

Beckingham Parish Council

Minutes of the Extraordinary Parish Council Meeting held on Wednesday 16th December 2015 at 7.30pm

Present: Cllr L Tatton (LT), Cllr P Thorpe (PT), Cllr G Else (GE), Cllr P Wells (PW), Terry Brown/Parish Clerk (TB).

Karen Ashworth (KA) and Diana Johnson (DJ) for PPP, Rob Percy (RP)

Minute	Action
<p>15/85 Public Time</p> <p>RP talked of the vacuum created in Village life by the closure of Pack Horse and of the possibility of talking action by seeking to nominate it as an asset of community value using the Localism Act legislation.</p> <p>PT reminded the meeting of the petition started by Judd Ferrer at https://www.change.org/p/people-of-beckingham-saving-beckingham-s-packhorse-pub To date this has attracted 25 supporters. 21 people are needed to initiate a bid.</p> <p>PT recommended the use of an existing Community Asset i.e. the Village Hall to gauge the strength of long term support and action for a replacement to the Pack Horse and GE emphasised the ease of getting a suitable licence.</p> <p>KA stated that any replacement needed to have known and dependable opening hours and that this had been a problem with the attempt to run a Village shop.</p> <p>LT fully endorsed any community action in this problem but that the Parish Council would prefer to see that making use of the Village Hall</p>	
<p>15/86 Apologies for absence None</p>	
<p>15/87 Chairman' Announcements None</p>	
<p>15/88 Declarations of Interest None</p>	
<p>15/89 The Play Park Project</p> <p>LT clarified the Council's view (see full text here) emphasising that the current situation represents a tangible risk and one which has evolved without a satisfactory solution over a period of years.</p> <p>KA replied with the PPP view (see full text here) emphasising the desire to seek a compromise outcome but one that would not see the immediate removal of all the facilities.</p> <p>A wide ranging discussion followed and the main points were</p> <ul style="list-style-type: none">• The need for suitable notices around the site• An identification of the individual play items posing substantive risk.• The timing of the next annual inspection <p>This led onto to discussion about the future need for future liaison and communication between the Parish Council and the PPP for all parties to understand individual views and aspirations</p> <p>KA agreed to submit the PPP views on grass cutting to the next Parish Council meeting <u>Action KA</u></p> <p>KA agreed to submit the PPP view of their role in the provision and management of the play facilities <u>Action KA</u></p> <p>TB confirmed the inclusion of Committees as a standing item on all Parish Council meetings</p> <p>LT concluded the discussion with the view that the Council had no alternative but to temporarily decommission the site.</p>	

The Council unanimously resolved

- To inform parishioners of decision via the Bugle and the website
- www.beckinghamvillage.co.uk
- To temporarily decommission the site.
- To remove two items of equipment
- To erect signs
- To commission immediately an annual inspection and risk assessment.

Action PT and TB

Action all points TB

15/90 Finance

Invoices paid:

PT Christmas tree expenses	£99.87
LT Christmas tree expenses	£6.00
HMRC	£124.80

Bank balances at 28/11/15:

Money Manager	£273.01
Current Account	£15551.33

15/91 2016-17 Precept Arrangements

LT reminded colleagues of the need to think about this prior to the January 2016 meeting

TB to circulate a report prior to the January 2016 meeting

Action TB

15/92 Change of banking arrangements

The Council unanimously resolved to transfer the Council's banking arrangements from HSBC to Unity Trust Bank

Action TB

The meeting closed at 9.00pm

Date of next meeting Wednesday 20th January 2016

Lawrence Tatton's statement for the Parish Council:

Beckingham Parish Council Play Park Equipment

Since the play equipment was installed some 12/13 years ago there does not appear to have been a consistent, and regular maintenance regime, leading to a steady decline in appearance and condition. To an independent observer taking a hard objective look at the area, it appears to have an aura of neglect, a set of rusty goalposts, tired paintwork, plastic facades suffering from UV degradation, slippery flooring areas, missing swings, and an item in the middle of a pool of water.

After any Capital Investment there must be provision for Revenue expenditure in the years following, in order to maintain and keep the item in the required condition.

There has been no expenditure in the area over the last three or four years, landscape maintenance apart, other than the demolition of a dangerous "shed". Having said this, these comments are not intended as a criticism of previous or current councils, it must be accepted that decisions on expenditure have been made based on circumstances appertaining at the time that may well not be apparent at the moment.

It would appear that the current and previous councils have been steadily sleepwalking into the present situation.

It is also worth mentioning that the play equipment is not the only area that has suffered in this respect.

Therefore we must consider the duties that lay upon a Parish Council:

We have a Duty to maintain our assets, which in this case has not been fulfilled.

We have a Duty to manage the public purse, which we now need to consider.

We have a Duty of Care to the public.

Expanding on Duty of Care we have received the following advice:

The "Health and Safety at Work Act (1974)" puts a duty of care on Playground Managers and requires them to ensure that playgrounds are safe. Section Three of the 1992 Regulations under the Act also requires that a formal Risk Assessment be carried out on the play area. In addition to this most insurance companies now require regular inspection and indeed ask for proof of such inspections in the event of a claim. The new European Standard EN 1176 also requires at least one (preferably two) independent inspections each year and the Health and Safety Executive have indicated that they are likely to be enforcing this requirement by requesting to see a copy of the report in the event of an accident.

You are therefore recommended to institute the following inspection procedure:

- A SIX-MONTHLY or ANNUAL inspection carried out by an independent children's playground inspection expert.*
- A QUARTERLY Operational Inspection especially in popular playgrounds or at peak times. A competent person following manufacturer's instructions at all times should carry out any Maintenance or Remedial work.*
- A MONTHLY recorded inspection. This can be done by a member of the Management Committee, parish council, or any volunteer, but you are recommended to keep a "Log Book" recording that such inspections have taken place and indicating any defects found that require attention.*
- A DAILY or WEEKLY visual check*

*To this end we have started weekly recorded inspections of the area. This brought a debate about the definition of a Competent Person, in the industry that I worked in it was a defined as "Someone who has sufficient knowledge and experience to enable them to avoid danger and is **appointed in writing**"*

This matter has been clarified by Community Lincs who are offering courses in "Routine Play Area Inspection Training" with the award of a Rospa Certificate at a cost of £45 per person.

Further advice indicates that:

It is a legal requirement (which is being more strictly enforced than in recent years by The Health and Safety Executive) to have a Risk Assessment of your play area. It is important to have an initial assessment of risk on your playground undertaken by a playground specialist organisation, such as RoSPA. Etc.

Following an examination of these recommendations which appeared to us to be somewhat onerous, we have had extensive conversations with our Insurance Company has resulted in the following statement from Aviva:

Playgrounds and Amusement Devices

(1) If in relation to any claim You have failed to fulfil any of the following conditions, You will lose Your right to indemnity or payment for that claim.

You must ensure that in connection with playground and amusement devices

(a) all equipment, devices and facilities, including sand pits and paddling pools

(i) are manufactured and installed to the appropriate standard and maintained in good condition.

(ii) are inspected, by a competent person, at least weekly and all defects or risks to health or safety immediately rectified Or the equipment, device or facility taken out of use.

(b) You will erect where necessary suitable signs detailing any information that is necessary for the safe use of the equipment device or facility and clearly stating any restrictions on its use.

(c) You will determine where supervision is necessary and ensure that it is provided whenever the play equipment device or facilities are in use.

So the current council has inherited the position that we now find ourselves in and there comes a point where to continue to use or refurbish equipment that has reached such a level of decline becomes beyond being a financial reality.

We can see no other alternative, both on financial and safety grounds, other than to remove the current equipment.

This unfortunate position gives us all the opportunity to move forward and incorporate the lessons learned in future plans and financial strategies wherever they may be applicable.

Karen Ashworth's statement for the PPP:

Dear Parish Councillors,

The Play Park Project are dismayed by the recent news from the Parish Council in relation to the potential removal of the play equipment to save on costs of maintenance of the existing aged equipment and surfaces.

We accept that the roundabout is dangerous in the winter months and keeping it safe for public use is almost impossible and would agree to its removal for safety reasons. We would also agree to the removal of the old swing frame which currently has no swing attached. However we feel that removal of the other equipment would leave the park without any equipment at all which is not beneficial for the children who do use it. Whilst certain members of the Parish Council have not seen children on the park it does not mean that it is not used by children.

It is possible that the Play Park Project will not be successful in gaining funding for equipment and in any event it could take another twelve months for equipment to be in place if we were. This would therefore leave the park without equipment at all.

It is felt that the Parish Councils approach to dealing with tired equipment and dangerous surfaces should be one of maintenance not eradication. The costs are minimal, we believe that an estimate of £150 has been received as a one off fee, all play equipment requires some level of maintenance.

Regarding the cutting of the field we accept it is a large field and that John Daubney's quote was expensive due to the fact that he does not have the appropriate equipment for such a large area. However we hope that once the drainage is resolved the field can be used and rented out to football teams for events as a funding stream. It is a community resource and has always been maintained except under the current parish council who seem to prefer to gain funds from the field by using it for silage. The Queens Jubilee year made much of preserving playing fields for generations to come and this was part of the reasoning in the bid for drainage. The Play Park Project consider that regularity of cut is the way forward in managing the field. Diana Johnson has provided your clerk Terry with some suggestions on alternative providers with a quote in the region of £70 per cut plus VAT within the growing season. This is competitive in relation to previous year's costs which were in the region of £63 per cut plus VAT.

In relation to the annual inspection and weekly checks I understand from your minutes 15/82 from the meeting on 18/11/15 that it is minuted you have agreed the removal of play equipment. This was not the Play Park Projects' understanding of the discussion. In fact at the meeting, it was agreed that this would be discussed by the Play Park Project first and a quote would be sourced by Andy Brewer for removal before any further decisions were made.

We have not the time or the inclination to get into a battle with the Parish Council and if the Parish Council wish to continue to pursue this course of action in reducing the size of field cut and in removing all the equipment the Play Park Project will be handing in their notice as a group. We do not feel that the Parish Council is considering the needs of children in the village and we have worked tirelessly for 5 years to try and improve facilities for them with fundraising activities which have raised £3,500 and enjoyed by many residents in the village. Furthermore our bid writing was successful in raising a further £8,000 for the drainage.

In summary the Play Park Project would like you to confirm what your intentions are in relation to the removal of any of the equipment and would like to know when your meeting to agree the precept will be held as funds for cutting the field and maintaining the equipment will need to be agreed before your next meeting on the 20 January 2016. The Play Park Project want a full and frank discussion about the issues with all members present.

We shall await your comments

Yours Sincerely

Karen Ashworth

Chair of Play Park Project