

Committee(s)	Dated:
Epping Forest Consultative Epping Forest and Commons	13 06 2018 09 07 2018
Subject: Proposal for a play area at Wanstead Park (SEF 30/18)	Public
Report of: Director of Open Spaces and Heritage	For Decision
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Summary

This report presents the exceptional case for the construction of a natural play area on Forest Land at Wanstead Park. Local authority play policy has previously identified a lack of play provision in the Ward, together with a paucity of suitable Local Authority Public Open Space on which a play facility could be sited. The formal parkland setting of Wanstead Park could also be considered more appropriate to the setting of a children's play area.

The play area would be funded and maintained by the London Borough of Redbridge under a licence agreement. The play area would complement proposals for an improved visitor offer around The Temple and meet long standing community desires for a play area in the vicinity.

Your committee is requested to offer in principle support for the proposal so that funding and planning permission can be sought.

Recommendation(s)

Members are asked to approve:

- Officers and local stakeholders prepare a detailed proposal for a play area at Wanstead Park for full consideration at a later stage.

Main Report

Background

1. The City Corporation as the Conservators of Epping Forest have responsibilities to maintain the Forest as an open space for the recreation and enjoyment of the public and have the power to provide facilities and apparatus for games and recreations, while preserving as far as possible the natural aspect of the Forest.

2. The City Corporation's policy position on children's play at Epping Forest remains that children's play is best achieved through a strong engagement with the natural world through climbing on fallen trees, building shelters; jumping in brooks and puddles and engaging with the Forest's wealth of wildlife.
3. The City Corporation at Epping Forest will not seek to substitute for the Local Authority responsibility to provide formal play equipment, which is felt to generally be an urban intrusion upon the 'natural aspect' of the Forest.
4. Your committee is being presented with a proposed Policy for Play in Epping Forest at this meeting. The Policy proposes that The City Corporation will not consider further built play facilities on Epping Forest other than in exceptional circumstances.
5. Under the guidelines of the Play in Epping Forest Policy Statement the current proposals for a play facility in Wanstead Park meet sufficient requirements to warrant consideration as an exception to the general presumption against built play facilities.
 - There is a proven absence of suitable nearby local authority open space capable of hosting constructed children's play.
 - There has been a public undertaking that the capital, insurance, maintenance and inspection costs will be met by the community and/or the London Borough of Redbridge.
 - The proposed location has been suggested as not detracting from the natural aspect given it is adjacent to the curtilage of the built footprint and its screening from wider sightlines.
 - There is not deemed to be an impact on the conservation aims for Wanstead Park.
 - Consultation on the Wanstead Parklands Plan resulted in clear support for children's play facilities as part of the parkland.
 - The relevant consents can be obtained once your committee has given approval to progress with the proposals
6. In 2003, the City Corporation was approached by the Aldersbrook Families Association and the London Borough of Redbridge to host a play area on Wanstead Flats. A public consultation on the proposals was held where initial community support was positive. However, residents close to the proposed site raised concerns over potential anti-social behaviour in proximity to residential properties and road safety for children crossing Aldersbrook Road to reach the site. In 2005 the Epping Forest and Commons Committee chose not to approve the proposal to host the play area.
7. The Aldersbrook area was identified in the London Borough of Redbridge's Play Strategy for 2007-2012 as an area deficient in play provision. In 2015 local parents established The Aldersbrook Playground Campaign to renew action to improve play provision in the Aldersbrook area. Initial discussions between the campaign group and the City Corporation led to the establishment of simple log 'play' structures linked to seating improvements at the tea hut by the Heronry Pond in 2017.
8. On 22 November 2017 John Cryer MP organised a summit to discuss the development of Wanstead Park, with reference to the preparation of a long-term Parkland Plan currently being undertaken by the City Corporation. An important

aspect of the forthcoming plan will be proposals to develop the income generation opportunities in the park to help fund future management.

9. One possible income generation proposal is to develop a visitor hub at The Temple with a much-enhanced catering offer, such as along the lines of Butlers Retreat at the Queen Elizabeth Hunting Lodge, Chingford. A play area of some form is proposed in the draft Parkland Plan as part of this Temple visitor hub.
10. The Parkland Plan is nearing completion and the proposals are to be considered by this Committee. However, it was proposed at the Wanstead Park Summit that the City Corporation might seek to find a way where it might be possible to bring forward the establishment of a play area at Wanstead Park, and potentially a 'pop up' cafe.
11. The Head of Visitor Services, the Head of Operations at Epping Forest and a Southern Verderer met with representatives of the London Borough of Redbridge's Vision Trust and the Aldersbrook Playground Campaign on 8th February 2018. The meeting was organised to establish whether there was a possible play space location that met the various stakeholders needs. A possible location in the Temple area was identified and is described in Appendix 1.
12. This report presents an outline proposal to host a play area at Wanstead Park with a request to the Conservators of Epping Forest for their initial consent to progress more detailed planning and development actions. Detailed proposals would subsequently be presented to the Conservators for their consideration for full consent.

Current Position

13. The playground design company 'Infinite Playgrounds' were engaged by the Aldersbrook Playground Campaign to prepare outline play space proposals appropriate to the location and heritage of Wanstead Park (Appendix 2).
14. The proposal uses largely natural materials to create distinct zones with a variety of stimulating challenges to create opportunities for children to develop physical, social and emotional skills through exploration and interaction. The intention is for the layout to integrate with the wider park and seeks to encourage users to move into the park and the 'informal' play opportunities that it provides. The heritage of the park can also be referenced with an example given of carvings of animals that once occupied the Menagerie Garden in the Temple.
15. Overall, the full outline proposal in Appendix 2 would cost around £120,000. The 'zoned' nature allows for the phased development of the proposal starting at a value of £60,000. The Playground Campaign are now able to quantify the fundraising challenge and has committed to undertake this task.
16. The Leader of the London Borough of Redbridge (LBR) Cllr Jas Athwal, has stated that the local authority would pay for the insurance, inspection and maintenance of a play area should it be built. The nature and scope of any agreement with the LBR for the ongoing maintenance and management of the play area would be based on existing play equipment licences to help develop the framework of any potential agreement.

17. The possibility of establishing an interim catering proposal, such as a 'Pop up' café in the Temple vicinity, has been identified in the Parkland Plan development process as one possible way to assess the business case for an enhanced catering offer in the Park. Should a play space be hosted at the Temple there is an opportunity for the City Corporation to establish a seasonal or permanent pop-up catering facility linked to any play space.

Options

18. Initial activity on the proposal for possible play space at Wanstead Park has described its possible nature and scale, identified a location and obtained the 'in principle' agreement from the LBR to maintain and manage the play space should it be established.
19. In requesting initial consent to progress the possible hosting of a play space at Wanstead Park there are two possible options for the Conservators to consider:

- a. To agree to officers and stakeholders undertaking the work to prepare a play space proposal to submit to your Committee for consideration for full consent.

Progressing this option will not involve the City Corporation in any direct financial expenditure. Officer time will be required to develop legal agreements and to input to the design process.

Additional benefits include developing local working partnerships with the LBR and the possible opportunity to trial additional catering facilities in the park. A successful play space would increase visits by families with young children and help to introduce the next generation to the Park and Epping Forest.

Risks are largely around the maintenance and management of the play space, including its risk management and scheduled replacement or end of life removal and the management of anti-social behaviour. **This option is recommended**

- b. To not agree to giving initial consent to the proposed play space.

This will save in officer time allowing it to focus on alternative priorities but could lead to increased communications issues with local stakeholders including the LBR. The opportunity to pilot a longer-term income development proposal would also be lost.

This option is not recommended

Proposals

20. A proposed design for the play area is attached at Appendix 2. The designs are for a natural play facility in materials and style that complement the surrounding environment.
21. The design allows for a combination of physical and creative play and is suitable for all age groups but especially 3-12 years old.
22. The proposed location for the play area is shown on the plan in Appendix 1.

23. The construction would largely use sustainably sourced Black Locust Robinia timber, which has proved durable in such uses. Surfacing will be required around each play structure and possibly for the wider play space area as well and would be subject to a fuller assessment by the LBR and Vision RCL. Structures such as slides can be orientated to reduce their visual impact to visitors.
24. Officers will support the Aldersbrook Playground Campaign, the London Borough of Redbridge and Vision RCL to:
- a. Undertake public consultation on the proposals with the local community and stakeholder groups;
 - b. Obtain detailed design from the appointed contractors for approval;
 - c. Fundraise to ensure sufficient capital funding to meet the full costs of constructing a built natural play facility;
 - d. Agree Heads of Terms with the London Borough of Redbridge for LBR to occupy the area. Heads of Terms to set out the terms and arrangement for occupation including full details on funding, insurance; inspection; litter clearance; equipment maintenance and scheduled replacement of play equipment and play surfaces and decommissioning at the termination of such an agreement.
 - e. Secure all relevant consents under
 - i. The General Permitted Development Order;
 - ii. Town & Country Planning Acts including Archaeological Protection Zone and Site of Importance for Nature Conservation status;
 - iii. Consent regimes associated with Listed Buildings and Registered Parks and Gardens;
 - iv. Consent regimes associated with Conservation Area status;
 - v. Groundwater Source Protection Zones Licensing.

Corporate & Strategic Implications

25. The right to play is set out in Article 31 of the United Nations Convention on the Rights of the Child, ratified by the UK Government in December 1991, and in the UK five outcomes for all children's services defined in Every Child Matters: being healthy, staying safe, enjoying and achieving, making a positive contribution, and achieving economic well-being.
26. Formal play provision remains the duty of the local authority and the City Corporation in Epping Forest does not have a duty to provide land for this. In most cases such formal provision will detract from the preservation of the natural aspect and as such is not generally permitted. Exceptionally, the Epping Forest and Commons Committee has consented to three children's play areas in the past where a range of criteria has been met and which are presented in the June 2018 report on a policy on play areas.
27. The Wanstead Park Play area will help deliver one of the aims of the Corporate Plan 2018 – 2023, to 'contribute to a flourishing society':
- People are safe and feel safe
 - People enjoy good health and wellbeing
 - Communities are cohesive and have the facilities they need

28. It will also deliver the Open Spaces Departmental Business Plan top line objectives:

- a. Open spaces and historic sites are thriving and accessible.
- b. Spaces enrich people's lives.
- c. Business practices are responsible and sustainable.

Implications

29. **Financial** – The implications for the City Corporation should the recommended action be progressed are principally staff time to develop the legal agreements and input to the design process. There should be no direct financial expenditure for the City Corporation which will be met through the LBR under a Licence agreement.

30. Legal -

The most relevant statutory provisions are as follows:

- a. Section 7(1) of the Epping Forest Act 1878 states that "Subject to the provisions of this Act, the Conservators shall at all times keep Epping Forest unenclosed and unbuilt on, as an open space for the recreation and enjoyment of the public..."
- b. Section 7(3) of the Epping Forest Act 1878 states that "The Conservators shall at all times as far as possible preserve the natural aspect of the Forest..."
- c. Section 33(1) (vi) of the Epping Forest Act 1878 gives the Conservators the power "To acquire or erect buildings ...in their judgment necessary or convenient for recreation or refreshment..."
- d. Section 33(1)(xiii) of the Epping Forest Act 1878 allows the Conservators "To set apart...such parts as they think fit, for the use of the inhabitants to play at cricket and other sports, and to lay out, form, and maintain cricket grounds and grounds for other sports..."
- e. Section 76(1)(b) of the Public Health Acts Amendment Act 1907 allows the Conservators "To set apart any such part of the park or ground...for the purpose of cricket, football, or any other game or recreation, and to exclude the public from the part set apart while it is in actual use for that purpose."
- f. Section 76(1)(c) of the Public Health Acts Amendment Act 1907 also allows the Conservators "To provide any apparatus for games and recreations, and charge for the use thereof, or let the right of providing any such apparatus for any term not exceeding three years to any person."
- g. Section 8(2) of the City of London (Various Powers) Act 1977 also provides that "Subject to the functions and obligations of the Conservators under the Act of 1878, including in particular their obligation to preserve the natural aspect of Epping Forest, the Conservators may, for the purpose of providing or improving opportunities for the enjoyment of the Forest by the public and in the interests of persons resorting to the Forest,

provide such facilities, services and works as may appear to them to be necessary or expedient, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation.”

31. **Communications** – A campaign by the local community for a play area in the vicinity has been ongoing for over 10 years. This proposal will meet the desires of the community. A public consultation will ensure that all sections of the community are given a chance to express their views on the play area.

Conclusion

32. The London Borough of Redbridge have identified a deficit of play provision in the Wanstead/Aldersbrook area which has been of long standing. There is a lack of local authority owned land suitable for providing play facilities in the locality. Following an unsuccessful proposal for play facilities to be installed on Wanstead Flats in 2005 a natural play area has now been proposed for The Temple area at Wanstead Park.
33. The Local Authority has agreed to the long-term insurance, inspection and maintenance of the facility and a community group has volunteered to fund raise to provide the funding for the capital works.
34. The proposed play area complements potential long-term developments at Wanstead Park that the City Corporation are considering and provides an opportunity to pilot an income generation opportunity in the park.
35. It is proposed that exceptional conditions are in place that would suggest it is appropriate for the City Corporation to consider a play facility be installed at Wanstead Park.

Appendices

- Appendix 1 – Wanstead Park Proposed Play Space Location Details
- Appendix 2 – Wanstead Outline Play Space Proposals

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