



## Cabinet

<b>Title</b>	Introduction of Play Streets
<b>Date of meeting</b>	18 October 2023
<b>Report of</b>	Cabinet Member for Environment and Climate Change
<b>Wards</b>	All
<b>Status</b>	Public
<b>Key</b>	Non-key Decision will impact communities in all Wards but not significantly
<b>Urgent</b>	No
<b>Appendices</b>	None
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<b>Summary</b>	
<p>The report seeks approval for the approach to the introduction of Play Streets.</p> <p>Play Streets enable children a safe and secure environment for supervised outdoor play, achieved by means of a timed road closure, supported by a Traffic Regulation Order (TRO) and the necessary approved signage for up to two hours once a month.</p> <p>A Play Street is a community led short road closure which helps to build and encourage active play and help with the social and physical development of children. The organisation of a Play Streets by the community also builds cohesion and ownership whilst encouraging families to reclaim the street (where eligible) near their home as public space, instead of a space used exclusively by cars/car drivers.</p>	

This report proposes using Section 16A of the Road Traffic Regulation Act 1984 as a means of facilitating the road closures, including the introduction of a new Play Street application process for residents coupled with draft guidance for those who wish to explore a Play Street in their road.

## Recommendations

1. **That Cabinet approves the approach to facilitating Play Streets using section 16A of the Road Traffic Regulation Act.**
2. **That cabinet delegates authority to the Director of Highways and Transportation to finalise the drafting of the process, draft and publish the Guidance and training material for the Stewards for the organisation and implementation of the Play Streets.**

### 1. Reasons for the Recommendations

- 1.1 The provision of a Play Street will create a strong community, facilitate, and enable play, physical activity, leisure, and sport opportunities at a neighbourhood level, by children, young people, and families. Furthermore, Play Streets can help people get to know their neighbours and foster a strong sense of community, whilst improving air quality and increase active travel.
- 1.2 In June 2019 the relevant Government Minister within the Department of Transport (DfT) wrote to all local authorities setting out the legislative basis for Play Streets.
- 1.3 In March 2023 the Cabinet Member for Environment and Climate Change approved a Play Street trial for two locations, these being Lodge Lane and Leopold Road.
- 1.4 The trial Play Streets were monthly events over a six-month period. This included road closures for two hours on the last Sunday of the month. The trial ended in August 2023.
- 1.5 During this six-month trial officers worked closely with the Play Street organisers collating feedback after each event. The feedback received included 'overwhelmed with a sense of community, would be great if more streets were involved, great to see children playing together, was like going back to my childhood'.
- 1.6 In the development of a Play Street process for the London Borough of Barnet, Officers drew on the good work already undertaken by other local authorities including Hackney, Camden, and Islington, and by the parent organisations, Playing Out and London Play.
- 1.7 A Play Street will not be suitable for all streets - bus routes, distributor or primary roads, roads which serve industrial or commercial premises, or roads which have a junction inside the proposed closure, for example. The Council will assess all applications to ensure suitability prior to approval.
- 1.8 Through the application process, individual dates may not be approved where known planned works are programmed. Furthermore, an agreed date may be cancelled if road works have been agreed through the Highways Permitting Team.
- 1.9 If objections are received through the organiser/resident consultation, Officers will be responsible to consider and approve/reject the application.
- 1.10 Road closures for Play Streets can be facilitated via either Section 29 of the Road Traffic Regulation Act 1984 (RTRA) or a Special Events Order under section 16A of the RTRA.
- 1.11 Section 29 requires a statutory consultation with lead times, advertising the draft and making of a Traffic Regulation Order which is timely and costly.

- 1.12 Section 16A requires Secretary of State approval for repeated special event closures. This allows for a single application to be made by the Highways Authority for several road closures in different locations on multiple dates. This power does not require advanced advertising or a statutory consultation to be carried out and therefore does not attract any of the associated advertising/consultation costs. On approval the Highways authority can make a single TRO for all locations.
- 1.13 The DfT view is that section 16A of the RTRA is the most appropriate power as an alternative to section 29 and therefore Officers propose to use this power to facilitate road closures for Play Streets.

## 2. Alternative Options Considered and Not Recommended

- 2.1 To continue with the current approach of processing a Play Street as an event or Street Party using Section 29 of the RTRA. Due to the nature/regularity of Play Street events, it is considered that Section 16A offered a better alternative approach.

## 3. Post Decision Implementation

- 3.1 Subject to Cabinet approval of the recommendation to adopt the approach to facilitate Play Streets, officers will progress the following actions ahead of launching Spring 2024:
- Finalise the process including the production of guidance documents, application form, consultation letter (with neighbours) for the introduction of Play Streets
  - Prepare a campaign with the Corporate Communication Team to include the creation of a web page, press release, Barnet First, social media, school circular
  - Dedicated email account/templates/information sheets for organisers
  - Prepare dedicated material and declaration document for stewards to include links to video training created by Playing Out <https://www.youtube.com/watch?v=rclVildm56U> and Sustrans <https://www.youtube.com/watch?v=rclVildm56U>
  - Prepare a Ward Councillor communication for information.
  - Make an application(s) to the Secretary of State under Section 16B of the RTRA

## 4. Corporate Priorities, Performance and Other Considerations

### 4.1 Corporate Plan

#### **Caring for our People:**

Play Streets will create a more family friendly borough, bring communities together where people can meet that reflect our diverse communities, whilst working closely with organisations at a local level.

#### **Caring for our Places:**

Create a borough of fun; a place where people can meet whilst enabling residents to breathe life back in their streets.

#### **Caring for the Planet:**

Create a car free space where children can play, improve air quality, and increase active travel.

**An engaged and effective council:**

Creates stronger partnerships between the council and local organisations whilst giving more power to community groups to own planned activities in their road.

**4.2 Corporate Performance / Outcome Measures**

Resident satisfaction surveys will be undertaken every month for all approved Play Streets. Officers will use these surveys to measure attendance and where required make improvements to current processes.

**4.3 Sustainability**

Play Streets will generate an environment for play with no emissions and may encourage active travel initiatives.

**4.4 Corporate Parenting**

Play Streets will be inclusive of all children within the extent/local area of the approved road closure.

**4.5 Risk Management**

The Council has an established approach to risk management, which is set out in the Corporate Risk Management Framework.

Play Streets are a resident/community, and it is the responsibility of the organiser to complete a risk assessment. The council will not accept responsibility for it.

More information about Play Street risk assessments can be obtained from the Playing Out website provides templates for use [Template-Risk-Benefit-Assessment-2019-LC- Update.docx \(live.com\)](#)

**4.6 Insight**

Not applicable

**4.7 Social Value**

The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.

This report does not relate to the procurement of service contracts.

**5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)**

5.1 Small 'start up' costs of per Play Street location inc. "play street road closure" signage, high viz coats, street notices, staff time for initial assessment and approval of application.

5.2 On-going DLO costs for delivery and collection of shared reusable signage.

5.3 The activities set out in Sections 5.1 and 5.2 will be covered through the approved Highways Budgets.

5.4 No Value for money, procurement, staffing IT or property implications.

**6. Legal Implications and Constitution References**

- 6.1 The council are responsible for arranging a Traffic Order to close the road to facilitate a Play Street via section 16A of the RTRA.
- 6.2 The Council will not be liable for any injury, loss or damage arising from the organisation of an event. Any claims made against the Council regarding damage or injuries caused by play street events will be passed on to the relevant organiser(s). Play Street organisers should be aware that there may be circumstances in which they would be held liable for any accidents. Council encourages everyone involved to be sensible and respectful about other people and their property. It is strongly recommended that organisers should consider taking out Public Liability Insurance.
- 6.3 Under the Council's Constitution Part 2D, the functions of Cabinet include the following responsibilities: Development of proposals for the budget (including the capital and revenue budgets, the fixing of the Council Tax Base, and the level of Council Tax) and the financial strategy for the Council;
- Recommending major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implementing those approved by Council;
  - Approving policies that are not part of the policy framework

## **7. Consultation**

- 7.1 The application process will require the organiser to communicate/consult with neighbours and submit evidence with their application.
- 7.2 If objections are received that cannot be resolved by the organiser, they will be forwarded to the Highways Service to review/resolve prior to approval of the application.
- 7.3 The application will not be approved if an objection cannot be resolved.

## **8. Equalities and Diversity**

- 8.1 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that Cabinet has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Tackle prejudice, and
- b) Promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- a) Age
- b) Disability
- c) Gender reassignment
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief
- g) Sex
- h) Sexual orientation
- i) Marriage and civil partnership

Advice on completing Equality Impact Assessments (EIAs) can be found [here](#).)

- 8.2 Accessibility will be a consideration when implementing a road closure via section 16A of the RTRA for play streets. Road closure for play streets are normally for two hours on Sundays
- 8.3 Whilst there is a positive impact on children playing on street, officers considered the impact on residents including disabled, pregnant, elderly, emergency services and deliveries. This will be mitigated by the requirement to have two dedicated stewards at each closure point who will be responsible for clearing the road of children/activities and guide vehicles through.

## 9. Background Papers

Not applicable