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on 19 February 2021

Hythe Town Council

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Report number F&GP 32/20

To Hythe Town Council
Date 18 February 2021
Status **Non Exempt**
Responsible officer Responsible Financial Officer

Subject **PLAY AREA STRATEGY 2020-2030 REPORT F&GP 32/20**

SUMMARY: This report is an update on the anticipated adoption from Folkestone and Hythe District Council on a number of smaller playgrounds in the Hythe district.

REASON FOR RECOMMENDATION:

The Committee is asked to agree the recommendations set out below because:-

- a) The Council is committed to provide key strategic recommendations when acquiring land to reflect local need.
- b) The Council is committed to protect, enhance and provide open spaces.

RECOMMENDATIONS:

- 1. To receive and note the report F&GP 32/20**
- 2. To discuss and accept the transfer of the Play Areas.**

INTRODUCTION

At FHDC's Overview and Scrutiny meeting held on 19 May 2020, Play Area Strategy 2020-2030 - Consultation Responses and Outcome Report No. C/19/48 considered the draft Play Area Strategy 2020-2030 as presented to Cabinet on 11/12/2019. The report detailed how high-quality play areas will be provided and maintained throughout the District over the next ten years.

The formal consultation began 20/12/2019 and concluded on 31/01/2020 with results being published on the District Council's website.

Maintenance, regular health and safety inspections and replacement of older equipment are significant ongoing costs being considered.

FHDC are looking to work closely with Town & Parish Councils throughout any asset transfers and will provide a 5 year maintenance dowry.

Providing play areas should be a function of all tiers of local government and local Councils have the power to acquire land such as Open Spaces and maintain under the Public Health Act 1987 s.164 and Open Spaces Act 1906 ss 9 & 10.

The Folkestone and Hythe Play Area strategy 2020-30 has been designed so that the District Council can direct resources to bigger, destination play areas allowing partners and other stakeholders to take on ownership of the smaller play areas - both SIPA and NSPA (Strategically Important Play Areas; Non-Strategic Play Areas). Recent discussions with Town & Parish Councils have proved positive

The four that FHDC want to hand over to HTC on a lease (length to be determined) are four small ones - Peregrine Close, Turnpike Hill and St George's Place (all deemed strategic within the strategy,) and one deemed non-strategic, Reachfields.

HTC has already established a working group and members conducted an inspection of the prospective play areas to ascertain future maintenance costs in comparison with FHDC's report

Further information has now been provided on the proposed play area strategy:

1. Could the leases be extended to 40 years or could there be a freehold option?
A 40 year lease is agreeable but FHDC are not in a position to offer the land freehold.
2. Can you confirm that the open spaces surrounding the play areas would fall under the management agreements? ie Turnpike
FHDC are willing to offer the land surround the play areas under the management agreement but are not able to offer an increase in dowry as it does not result in genuine budget savings to the council's grounds maintenance costs.
3. As FHDC are HTC's current Ground Maintenance contractors would these play areas be added to the contract as an extra cost for the remainder of the contract or would FHDC continue to maintain for a period as part of the handover?
FHDC can arrange for these parks to be the added to the Grounds Maintenance Contract. With regards to the grass areas outside of the immediate play areas, these are freely offered as part of the transfer proposal should the Town Council wish to adopt them We would need to look more closely at the exact transfer boundaries later, but this primarily relates to the land in front of Turnpike Hill play area and possibly surrounding Peregrine Close for example.
No additional commuted sums are proposed to maintain these plots of lands, the reason for this is that it would not result in an actual savings to the council in terms of reducing members of staff or less plant.
However, as part of the existing service agreement with Hythe Town Council the understanding that there will be no additional charge for cutting of the grass and that FHDC will continue to do so for the duration of the ground maintenance agreement. After which point the Town Council would be free to explore their options.
4. Will FHDC contractors still be collecting the rubbish from the bins?
As this has been agreed as part of other play area transfers, their contractor can continue to collect the litter bin waste.
5. The advertising and legal costs should be borne wholly via FHDC not HTC as this transfer has been instigated by FHDC.
With the ongoing transfers with other Parish/Town Councils both parties will need to pay their own legal costs in respect of land transactions which is standard practice for the council.

SUMMARY

With this up-to-date information Councillors are asked to discuss the report and recommend that Council accept the transfer of the Play Areas.

RISK MANAGEMENT

A summary of the perceived risk follows;

Perceived Risk	Seriousness	Likelihood		Preventative Action
FHDC do not transfer the smaller play areas to the Town Council and play equipment is removed.	High	Low		Hythe Town Council take over the play areas and open spaces and maintain them.

CONTACT OFFICER

If you have any queries about this report please contact The Responsible Financial Officer of the Council

Tel: 01303 266152 or email RFO@hythe-tc.gov.uk prior to the meeting.