



Title of report: Play Area Investment

Decision maker: Cabinet Member for Local Engagement and Community Resilience

Report by: Corporate Director – Economy & Environment

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Wards affected

All Wards

Purpose

The purpose of this report is to agree the draw down and approach to spending £1 million on capital investment in Herefordshire's play areas in financial years 2025/26 and 2026/27.

Recommendation(s)

That:

- a) **Approval is given to draw down and spend the £1 million capital budget for play area investment in 2025/26 and 2026/27; and**
- b) **Delegated authority is given to the Corporate Director of Economy and Environment to take all operational decisions over the lifetime of the project, to deliver the investment set out in recommendation (a).**

Alternative options

1. That this additional investment is not made and the Council continues to maintain Herefordshire's Play Areas in accordance with sound asset management practices but wholly within the maintenance allocations and funding made available by the Council.

Key considerations

1. Play areas are important for children's development, fostering physical, social, cognitive, and emotional growth. They provide spaces for exercise, social interaction, and imaginative play, helping children develop motor skills, build friendships, and learn problem-solving techniques and abilities. Herefordshire Council would like to see play areas improved to allow all children to use them, including those with special educational needs and disabilities.
2. Herefordshire Council is responsible for 64 play areas throughout the county. Several of these play areas require improvements, for example replacing old or failing play equipment and more general improvements for example improving the ground/surface to ensure the play areas are accessible and safe.
3. A capital fund of £1m has been made available from the Council's capital programme to be spent on play areas during the financial years 2025/26 and 2026/27. This is a one-off funding provision.
4. As of mid-2023, the estimated population of Herefordshire was 189,900. In Herefordshire, there are approximately 33,800 young people under the age of 18. Therefore, the number of people who would be able to benefit from this investment is significant.
5. The investment provides an opportunity for several of Herefordshire's play areas to be improved and play equipment brought back into operation. In order to ensure that the investment gets maximum, long term benefit, the Council is seeking to work with City, Town and Parish Councils to offer for the playgrounds to be asset transferred to local Councils alongside the capital investment, so that the local Council would be able to entirely manage and deliver the capital spend as well as have control over the long term future of the play area.
6. Herefordshire Council will engage with City, Town and Parish Councils to identify which wish to take advantage of this capital funding and enter an asset transfer process. Once this engagement has identified interested local Councils, officers will allocate the capital funds and commence the asset transfer process. This will enable the local Councils to begin a procurement exercise to identify their preferred supplier to design and build the play area. Officers will oversee the transfer of money and final allocations on completion of the procurement process and asset transfer process. Investment will be contingent on the asset transfer process being formally agreed.
7. Should the requests for investment (which meet the asset transfer criteria) total more than the available budget, officers and members will agree and undertake a prioritisation process to allocate the investment.

Community impact

8. The £1 million additional budget allocated for Play Area Capital Investment contributes to the Council Plan 2024-2028 ambitions, by giving all children the best start to their life and by enhancing our environment and ensure that Herefordshire is a great place to live.

Environmental Impact

9. The investment seeks to deliver the council's environmental policy commitments and aligns to the following success measures in the Council Plan 2024-2028.
 - a) Ensure that residents can live healthy lives within their communities.
 - b) Value nature and uphold environmental standards.

- c) Tackle inequality and facilitate social mobility by focusing on early intervention and prevention activities that enable people to live independent and fulfilling lives.
- 10. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
- 11. The environmental impact of this proposal has been considered through the service specification and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions.

Equality duty

- 12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
A public authority must, in the exercise of its functions, have due regard to the need to –
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 13. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regard to equality legislation.
- 14. The play area capital investment will set out some clear principles with partners and contractors regarding making them accessible for all children, irrespective of their age and disability, this will include officers working with City, Town and Parish Councils to ensure accessible equipment is installed wherever possible. Plans and drawings will pay due regard to providing play equipment that is suitable for disabled and SEND children wherever possible. As a result, the play areas that are identified for investment and the subsequent works undertaken will be considered to have a positive impact on the protected characteristics of age and disability. The investment set out in this report is considered to have a neutral impact on the other protected characteristics.

Resource implications

- 15. The £1 million additional budget allocated for play area capital investment will involve play area improvements in several play areas across Herefordshire. Herefordshire Council officers will engage City, Town and Parish Councils in consultation following approval to establish a list of play areas the City, Town or Parish Council would like to improve and take responsibility for, through an asset transfer process.

16. Following the consultation process with City, Town and Parish Councils concluding, officers, in consultation with the Cabinet Member and Corporate Director, will review the consultation responses and begin to identify key sites for improvement throughout the county and clarify with the respective City, Town and Parish Councils that they are willing to take responsibility for the play area following an asset transfer process, which is deemed critical to this project. Following this review, written commitment will be gained from the City, Town or Parish Councils regarding the asset transfer process, with the assistance of Legal, and officers will allocate the appropriate levels of funding to the relevant City, Town and Parish Councils. This will enable local Councils to engage in conversations with suppliers, design the play areas they know is right for their residents and children and commence the work they wish to undertake in the play areas in their respective areas. The City, Town and Parish Councils will be responsible for ensuring their chosen contractor/supplier is paid upon completion of the works. Upon completion of the works, the City, Town or Parish Council will enter an asset transfer process.
17. The project will be managed by the service area.
18. Unique project codes will be allocated so that progress can be monitored and reviewed to enable reporting to relevant capital programme boards.
19. There are no implications to revenue funding as any future maintenance of the improved Play Areas will become the responsibility of the relevant City, Town or Parish Council following an asset transfer of the play area to them.
20. Project Management and Legal support may need to be called upon to assist with this project, particularly in relation to the asset transfer process. Therefore, £50,000 during this financial year and the next will be earmarked from this capital funding for this purpose as a contingency fund.

Capital cost of project	2025/26	2026/27	Future Years	Total
	£000	£000	£000	£000
Play Areas Capital Investment	500	500	0	1,000
TOTAL	500	500	0	1,000

Funding streams	2025/26	2026/27	Future Years	Total
	£000	£000	£000	£000
Corporate Funded	500	500	0	1,000
TOTAL	500	500	0	1,000

Legal implications

21. The delegation to the Corporate Director of Economy and Environment is permissible and allows the officer to make changes to the actual services delivered within the budget.

Risk management

22. The £1 million additional budget allocated for play areas capital investment will enable a reduction in the number of defects identified in play areas across Herefordshire.

23. Any risks will be managed at service level and escalated in accordance with the Risk Management Plan.

24. Risk / Opportunities:

Risk / opportunity	Mitigation
Demand / deterioration on Play Areas in Herefordshire is deemed significant and the budget is not sufficient.	Review within the overall annual and forward programme and deliver in line with the Council's priorities.
Environmental issues / constraints restrict project delivery in year.	Review and reprofile as required.
Deliverability due to rising costs and available resources.	Effective contract management processes will provide early warnings of such implications.
No City, Town or Parish Councils are prepared to take responsibility for play areas.	Ensure City, Town and Parish Councils are aware of the opportunity through effective consultation and support from officers.
Project management and legal resources are found to be required to support the delivery of this project.	As mentioned in this report at 20. a contingency has been put in place.

Consultees

25. As part of the revised consultation process for key decisions, a Political Group Consultation (PGC) was undertaken on 29th July 2025 with officers outlining the content of the report. In summary the proposal was largely accepted and welcomed, and comments were made regarding the need for more capital funding to be available to go further and include more play areas. Various matters were discussed, including:

- i. What maintenance funding sits annually in the Public Realm Contract for the ongoing maintenance and Health and Safety obligations that the council has for its 64 playgrounds, it was mentioned that the current budget for maintenance is insufficient.
- ii. How we ensure play areas in areas of deprivation are catered for.
- iii. Ensuring the capital money is provided upfront to allow City, Town and Parish Councils to see the works delivered, before the asset transfer process commences.
- iv. The requirement for other officers to be consulted, including those from Public Health to ensure a more strategic approach.
- v. This not being seen as a one-off programme. Rather, some members expressed that they would like to propose that this be a rolling programme over the next 5 years. Thereby giving smaller parishes, the time to get their heads around the possibility, and for the Council to allocate further funds to the initiative.
- vi. It was mentioned that £500,000 each year will not go far in facilitating asset transfer if the necessary investment could be of the order of £100k to bring a substantial playground up to a good standard of condition.

Appendices

None.

Background papers

None.