



***STREETSCENE AND ENGINEERING SCRUTINY
COMMITTEE***

10.00 AM FRIDAY, 28 JANUARY 2022

VIA MICROSOFT TEAMS

All mobile telephones to be switched to silent for the duration of the meeting

PART 1

1. Welcome and Roll Call
2. Chairs Announcements
3. Declarations of Interest
4. Maintenance and Management of Public Playgrounds (*Pages 5 - 34*)
5. Litter, Fly Tipping and Side Waste Enforcement (*Pages 35 - 46*)
6. Pre-Decision Scrutiny
To select appropriate items from the Cabinet Board agenda for pre-decision scrutiny (reports enclosed for Scrutiny Members)
7. Forward Work Programme 2021/22 (*Pages 47 - 50*)
8. Urgent Items
(Whether public or exempt) at the discretion of the Chairman pursuant to Section 100B (4) (b) of the Local Government Act 1972

K.Jones
Chief Executive

Civic Centre
Port Talbot

Friday, 21 January 2022

Committee Membership:

Chairperson: **Councillor S.M.Penry**

Vice
Chairperson: **Councillor R.W.Wood**

Councillors: A.R.Aubrey, C.Galsworthy, D.Keogh, A.McGrath,
W.F.Griffiths, R.Davies, J.Hale, S.A.Knoyle,
S.Jones and S.Lynch

Notes:

- (1) If Committee Members or non-Committee Members wish to have relevant items put on the agenda for future meetings, then please notify the Chief Executive/Chair eight days before the meeting.*
- (2) If non-Committee Members wish to attend for an item of interest, then prior notification needs to be given (by 12.00 noon on the day before the meeting). Non-Committee Members may speak but not vote, or move or second any motion.*
- (3) For pre scrutiny arrangements, the Chair will normally recommend forthcoming executive items for discussion/challenge. It is also open to Committee Members to request items to be raised - though Members are asked to be selective here in regard to important issues.*
- (4) The relevant Cabinet Board Members will also be invited to be present at the meeting for Scrutiny/ Consultation purposes.*

(5) *Would the Scrutiny Committee Members please bring the Cabinet Board papers with them to the meeting.*

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Streetscene and Engineering Scrutiny Committee

28th January 2022

**Report of the Head of Steetcare
M.Roberts**

Matter for Information

Wards Affected: All Wards

Management and Maintenance of Council Playgrounds

Purpose of the Report:

To provide information regarding the management and maintenance of Council playgrounds as requested by members of the Scrutiny Committee as part of the Forward Work Programme.

Executive Summary:

In the main, responsibility for council playgrounds falls within the remit of Neighbourhood Services which has a management plan in place. The current financial and operational resources in place as part of the management plan is set out in the report.

Background:

General

This report covers the playgrounds owned and managed by this council. It is noted there are also some facilities within the county borough owned and maintained by other parties including Community / Town Councils, social housing organisations, and community sector organisations.

Responsibility for the Council's playgrounds lies mainly within the remit of Neighbourhood Services, a section within the Streetcare Division of the Environment and Regeneration Directorate. The exception is facilities that lie within the management of Margam Park which are outside the scope of this report.

Neighbourhood Services are responsible for the management and maintenance of 47 playgrounds. The sites and the associated Management Plan are detailed in Appendix A.

Day to Day Management

As detailed in the management plan, there is currently a Mobile Ranger who carries out weekly inspections of the play areas as a function of their duties. The dedicated ranger is supplemented by trained operational employees located in permanently staffed parks when required. There is also a Parks Technician whose role is to inspect and make routine repairs to playground equipment and furniture.

Maintenance resources

There is a revenue allocation of £91,263 within the Neighbourhood Services budget for day to day maintenance and equipment renewal. After paying for the staff costs above, and other costs such as annual RoSPA inspections, there is approximately £30k available annually to fund maintenance work such as replacement seats, chains and panels etc.

Issues

The available routine maintenance funding equates, on average, to only £638 per site per year.

There is no standing annual capital allocation for investment in equipment renewal, which is subject to the success of bids in the annual budget round.

If the number of playgrounds were to be expanded, resources would need to be expanded to match.

A number of swings were removed from Council playgrounds during 2020 as part of meeting national social distancing requirements. Whilst many of these swings have now subsequently been reinstated, others have yet to be re-installed due to damaged or worn components. The required parts and materials are on order and the remaining swings will be re-commissioned as soon as possible on delivery.

Current investment programme

In the current year there is a capital allocation for investment of £75,000 on playgrounds, which when combined with the available revenue funding and some capital slippage is providing for significant investment this financial year of £121,500. Furthermore, alongside this officers in Neighbourhood Services have been liaising with other sections, such as the Project Development and Funding Service within Leisure Services, to maximise 'matched' funding opportunities for additional improvements. In addition, officers have been successful in obtaining funding to the value of £36,400 through the All Wales Play Opportunity Grant. Overall these actions have brought the **ongoing investment total up to £356k** as shown in Appendix B. There is also an anticipated further investment of £120,000 included in the draft capital budget for next year which is currently out to consultation.

Financial Impacts:

None, this report is for information only.

Integrated Impact Assessment:

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring / information purposes.

Valleys Communities Impacts:

Areas where there is ongoing investment is shown on the report.

Workforce Impacts:

No implications.

Legal Impacts:

No implications.

Risk Management Impacts:

Equipment renewal will help to reduce risk of items of equipment becoming unserviceable.

Consultation:

There is no requirement for external consultation on this item.

Appendices:

Appendix A – Playground Management Plan including list of sites
Appendix B – Programmed spend on playground in 2021/22

List of Background Papers:

None

Officer Contact:

Name: James Davies

Designation: Neighbourhood Manager

Email: j.davies19@npt.gov.uk

Direct dial: 01639 686408

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Neighbourhood Services



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

Playground Management Plan

APPROVED BY JD

DATE November
2021

EDITION/VERSION 1

REVIEW DATE

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1. INTRODUCTION

This plan is intended as an operational guide to those members of staff who have responsibility for the safety of the Council's playgrounds. It may also be used as an information guide for other interested parties. The plan deals with the ongoing maintenance and management of Neath Port Talbot County Borough Council's playgrounds, which fall directly under the Environment and Regeneration Directorate. The plan does not include any strategy for the development of provision but has been prepared to formally codify the maintenance and inspection arrangements for play facilities, and the assets within them, to demonstrate how the council will meet its legal obligations.

Playgrounds by their very nature should provide a degree of perceived risk and challenges to the users. The plan therefore addresses the objectives of providing challenging and enjoyable play, while maintaining an acceptable degree of risk.

When assessing the safety of playgrounds members of staff must be aware that some people will not use the equipment in the way intended, and this fact must be considered when undertaking inspections or maintenance work. Staff should also consider that a small minority may, from time to time, vandalise the playground equipment, and furthermore consider the outside possibility that in rare circumstances individuals might try to harm unaccompanied children who are using the equipment.

2. LEGAL RESPONSIBILITY

There is no specific legislation on play safety. However, the key related legislation is the:

- Health & Safety at Work Act 1974;
- Management of Health and Safety at Work Act 1992;
- Occupiers Liability Act 1957 and 1984; and,
- Health and Safety at Work Regulations 1999

Neath Port Talbot County Borough Council and its staff have a duty to take actions to ensure the safety of people at work and members of the public who may be affected by the facilities it provides. The level of duty is measured by the test of "reasonable practicability", in other words whether it is reasonable to mitigate a risk in terms of time, money and effort. So, for example, there would be no legal expectation to spend considerable resources on addressing very minor risk issues.

The Council and responsible employees thereby have a legal duty to ensure, so far as is reasonably practicable, the health and safety of persons using children's playgrounds. As such the Council must be proactive in the way it manages playgrounds and why, for example, an inspection regime is necessary.

The Council also has a legal duty to report accidents and dangerous occurrences under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

Furthermore there are relevant standards and best practice guides which include:

- European Standard (BS EN 1176) on Playground Equipment
- European Standard (EN 1177) on Playground Safety Surfacing
- R.O.S.P.A Publications
- N.P.F.A Publications.

As part of the management plan for Council playgrounds, a full independent risk assessment is currently procured every year.

With respect to the Council's employees who carry out work on playgrounds, a separate risk assessment is undertaken by line managers relating to the risk associated with their duties.

3. PLAYGROUND LOCATIONS

A list of playgrounds under the control of the Environment & Regeneration Directorate is attached as Appendix A.

4. RESPONSIBLE PERSONNEL

The management responsibility for Council playgrounds detailed in this plan, lies with the remit of Neighbourhood Services, a section within the Streetcare Services Division of the Environment & Regeneration Directorate. Neighbourhood Services has specific responsibilities to ensure:

- 1) The overall safety of the playgrounds listed in the plan.
- 2) That systems are in place for regular checks of the playgrounds, and that records are kept.
- 3) That any corrective actions arising from inspections, or public reports, are undertaken in timely fashion in accordance with the urgency of the work.
- 4) That playground inspections are undertaken in the prescribed manner and at the prescribed time.

- 5) That the annual playground risk assessment is undertaken.
- 6) That remedial work is prioritised to address any on-going risks.
- 7) That an appropriate stock of playground spares is maintained.
- 8) That workplace risk assessments are regularly carried out relating to employees responsibilities in relation to playgrounds.
- 9) That site asset inventory and condition data files are kept up to date.

5. INSPECTION FREQUENCY AND TYPE

The table below details the required inspection type and frequency for playgrounds.

FREQUENCY OF INSPECTION	INSPECTION TYPE	INSPECTOR
Weekly	Visual	Mobile Ranger/ relevant park employees
1 – 3 Months	Operational	Qualified Staff
Annual	Annual Independent Detailed	External 3 rd party organisation
As required	Bespoke Visual/Operational /External	Dependent on nature of situation

All inspections will be initially recorded onto a paper document. For the purpose of data protection the inspection findings are scanned and stored.

Neath Port Talbot County Borough Council will ensure all inspectors receive the appropriate training to carry out the inspections.

Inspection Type / Definitions

Routine visual inspection ('look and see'):

Undertaking a recorded inspection of playgrounds at the required frequency by either the Mobile Ranger or relevant park employees, to include the identification of obvious hazards resulting from use, weather and vandalism, broken parts or bottles, litter, graffiti, or equipment misuse. Where defects are observed, form to be completed and submitted as per Appendix F to line manager. If immediate action can be undertaken to remove any resultant hazard from a defect then the inspector should do so. If any significant hazard cannot be attended to at the time, then the inspector should endeavour to fence off and/or immobilise the equipment and place signs to prevent further use of the equipment. The inspector should call on the line manager or contact the Building Services Section for support if needed.

The Mobile Ranger/relevant park employee's role is also to arrange any litter clearance and grounds maintenance.

Quarterly Operational inspection ('poke and prod'):

Quarterly operational inspections provide a more detailed inspection to check the operation and stability of all equipment and surfaces, especially for wear. Checks to include reviews of and for:

- previous repairs; rust and rot; bearings.
- Cleanliness
- Equipment Ground Clearance
- Exposed Foundations
- Sharp Edges
- Missing Parts
- Excessive Wear (of moving parts)
- Structural Integrity

Inspectors will be trained to 'RPII Operational inspector' level enabling them to perform an operational inspection.

Annual Independent Inspection:

Independent 3rd party inspections using qualified 'Outdoor Annual RPII (Register of Playground Inspectors International)' Inspectors will be procured to include checks for:

- The overall safety of equipment, foundations and surfaces
- The effects of weather, evidence of rotting or corrosion and any change in the level of safety as a result of repairs made or added or replacement components.

Bespoke Inspections:

These inspections can be carried out by a suitable external provider or Council officer depending on circumstance. The inspection method is carried out using the same inspection system as all other inspections.

Typically, bespoke inspections can be as a consequence of a citizen enquiry, an accident in a play facility, or in response to an urgent request, or to carry out a post installation inspection following the installation of new equipment. Bespoke

inspections can also be carried out as a method of verifying and checking existing inspections.

6. ACCIDENT/DANGEROUS OCCURRENCES

Council officers will record all accidents and enquires relating to play areas and the facilities within them. The details of the enquiry, complaint or accident will be recorded using the standard Authority procedures and documentation.

Consistent recording of incidents in this manner enables officers to illustrate a clear evidence trail in relation to resultant inspection, risk assessment, remedial actions/repairs, and general information record. Such information is important in the case of any litigation, and also provides an effective management tool for future improvements.

Results of investigations must be distributed to everyone involved in playground management/maintenance including the Council's Health and Safety Section, noting as above there is a legal requirement to report accidents and dangerous occurrences. Where appropriate, events will be reported to the Health and Safety Executive by the Health and Safety Section.

7. ANTI SOCIAL BEHAVIOUR

Anti-social behaviour is the behaviour of any person or group that causes harassment, alarm or distress to others. In play areas this can include a range of problems such as dumped material, graffiti, litter and vandalism of play equipment or youth nuisance.

All evidence of anti-social behaviour within play areas will be recorded and passed to the Council's anti-social behaviour officer/section.

Where there is evidence of criminal activity, such as vandalism, this should also be reported directly to the Police.

8. RECORD KEEPING

A record of all inspection reports are to be held for a period of 21 years.

The Health and Safety Section will retain all accident reports for a minimum of 3 years, however in the case that an incident involves a minor, records will be kept for the period up to the person's 21st birthday. After 3 years such documents may be transferred back to the Service for record keeping. All accident reports are to be supported with photographs.

9. SAFE SYSTEMS OF WORKING

As indicated previously, the supervisors of the employees deployed in undertaking work on the Council's playgrounds will undertake work risk assessments to identify and reduce the risks associated with their duties.

Methodology

The risk assessment utilises the 5x5 methodology and risk is assigned as a product of probability and severity.

Risk score

A final risk rating of immediate, high, medium or low is then obtained from an outcome matrix based upon the final score.

The risk scores are calculated by plotting the likelihood of harm against the severity of the injury sustained. The likelihood is given a score of 1 to 5, and the severity is given a score of 1 to 5. In doing this a matrix is produced which gives a numerical assessment of the risk on a score of 1 to 25, and a judgement is made as to which risks are low, which are medium and which are high.

Having obtained a risk score, the qualitative risk rating is obtained using the following matrix. These factors will combine to produce a score for the likelihood from injury from the hazard identified.

Risk Rating

PROBABILITY	SEVERITY				
	1	2	3	4	5
1 (Rare)	1	2	3	4	5
2 (Unlikely)	2	4	6	8	10
3 (Possible)	3	6	9	12	15
4 (Likely)	4	8	12	16	20
5 (Certain)	5	10	15	20	25

Rating	Risk	Action
1-9	Low	Monitor situation, action required in the event of any deterioration or exceptional circumstances likely to affect risk rating e.g. review of risk assessment following an accident. Action will be required on some situations where indicated.
10-15	Medium	Monitor situation, action required as soon as practicable, and within defined time frame, to reduce risk to lowest practicable level e.g. provision of suitable fencing and gates around play area.
16-24	High	Immediate action required to remove risk or reduce to its lowest reasonably practiced level e.g. replacement of severely worn swing chains.
25	Immediate	Immediate action required and access by the public must be prevented.

Severity Score	Severity of injury
1 Very Low	No injury likely • Damaged or soiled clothing, minor bruising
2 Slight	Minor injury • Laceration or bruising requiring first aid only
3 Moderate	Injury requiring medical intervention • Laceration requiring stitches • Sprain, fracture of small bones of hand or foot
4 High	Serious injury including hospitalisation for observation • Concussion • Fracture of long bones of leg/arm • Back/neck injuries • Fractured skull
5 Very High	Severe injury involving the potential for permanent disability • Amputation • Loss of sight • Spinal injury • Fatality

Equipment is assessed for compliance against the appropriate standards, which are listed next to each item on the record file, although compliance with the standards is not mandatory in law and non-compliance does not necessarily mean that a change is needed. If a change is deemed necessary then this is noted in a report.

Compliance with standards is not always a clear cut and some interpretation can be required, which it need be recognised can be somewhat subjective.

Exposure to acceptable levels of risk and challenge is essential to children's development and allows them to exercise their right to play. Therefore, it may be judged that levels of risk above low risk can be acceptable. The risk scores shown allow the provider to make a judgement after first considering the benefit of the activity to which the risk score relates.

10. INSURANCE CLAIMS

In the event of a serious accident, claims can are often based on alleged negligence: that is, the party responsible for the play facility took some action, or failed to take some action, which made the accident more likely to happen, or worse than what might have otherwise have been the case. The council will need rely at least in part on the operation of the Playground Management Plan and associated documentation hence the importance with compliance and record keeping.

Any person indicating that they wish to make a claim against the Council for any accident must be advised to contact the Council's Insurance Officer. Under no circumstances must staff other than the Insurance Officer discuss the circumstances of any claim with the claimant or admit liability. If details of an alleged accident have not previously been received then the officer taking the call must fully record them, even if the accident was some time previous.

As soon as there is knowledge of a possible claim against the Council, the matter must be investigated and any associated inspections supported with photographs.

11. TRAINING

Only staff who have received adequate training in playground inspections and relevant risk assessments are to be deployed to carry out inspections.

Inspectors need to refresh their training every 3 years, or more frequently if there are changes in legislation, best practice or changes to equipment.

12. FIRST AID

Each vehicle utilised for mobile inspections must carry a first aid kit.

13. COMMUNICATIONS

Mobile Ranger and relevant park employees are to carry mobile telephones when undertaking their duties to ensure that they can communicate efficiently and effectively with fellow officers and summon assistance if required.

14. REGULAR MEETINGS

Good communication between the Mobile Ranger/Inspectors and line managers is essential to ensure that the systems of checks on playgrounds operates effectively and efficiently, and that any changes to legislation or systems is relayed to all parties.

Regular communication meetings between inspectors and line managers is to be held to ensure that: -

- 1) Inspection reports are handed over.
- 2) Any works required are highlighted and discussed.
- 3) Any accidents or incidents are discussed and the need for actions are reviewed/implemented.
- 4) Work required is prioritised and issued to deal with the most urgent tasks first according to risk.
- 5) Feedback is shared to ensure good practice is consistent.

15. CONCLUSION

In conclusion, it is essential that everyone works closely as a team to ensure that the Council's playgrounds are safe and enjoyable places to visit. The full support and co-operation of everyone involved is sought in trying to minimise any risk associated with our playgrounds.

16. EMERGENCY CONTACT DETAILS

Appendices

- A) Play areas falling within the management plan
- B) Playground Management Structure
- C) Weekly visual inspection checklist
- D) Quarterly inspections checklist
- E) Important Authority Documents
- F) Sample Defect Sheet
- G) Notes on European Standard for Playground Equipment

APPENDIX A

Play Areas falling within this Management Plane

Port Talbot Area

1. Baglan Park, SA12 8UB
2. Bishop Mead, Cathedral Way, Baglan Moors, SA12 7DZ
3. Bryn Park, SA13 2RS
4. Coed Hirwaun, Margam Village, SA13 2TX
5. Cross Street, Velindre, SA13 1AZ
6. Fire Station, Cymmer, SA13 3HR
7. Sunny Crescent, Cymmer, SA13 3PG
8. Goytre Close, Goytre, SA13 2YL
9. Hopkin Street, Aberavon, SA12 6HA
10. Margaret Terrace, Blaengwynfi, SA13 3UT
11. Parc Siencyn Powell, Depot Road, Cwmavon, SA12 9BA
12. The Princess Margaret Way, Aberavon, SA12 6QW (Adventure Playground)
13. The Princess Margaret Way, Aberavon, SA12 6QW (Young Children's Playground)
14. The Princess Margaret Way, Aberavon, SA12 6QW (Skate Park)
15. Talbot Memorial Park, Talbot Road, SA13 1DT
16. Tollgate Park, SA13 2DD
17. Tudor Park, Brynheulog Road, SA13 3RR
18. Vivian Park, Sandown Road, SA12 6PT
19. Western Avenue, Seaway Parade, SA12 7BR
20. Ynyscorrwg Park, Park Street, Glyncorrwg, SA13 3DS

Neath Area

21. Bowen Street, SA11 1BU
22. Brynnau Wood, Cimla, SA11 3YQ
23. Cefn y Allt, Aberdulais, SA10 8L
24. Crymlyn Parc, SA10 6DG
25. Evans Road, Melyn, SA11 2DB
26. Gnoll Park, Neath, SA11 3BS (Adventure Playground)
27. Gnoll Park, Neath, SA11 3BS (Junior Playground)
28. Graham Terrace, Skewen, SA10 6RL
29. Heol Glynderwen, Waunceirch, SA10 7RS
30. James Field, Briton Ferry, SA11 2LW
31. Jersey Park, Briton Ferry, SA11 2AX
32. Maes y Hafod, Cadoxton, SA10 8AZ
33. Mount Pleasant Park, Neath, SA11 2YL
34. Parc Newydd, SA11 2UP
35. Pen y Dre, Neath, SA11 3HD
36. Vale of Neath, Glynneath, SA11 2HP
37. Victoria Gardens, Neath, SA11 3BD
38. Victoria Street, Neath, SA11 2RE

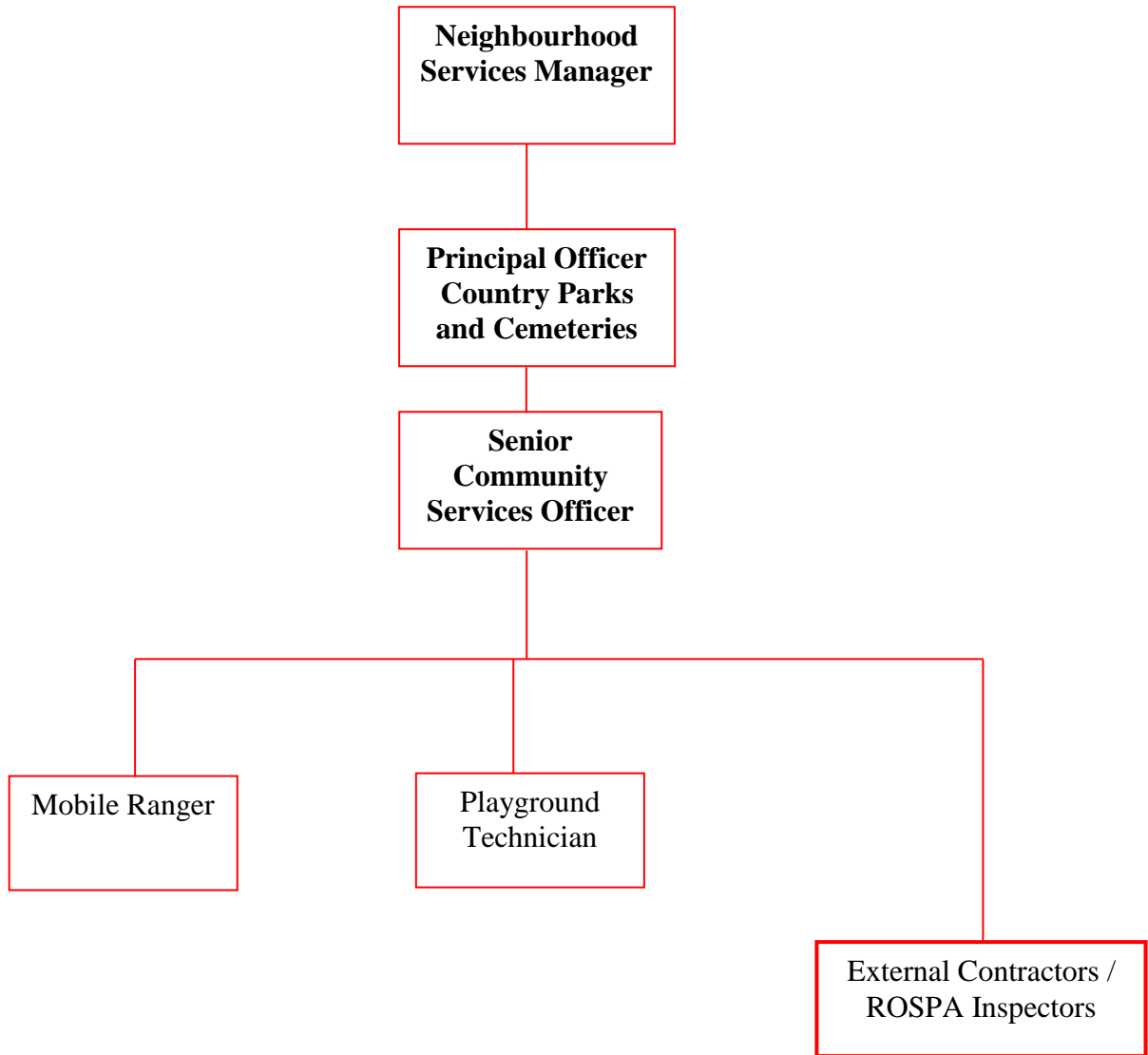
39. Wellfield Square, SA11 1YY
40. Hunters Ridge, Tonna, SA11 3FE

Lliw Valley Area

41. Ger yr Afon, Gwaun Cae Gurwen, SA18 1PD
42. Heol Daniel / Heol y Coedcae, Cwmllynfell, SA9 2FY
43. King George V Park, Pontardawe, SA8 4GP
44. Llwyn Road, Cwmgors, SA18 1RE
45. Parc y Darren, Ystalyfera, SA9 2LR
46. Parc y Werin, Gwaun Cae Gurwen, SA18 1EW
47. Parc Ynysderw, Pontardawe, SA8 4EG

APPENDIX B

Playground Line Management Structure



APPENDIX C

Weekly Visual Routine Inspection Checklist

Introduction

The regular check of the children's playground is intended to be quick and simple. Its primary function is to identify faults or dangers arising from vandalism or breakage.

Site and ancillary items

- Are signs present and legible?
- Are road barriers present and in good condition?
- Are fences complete and secure?
- Are the gates in working order?
- Are pathways undamaged and unobstructed?
- Is the site free of litter or any dangerous object?
- Are the seats secure and undamaged?
- Are the litter bins secure and undamaged?
- Have they been emptied?
- Has the planting been damaged?

Surfacing

- Is all safety surfacing undamaged?
- Are loose-fill surfaces at the right level?

Equipment

All items

- Are all supports present?
- Is all timber work undamaged?
- Are all safety barriers present?

Swings

- Are the swing chains unbroken?
- Are the seats fixed on securely and undamaged?

Slides

- Are the steps undamaged?
- Is the chute undamaged?
- Is it clear of foreign objects?

Roundabouts

- Does it revolve smoothly and noiselessly?
- Is it undamaged?
- If it has a speed governor, does this work?

Rocking items

- Does the item move smoothly and noiselessly?
- Are all safety guards present?
- Does it strike the ground?

Spring items

- Does the item move freely and noiselessly?
- Is the spring undamaged?
Climbing frames
- Are all the bars in place?
- Are they securely fixed?

Cable runaways

- Does the runner move smoothly and noiselessly?

Sand play

- Is the sand free of rubbish?

Ropes

- Are the ropes secure and undamaged?
- Are the connectors present?

Multi-play items

- Are the guard rails present?
- Are there signs of new timber where a piece has been removed?
- Are there holes in the metal indicating where a piece has been removed?

Recording

- Have you reported all faults?
- Have you dated and signed a log book on completion?

APPENDIX D

Quarterly Inspection Checklist

The inspection will include those elements contained in the weekly inspection schedule, plus: -

EQUIPMENT GENERAL

- Check for corrosion of the equipment especially at ground level.
- Where equipment is installed with bark around the support legs, the bark is to be cleared to ground level to inspect support legs for corrosion.
- Check paint work of equipment is in a good condition.
- Check all supports are firmly fixed.
- Check timber equipment is in a safe condition with no breaks or splintering, or serious structural creaks.
- Check moving equipment for squeaks and arrange lubrication where required.
- Check signs for any problems.
- Check equipment generally for obscene graffiti and arrange for removal or the painting over of any observed on the site.

SURFACING

- Check drain covers are in place.
- Check drain silt traps are cleaned.
- Check paths, steps and surface area for potholes, trip hazards etc.
- Check depth of bark is 300mm.
- Check rubber safety surfacing for completeness and that it is fixed in place.

ROUNABOUTS

- Check ground clearance of roundabouts whilst stationary and in motion to ensure it conforms to current standards.
- Where lubricating points are provided check the equipment is sufficiently lubricated.
- Check for smooth operation.

SEE –SAWS

- Check safety guards are securely in place.
- Check motion of see-saw and adjust if necessary.
- Lubricate where necessary.
- Check ground clearance meets the current standards.

SWINGS

- Check swing bushes and replace if necessary.
- Check top bars for security of fixings.
- Check ground clearance of swings of fixing.
- Check ground clearance of swings meets the current standard.

SPRING MOBILE ANIMALS

- Check ground clearance meets the current standards.
- Check fixings for security.
- Check the spring for damage.
- Check for smooth operation.

SLIDES

- Check all steps and general fixings for secureness of bolts etc.
- Check all handrails/chutes for smooth running.

CLIMBING FRAMES

- Ensure all bolts welds are secure.
- Ensure any handgrips, hand bars etc, are secure and do not rotate.
- Check timber equipment for finger traps.
- Check for structural cracks in equipment.
- Check barriers and protective rails etc, for security and safety.

DEFECTIVE EQUIPMENT

- Any defective equipment that has the potential to cause serious harm to users should, where possible, be removed. If this is not possible the equipment must be secured against use by temporary fencing where appropriate and signed accordingly until repaired.

GENERAL SITE

- Check gates and fences for safety defects.
- Check bins and seats for security and safety.
- Check streams for depth of water and other safety concerns.

ACCESS AND EGRESS

- Walk access routes into the site to ensure safety.
- Check any surrounding streams etc, are free running and that any protective fencing is in place.
- Check perimeter fencing for security.

APPENDIX E

Important Authority Documents

The Council's corporate documents are all available via the Council's intranet

Important Council documents to be considered in relation to this document include:

- Corporate Health & Safety Policy
- First Aid at Work
- Procedure for Dealing with Discarded Needles/Syringes
- Risk assessments
- Personal Protective Equipment
- Violence and Aggression
- Accident Reporting
- Lone Working
- Manual Handling
- Noise
- Working at Height

APPENDIX F

Sample Defect Sheet



Neighbourhood Section

Playground and Country Parks Defects Sheets

No

Site:

Week Ending.....

DATE							
DAY	MON	TUE	WED	THUR	FRI	SAT	SUN
TIME							

Details:.....
.....
.....
.....
.....
.....

Immediate action taken on site:

.....
.....
.....

Signed:..... Name in print:.....

Action taken by:

.....
.....
.....

Appendix G

European Standard for Playground Equipment (EN 1176) - Summary of Requirement

PROTECTION AGAINST INJURIES IN THE FREE SPACE

- * No obstacles in the minimum space (other than structures to assist or safeguard the user)
- * Traffic flows should not go through the minimum space

PROTECTION AGAINST INJURIES IN THE FALLING SPACE

- * Free height of fall should not exceed 3m
- * No obstacles in the falling space
- * Platforms with fall heights of more than 1m between them require surfacing

PROTECTION AGAINST INJURIES DUE TO OTHER TYPES OF MOVEMENT

- * No unexpected obstacles

SURFACING SAFETY REQUIREMENTS

- * Surfacing should have no sharp edges or protrusions
- * Loose fills should be 200mm more than the depth required to meet the HIC reading (usually 100mm)
- * Hard surfaces should only be used outside where children fall
- * Testable Impact absorbing surfaces if falls over 600mm are possible. Topsoil or turf may be used up to 1m

DESIGN AND MANUFACTURE

- * The equipment must be suitable for the user and risks should be identifiable by the child
- * Accessibility: adults must be able to gain access to help children
- * Grip requirements: permitted diameter 16 - 45mm (i.e. overhead bars)
- * Grasp requirements: maximum diameter 60mm (i.e. handrails on steps)
- * Not easily accessible for children under three

FINISHING

- * Timber species and synthetics should be splinter resistant
- * No protrusions or sharp edged components
- * Bolts should not protrude by more than 8mm
- * Corners, edges or projecting parts over 8mm should have a 3mm radius.
- * No hard and sharp-edged parts (i.e. razor blade effect caused by sheet steel)
- * No crushing or shearing points
- * Connections should not come loose by themselves and should resist removal
- * Timber connections should not rely solely on screws or nails.
- * Leaking lubricants should not stain or impair the safety of the equipment

FIBRE ROPES

- * Conform to EN 701 or 919 or have a material and load certificate
- * Ropes used by hands shall have a soft, non-slip covering

WIRE ROPES

- * Non-rotating and corrosion resistant with no splayed wires outside the ferrule
- * Wire connector clip threads should protrude less than 8mm
- * Turnbuckles should be enclosed, have a loop at each end and be secured

CHAINS

- * Maximum opening of individual links: 8.6mm in any one direction
- * Connecting links between chains must be less than 8.6mm or over 12mm

SWINGING SUSPENDED ROPES

- * Not combined with swings in the same bay
- * Less than 2m long: over 600mm from static parts; over 900mm from swinging parts
- * 2m - 4m long: over 1000mm from anything
- * Diameter: 25 - 45mm

CLIMBING ROPES

- * Anchored at both ends and movement less than 20% of rope length
- * Single climbing rope diameter: 18 - 45mm (nets comply with Grip requirements)

ENTRAPMENTS

- * Entrapment: a place from which children cannot extricate themselves unaided. There are seven probes: the Torso Probe, the Large Head Probe, Probe 1, Probe 2, the Wedge Probe and the two Finger Probes. There is also a toggle test to reduce the dangers of clothing toggles being caught on slides, fireman's poles and roofs.
- * The space between the flexible bridge and rigid sides should be not less than 230mm

ENTRAPMENT OF FEET AND LEGS

- * Inclined planes (not suspension bridges) less than 450 should have no gaps over 30mm
- * There are no requirements for suspension bridge gaps other than the main entrapment requirements

FINGER ENTRAPMENTS

These occur in: 1. gaps where child's movement may cause a finger to become stuck; 2. open-ended tubes; 3. moving gaps

- * Tube ends should be securely enclosed and removable only with tools
- * Moving gaps should not close to less than 12mm

BARRIERS AND GUARD-RAILS

- * Hand-rail: a rail to help the child balance
- * Guard-rail: a rail to prevent children falling
- * Barrier: a guard-rail with non-climbable in-fill

HAND-RAILS

- * Where required they should be between 600 and 850mm above the standing surface

EQUIPMENT FOR UNDER 3'S

- * Platforms over 600mm require a barrier with a minimum height of 700mm high + impact absorbing surfacing

EQUIPMENT FOR OVER 3'S

- * Platforms up to 1000mm: No barriers or guard-rails required + impact absorbing surface over
- * Platforms 1000-2000mm: 600 - 850mm high guard-rail + impact absorbing surfacing
- * Platforms 2000-3000mm: 700mm high barrier + impact absorbing surfacing
- * No bars, infills or steps which can be used as steps. Tops should discourage standing or sitting

MEANS OF ACCESS

The main change in this area is that the probes should now be applied to accesses. All means of access should have no entrapments; be securely fixed; be level to ± 30 (ramps across width) and have a constant angle. It does not refer to agility equipment used as an access i.e.

Programmed Playground Investment 2021/22

Playground	Service Allocation	Members Fund Contribution	Other External Funding	Total Spend
Bishops Mead	1.5k	10k	7k	18.5k
Cefn Yr Allt	15k	10k	0.5K	25.5k
Cimla Common	1.5k	0	0	1.5k
Coed Hirwaun	2k	10k	3.8k	15.8k
Croeserw Park	2k	0	0	2k
Evans Road	3k	0	0	3k
Gnoll Adventure	2k	0	0	2k
Goytre	1.5k	15k	0	16.5k
Heol Y CoedCae	1.5k	0	0	1.5k
Heol Glynderwen	20k	9k	9.5k	38.5k
Hopkin Street	1.5k	0	0	1.5k
Hunters Ridge	2k	0	0	2k
Maes Yr Hafod	1.5k	0	0	1.5k
Parc Newydd	3k	0	0	3k
Parc Y Werin Play	1.5k	0	36.4k	37.9k
Park Siencyn Powell	36k	24k	5k	65k
Pen Y Dre	10k	0	0	10k
Seafront Aberavon	2k	0	0	2k
Tudor Park	0	0	50k	50k
Vale of Neath	3k	15k	0	18k
Vivian Park	1k	0	0	1k
Wellfield Square	5k	30k	0	35k
Western Avenue	2k	0	0	2k
Contingency	3k	0	0	3k
Totals	121.5k	123k	112.2k	356.7k

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Streetscene and Engineering Scrutiny Committee
28th January 2022

Report of the Head of Streetcare – Mike Roberts

Matter for Monitoring

Wards Affected: All Wards

Litter, Fly Tipping and Side Waste Enforcement

Purpose of the Report:

To provide information regarding litter, fly tipping and side waste enforcement as requested by members of the Scrutiny Committee as part of their Forward Work Programme.

Executive Summary:

The Authority is committed to dealing with litter and fly tipping, and working with Welsh Government towards achieving the national goal of 'zero waste' by 2050, of which the Council's side waste restriction forms part by helping to promote recycling and waste minimisation.

For some time the Council's Waste Enforcement Team has been regarded as the leading enforcement unit in Wales in terms of prosecutions.

Side waste enforcement was introduced in April 2019 as part of the Authority's Waste Strategy, when it was agreed to place a limit of one 140ltr wheeled bin (or three black bags in sack areas) per residential property per fortnight for residual waste.

In-house services use several different approaches in dealing with litter, fly tipping and excess waste, including awareness raising, removal and enforcement.

Background:

The Authority is committed to dealing with litter and fly tipping, and working with Welsh Government towards achieving the national goal of 'zero waste' by 2050, of which the Council's side waste restriction forms part by helping to promote recycling and waste minimisation. To support this, the Council has a number of dedicated officers with delegated powers to deal with enforcement issues.

Prior to enforcement, raising awareness is an essential activity. In-houses services use media and social media to good effect, with some 2,300 followers on Facebook and 749 followers on Twitter. Through media activity officers provide information on current activities, education videos, how the public can seek assistance or provide assistance, and also undertake the 'naming and shaming' of people/businesses who have been successfully prosecuted.

There are 10 employees directly engaged in enforcement action comprising:

6 No. Waste Enforcement Officers;
3 No. Side Waste Enforcement Officers; and,
1 No. Trade Waste Enforcement Officer.

During the ongoing Covid pandemic waste enforcement functions have been affected at times to varying degrees, associated with the various national restrictions that have been implemented particularly during the

peak waves of infection transmission. The disruption has included employees having to be deployed to other service priorities such as waste collection to help maintain core service delivery. Furthermore, for a long period, investigation processes were affected in that Police and Criminal Evidence Act interviews could not be held which directly resulted in a reduction in prosecution actions.

Enforcement can be a significant deterrent, particularly with respect to fly tipping, however enforcement can only be undertaken where there is evidence found. In cases of fly tipping, not only do officers aim to gain evidence to prosecute the depositor of any waste, but they may also take action against the original owner of the waste. Both businesses and householders have a legal 'duty of care' to ensure that any waste they generate is disposed of correctly. Media campaigns have been undertaken to warn householders in particular that they should be careful not to fall prey to unscrupulous individuals offering low cost services for waste clearance (made low cost by the intended dumping of waste). If fly tipped waste can be traced back to a household then the householder would also face prosecution.

If householders engage a private business such as a skip hire or house clearance company to take away their waste, then in order to meet the duty of care they should check the company is an authorised waste carrier with up to date and valid 'upper tier' waste carrier registration by asking to see related documentation. In Wales, residents can also check on the Natural Resources Wales public register of carriers, brokers and dealers (<https://naturalresources.wales/permits-and-permissions/check-for-a-permit-licence-or-exemption>) or call 0300 065 3000. For more detailed information and guidance see Welsh Government's Waste Duty of Care: Code of Good Practice (<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice/waste-duty-of-care-code-of-practice>).

Litter and General Environmental Enforcement

The council has made enforcement as straightforward as it can, such as taking advantage of powers under the Clean Neighbourhood and Environment Act to issue Fixed Penalty Notices (FPNs) for series of offences. To this end a simple tick box FPN book and standard forms have been set up for use by enforcement officers, which has been subject to previous reports to members of the then Environment & Highways Cabinet Board. Details of the offences covered and the current penalties is detailed in Appendix A.

The number of FPN's issued over last 5 years is detailed in Appendix B.

Waste/Fly Tipping Enforcement

Over several years, this Council has been the most successful at securing fly tipping prosecutions and has thereby been regarded as a leader for environmental enforcement in Wales, for prosecuting individuals who contravene the Environmental Protection Act 1990.

The general process of fly tipping enforcement is set out in Appendix C.

Number of prosecutions over the last 5 years.

Year	No of Prosecutions	Incidents Recorded	Clearance Costs
2016/17	17	1050	£76,528
2017/18	34	1056	£67,236
2018/19	61	1330	£91,982
2019/20	16	1404	£84,711
2020/21	7	1639	£132,436

Further to previous ongoing annual increases, the impact of Covid on enforcement activity is clearly evident in the enforcement figures. At the same time the number of recorded incidents has increased and the

cost of clearance, based on a nationally agreed formula, has also increased.

At one point during the pandemic the Household Waste and Recycling Centres were also closed, spanning the financial years 19/20 and 20/21, along with a temporary suspension of the Council's bulk household item collection service. Also, 'bag splitting' for evidence gathering purposes was suspended. All these issues are believed to have impacted on the number of incidents.

Whilst fly tipping enforcement is often dealt with through the Courts, with penalties on conviction as shown in the appendices, Fixed Penalty Notices can also be used for fly tipping as well as littering etc. as set out previously. However with respect to fly tipping they are only used for incidents that are deemed to be a minor and non-commercial in nature and made by first time offenders. Repeat offenders are always pursued through the Courts.

'Side Waste' Enforcement

'Side Waste' enforcement was introduced as part of the last waste strategy review and action plan, the initial main focus being to provide recycling advice and to raise awareness in order to increase participation in kerbside recycling. Activity includes following collection rounds, one day later, to investigate bags that have been labelled as excess by the crews. Officers also react to any complaints received from ward members and residents with regards to the presentation of excess waste.

As this is mostly a proactive service area, the number of properties attended/visits made is not readily available. The majority of householders comply with the requests made by the team and no further action is required, and in such cases a call is not logged onto the system. However, after a two year transition period following a mainly awareness raising and assistance based approach, side waste activity has now started to be directed towards enforcement. The

approach, as agreed with Legal Services, consists of two awareness visits followed by enforcement as set out in Appendix D. There has yet to be a need to issue any Fixed Penalty Notices as there has been general compliance by residents approached by the enforcement officers (or exemptions issued). A further update will be provided on 'side waste' enforcement as part of the next waste strategy review planned for later in the year, following the re-constitution of the council after the election and the summer recess.

The 'side waste' officers also:

- review all applications received for exemptions from the 'No Side Waste' Policy (circa 4,000 household currently with exemptions for additional non-recyclable waste) during which process they work with the residents to help reduce the amount of any recyclable material within their waste;
- review all applications for Assisted Collections to ensure the resident is eligible for the scheme, has all the necessary equipment, and has an agreed collection point within the property grounds;
- carry out joint exercises with litter/fly tipping enforcement officers in areas where there are continuous presentation of waste issues, such as bins/bags being presented on wrong day/left out after collection;
- work closely with colleagues from the Pest Control Service within the Planning and Public Protection Division with regards to accumulation of waste in gardens where necessary; and
- work closely with Housing Associations on increasing recycling participation within their properties/complexes.

A further intended action by enforcement officers in conjunction with collection crews is to target for closer examination 'collection points'

where crews report accumulations of excess waste are being presented.

It is noted that during the initial wave of the pandemic all restrictions on the presentation of side waste were suspended along with any associated enforcement activity. The team were therefore redeployed to other roles such as the roll-out of new enhanced commercial waste recycling facilities, refuse & recycling collections, and assisting in other service areas. Restrictions were re-introduced in August 2020, however, it has taken a while to get some residents back in the habit of maximising their recycling again. Any further suspensions of the side waste restrictions should be avoided if possible.

Financial Impacts:

No implications.

Integrated Impact Assessment:

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring / information purposes'.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

No implications.

Legal Impacts:

No implications.

Risk Management Impacts:

Dealing with litter enforcement helps fulfil the Council's obligation under the Code of Practice for Litter and Refuse, and with respects to fly tipping helps to minimise any associated public safety risks.

Consultation:

There is no requirement for external consultation on this item'

List of Background Papers

Environment & Highways Cabinet Board report of 19th June 2008 –
Clean Neighbourhoods and Environment Act 2005

Environment & Highways Cabinet Board report of 24th October 2013
– Waste Enforcement, Fixed Penalty Notices

Appendices:

Appendix A – Current Penalties: Table of offences and fines

Appendix B – Number of Fixed Penalties issued over last 5 years

Appendix C – General Process of Fly Tipping Enforcement

Appendix D – General Process of Side Waste Enforcement

Officer Contact:

James Davies

Neighbourhood Services Manager

j.davies19@npt.gov.uk

01639 686408

Current Penalties

Description of Offence	Amount of fixed penalty if paid within 10 days	Full amount of fixed penalty	Maximum penalty on conviction
Depositing Litter	£75	£100	£2500
Failure to produce waste documents	£180	£300	£5000 (or, on indictment, an unlimited fine)
Failure to produce authority to transport waste	£180	£300	£5000
Failure to comply with a waste receptacles notice	£60	£100	£1000
Leaving two or more vehicles for sale on the highway	£60	£100	£5000
For the abandonment of a vehicle	£120	£200	£2500
Failure to comply with Public Space Protection Order	£50	£75	£1000
Failure to clean up after your dog	£75	£100	£1000

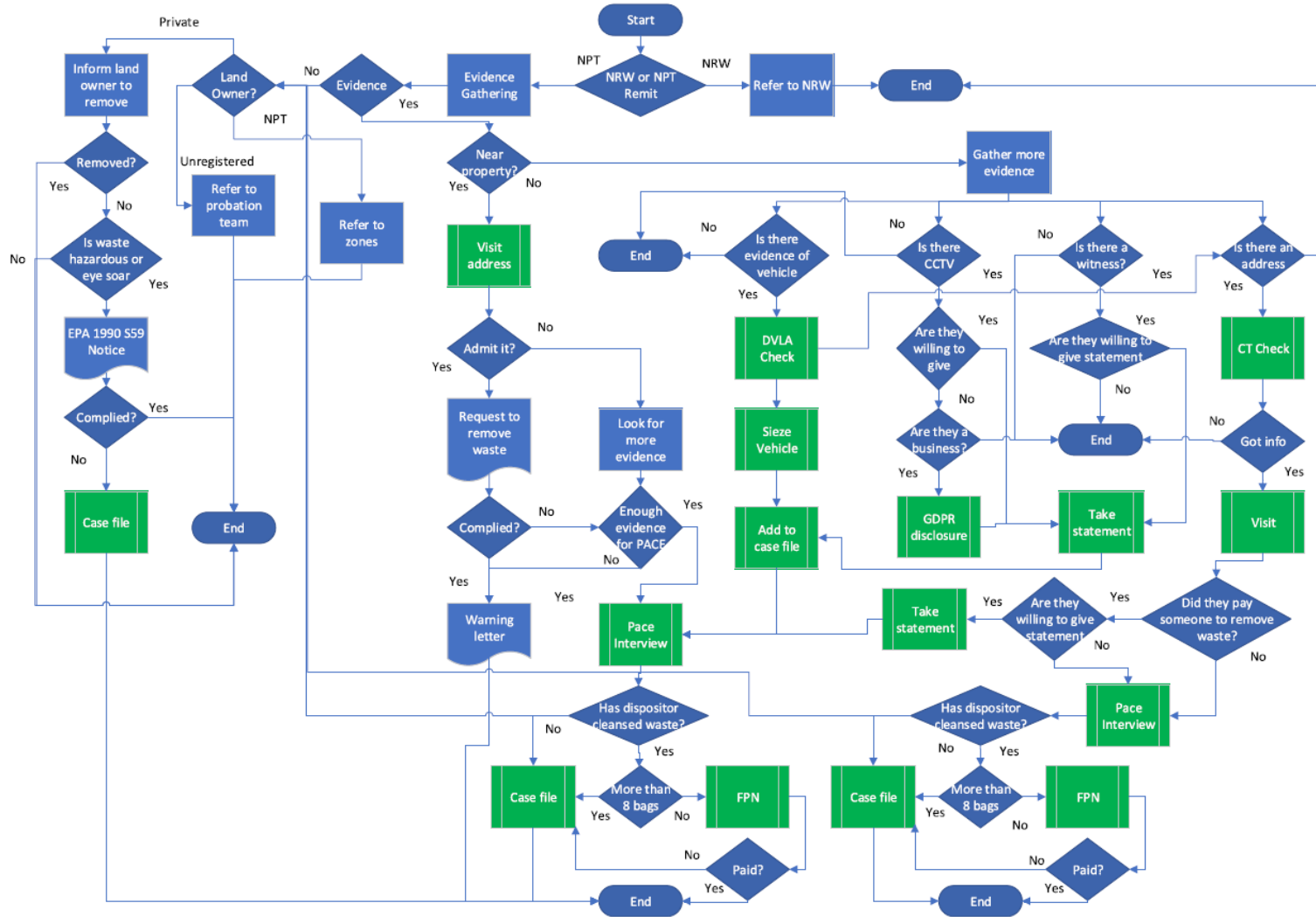
Appendix B

Number of Fixed Penalties Notices issued in last 5 year

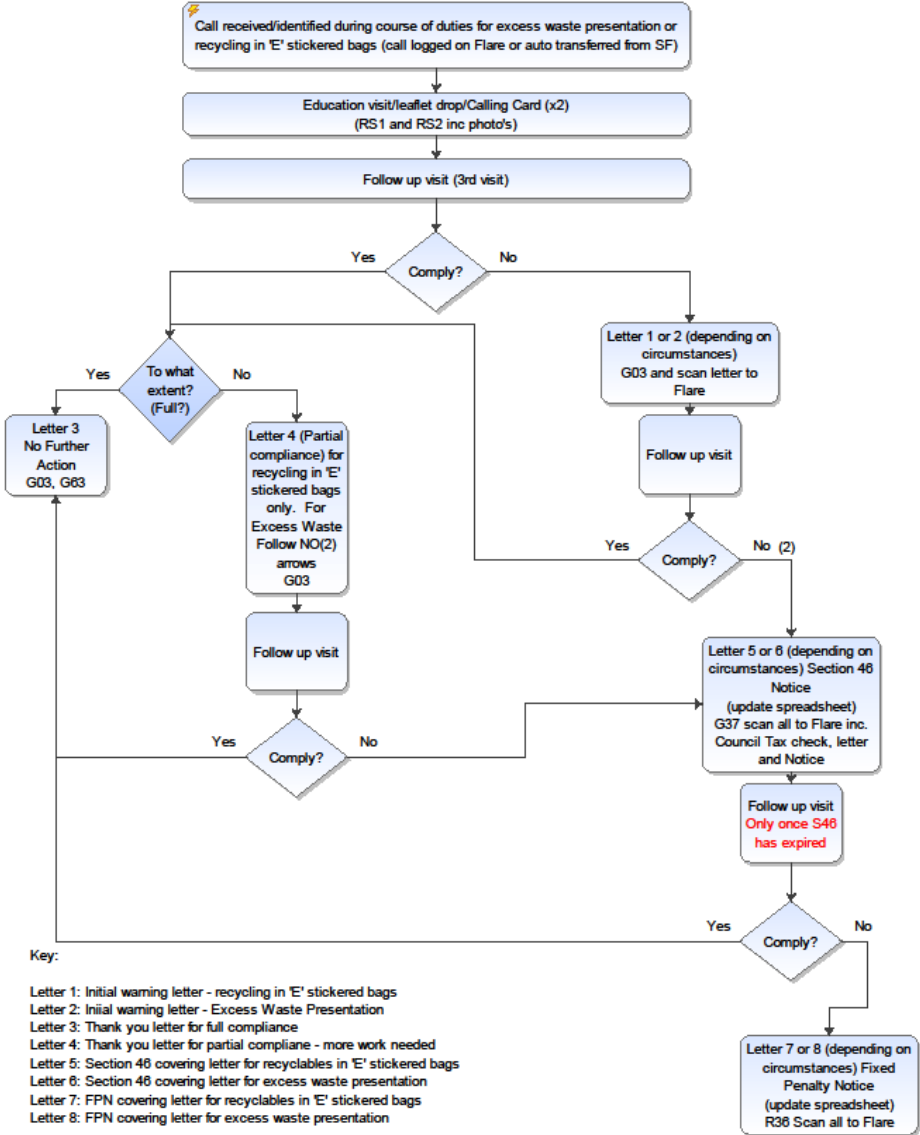
Issue	2016/17	2017/18	2018/19	2019/20	2020/21
Fly Tipping (EPA s33)	No FPN available	No FPN available	20	13	5
Duty of Care (EPA s34)	No FPN Available	No FPN available	No FPN available	10	1
Littering	47	97	15	17	8
Dog Fouling	19	29	10	5	6
S46 Presentation of waste	5	3	1	3	1
Dog Control Order/ PSPO(Beach)	7	111	2	3	3
2 or more vehicle for sale	2	1	0	0	0
Control of Pollution	0	0	0	1	2

General Process of fly tipping enforcement

Appendix C



Side Waste Enforcement Process



SCRUTINY
FORWARD WORK PROGRAMME

March 2021 – 2022

Streetscene and Engineering Scrutiny Committee (All starting 10am unless otherwise stated)

Meeting Date	Agenda Item	Contact Officer
2021		
26 th March	Please see Cabinet Board FWP for items	
21 st May	Please see Cabinet Board FWP for items	
2 nd July	Please see Cabinet Board FWP for items	
24 th September	Please see Cabinet Board FWP for items	
24 th November	Parking Enforcement Operation 2021	Steve Cook
17 th December	Please see Cabinet Board FWP for items	
2022		
28 th January	Report on Litter / Fly Tipping / Side Waste Enforcement	James Davies
	Management and Maintenance of Playgrounds	James Davies
11 th March	Joint Report on Subway and Footway Maintenance	Hasan Hasan
29 th April		

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