure Strategy refers to the two shared priorities,
- improving the quality of life of children, young people, older people and families at risk
  - promoting healthier communities and narrowing health inequalities
- 6.2 In the play section of the Strategy, the outcomes which the Council is working towards are listed as including the completion of a network of fixed play provision for children and young people, including more adventurous play, and the support of community-led play development and improvement.
- 6.3 Assisting with the development would also meet the Council's objectives in providing equal access to all sections of society, and promoting inclusion generally.

## 7. RECOMMENDED that:

- 1) the Council approves the principle of leasing approximately the area shown on the attached plan to Exeter Mencap for a period of 10 years at a peppercorn rental (representing an undervalue of £1,500 per annum), and offers to maintain the play area during that period;
- 2) if Exeter Mencap's lottery application is successful the Council seeks the necessary consents for the disposal to go ahead, and if necessary funds the cost of maintaining the play area;
- 3) any representations arising from the public consultation on disposal be considered and if necessary addressed by the Heads of Leisure & Museums and Estates in consultation with the Portfolio Holders for Environment & Leisure and for Economy & Tourism.

## HEAD OF LEISURE AND MUSEUMS

S:LP/Committee/907SCC3  
23.807

COMMUNITY AND ENVIRONMENT DIRECTORATE

**Local Government (Access to Information) Act 1985 (as amended)**  
**Background papers used in compiling this report:**

None