



Haringey Council

Report for:	Cabinet 17 December 2013	Item number	
Title:	Play Streets		
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Ward(s) affected: All	Key		

1. Describe the issue under consideration

1.1 Haringey Council is committed to supporting local communities and to giving people opportunities to improve and celebrate their neighbourhoods. There has been a recent resurgence of interest across England in closing roads to allow children to play outdoors near their homes and there have also been a number of enquiries from Haringey residents regarding similar schemes. In response, the Council has been piloting an approach to 'play streets' and reviewing how this service has been implemented in other authorities. This report seeks approval to formally implement play streets across the borough in accordance with the policy and process as set out in this report.

2. Cabinet Member introduction

2.1 We are proud of Haringey's vibrant communities and of the strong sense of local pride that can be found across our borough. We are a family-friendly borough and as a council we're committed to empowering our communities and giving our residents the tools they need to enrich their neighbourhoods and take the lead on community schemes. Play streets offers local residents the opportunity to take control of their own street for a few hours once a week or once a month, giving children a safe and secure environment to play outdoors and offering neighbours

the opportunity to come together. The early schemes in Clarendon/Avondale and Pemberton Road have been a huge success and we know there is interest in the scheme from residents in other parts of the borough, which is why we're eager to give others the chance to try out play streets in their roads. This policy aims to make the process easy and cost free and to encourage participation, whilst ensuring that we meet our statutory responsibilities.

3. Recommendations

3.1 That Members:

- a) agree the implementation of Play Streets in the borough, and
- b) endorse the conditions of application proposed in Appendix 1, including that organisers are advised to obtain public liability insurance, but that it is not a mandatory requirement of the application.

4. Other options considered

- 4.1 Other cities and London boroughs, for example Bristol and Hackney do not charge for road closures. They close roads using the Town & Police Clauses Act 1847, which does not involve a direct cost.
- 4.3 In line with legal advice we will exercise powers under the Road Traffic Regulation Act (RTRA) 1984 Section 29, to prohibit traffic for the road to be used as a playground for children. The times and conditions of the prohibitions will be specified in the Order (i.e. one day per week for 3 hours). This requires the publication of a statutory notice and it is felt that the council can absorb the costs involved in handling applications.
- 4.4 The Council's insurance team feel that as play streets are a regular and ongoing event, that the application process should require organisers to obtain public liability insurance. Other cities and London boroughs for example, Bristol and Hackney recommend that residents obtain public liability insurance, but it is not a mandatory requirement of the application.
- 4.5 The experience of organisers of play streets is that the insistence of public liability insurance will act as barrier for the community in organising and operating play street schemes. The view of legal services is that the Council is simply carrying out its statutory duty in considering applications for road closures, and that it is not necessary to insist that organisers obtain public liability insurance.
- 4.6 They also consider the council's obligations under section 2(1) Local Government Act 2000 which makes it a duty of the Council to promote the economic, social or environmental well-being of the residents of its area. It is felt that the contribution that this scheme makes in terms of promoting the well being of children, empowering communities and supporting community cohesion, outweighs the risks associated with not making the need for public liability insurance mandatory.

4.7 Therefore it is proposed that the Council adopt the same approach as others, where organisers are only strongly advised to obtain the appropriate public liability insurance.

5. Background

5.1 The information gained from the pilot and the wider research has supported the development of this proposed policy. A summary of the key findings include:

- Haringey - A play street pilot initiative has operated in Haringey in Clarendon/ Avondale Road N15, since May 2013. This play street operates between 2.30pm and 5.30pm during daylight hours on the last Sunday of every month. A second play street now operates between 2pm and 5pm in Pemberton Rd N4, on every third Sunday of the month. The experience of those involved in setting up the pilot projects is reflected in this report.
- Bristol – The recent play streets initiative originated from Bristol, and was developed and promoted by Playing Out, a Bristol based information and advice resource for street play.
- Hackney – The London Borough of Hackney has been leading on implementing a number of play streets across their borough. The Hackney branch of Playing Out promotes these activities and provides support and training for residents interested in running play streets.

5.2 In developing this policy we have sought to ensure that setting up a play street is cost free and as easy as possible for residents to organise and implement, while also ensuring that residents are protected.

5.3 Feedback from the pilot scheme has been very positive, with residents keen to get involved and happy to endure minor traffic disruption in the interests of community benefit. The organiser of the Avondale / Clarendon Road scheme said neighbours had been supportive, adding: “This isn’t just about people with kids; it’s about the whole community enjoying the safer streets.”

5.4 Children were equally enthusiastic, with the following comments received from youngsters in Avondale/Clarendon: “It was fun going on my scooter and my bike and racing around.” “I loved riding on my bike and having water fights.” “Next time I want to bring all my toys from my house and play with them outside.”

5.5 It is intended that play streets are run entirely by residents. The council’s involvement is intended to be limited to the statutory aspects of closing those roads to enable communities to lead on schemes. Residents (organisers) are therefore fully responsible for the event and liable for any issues arising.

5.6 While every effort will be made to support applications for road closures, it is acknowledged that it would not be appropriate to close certain roads for play streets. It is essential that the council’s wider network management duty is not compromised.

- 5.7 The feedback from the pilot scheme is that residents would want to know up front those roads which would **not** be considered suitable for play streets. Therefore a list of those roads, which are predominantly the strategic and principal road network, or those without viable diversion routes, will be published on the council's website. This list is attached to this report as Appendix 2. As there are other complex considerations in relation to road closures, it is proposed that the Network Manager will decide to approve or reject applications.
- 5.8 Residents interested in running play streets have so far been referred to the Playing Out website, which includes a comprehensive step-by-step manual covering all aspects of organising play streets. Information on play streets in Haringey, including relevant information about road closures, licensing and community engagement will also be available through the council's website.
- 5.9 Play streets in Haringey will be further promoted and supported through communications, and engagement with residents and by establishing a pool of community volunteers to provide practical support and advice to those interested in setting up play streets in their own neighbourhoods.
- 5.10 The main conditions proposed for applications are set out in Appendix 1. Those conditions are consistent with those applied by other cities / local authorities. It is proposed that a majority support from households in the road or part of the road is required (no less than 60 %). The application pack also includes an indemnity clause that ensures that there can be no claim on the Council from any incidences arising.
- 5.11 The council will provide organisers with the appropriate temporary barriers and signs, but organisers will be required to erect them in advance of each road closure.

6 Comments of the Chief Finance Officer and financial implications

- 6.1 The Council will incur some costs of arranging road closures and thus would be entitled to charge for applications to recoup its costs. However, the costs of administering the process can be contained within existing budgets, meaning that charges can be waived.
- 6.2 However, if no insurance is obtained by the applicant and loss, damage, or injury occurs as a result of negligence by the third party, the Council's insurance would not cover any subsequent costs. Thus there is a risk that the Council may be asked for to help contribute to any costs arising, if the organising party does not have the relevant funds.

7. Head of Legal Services and legal implications

- 7.1 The power to make orders to prohibit traffic on roads to be used as playgrounds is contained in section 29 of the Road Traffic Regulation Act 1984. The procedure for such orders is identified in the Local Authorities Traffic (Procedure) (England and Wales) Regulations 1996.

7.2 The provision used by other local authorities in these cases namely section 21 Town and Police Clauses Act 1847 is inappropriate as that power relates to preventing obstructions in streets during public processions

8. Equalities and Community Cohesion Comments

8.1 Play streets is designed to support community cohesion and bring people together. There are no particular equalities issues arising from this report except to be aware of the Council's public sector equality duty when assessing applications and granting permits so that no section of the community feels excluded from the participating the scheme either as providers or as beneficiaries. Haringey Play Association will offer to support all sections of the community.

9 Head of Procurement Comments

Not applicable

10 Policy Implications

10.1 Proposals in this report introduce a new policy on the closure of roads for short periods of time on a regular basis to support children playing out.

11. Reason for Decision

11.1 To seek formal approval for the introduction of play streets and the conditions of application set out in the report. .

12 Use of Appendices

Appendix 1 – conditions of Play Streets applications.
Appendix 2 – List of roads unsuitable for Play Streets

13. Local Government (Access to Information) Act 1985