

**Culture, Leisure & Recreation Committee**

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<b>Date:</b>	<b>4 June 2013</b>
<b>Title:</b>	<b>Entrance to Elms Park</b>
<b>Purpose of the Report:</b>	<b>a) To review the safety aspects of the entrance in Park Street b) To consider the installation of a barrier at this entrance</b>
<b>Contact Officer:</b>	<b>Helen Stewart, Town Clerk</b>

**Background**

The iron gates at the main entrance to Elms Park were donated by the Purser family for the opening of Elms Park in 1951. The entrance was re-configured in 2008 after one of the pillars had been damaged by a tractor turning into the Park.

Before the damage the main gates were always lodged in an open position and there were two very dilapidated barriers on the highway. In 2007, the Council considered removing the dilapidated barriers after having made enquiries with the Open Spaces Association and, it was confirmed that the barriers were not a necessity because the play area is completely self-enclosed and is about 200 yards away from the main entrance gate.

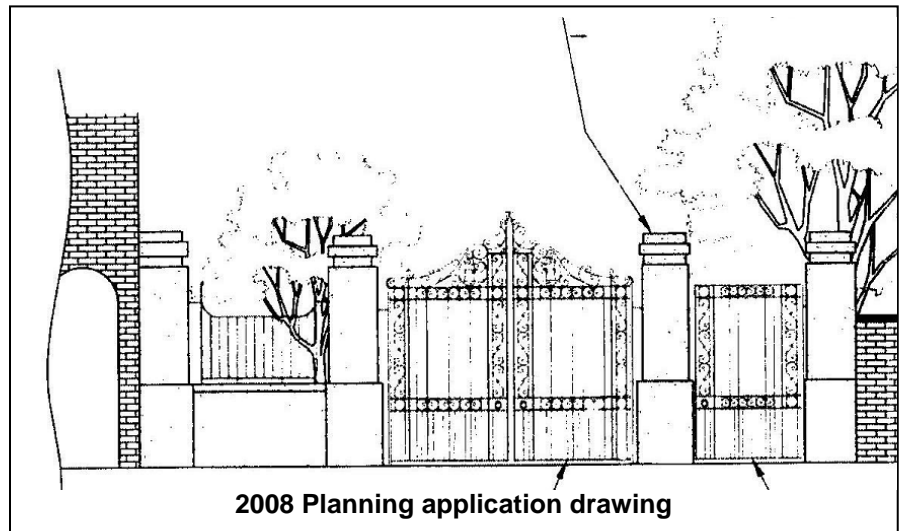


However, at that time the Open Spaces Working Group was looking at other options and proposed to the CLR Committee that if a pedestrian access was installed to the side it would allow the main gates to be closed. These could then be painted in gold and black to make passersby more aware of this little used facility.

Using a local company to draw up the plans, a planning application was submitted and granted in August 2008 for the removal of an existing dwarf wall and metal fencing to create a public access gate. The work to remove the wall and iron fencing and reinstate the main gates in a closed position was ordered at a total cost of £6336.

The plans that accompanied the planning application did show a matching iron gate in the public access entrance and the design and access statement when reviewed recently did refer to a self closing gate.

The mystery as to both of these points is still unresolved, there are no minutes agreeing the commissioning of such a gate and there isn't a matching one available from catalogues. The practicalities of the gate being self closing had also never been assessed from an access audit position either.



### **Safety Aspects of the Entrance**

The Council takes safety seriously and has an independent inspection by a qualified safety inspector of all the recreation areas every year. The entrance to Elms Park has never been reported to have any safety concerns in any of those annual inspections even after the changes in 2008. This is not only the opinion of independent safety inspectors, including ROSPA (The Royal Society for the Prevention of Accidents), but also the Open Spaces Association who in 2007, as at the beginning of this report, confirmed that the barriers were not a necessity even when both main gates were continually open, because the play area is completely self-enclosed and is about 200 yards away from the main entrance gate.

Although the safety inspections are an important part of informing the Council about any concerns, it also takes into consideration comments and complaints received through its complaints system and Councillor's Saturday Surgeries. The entrance, having been completed in 2008, has never been registered as a problem nor any incidents reported to the Council or the police. Elms Park during this time was also under a high level of scrutiny by the Neighbourhood Action Group (NAG), which was a police led initiative looking at issues of concern in the town. Elms Park was the highest priority for the NAG and the only safety concern raised about the entrance was the lack of lighting on dark nights.

It was not until four years later, in 2012 that a local resident began questioning the Council about the entrance and it started to receive attention, much of this by way of a petition instigated by the resident approaching people about the park. This was followed by the resident contacting the district council's Enforcement Officer. The Council, concerned by the recent comments about the safety of entrance and the Enforcement Officer's claim that the planning permission granted had not be complied with, commissioned a safety inspection specifically on the entrance to the Park and sought planning advice about the non compliance. Unfortunately for everyone who actually travelled to the district council offices, the matter was withdrawn on the evening of the Planning Meeting when it became apparent that there was no breach of the planning permission given. There was a comment from the district council's Conservation Officer about the painting of the gates and was of the opinion that the gold on the gates was out of keeping with the Conservation Area and they should be painted all black. The gates have now been painted all black and meet the recommendation made by the Conservation Officer.

The ROSPA Inspection April 2013 (Appendix 1) reports specifically on the entrance in regard to safety. It shows that the risk is considered low (page 4) and states that for cyclists leaving the Park the risk is increased to moderate, however, the byelaws of the Park state that no cycling is allowed.

The safety aspect of the entrance therefore is within the acceptable limits as for any public space and there are many examples of other facilities where access on to the highway is very similar and there are no barriers. Based on the Council's own risk management policy a low level of risk would not be acted upon and therefore a barrier has not been installed at this location.

The Committee is being asked to consider whether one should be installed anyway.

### **Options for a Barrier**

If the Committee decides that some sort of barrier should be installed there are a couple of options to consider (Appendix 2).

- a) A barrier placed on the highway outside of the park. This would require positioning so that access is not restricted for mobility scooters and double buggies and also so it is not an obstacle on the highway itself. Estimated cost £600.
- b) One barrier placed inside at right angles to the right hand gate as you look at the entrance. Estimated cost £300.
- c) A chicane barrier that would have to be again placed so as not to impede access to mobility scooters and double buggies. Estimated cost £350.
- d) A gate commissioned to match the existing gates with an auto close mechanism. Estimated cost has been difficult to obtain but it is thought could be at least £3000+.

### **Recommendation:**

#### ***The Committee is recommended:***

- i) To review the safety aspects of the entrance into Park Street and decide if a barrier is to be installed.***
- ii) If so decide on the option to pursue.***
- iii) Recommend the proposal to Full Council and that the cost of any such work be funded from the Capital Rolling Fund.***