

POTENTIAL DEVELOPMENT OF A BMX TRACK AT MEADOWS PLAYING FIELD
BENGULLION ROAD, CAMPBELTOWN

1. SUMMARY

This report follows a discussion of the Executive Meeting on 28 January 2010 to refer this issue back to the Area Committee.

2. RECOMMENDATION

That the Area Committee agrees that any lease offered to the Founders Group should be on a self maintaining basis with relevant insurance cover to be provided by the Group themselves.

3. BACKGROUND

- 3.1 On 28 January 2010 the Executive agreed to refer this issue back to the Mid Argyll, Kintyre and Islay Area Committee in order to investigate relevant options within the current area budget including the possibility of a lease to the Founders Group at less than market value which would be subject to Scottish Ministers consent.
- 3.2 Although perhaps not viewed as play in the traditional sense of swings and roundabouts, the activity on wheel parks is accepted by both Play Scotland and Play England within their definitions of play, therefore the site should be treated as would any other play area.
- 3.3 Construction costs aside, the estimated annual maintenance cost calculated for the proposed track is £2,360. This sum exceeds the entire annual play area budget for Mid Argyll, Kintyre and Islay, therefore cost of maintenance cannot be accommodated within existing budgets. No play area has yet been identified for closure to allow a transfer of inspection resources and no alternative budget could be identified for repairs and maintenance of the proposed BMX track.
- 3.4 After consultation, the council's insurance advisors have confirmed that a piecemeal insurance arrangement would not adequately protect the council from liability and that, should a lease be agreed, the Founders Group would also require to provide Public Liability insurance sufficient to indemnify the council against any claim.
- 3.5 Guidance on community partnership working and adoption of play areas in Argyll & Bute Council areas is guided by the 2004 policy which has three strands.
1. The council form a partnership and signed minute of agreement with a constituted community group to improve an existing council owned and operated play area.
 2. The council adopts equipped play areas provided a dowry of £20,000 or half the build cost of providing the area is paid to the council to provide for future maintenance. If this site is

developed by the community, it may pass into Argyll & Bute Council ownership and responsibility assuming any ground can be acquired at no cost to the council.

3. Argyll & Bute Council identify play areas that are beyond economic repair and/or are surplus to requirement. These sites should be identified for closure as part of a formal plan. The maintenance and inspection resources for any closed site would be available to be transferred to a new site. If this new site is developed by the community, it may pass into Argyll & Bute Council ownership and responsibility assuming any ground on which it is constructed can be acquired at no cost to the Council.

3 CONCLUSION

- 3.1 Partnership working has shown to be a positive way to achieve improvement to play areas which would otherwise not be possible by the council alone. It appears to work most positively where sites being developed are already in place, however examples for different strands of the policy being employed do exist.
- 3.2 At Bengullion Road, should a lease be offered to the Founders Group, all costs relating to the proposal would have to be met by the Founders Group, including provision of adequate public liability insurance cover.

4. IMPLICATIONS

- 4.1 Policy 2004 Policy on play area adoption
- 4.2 Financial - None
- 4.3 Personnel - None
- 4.4 Equalities Impact Assessment - None
- 4.5 Legal - Preparation of lease.

For further information or clarification of any matter contained within this report please contact Neil Brown on 01631 569160

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