



# EXECUTIVE MEMBER DECISION

<b>REPORT OF:</b>	Executive Member for Children, Young People and Education
<b>LEAD OFFICERS:</b>	Strategic Director of Children & Education (DCS)
<b>DATE:</b>	17 January 2024

<b>PORTFOLIO/S AFFECTED:</b>	Departments
<b>WARD/S AFFECTED:</b>	Bastwell and Daisyfield;

**SUBJECT: EMD Removal of unsafe play equipment Daisyfield Primary School**

## 1. EXECUTIVE SUMMARY

Concerns have been raised on the safety of the Play equipment on the land between Daisyfield Primary School and Young Peoples Services (YPS) Daisyfield Base, Moss Street Blackburn BB1 5JT, by the school and by members of the YPS staff team.

The land and equipment is used by the school up to 3pm term time and by the community at all other times.

Following a site inspection and numerous conversations between Daisyfield Primary School, YPS and Environments Team - led by DCS Jo Siddle and Director for Education Michelle Holt, a decision has been taken on health and safety grounds to remove old play equipment from the site and leave the ground level and safe.

## 2. RECOMMENDATIONS

That the Executive Member:

Authorise removal of all the play equipment and the levelling/conditioning of the areas affected with immediate effect.

## 3. BACKGROUND

Play Pathfinder funded play areas were located throughout the borough, with funding for equipment and installation coming from central government. There was never any accompanying maintenance budget, and the council has had to continue to find funds, where possible, to repair and keep these areas in safe order, with the Environment Department having responsibility for the sites.

Following a number of concerns raised by Daisyfield Primary School and Young Peoples Services staff; a Health and Safety review was conducted on site by the Environment Department.

The review included Environment leads, YPS management and site supervisor and the Head teacher and site supervisor from Daisyfield Primary School.

Following a close inspection of the equipment/associated woodwork and a detailed discussion, a unanimous decision was taken to remove the old play equipment and leave the ground in as good condition as possible – to enable new play equipment to be installed, should a funding source be identified. The advice from the Environments Lead was that the equipment had simply exceeded its life cycle and poses a risk to public health in its current condition.

Investigations into the availability of funding from existing budgets for the replacement of the play area equipment has not been successful and replacement are significant in comparison to removal

costs.

#### 4. KEY ISSUES & RISKS

- Health & Safety of school pupils
- Health & Safety of children and young people who reside in the surrounding area.
- Loss of a community play area
- Reputational risk to the council

#### 5. POLICY IMPLICATIONS

- Responsibility for supplying safe play areas

#### 6. FINANCIAL IMPLICATIONS

Finances for removal have been secured across Growth, Environments and Childrens Services budgets. Cost to remove equipment and repair ground estimated between £2k and £3k

#### 7. LEGAL IMPLICATIONS

Risk of legal action should an injury occur whilst using the equipment by school pupils, or the wider community.

#### 8. RESOURCE IMPLICATIONS

None

#### 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

#### 10. CONSULTATIONS

Given the decision is made on health & safety grounds, a local consultation is deemed unnecessary. The Exec member accepts responsibility for communicating decision to ward councillors

#### 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with

equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Jon McCaughey; Imran Akuji</b>
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<b>DATE:</b>	15/01/2024
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<b>BACKGROUND PAPER:</b>	n/a
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