



Executive
18th March 2008

**Report from the Director of
Environment and Culture**

Wards Affected:
Harlesden

Petition - Bramshill Road, small local park

Forward Plan Ref: E&C/07/08-044

1.0 Summary

1.1 This report is in response to a petition presented to Brent Council with regard to the removal of a hard stand, Ball Court Area at Bramshill Road, small local park. The report provides Members with details of the petition.

2.0 Recommendations

2.1 That Members note the report.

3.0 Detail

Background

3.1 Bramshill Road is a small local park situated in Harlesden and adjacent to Minet Ave, Bramshill Road and Harley Road. and is approximately 0.17Ha. Its facilities include a Children's Playground, Picnic Area and a Hard Standing Ball Court Area.

3.2 A petition with at least 50 registered electors' signatures has been received by the Parks Service asking the Service to:

- Reverse the decision to close the playground,
- Fund Health & Safety works to undertake repairs

Current Position

- 3.3 Bramshill Road local park, is a popular and well used local facility, located in an area of recognised Green Space deficiency. The open space is maintained to a good standard and receives regular inspections and maintenance work.
- 3.4 The Ball Court area has been in a poor standard for a number of years and, despite the Parks Service undertaking patch repairs it has come to the end of its natural life. It has also suffered from continued vandalism in particular to boundary fencing. The playing surface is in a poor state and the safety surfacing is now beyond repair. Parks Management are of the view that the fencing is beyond repair, potentially hazardous and no longer fit for purpose.
- 3.5 The Parks Service has recently received a claim for compensation for injuries allegedly received caused by a trip hazard in this area.
- 3.6 Officers made the decision that it was no longer safe to use and the ball court area has now been removed and will be restored to a grass/lawn area. The children's playground will remain open and is not affected by the removal of the Ball Court Area. The park has not been closed, there has been no loss of public open space and the area will remain as public open space. There are good Ball Court facilities in Roundwood Park about a 15 minute walk from this site.

Conclusions

- 3.7 The decision by officers to remove the ball court Area was taken after serious consideration of safety issues and as a result of looking at all available options. The Council may wish to replace this facility with a modern unit which would cost in the region of £50k.

4.0 Financial Implications

- 4.1 There is no provision within the Environment and Culture Capital Programme for the replacement of the ball court area at Bramshill Road local park. If there was a decision to replace the facility using capital programme funding, the required funding would have to be made available from existing provision through re-prioritisation of other allocated schemes or through the identification of additional resources.
- 4.2 Officers will try to secure external funding to help fund the replacement of the facility.

5.0 Legal Implications

5.1 Although in any sporting/recreational activity there remains an acceptable level of risk which is carried by any person engaging in that activity if the condition of the Ball Court is acknowledged to be a health and safety risk area whether or not regular maintenance is carried out there remains the likelihood that a insurance claim arising from a trip hazard will be successful. The Council has power pursuant to section 19 of the Local Government (Miscellaneous Provisions) Act 1976 to provide such recreational facilities as it thinks fit. This power includes the power to provide buildings, equipment and assistance of any kind.

6.0 Diversity Implications

6.1 The proposals in this report have been subject to screening and Officers believe that there are no diversity implications

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None.

8.0 Background Papers

Petition.

Contact Officers

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