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| Committee(s): | Date(s): |
| West Ham Park Committee | 07/12/2015 |
| Subject: Detailed design for a new park gate for the sole use of Park Primary School | Public |
| Report of: Director of Open Spaces | For Decision |
| Summary | |
| <p>This report contains a detailed design for a new access gate and path into West Ham Park for the sole use of Park Primary School to</p> <ul style="list-style-type: none"> • Alleviate issues with emergency evacuation procedures, • Provide a more direct route for children to access the park and school during the school's renovation works (for a fixed term period) and • Provide improved access for physical activity and outdoor learning in the long term. <p>The London Borough of Newham has funding available for the installation of the design and its contractors will implement the works. This will be overseen by the Park Manager and City Surveyor.</p> <p>Recommendation</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • Agree the detailed design and proposals for the use of the gate; • Delegate authority to the Superintendent of Parks and Gardens and the City Surveyor to agree a Heads of Terms with the London Borough of Newham for the installation of gate and path and if necessary instruct the City Solicitor to agree a License agreement with Park Primary school for the use of the gate going forward. | |

Main Report

Background

1. A report was brought to West Ham Park Committee in February 2015 outlining a proposal from the London Borough of Newham (LBN) to permit the creation of a new entrance to West Ham Park opposite Park Primary School, in conjunction with the planned expansion of the school and a potential upgraded crossing between the school and the proposed new entrance. It was agreed that officers would report back to the committee to seek approval for the design and any reinstatement of land following its installation.

Current Position

2. The Park Manager and representatives from the City Surveyors department and have been working with LBN and Park Primary School to develop a detailed design for the gate and pathway into West Ham Park. The use of the gate and how it will be operated have also been discussed and are outlined below. Redevelopment works at Park Primary School have begun, but are not yet affecting the playground area.

Proposals

3. The detailed design for the gate showing its location and proximity to existing trees is shown in Appendix 1. An aerial photograph in Appendix 2 indicates the location of the proposed gate in proximity to Park Primary School and the existing Linden Gate in the North West corner of the park. The gate would be locked with a secure padlock which would be opened and closed by the school. A copy of the key would also be held by the park.

4. Gate and pathway design

- a. The proposed gate location seeks to reduce the distance that children will have to walk from the school to the park, but aims to minimise the impact to adjacent trees by ensuring that any excavations and the location of the path are not within root protection areas (in accordance with BS5837:2012).
- b. In order to lessen the visual impact of the gate, the design matches that of a pre-existing access gate located behind the changing rooms and mirrors the style of the existing fencing. A footpath constructed of Bodpave 85 paver cells (See Appendix 3 for an example of these) has been recommended as these allow the grass to grow through reinforced cells. This reduces the visual impact of the path while creating a reinforced walkway for the children.

5. Use of gate and operational factors

- a. Emergency access (Permanent): The immediate health and safety risk for the school is during emergency evacuation the current muster points cannot be used as students and staff would not physically be far enough away from a building to ensure safety. The school would therefore like to use the gate for 'Emergency Access' as soon as it is able and continue to do so in perpetuity. This usage will have only a small impact on the park as it is likely to only be used for evacuation drills once or twice a year and/or in the case of an actual emergency.
- b. Safe travel to and from school (Temporary): While the works are taking place the school has limited gate access. Parents and children are being forced to congregate along Ham Park road, with the pavements often being very congested, resulting in parents and children spilling on to the carriageway, putting themselves at risk and causing issues with vehicle traffic. Park Primary School wishes to open the gate from

Spring 2016 to Spring 2017 (between 8:35am and 9am and between 3pm and 3:20pm in the afternoon) to ease the flow of people to and from school and remove this risk. Although this will increase the use of the gate and path, many parents already travel through the park to take their children to/from school, so the overall impact on the whole site will remain constant. In wet weather and when ground conditions are poor the gate would remain closed to limit damage to the grass.

- c. Break times (Temporary): From September 2016 to February 2017 the school propose to utilise the park for some of the children's playtimes while redevelopment works render their playground unusable. The school will submit an 'Intention to Use Plan' for approval by the Park Manager prior to the start of each term. This will set out areas within the park that the children can use in order to avoid conflict with other park users or events. The school have advised that they do not have sufficient resources to supervise break times in the park in the long term. The school operate a 'wet weather plan' during which times the children would remain at the school rather than utilising the park to avoid damage to the landscape and children becoming muddy. This could also be evoked to protect the park if ground conditions were wet but the weather good. Atherton Leisure centre on Romford road is currently being rebuilt and is due to be opened in 2015. The school plan to utilise this space for 'activity days' to keep the children active during the winter period and reduce the overall impact on the park during this 6 month period.
- d. Outdoor Learning and Physical Activity (Permanent): The school wish to use the gate to deliver lessons in the park during the school day. The location of the gate will reduce the travel time maximising the available time for the delivery of education and physical activity lessons. The use of any formal sports areas e.g. cricket or football pitches would be available to Park Primary School at the standard concessionary rates and would be booked through the West Ham Park Office. Currently these are under-utilised during the school terms and would increase income to the park without having any detrimental effect. The use of the park for outdoor learning would be detailed in the 'Intention to Use Plan' agreed at the start of each term. This would ensure that activities within the park are balanced.

Corporate & Strategic Implications

6. Working with LBN and Park Primary School as outlined in this report supports the following community strategy themes:
 - Supports our communities – by encouraging well-being and participation in activities
 - Protects, promotes and enhances our environment – by encouraging use and enjoyment of the City's open spaces

7. It also supports some of the key aims identified in the Open Spaces Department Business Plan 2014-17:
 - Inclusion: Involve communities and partners in developing a sense of place through the care and management of our sites
 - Promotion: Promote opportunities to value and enjoy the outdoors for recreation, learning and healthy living

Implications

8. **Financial implications:** LBN has funding allocated for the design, consultation and implementation of the scheme within the Local Implementation Plan 2016/17 for 'Physical Measures Outside Schools'. LBN has approved the use of this funding for the implementation of the gate and path (approximately £12,000). LBN has also agreed to a one off lump sum payment of 20% towards the maintenance of the gate.
9. **Property implications:** The implementation of the project would be carried out by LBN but overseen by the City Surveyor's department who have approved the gate and path design.
10. **Legal Implications:** The legal implications of the proposal remain as reported in February - Members must consider whether the proposal is in the best interests of the West Ham Park charity, including the promotion of its objects, which are that the Park is to be held "for ever as open public grounds and gardens for the resort and recreation of adults and as play grounds for children and youth".
11. Under the conveyance of 1874 the City covenanted to for ever maintain the existing entrances and also to construct and maintain a new footpath and entrance at a particular location. There is no other explicit reference to footpaths in the conveyance, although additional paths are known to have been constructed in the early 20th Century. If a specific statutory power is required it may be found in section 19 of the Local Government (Miscellaneous Provisions) Act 1976. The City additionally covenanted to maintain and preserve the Park in a proper and ornamental condition and therefore any works should not interfere with its ornamental character.
12. **Other implications:** LBN has undertaken consultation with the Park Primary School community including Governors, and with Cabinet Members. All have shown strong support for the proposed scheme.

Conclusion

13. West Ham Park has worked closely with Park Primary School and the London Borough of Newham to create a detailed gate and path design which provides the school with more direct access to the park maximising the time for outdoor

learning and physical activity, with minimal visual impact to the park boundary. Plans have been put in place to ensure that other users are not adversely impacted by the increased usage in the short term. Longer term, there is the potential for increased income from use of formal sports facilities, which will contribute to the Park's income.

Appendices

- Appendix 1: Phase 1 West Ham Park Entrance gate and path (Drawing No: 12220/1000/01 B)
- Appendix 2: Aerial view of the location of the proposed gate entrance to West Ham Park
- Appendix 3: Bodpave 85 paver cells

Background Papers:

- Application for new park gate by Park Primary School (Report to West Ham Park Committee - 2/02/2015)

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