

Notice of KEY Executive Decision (Special Urgency)

Subject Heading:	Re-opening Play and Receptions areas in Parks and Housing Estates
Cabinet Member:	<i>Councillor Dervish</i>
SLT Lead:	<i>Barry Francis</i>
Report Author and contact details:	James Rose, x3868, james.rose@havering.gov.uk
Policy context:	<p>As part of the Havering Plan 2019 to 2020 within the Places theme:</p> <p><i>Making sure that our neighbourhoods are a great place to live by investing in them and keeping them clean, green and safe with access to quality parks and leisure facilities</i></p> <p>Within this priority an outcome for parks is:</p> <p><i>Havering has excellent leisure facilities and award winning parks</i></p>
Financial summary:	If the mini golf course remains closed there would be a modest saving.
Reason decision is Key	This will have an effect on every ward in the borough.
Date notice given of intended decision:	<i>2nd July 2020</i>

Key Executive Decision

Relevant OSC:	<i>Environment</i>
Is it an urgent decision?	Yes
Is this decision exempt from being called-in?	Yes – urgent decision, delay would seriously prejudice the Council's or the public interests.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1. Background

As part of the initial reduction of lockdown measures affecting parks in May an Executive Decision was prepared with the recommendations that the Lead Member approve the opening of the tennis courts, recommence fishing activities and remove any remaining tape from benches in line with Government guidelines. Agree that the other play and recreation facilities remain closed until Government advice on social distancing and lockdown measures change.

The further lifting of restrictions announced earlier this week includes play areas and outdoor gyms being able to reopen, if they can do so safely, from Saturday July 4th.

This report sets out the actions taken to date and proposes an approach in line with Government advice for other play and recreation facilities within our parks, open spaces and housing estates.

2. Play and Recreation Areas

2.1 Outdoor Gyms and Play Areas

Whilst these Playgrounds and outdoor gym areas have been closed there has been minimal maintenance taking place with only grass being kept under control and occasional litter picking following unauthorised use. To ensure they are ready for the public to use on the 4th we will be ensuring the grass is cut to an acceptable standard and safety inspections are carried out by the 3rd July.

2.2 MUGAs

Whilst there has been no specific mentioning of Multi-Use Games Areas (MUGAs) in the Guidance, officers understand all outdoor recreation facilities can re-opened so this would include these areas. Some authorities have already re-opened these areas on the basis that basketball is played on the courts.

2.3 Safe Use

The government have produced non-statutory guidance on how landowners can re-open play areas and outdoor gyms. However, this is largely impractical and cannot be realistically applied to public open spaces managed by local authorities. This is due to the significant amount of resources that would be needed to address these measures which would not categorically ensure the risk of virus transmission would be controlled. For example, if all play equipment was sanitised a person could still touch another surface in a park, e.g. bench, sign, bin, gate, fence, before or after they use the area.

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There are also measures suggested in the guidance which would not be possible to undertake, for example, using a booking system and spacing outdoor gym equipment further apart if necessary.

The advice from Public Health is that to ensure the public use all these areas safely messaging should be made available and signage on site advising people to comply with social distancing and to sanitise their hands before and after use for their own protection.

There is also a universal view from other local authorities that it is not feasible to clean our play and recreation areas and reasonable to advise users they should follow the user guidance on signage. A risk assessment has been produced to reflect this and appropriate notices will be displayed with the relevant information by each play area. Officers will also ensure the Council's social media platforms emit the same message.

A draft poster has been produced based on government and Public Health advice in addition with good practice from other authorities. This has been sent to Communications who have drafted a poster which accompanies this report. (see Appendix A) Messaging is also being drafted along these lines by Communications ready for the 4th July.

Whilst these areas have been closed there has been minimal maintenance taking place with grass being kept under control and occasional litter picking following unauthorised use. To ensure they are ready for the public to use on the 4th we will be ensuring the grass is cut to an acceptable standard and safety inspections are carried out by the 3rd.

We intend to open all play areas and MUGAs (outdoor gyms and callisthenics/parkour are not physically closed) early Saturday 4th and fix signage to the gates, notice boards and/or equipment where this is practical.

3. Hall Lane Mini Golf Course

The Government guidelines state:

Each venue, including council-owned sports facilities, should make their own decisions about when their facilities are ready.

Furthermore, Government guidelines regarding taking bookings (transactions which will apply for the pay and play nature of the course) state:

Booking in advance, online or over the phone is preferable. Where this is not possible, and a venue has staff available to take bookings (for courts or rounds, for example), consider mandating contactless or at least card payment, to avoid handling cash.

There is no system in place to take advance bookings or contactless payment facility at the course and when we have looked into this before it was decided that it was cost prohibitive. Therefore, it is considered to be unsafe to use solely cash for transactions at the course.

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We would also have to install a screen at the hut counter, provide the necessary PPE to staff who work there and clean shared equipment, e.g. clubs and balls.

Given the fact that the Council already have to subsidise the operation of the course, the additional expenditure to open at this time cannot be justified. Therefore, it is proposed to keep it closed until there are further easing of Covid19 related measures.

3. Communications

An effective Communications campaign is essential in order to continue to remind people of the need to comply with the Social Distancing measures and to ensure they fully understand how they should be using the play and recreation areas.

Where we are advising the public take certain measures it is also important to explain why. Actions currently in progress include:

- Updating posters and banners to reflect the advice when people are visiting a park during this Covid19 pandemic – with clear lines to engage visitors so they can take on board social distancing guidelines.
- Pro-active & reactive messaging on Council platforms such as social media [Twitter & Facebook], Living bulletin, internal communications bulletins and website [Parks service page], and information to be included in Leader’s blog for Living bulletin
- External media could be used for getting advice and our messaging across, e.g. Time FM, the Leader recording a message to be used in bulletins and his regular Recorder newspaper, online column and radio slot. We can also look at staff to be in short videos to get message across, e.g. Compliance team
- The time frame for further pro-active communications is to be confirmed.

4. Recommendations

For the reasons set out in this report and its appendix it is recommended that the Lead Member;

- 1) approves the opening of the play and recreation areas from the 4th July.
- 2) agree that the Hall Lane Mini Golf Course remains closed.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 2 of the Havering Council Constitution

The following functions may be delegated to individual Cabinet members by the Leader.

- (j) To consider and recommend plans in respect of the portfolio allocated.

STATEMENT OF THE REASONS FOR THE DECISION

Key Executive Decision

To comply with the Government directives for using public open spaces.

OTHER OPTIONS CONSIDERED AND REJECTED

Re-opening of Hall Lane Mini Golf Course

An alternative is to re-open the course but without an attendant and allow the users to play for free. One option would be that users would have to provide their own clubs, balls and tees. This would negate the need to employ an attendant and hence the cash handling and use of shared equipment.

Another option if the course is open free of charge would be to still employ an attendant to provide equipment. This would result in a worse financial position due to no income being received to offset staff costs in addition to the screen, PPE and cleaning materials.

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: James Rose

Designation: Parks Development Manager

Signature:



Date: 1st July 2020

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has had to significantly change the way it manages and delivers its services as an urgent and evolving response to impact arising from Covid 19. This report seeks approval for changing the way the council manages its play areas within parks, open spaces and housing estates.

The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do, together with the power under section 111 of the Local Government Act 1972 to do anything conducive, incidental or ancillary to or which facilitates any of its functions. The Council undertakes a number of functions and these include being responsible for open spaces under public health & open spaces legislation and the Local Authorities (Miscellaneous Powers) Act 1976. The Council is also under a duty as the owner and operator of public space under the Occupier's Liability Act 1957 to take reasonable steps to ensure it is safe for visitors and others entering the land.

By way of adapting to respond to the government guidance, the Coronavirus Act 2020 and The Health Protection (Coronavirus) Regulations 2020 the recommendations in this report demonstrate a proportionate response for the Council in an attempt to mitigate against those specific risks to public health whilst balancing the public needs.

FINANCIAL IMPLICATIONS AND RISKS

As the expenditure on the operating the mini golf course exceeds the income keeping it closed until Government advice changes would generate a modest saving (approximately £4000 PA).

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The mini golf course is staffed by agency employees therefore there are no implications for full time staff.

Existing staff will be able to fix the notices in place, monitor these areas and then replace as required.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Key Executive Decision

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

There are no specific Equality and Diversity considerations associated with this report.

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HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The reopening of play and recreation facilities will encourage increased levels of physical activity amongst children and adults in Havering.

The COVID 19 pandemic is a global and national emergency with serious impact on lives and socio economic activities. National guidance continues to recommend social distancing and hygiene measures, but has been relaxed to enable the reopening of play and recreation areas.

As described above, fully implementing the non-statutory Government guidance for reopening of play and recreation areas is impractical. However, to mitigate against the risk of transmission via surface contact points and decreased social distancing whilst using play and recreation facilities in Havering, signage and communications to encourage effective hand hygiene and maintenance of social distancing will be enhanced.

It is recommended that this signage encourages users to:

- Maintain social distancing from people outside of their own household or bubble
- Avoid touching their own face, other people, and surfaces outside of the play/recreation facility
- Wash their hands before and after use of the play/recreation facility

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____