

DAVID SHIMPE Clerk to the Council

Tel: (023) 8084 1411

Ext: 207

Fax: (023) 8084 2181

email:david.shimpe@btconnect.com

To:

Members of the Amenities Committee
and remainder of the Council for information

AGAME121

3 July 2007

Dear Sir/Madam

A Meeting of the **AMENITIES COMMITTEE** will be held at **The Grove, 25 St John's Street, Hythe on Monday next, 9 July 2007, at 8.00 pm** when your attendance is requested.

Yours faithfully

Clerk to the Council

AGENDA

1. Apologies for absence.
2. To sign the Minutes of the meeting held on 14 May and 4 June 2007.
3. To note any declaration of interest made by Members in connection with an Agenda item. The nature of the interest must be specified.
4. Public Participation Period.
5. Notification of any other urgent business to be raised at the end of the meeting.
6. Vandalism Report – 23 May to 27 June 2007.
7. To receive the notes of the Play Equipment Working Party held on Monday 18 June 2007.
8. Ewart Recreation Ground
 - i) Play Area – to consider the recommendations of the Play Equipment Working Party and to discuss the future arrangements for security.
 - ii) Recreation Ground – to discuss a request to park cars on the recreation ground during cricket matches. (Minute 186/06 (b) refers).

9. Noads Way Play Area – to consider a request to review the closing times.
10. Amenity Land at Bullrush Close – to consider a request to lease a piece of the land as an extension to a private garden.
11. Langdown Infant School site development – to discuss the proposed transfer of public open space and associated woodland and play area.
12. Any other urgent business concerning the committee.

Members – Amenities Committee

Mr J Bennett	Vice Chairman	Mr B Uglow	
Mr R Guy		Mr A Wade	
Mr G Jones		Mr M Wade	(ex officio)
Mrs M McLean	Chairman	Mr D Smith	(ex officio)
Mr M Short			

HYPHE AND DIBDEN PARISH COUNCIL

AGENDA NOTES

AMENITIES COMMITTEE – 9 JULY 2007

Item 6 Vandalism Report –23 May 2007 to 27 June 2007

The following is a list of vandalism for the period shown.

Forest Front Skate Park

A section of the perimeter fence was damaged and has since been replaced.

Cost to the Council £30.00

Floral Displays

A total of 129 plants have been damaged or stolen from the various displays around the parish. The locations that have suffered the losses include the Gateways in Dibden, Fawley Road, the flower beds at Mullins Lane roundabout, Clayfields Sports Centre and Prospect Place. All of the flowers have been replaced.

The cost of each plant is approximately £0.16p.

Cost to the Council £20.64

Total cost of vandalism from 23 May to 27 June 2007

The total cost of vandalism for the period shown is £50.64.

Comparison

The total cost of vandalism for this financial year is £1055.14 compared to £467.00 at this stage in the last financial year and £260.00 at the same stage in the financial year 2005/6.

Item 7 To receive the notes of the Play Equipment Working Party held on Monday 18 June 2007

The notes of the Play Equipment Working Party held on 18 June 2007 are attached. Members are requested to note the contents. Consideration of the recommendations will be discussed during item 8 i) on this Agenda.

Item 8 Ewart Recreation Ground

i) Play area – to consider the recommendations of the Play Equipment Working Party and to discuss the future arrangements for security.

a) All Members of the Council have received a copy of the analysis of the recent consultation process regarding Ewart Recreation Ground Play Area (attached). Members are invited to discuss their views and decide on the best way of publishing the results.

- b) Members are asked to accept the recommendation of the working party to present the analysis of the recent consultation process to the next meeting of the Safer Neighbourhood Policing Initiative. This is a multi agency approach to local policing which includes representatives from the local police, Parish Council, Handy Trust, ACSO's and local businesses.

The consultation analysis will provide the policing initiative with the information about how local people feel about the facility whilst confirming that there are some incidents of anti social behaviour.

It is anticipated that the group will provide feedback on the ways in which the area is being policed by the various agencies in order to deter anti social behaviour. This information can be discussed at the next meeting of the Play Equipment Working Party.

- c) As Members will be aware a security guard has been employed at Ewart Recreation Ground Play Area on a nightly basis in order to prevent the facility from being used after it is closed. At present there is no budget provision for the continued employment of the guard who has been employed for five hours a night, seven days a week at a cost of £341.25 a week.

If members wish to continue with a static guard or perhaps have a mobile patrol which could visit the play area on a predetermined number of visits at a cost of £7.80 per visit, this Committee will have to make a recommendation to the General Purposes and Finance Committee to reallocate the funding that was put aside for the fencing of Ewart Recreation Ground. (As an example a guard could visit the play area on 4 separate occasions in an evening to check on the facility at a cost £218.40 per week)

Members are asked to decide on the future provision of a security guard at Ewart Recreation Ground Play Area

- ii) **Recreation Ground – to consider the request to park cars on the recreation ground during cricket matches (Minute 186/06 (b) refers).**

At the meeting of the Amenities Committee on 4 June, the County Councillor, Brian Dash, requested that the Council reconsider the decision to stop cars parking on Ewart Recreation Ground during cricket matches.

Members are reminded that there is a Byelaw that prevents cars from parking on Ewart Recreation Ground with the exception of invalid carriages (a copy of the relevant clause is attached).

Attached is an up to date Risk Assessment and letters from some members of the cricket club and supporters.

Advice has been sought through Hampshire Association of Parish and Town Councils and from the Council's Insurers. The responses are attached.

The decision made on 5 September 2005 (Minute 162/05 refers) was taken as a result of a complaint received from a resident who was concerned about the cars being driven on the recreation ground and because of the Byelaws relate to the recreation ground.

Members are asked to consider whether they wish to reconsider the decision taken on 5 September 2005 and subsequent decision made on 4 September 2006 (Minute 186/06 (b) refers) which reinforced the decision made on 5 September 2005 and if so how they wish to proceed on the subject. The Agenda notes and the Minutes for the two meetings are attached.

Item 9 **Noads Way Play Area – to consider a request to review the closing times.**

During the last meeting of this Committee Cllr. Jones requested that consideration be given to closing Noads Way Recreation Ground later in the evening. The reason for this was to give young people somewhere to go during the evenings which in turn would help to alleviate the problems caused by young people in the North Road and Haynes Way area.

The opening and closing times for Noads Way Play Area are:-

April – September inclusive	open 8.15am	close 6.00pm
October - March inclusive	open 8.15am	close 4.30pm

Members may recall that when the play area opened in 2003 the summertime closing time was 8.00pm but this proved to be difficult to work with due to young people gathering in the play area and hiding from the guard when he arrived to close the area. It was resolved in 7 June 2004 to alter the summer closing time from 8pm to 6pm and it was agreed to keep this under review (minute 60/04 refers). Attached are the relevant Agenda Notes and Minutes for the committee meeting that was held on 7 June 2004.

Members are requested to decide whether to change the summertime closing time at Noads Way Play Area.

Item 10 **Amenity Land at Bullrush Close – to consider a request to lease a piece of the land as an extension to a private garden.**

Attached is a letter and a plan from a householder who lives in Bullrush Close, Dibden Purlieu. The householder is requesting to either purchase or lease the land depicted on the plan.

Members should note that the land was transferred to the Council as public open space and as such it should not be sold unless there is no amenity value to the land and also, if a lease is granted, the lessee may enclose the land by means of a wooden fence and the amenity value would be lost to the public.

Members are asked to consider the request.

Item 11 **Langdown Infant School site development – to discuss the proposed transfer of public open space and associated woodland and play area.**

Although the planning application for the proposed development at the land of Langdown Infant School, Hythe, has not yet been determined, New Forest District Council has asked whether this Council would be prepared to accept the responsibility for the long-term maintenance of this open space. The open space will include a small play area for young children.

An agreement in principle was made when the original set of plans were submitted for the site and this agreement was subject to this Council's involvement in the equipment to be used in the play area.

The revised plans have changed significantly with regard to the open space/play provision and this Council is now being asked to maintain the play area and associated open space which now includes an amount of trees.

Further information has been received regarding the S106 agreement which allows for £6,792.50 as a contribution towards the future maintenance of the open space together with £22,500 toward the future maintenance of the on site play equipment. It is anticipated that a report will be made on the trees and that there should be an associated management plan at the time of transfer and the developer would be expected to carry out any remedial surgery to existing mature trees prior to hand over.

At the moment, New Forest District Council's Open Space Co-ordinator is favouring some static wooden equipment in order to dispense with the need for safer surfacing and fencing. These items would be in place of the traditional swings and springer type provision. Initial thoughts suggest that these offer an aesthetic value but no play value and experience suggests that the swings and springer equipment is popular with the very young and encourages exercise. With regard to maintenance and durability there is a concern that the items will be defaced and vandalised. These structures will also be time consuming to maintain due to the need to mow and trim around them, they are also likely to be subject to damage caused when strimming around them which in time, causes major wear and tear problems.

Members are requested to consider whether to accept the open space and play area and if so whether there are any terms that should be considered i.e. type of play equipment.

Agzame121

Amenities Committee – 9 July 2007

Agenda Item 8 ii)

RESPONSE FROM ZURICH MUNICIPAL

Mr Roger Lloyd of Zurich Municipal, the Council's insurers, gave a telephone response to the query relating to the Cricket Club parking on Ewart Recreation Ground during cricket matches.

The answer is yes, the Council has ultimate responsibility and liability should there be an accident however, the likelihood of an accident should be the criteria for making the decision on whether to continue to allow the Cricket Club to park on Ewart Recreation Ground during matches.

If a child was struck by a car on Ewart Recreation Ground a claim would be made against the driver of the car however, there could still be a claim made against the Council under the Occupiers Liability Act.

As landowner, or trustee in this case, the Council would be the first port of call for any claim with regard the Ewart Recreation Ground. If byelaws are in place, they will simply serve to prove the case more quickly. This again falls under the Occupiers Liability Act. If the claim is considered to have been caused by the Cricket Club, then the Council could seek recompense from them therefore the Cricket Club should make sure that it has sufficient public liability insurance.

The fact that the Cricket Club have parked on the site regularly does not give them a right to park but the fact that this has happened without incident should be taken into consideration when deciding whether to continue to allow them to park on the grounds.

If the Cricket Club is given permission to park on match days then the Cricket Club must formally agree to pick up the responsibility for public liability insurance, safety, marshalling and temporarily enclosing the area on match days.

It can be minuted that the Byelaw is under review rather than rescind it stating that circumstances have changed since its introduction in 1999.

If a member of the public demands that the Byelaw be enforced then a review of the Byelaw should take place for the reasons given by the member of the public.

S. Krynicki
2 July 2007