

Corporate Policy and Strategy Committee

10am, Tuesday, 12 April 2016

Playing Out

Item number	7.8
Report number	
Executive/routine	
Wards All	

Executive Summary

The report responds to the motion approved by Corporate Policy and Strategy Committee of 23 February 2016 noting: the cross-disciplinary nature of Playing Out, involving Education, Communities and Transport; the motion passed unanimously by Full-Council 19 November 2015 in support of temporary road closures to allow Playing Out by children on Edinburgh Streets and the public meeting held by 'Edinburgh Playing Out' at the City Chambers.

The report sets out information about the current regulatory, financial and practical barriers to temporary closure of streets on a regular basis to allow Playing Out. The report sets out proposals for removing or reducing such barriers at a local level to facilitate the organisation of Playing Out street events by Edinburgh residents.

Links

Coalition Pledges	P33
Council Priorities	CO1, CO2
Single Outcome Agreement	SO3, SO4

Playing Out

1. Recommendations

- 1.1 To note the update.
- 1.2 To note that any subsequent road closure applications, including any associated charges, will be considered in due course by the Transport and Environment Committee.
- 1.3 To recommend the development of guidance for residents wishing to organise Playing Out events.
- 1.4 To discharge the motion by Councillor Burgess.

2. Background

- 2.1 The Corporate Policy and Strategy Committee on 23 February 2016 approved a motion which noted: the cross-disciplinary nature of Playing Out, involving Education, Communities and Transport; the motion passed unanimously by Full-Council 19 November 2015 in support of temporary road closures to allow Playing Out by children on Edinburgh Streets; the public meeting held by 'Edinburgh Playing Out' at the City Chambers; and the weekend of street play which residents in a number of communities wish to organise on 9-10th April 2016.
- 2.2 The Committee recognised the ongoing frustrating regulatory, financial and practical barriers for residents in organising Playing Out on a regular basis and requested a report on Playing Out to its next meeting, the report to include:
 - 2.2.1 Full information about the current regulatory, financial and practical barriers to temporary closure of streets on a regular basis to allow Playing Out.
 - 2.2.2 Prospects for removing or reducing such barriers at local levels to facilitate Playing Out.

3. Main report

- 3.1 Playing Out is a self-help model of play streets for residents to provide and promote play in their communities using short, resident-led road closures to allow children to play out freely and safely on their own street after school or at the weekend, which is an action in the 'Communities' domain of Scotland's Play Strategy. It is an action for Play in Partnership: a Play Strategy for the City of

- Edinburgh (2014), and Playing Out fits with the Council's overall aspirations for communities and "place-making".
- 3.2 A Playing Out information and planning event in August 2014 led to the development of a tool kit for parents to assist residents to organise street play opportunities in Edinburgh. The first resident led Playing Out event took place in Edinburgh on 30 October 2014.
 - 3.3 A number of groups of parents in Edinburgh wish to establish the Playing Out model in their streets on a regular basis.
 - 3.4 The Playing Out model is supported by many councils across England, for example Haringey, Stockport, Hackney, and Bristol with policies which enable residents to regularly 'open their street for play' for up to 3 hours, weekly or monthly using a single annual application and simple consultation procedure. Residents are advised to take out insurance, but are not required to do so. Residents are empowered to erect their own notices of closure, and are entrusted with closing and opening the roads themselves with approved signage so costs are minimised. Residents organise a rota of volunteer stewards to redirect through traffic and to ensure that residents drive slowly and safely in and out of the street. Children lead their own play and parents are responsible for their own children as normal
 - 3.5 In a study by Bristol University it was found that
 - 3.5.1 Children spent 70% of the time outdoors during street closure monitoring periods compared to less than 20% spent outdoors on an average day
 - 3.5.2 It was found that children spent 30% of their time outside during Playing Out sessions in moderate to vigorous physical activity (MVPA) and another 15% in light activity (compared to on average 5% of time indoors spent in MVPA during this time of day for children of a similar age).
 - 3.6 Other benefits of Playing Out are:
 - 3.6.1 Children have the experience of free, informal play on their doorstep.
 - 3.6.2 Children naturally engage in a wide variety of 'play types' identified as crucial for development and wellbeing.
 - 3.6.3 Children make new friends and develop a greater sense of place and belonging in their street and neighbourhood.
 - 3.6.4 Neighbours of all ages have an opportunity to meet and get to know each other, building community cohesion which leads to streets becoming safer and friendlier places to live.
 - 3.6.5 Both children and parents gain confidence to allow further independent play and travel around the neighbourhood.
 - 3.6.6 Car drivers become more aware of residential streets as public spaces.
 - 3.6.7 Adults within communities model good citizenship.

- 3.6.8 Individuals and communities are inspired and empowered to become more involved in local decision-making and improve their area.

Barriers

- 3.7 Edinburgh parents report the following barriers:
- 3.7.1 Length of time for initial response (3 months reported).
 - 3.7.2 Then length of time for process and decision (almost a year reported with no decision quoted).
 - 3.7.3 Costs have been quoted in excess of £1,500 for a 3hour closure.
 - 3.7.4 One off closures seem to be generally possible, it is a repeat closure that is difficult.
- 3.8 Current practice is to apply the procedure defined by the Road Traffic (Temporary Restrictions) Procedure Regulations 1992, which refers to section 14 of the Road Traffic Regulation Act 1984. The order generated by this procedure will apply to a closure on a fixed date and all traffic will be prevented from entering the play street. Emergency vehicles are exempt from this requirement. However, this is a one-off closure and does not allow for the multiple, regular street closures required by parents.
- 3.9 Implementing the procedures under section 16a of the Road Traffic Regulation Act 1984 currently involve the Council in costs for the publication of statutory notices in local newspapers in the areas affected. The Council is required to place road signs on, or near, the roads where the order will have affect. Notices are also required in prominent positions at either end of the road affected and at junctions where pedestrians or traffic diverge from the road.
- 3.10 In complying with these requirements under current procedures the Council would incur staff costs in preparing, advertising and implementing the order. Once an order has been successfully made, further costs would be incurred to cover the cost of setting up and removal of temporary signs and barriers.
- 3.11 The setting up of Playing Out streets will require a coherent approach, consultation and consensus within a community along a street. A potential barrier to introducing Play Streets could therefore be the negative reaction of residents concerned about lack of access or parking for their vehicles, or access for emergency vehicles.
- 3.12 Playing Out streets are not appropriate on streets carrying bus routes, tram routes, cycleways or major urban roads; due to the risk of reducing the attractiveness of sustainable travel and the diversion of traffic onto other streets. Closures would not be appropriate on streets undergoing roadworks, which are part of a diversionary route, or on days scheduled for refuse collection.

Prospects for removing or reducing barriers

- 3.13 The Council has established a tariff of charges for different types of road closure for events, some of which can incur no charges. Playing Out streets are not currently on this tariff. Any charges associated with road closure applications will be

considered by the Transport and Environment Committee, in tandem with the relevant Traffic Regulation Order applications.

- 3.14 Legal advice is that the Council has a power to make an order permitting Playing Out streets, with multiple closures, under the Road Traffic Regulation Act 1984, section 29(1).
- 3.14.1 For the purpose of enabling a road for which they are the traffic authority to be used as a playground for children, a local traffic authority may make an order prohibiting or restricting the use of the road by vehicles, or by vehicles of any specified class, either generally or on particular days or during particular hours. The prohibition or restriction may be subject to such exceptions and conditions as to occasional use or otherwise as may be specified in the order.
- 3.14.2 An order under this section shall make provision for permitting reasonable access to premises situated on or adjacent to the road.
- 3.14.3 A person who uses a vehicle or causes or permits a vehicle to be used, in contravention of an order in force under this section shall be guilty of an offence.
- 3.14.4 The “order”, referred to under this legislation, is not a Traffic Regulation Order or Temporary Traffic Regulation Order.
- 3.15 There is no legal necessity for the Council to employ the staff that will set up barriers, or marshal vehicles on Playing Out streets.
- 3.16 Parties other than the Council can assist in overcoming obstacles, for example parents organising Playing Out events on approved roads can take on responsibilities such as consultation, posting notices and erecting approved signage to avoid costs to the Council, and ensure community ownership of the exercise.
- 3.17 Legal colleagues will provide further advice about the form of order that can be made, and whether it could be published as an electronic version, on the Council's website, at low cost. This information to be laid out in proposed Playing Out guidance.
- 3.18 It is recommended that guidance for residents on road closure application, requirements and procedures for the purposes of regular, multiple closures for Playing Out be developed which is not burdensome to officials or applicants. The link to an example of this type of guidance from Haringey Council is provided.
- 3.19 External funding could be sought to purchase the additional necessary signage for resident's use when making street closures.
- 3.20 The Edinburgh 20mph scheme will be launched in July 2016 and the Car Free Day event will take place in September 2016. Pilot Playing Out events could be arranged in association with these events.

- 3.21 The focus of responsibility for such local initiatives will become the role of the new locality teams. However, existing staff in neighbourhood teams could initiate progress on pilots.
- 3.22 Committee may note that the Scottish Government, via Transport Scotland, aspire to establish guidelines for Playing Out closures by July 2016 in order to facilitate road closures for play during the school summer break, on roads which meet the criteria specified in 3.12. These may include:
- 3.22.1 Advertising closures by non-traditional means, ie not publishing in high level newspapers.
- 3.22.2 Allowing residents the facility to consult with neighbours and post closure notices in approved roads.
- 3.22.3 Allowing residents to set up and remove approved temporary signs and barriers.

4. Measures of success

- 4.1 Guidelines are created, supported by an administrative procedure which is not burdensome to Council officials or applicants.
- 4.2 Residents who wish to do so can organise Playing Out events regularly in communities where the street is suitable.
- 4.3 Children have the opportunity to play in their street, make new friends and develop a greater sense of place and belonging in their community.
- 4.4 There is an increase in inter-generational community cohesion.

5. Financial impact

- 5.1 Staff time costs will be incurred in setting up procedures.
- 5.2 Funding could be sought to purchase necessary signage for community use.

6. Risk, policy, compliance and governance impact

- 6.1 The provision of Playing Out streets is in accord with the Local Transport Strategy 2014 - 2019, as it supports the city's streets economic, social and place - making roles, as well as their role as movement corridors.
- 6.2 There is a risk that proposals for Playing Out Streets could attract objections from some residents of the streets affected.

7. Equalities impact

- 7.1 The rights of the child will be enhanced by improving children's right to play ([UNCRC article 31](#)), including children with disabilities.

8. Sustainability impact

- 8.1 There is no adverse economic, social and environmental impact arising from this report.
- 8.2 The proposals in this report will reduce carbon emissions locally for the duration of any road closure, reducing children's exposure to emissions from road vehicles whilst playing outside.

9. Consultation and engagement

- 9.1 Consultation will be carried out by residents within each community as part of the Playing Out process as laid down in the proposed guidelines.

10. Background reading/external references

- 10.1 [Play Strategy for Scotland: Our Action Plan](#)
- 10.2 [City of Edinburgh Play Strategy](#)
- 10.3 [Application for the closure of roads for the purposes of children playing out to Haringey Council](#)
- 10.4 [Play streets - Road Closure Application, Haringey council](#)
- 10.5 [Unicef summary of the rights under the Convention on the Rights of the Child](#)

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Links

Coalition Pledges	P33 - Strengthen Neighbourhood Partnerships and further involve local people in decisions on how Council resources are used
Council Priorities	CO1 - Children and young people fulfil their potential CO2 - Improved health and wellbeing: reduced inequalities
Single Outcome Agreement	SO3 - Edinburgh's children and young people enjoy their childhood and fulfil their potential SO4 - Edinburgh's communities are safer and have improved physical and social fabric
Appendices	