
EASTON ON THE HILL PARISH COUNCIL MEETING ON 12/9/22

DATE: 7/9/22

SUBJECT: REMOVAL OF OLD SWINGS BASED ON ROSPA ADVICE

1 Introduction and Purpose of Report

- 1.1 The decision made by the Parish Council in September 2021 to remove the old swings was not carried out by members of the PFMC as arranged.
- 1.2 The report is to make clear the advice and assist the review of the most recent RoSPA report and review of the decision by the PC.

2 Recommendations

- 2.1 That the report is received and noted.
- 2.2 That the advice in last year's and recent RoSPA report is adhered to and the swings are now removed.
- 2.3 Acknowledge that there is no change to the reasons for the decision made previously and a plan is put in place to remove them asap

3 Background

- Rospa report in May 2021 recommended that as the manufacturer cannot guarantee the stability of the old swings due to their age, they should be decommissioned and removed.
- The Clerk advised that they should be removed on public safety and lack of insurance cover grounds.
- The Parish Council resolved in September 2021 that as it was a medium priority, they could plan to remove them in 6 months time, when the new equipment was being installed in the spring of 2022 – this included new swings bought at great cost – and it made sense to remove them then.
- At the time of the installation in May 2022, the Clerk asked what the plan was to remove the old swings and was told that there was no plan to remove them at that time - no reason given apart from anecdotally “as people don't want them removed”.
- The Clerk put an item on the next PFMC agenda to discuss the removal and, against her advice as it had been agreed by the full council, it was resolved to await the next RoSPA report being done soon in June 2022.
- The June 2022 report said exactly the same as above – that they should be decommissioned and removed. This is now 2 years of recommendation to remove the old swings as their stability cannot be guaranteed due to their age.
- The PFMC reviewed the report at their last meeting and offered no valid reasons for not removing the swings on the advice in the reports. The decision is now referred back to the PC.

4. Proposal

- **The Clerk is still advising that the original decision for removal stands, and a plan for this is made, for the following reasons;**
 - 1) There is a duty of care placed on the Parish Council (PC) to protect the public in the provision of play equipment. It is their responsibility to carry out risk assessments and carry out recommendations by the experts.
 - 2) There is no change in the reasoning for the original decision made by

council last May, made on all advice provided, as the RoSPA report is the same.

- 3) The swings are planned to be removed when a MUGA is installed anyway – no reason to wait and take the risks highlighted.
- 4) New swings have been paid for and are installed.
- 5) They are at the end of their useful and safe life at 40-50 years old.
- 6) The small goals also need moving, as recommended by RoSPA, and this would create more space to enable safe play of football.
- 7) Decisions that are made by the PC should be carried out – the public have a right for this to happen unless new information comes to light.
- 8) The RoSPA inspection is carried out for a reason, and it does not make sense, nor is it best practice, to ignore the (clear) advice sought and paid for.
- 9) Wicksteed recommends a risk assessment is carried out for all pieces of equipment. I would have to ask a member of the committee to carry out this risk assessment in the event of them not being removed.
- 10) The swings are not going to improve and the subsequent RoSPA reports will stay the same, meaning this decision will need to be reviewed/ignored every year, presumably until a MUGA is installed or they fail and there is an accident.

5. Staffing Policies

None

6. Financial Implications

There are some costs associated with removal however these were previously stated as negligible if work done by members. A quote of £200 for removal has also been obtained.

7. Policy Implications

None

8. Health and Safety Implications

See above - main purpose of report is based on Health and Safety grounds.

9. Reporting Officer – Jenny Rice, Clerk/RFO