



Opening streets for play

A toolkit for local authorities
and partners in Wales



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Play Wales is the national organisation for children's play, an independent charity supported by the Welsh Government to uphold children's right to play and to provide advice and guidance on play-related matters.

www.playwales.org.uk

Playing Out is a UK-wide parent and resident-led movement restoring children's freedom to play out in the streets and spaces where they live, for their health, happiness and sense of belonging. As well as providing advice and training for local authorities and community organisations, Playing Out supports residents to take action on their own streets and more widely.

www.playingout.net

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The toolkit

Introduction

Playing is central to children's physical, mental, social and emotional health and well-being and therefore to their families and to communities as a whole. All children have an inborn urge to play and research suggests that playing has an impact on the physical and chemical development of the brain – influencing children's ability to 'adapt to, survive, thrive and shape their social and physical environments'¹.

The right to play is recognised in the United Nations Convention on the Rights of the Child (UNCRC). Play has been described as a vital part of the pleasure of childhood² and through play, children develop resilience and flexibility, contributing to physical and emotional well-being.

In 2010, Wales became the first country in the world to legislate for play through the Children and Families (Wales) Measure 2010, which places a duty on local authorities to assess and secure sufficient play opportunities for children in their areas. *Wales – a Play Friendly Country*, statutory guidance to local authorities, sets out a wide range of Matters across several policy areas that need to be taken into account.

As part of statutory Play Sufficiency Assessments (PSAs), local authorities must assess access to space/provision (Matter F). This includes open spaces and outdoor unstaffed designated play spaces. The statutory guidance notes that: *'in assessing for and creating play friendly communities, local authorities should work to ensure that children are able to move around their communities to play; to walk or cycle to open spaces, play or leisure provision; to visit family and friends or to attend school, without risk of harm'*³.

The Play Sufficiency Assessment should take into account all factors that contribute to children's access to play or moving around their communities, including:

- Traffic calming
- Play streets / temporary road closures
- Safe walking and cycling routes
- Public transport provision
- Shared spaces
- Parking.

These factors should be assessed for:

- The number of 20 miles per hour (mph) limits in residential areas, their effectiveness in allowing for children to safely play outside and the potential for increasing the number of 20mph limit areas to promote play opportunities.
- Processes for arranging temporary road closures being straightforward and information on these being readily available.
- The local authority's provision of safe walking and cycle routes and potential for increasing these. This should align with the proposals that are set out in the Active Travel (Wales) Act 2013⁴.

For children themselves, playing is one of the most important aspects of their lives.

*'Really, what I want is to make friends and take part in what's going on where I live.'*⁵

Fast-moving traffic in residential areas is one of the biggest dangers to children. Children say it's the main thing that stops them from playing outside. In many towns and cities informal street play has largely been replaced by the car.

As well as the number of cars increasing, improving modern car performance means drivers are able to accelerate quickly and easily. Evidence suggests that nearly half of all drivers exceed the limit on 30mph roads, which adds to child and parental fears⁶.

Who is it for?

This toolkit is intended to help local authorities (councils) in Wales to develop policies and procedures to enable resident-led street play projects in their areas. It will also be useful for housing associations, school communities, community workers and local residents to understand the opportunities and challenges.

Why has it been developed?

There have been a growing number of queries from parents, residents and community workers across Wales about making it easier for children to play out in their neighbourhoods, for their health and well-being.

This toolkit has been developed by Play Wales together with Playing Out – the organisation that supports street play throughout the UK. It is informed by a pilot project of the temporary street play model in partnership with Cardiff Council and local residents and refers to Playing Out's *Toolkit for Local Authorities*.

What is it designed to do?

The toolkit is designed to provide clear and concise information about street play for councils in Wales. It contains information intended to help understand and address issues of concern and it provides practical, step-by-step tools and templates to support street play to happen.

Section 1 provides background information and **Section 2** provides a range of tools to assist you to enable street play to happen in your area. These are based on lessons learnt from the Cardiff Street Play Pilot Programme, as well as the UK-wide street play movement.



'I've been stressing the importance of play to neighbours and friends, as whilst the street closures are an excellent way to gain momentum and reduce anxieties, it requires the idea to be embedded in people's minds outside of the official street closure times.

My boys were attracted to being outside more so when other children were also visible, so whilst we were initially alone outside playing (outside official closure times), the idea is slowly growing and more children are thankfully starting to emerge from their back gardens and away from screens and coming out to play!

Toni, Cardiff resident

'Children, young people and their families have highlighted ... the need for more opportunities to play in their communities and for families to spend more time together. Children have also highlighted the need to reduce car use in the city to enhance the environment and make Cardiff a safer city to move around when walking, cycling or scooting.'

**Lee Patterson,
Cardiff Child Friendly City Programme**



Section 1: Background

Play and reclaiming streets

Parents and children often report traffic as a limiting factor to play in neighbourhoods. The volume of traffic has increased over the years and is likely to double by 2035⁷. One way to begin to address this and give children more play opportunities close to home is to enable temporary street play. These are often resident-led but can also be school-led or supported by community development organisations.

Such is the impact of the car on children's play, that innovative and creative community based highways solutions need to be encouraged and supported to raise awareness and encourage positive solutions to local problems.

Benefits of street play

Supporting resident-led street play has several benefits, including:

- Getting residents and families active in their own streets
- Enabling community activity
- Improving the health and well-being of children and their families
- Reducing social isolation for older people
- Developing more cohesive and joined up neighbourhoods
- Supporting the council's reputation in local communities.

Physical activity

A recent report, *Why temporary street closures for play make sense for public health*⁸, suggests that supporting local residents to temporarily close their streets for play could make an important contribution to children's physical activity levels.

The findings suggest that street play sessions can provide extra time outdoors, with more opportunity for physical activity compared to times when the street is not open for play. This study also found that outdoor, active play was more likely to replace sedentary and screen-based activities, than structured physical activities.

Cohesion

Pilot resident-led street play projects in Cardiff have identified opportunities for social interaction – having the chance to chat with neighbours and also meeting some for the first time.

'There's quite buzz in the street this evening. I know two more people than I did yesterday.'
Local resident, Cardiff

Feeling safe

The Cardiff pilot project also helped to address parental anxieties about letting their children play outside. Almost all adults present recounted favourite and positive childhood memories about playing in and around streets. In all of the pilot street play sessions, adults were observed as being playful, whilst allowing children to lead their play. Several parents reported that the sessions allowed children to learn to scoot or cycle and that it was evident to them that their children were gaining confidence.

For more evidence of the impact of street play, see Playing Out's *Toolkit for Local Authorities* or visit: <https://playingout.net/why/impact-overview>



Models

Resident-led street play

The Playing Out model was developed by parents, and it enables traditional street play for children in their own street, which older generations once took for granted.

The purpose of street play sessions is to enable children to play freely in their streets, during specified dates and times and under the supervision of their parents. Children take over the pavements and road for a short time and play safely, ride their bikes and scooters, chalk, and play in all the other ways that enable them to have fun, socialise and improve their health and well-being.

The sessions are resident-led and encourage free play, with a degree of independence. Parents are responsible for their children's safety and the running of the sessions.

The sessions take place whilst the road is temporarily closed and car access is restricted but

not stopped. Residents take turns to 'steward' cars needing access to or from their properties. This is not about traffic calming – it provides a dedicated space and time for children to play out.

For more information about the 'playing out' model, including instructional videos, visit:

<https://playingout.net/how/playing-four-simple-steps/>

School led street play

Hackney Play Association, in partnership with Hackney Council in London, support a school-based street play model. It is based on Hackney Play Association's work supporting schools and children's centres and nurseries to run street play sessions since 2013.

School street play sessions take place on streets outside the school when the teaching day ends, often running once a term during spring and summer – but can be more frequent. Parent committees may take the lead in the organisation, with support and encouragement from the headteacher or teaching staff. Other times, the

initiative may be led by the school with parent volunteers. The school community needs to consult in a similar way to a residential play street – door knocking and sending letters to residents and businesses in their street.

The school community also talks to parents, sometimes by holding a meeting to gather parents' views and to remind them that parents must accompany their children at sessions. In the lead up to the session, the school communicates with parents, children and residents via newsletters, emails, posters and in assemblies.

A combination of parents and staff volunteer to steward the closures and it is useful to apply for the closure to start 15 to 30 minutes before the school day ends.



This gives stewards time to set up the road closures and be ready in advance of the children coming out of school.

A film and detailed guide to running school play streets can be found on Hackney Play's website: www.hackneyplay.org/playstreets/home

Community worker led street play

Successful street play initiatives are primarily resident-led, though sometimes local organisations or community development workers offer help where needed. This could include:

- Running free workshops or information sessions to promote the idea to parents
- Promoting the benefits of supporting street play with key elected members and council officers responsible for health and well-being, planning, highways and transport
- Facilitating initial resident meetings and attending the first sessions to support residents and encouraging them to take the project further
- Helping with basic materials to support play
- Coordinating the supply and storage of street closure signage and high-visibility vests.

Legislation

Currently in Wales very few local authorities have street play policies or processes in place.

The most commonly used legislation for resident-led street activity (such as street parties) is the 1984 Road Traffic Regulation Act (chapter 27 Part II, section 16).

See Appendix 1 for more detail on the legislative framework from Playing Out.

Thinking about insurance

(with thanks to Playing Out and The Street Party Site for the following advice)

The cost of the premium is prohibitive to many communities and may not deal with the liability and 'duty of care' issues that councils may be concerned about.

In 2012 for the Jubilee about two million people took part in street parties. Some of them had insurance cover but no claims were made in the UK, according to the insurance companies.

The local authority is not responsible for the event.

By making a road closure Order the council is not licensing or approving any aspect of the event itself. To meet their duty of care many councils ensure that residents are aware of their responsibilities and minimise any risk or attempt of a claim against the council, by requiring residents to agree by signature to conditions, written in plain English, on behalf of the other residents.

The risk of liability is low.

Playing Out has not heard of any claim for liability being made as a result of a playing out session, with over 800 streets having played out across the UK (Autumn 2018). Also, Streets Alive – the organisation that promotes street parties – has not heard of any claims being made following street parties.

The nature of street play sessions means that they are very low risk in terms of the potential of a claim being made on the council for the following reasons:

- There is a clear process and guidelines in place to ensure the sessions are as safe as possible
- Residents are encouraged to carry out a risk assessment
- The road is legally and physically closed to traffic
- There are no structured activities – children play and lead their own play, with adults present
- All activities are visible, and there are always stewards at either end of the street making it easy to see what is going on



- It is made clear in all publicity that parents are responsible for their children and others in their care
- The resident-led organising approach means that there is a high sense of self-responsibility taken by residents because they share the arrangements between them
- People not living in the street rarely attend as there is no external publicity.

The terms of Public Liability Insurance often do not protect councils or residents from liability or accident, making it questionable that it is fully valid for street play.

- Public Liability Insurance usually excludes damage to property not belonging to residents (including to the highway, street furniture and vehicles), from wilful or malicious acts or theft, or during setting up and taking down the event.
- The insurance may not be valid for what are often informal and non-constituted groups, without written records or ‘officers’, for example. The organising of the event is shared and usually not recorded. Though insurance companies would sell a policy to an individual or ‘residents of the streets’, a problem may arise if a large claim was made, for example for serious injury. The application forms and small print are unlikely to be carefully scrutinised by the resident applicant.
- Insurance does not prevent any damage to person or property. It may even give the residents a false sense of security. It is more appropriate for councils to suggest that residents manage any risks and help them to do so.
- Having insurance may encourage people to make a claim or exaggerate an incident.

Blanket requirements for insurance and inflated levels of cover are counter to the Health & Safety Executive’s guidance on risk and play – *Children’s Play and Leisure, promoting a balanced approach*⁹.

‘Accidents and mistakes happen during play – but fear of litigation and prosecution has been blown out of proportion.’

‘Health and safety laws and regulations are sometimes presented as a reason why certain play undertaken by children and young people should be discouraged. The reasons for this misunderstanding are many and varied. They include fears of litigation or criminal prosecution because even the most trivial risk has not been removed. There can be frustration with the amounts of paperwork involved, and misunderstanding about what needs to be done to control significant risks.’



About the Cardiff Street Play Pilot



Following interest from local parents in establishing a street play initiative in their local neighbourhoods via Playing Out, Play Wales hosted a meeting with local advocates, the council's play development officer, and representatives from Public Health Wales.

Following this, Play Wales facilitated a peer network of residents who indicated an interest in organising street closures for play and supported neighbours to trial one-off street play sessions in their streets in August 2017. Following approval from the council, local residents in one neighbourhood continued to host a series of monthly street closures (at no cost) from January to April 2018.

Play Wales continued to receive queries from Cardiff residents expressing an interest in organising street play sessions in their

neighbourhoods. Play Wales contacted a range of officers within the council to discuss how the initiative might support the work that Cardiff was undertaking to become a Child Friendly City. Cardiff is the first Welsh council to work towards global recognition as a Unicef Child Friendly City.

The Cardiff Child Friendly City programme has brought partners together to develop a Street Play pilot programme. This programme aims to streamline the road closure application process to enable residents to apply to close their street, to allow children to safely play, for a set time over a number of months with one application.

The programme has been developed and managed by the Cardiff Street Play Task Group with representatives from Public Health Wales, Play Wales, Transport Policy Team, Housing and Communities, Education and Play Services.

With funding from the Millennium Stadium Charitable Trust, Play Wales has supported the pilot programme by:

- Working with Playing Out to create Welsh versions of its materials
- Providing training to residents
- Supplying all streets with equipment, including traffic management signage, traffic cones, low-cost play items and high-visibility jackets.

The Cardiff Street Play Pilot ran from September 2018 until February 2019. The pilot involved a limited number of streets (five) to ensure that the process is managed appropriately along with community expectations.



How the pilot project was implemented – step by step

- Expressions of interest were received and logged by Playing Out and Play Wales
- Through the Cardiff Child Friendly City programme, the Cardiff Street Play Task Group was established
- Play Wales established a network of residents
- Play Wales worked with Playing Out to adapt and translate Playing Out residents' manual and other resources
- Key resident activators notified neighbours and elected members of the idea and planned informal street play meetings
- Street play meetings held to discuss the idea and answer questions
- Key activators applied to Cardiff Council using the application template and notified neighbours
- Activators responded to objections and concerns, using the Frequently asked questions developed by Playing Out (see Appendix 3)
- Volunteer stewards were recruited
- Play Wales hosted a meeting to discuss the practicalities of closing the street and traffic management
- Play Wales provided resources
- The first sessions were organised
- Residents were reminded about upcoming sessions via leaflet drops and social media use
- Play Wales managed a review of the sessions to inform future steps.



Section 2: Tools to assist

Tool 1: Application for Temporary Play Street Order

Cardiff Council used this template, similar to that first developed by Bristol City Council, to allow residents to apply for a Temporary Play Street Order. As well as the application, it includes a template letter for residents to use to notify neighbours that they have applied for a temporary play street closure.

Council

Application for Temporary Play Street Order

(Legislation: Town & Police Clauses Act 1847)

Important – please read carefully!

1. Please use this form only if you wish to apply for a temporary Play Street road closure Order. This Order will permit you to close a road for the purpose of children’s play on dates and times specified. If you are not sure that these are the correct forms for your event please contact us:

2. You must ensure that we receive your application by _____ otherwise we will not be able to process it. To avoid disappointment please hand deliver/email or send your application by recorded delivery as lost or late applications are your responsibility and will not be processed.
3. Please make sure you give all the information requested on the form. To prevent delay, you must enclose the following with your application:
 - a street plan of your event (see section 2)
 - copy of your resident consultation letter (see section 4)
4. _____ Council cannot guarantee that an Order will be made, and any Order made under this application will be revoked if any of these conditions are not met:
 - i. You must pay to the council the full costs of any damage to the highway or street furniture or other loss or damage suffered by it and of any claims made against it as a result of the making of the Order and which arise from your negligence or (if you represent an organisation) the negligence of your organisation’s members or officers. We strongly recommend that you take out Public Liability Insurance for the duration of your road closure(s).
 - ii. Any Traffic Regulation Order (TRO) or other statutory provision which is currently in force on the road(s) to be closed will remain in force during the closure unless specified to the contrary on the Legal Order.

- iii. If appropriate you must clean the street in order to return it to its condition prior to the closure. This must be done before the road is reopened.
- iv. No closure must be of more than a two hours duration.
- v. An Order is made entirely for the purposes of children's play and may not involve the placement of any structure on the highway during its use.
- vi. No activity requiring any form of license (under the Licensing Act 2003) may be undertaken when this Order is in force.
- vii. Vehicular access and egress for residents/businesses and emergency services must be maintained during any closure period.
- viii. On-street parking cannot be refused or restricted other than through an existing Traffic Regulation Order.
- ix. The road(s) may only be closed on the dates and times specified within the Order.
- x. All events must be under adult supervision.
- xi. Appropriate Traffic Management must be used and collected following the closure time otherwise charges will be applied.
- xii. On adhoc occasions _____ Council or _____ staff may visit to review the trial / road closure implementation to ensure it is being carried out under the grounds of the legalisation. If for any reason it isn't the legislation will be revoked and no further closures will be permitted.
- xiii. If for any reason road works or other events could affect the road closure, _____ Council will contact you via email to advise you your closure cannot take place for this date(s) however where possible an alternative may be permitted but this can't be guaranteed.

I confirm that all the information I provide below is correct and that I am at least 18 years of age. I agree that _____ Council may distribute to third parties and use publicly any of the information provided within these forms. I understand that submission of these application forms indicates acceptance of the above conditions.

Signed: _____

Date: _____

1. Applicant details

Name of person (and organisation if applicable): _____

Contact address (incl. post code): _____

Telephone number (daytime): _____

Telephone number (evening): _____

Email address: _____

2. Road closure details

_____ Council makes no warranty as to the suitability of the road for your event.

Name of road(s) to be closed: _____

Length of road(s) to be closed (if appropriate):

From: _____

To: _____

Please supply a plan showing the exact extent of the closure. Please specify the dates and times that you propose to close the road(s) making it clear if this is to be a regular event. If you do not state specific dates we will not be able to process your application.

3. Traffic management: cones / diversion signs

Appropriate bilingual signs and cones are necessary to affect the closure. This includes a 'Road Closed' sign and cones at each point of closure, and any appropriate diversion signs for the alternative route, details of which will be supplied on the Legal Order. Also, each closure must be supervised and maintained at all times by a responsible and clearly identifiable adult. Hi-Vis must be worn at all times when stewarding the road closures.

Please contact us if you would like clarification of signing requirements.

What arrangements have you made for the erection and supervision of cones and signs?

4. Public notification

You are required to consult with all affected properties by letter using the template below. A copy of the letter you have sent must be included with these forms. Please note that although you may provide supplementary information about your event, you must use the wording in the template supplied. If your letter contains different or amended wording you will be instructed to re-draft and re-send to all recipients.

You must not instruct residents not to park on the road during the event as the road closure Order does not suspend or prohibit parking.

Please give a brief list of properties affected. This means any property, residential or commercial, which is located on or accessed only by the road(s) you wish to close – e.g. High Street numbers 1-99 and numbers 2-98. Please ensure that when notifying multiple occupancy buildings (e.g. blocks of flats), a letter is delivered to each separate residence.

Please confirm the date your consultation letter was sent: _____

Has there been any objection to your proposal?
YES NO (please circle)

Please contact us on the number below if you need assistance in resolving a concern or objection. Emergency Services will be notified of your proposed closures by _____ Council as part of the application process and will be on the weekly road report.

Return your completed forms to us. Either:

1. Print, scan and e-mail to: _____

2. By post, to: _____

If your application is successful you will be sent the Road Closure Notices no less than one week before the date of your first proposed closure. Please note where possible this needs to be erected onsite on a lamp post. You can check receipt of your application and monitor its progress by emailing us.

Consultation letter template

To: Resident

From: _____

Address: _____

My tel. no: _____

My email: _____

Date: _____

Dear Sir/Madam,

Re: Proposed temporary Play Street Closure Order

I am writing to inform you that I am in the process of applying for a Temporary Play Street Order to close the following road(s):

This Order would be valid from _____ only and, subject to

_____ Council approval, closures would only take place on the following specific dates/times:

The road will be fully closed to through traffic and points of closure will be marshalled. Residents will be allowed full access but are requested to drive at walking speed under supervision of stewards when within the closure area. It is not necessary to move parked vehicles from the street although you may wish to do so. Parents will be fully responsible for their own children and access will be maintained for emergency services at all times in all parts of the street(s).

Please direct any comments, queries or objections about this proposal to me in the first instance. If I cannot resolve your concern I will refer you to _____ in the Council.

Many thanks in advance for your co-operation.

Yours faithfully,

Tool 2: Adopting a street play policy

Implementing and reviewing the Cardiff Street Play Pilot has enabled the identification of a range of things to consider with regards to good practice.

For further information on how councils can best support street play, including frequently asked questions, see Playing Out's website section for local authorities:

<https://playingout.net/how/how-councils-support-street-play>

The following should be considered:

Planning

- The council establishes and hosts a steering group including representatives from all interested officers in the council, residents, public health team, community support organisations and the police to monitor the policy and practice and address any issues arising.
- There is good political support and a recognition that some support from the council is necessary.

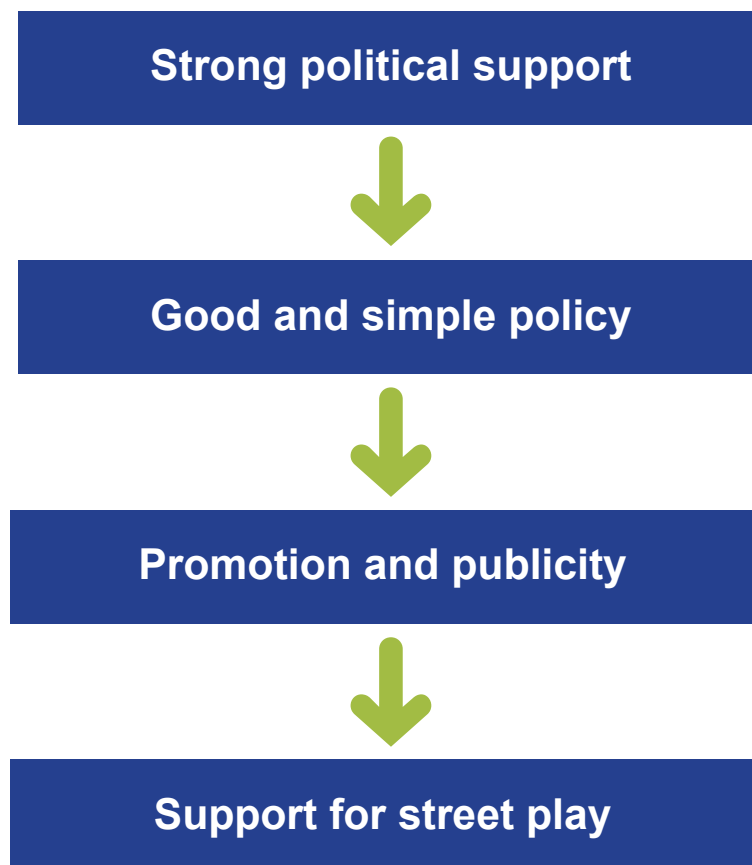
Policy

- There is a straightforward and easy application process in place.
- The council is clear about the criteria used to make decisions (i.e. strategic or bus routes, planned maintenance nearby, characteristics of the street, primary or main routes).
- There should be no charge to residents to apply to close their streets temporarily.
- The application form includes a formal consultation letter to all households within the closure area so that any concerns can be addressed.
- Only realistic objections where unacceptable issues are identified and evidenced should be considered, not those based on a disagreement with the general principle of street play.
- Applications should only be refused where there is a legitimate concern about safety or where objections outweigh support on the street.
- Residents should be required to follow standard procedure for placing signage and cones in the street and to ensure two stewards are at each road closure point at all times.
- The Order should be clear that no through-traffic is allowed and vehicles may enter or leave the road only at walking speed and under supervision, once the road is clear of children playing.
- The council allows residents to make more than one application during a year, so that they can trial the idea or change the day/time if it becomes unworkable.
- The application process should be phased throughout the year.
- Ask residents to sign a reasonable indemnity clause rather than insist on public liability insurance (which could prove a major barrier for many streets).

Support

- It is easy for residents to source road signs and other materials that support street play.
- Residents have support to produce printed matter.
- Residents have an opportunity to meet and network with one another.
- Signage and barrier requirements should ensure safety without being too difficult to store. Some councils provide residents with simple signage and barriers for the duration of their Order.
- There is a way to offer residents advice on road closure layout, correct signage and other traffic management issues. If the council can't provide this, identify a partner who can.
- Objections should be resolved between neighbours but the council can support and, where necessary, mediate or offer practical solutions (such as having a one-off 'trial' session or moving the road closure to a different part of the street).
- It should be clear in guidance notes that parents are responsible for their own children at all times.
- Make it clear to residents that there is no obligation to close the road every time they have permission to do so and should only go ahead if there are sufficient stewards and it is safe to do so.
- Clearly signpost residents to Play Wales, Playing Out and other local sources of support.

How councils support street play – making it work



Tool 3: Providing resources for residents

Residents report that the provision of traffic management signage, cones and items for stewarding was crucial to the participation and success of local resident involvement. For the Cardiff Street Play Pilot, Play Wales was able to secure funding to provide each street with a street play kit for the duration of the project. Residents were responsible for the safe storage of the equipment and ensuring that it was removed from the highway at the end of each session.

It is important that these responsibilities are understood by those lending and borrowing the equipment.

Other UK councils (such as Hackney in London and Bristol) provide each street with equipment at no charge.

Possible play kit resource contents:

Lightweight regulation size bilingual 'Road Closed' signs	2
Traffic cones	At least 4
Lanyards with whistles and steward briefing*	4
High-visibility vests	4
Leaflets promoting the good reasons for street play*	
Long skipping rope	1
Street chalk	
Foam play ball	
<i>How to organise playing out sessions on your street*</i>	

* Available to download at:

www.playwales.org.uk/eng/publications/streetplaymanual



Tool 4: Loan of equipment form

Name: _____

Telephone no: _____

Address: _____

Email address: _____

Date: _____

Description of equipment borrowed:

Specified return date: _____

Declaration

- I agree to the safekeeping of the equipment detailed above and to return all items on the date specified.
- I agree to ensure that all equipment is removed from the highway at the end of each street play session.
- I agree to report any loss or damage to the equipment to the lender.
- I agree not to provide the equipment to another party.
- I agree not to use the equipment for any purposes other than for approved street play sessions.
- I agree to notify the lender should the key contact for street play sessions change during the agreement period.

Signed: _____

Authorising signature: _____

Name: _____

Name: _____

Tool 5: Proposed programme for activity

The Cardiff Street Play Pilot project has demonstrated that a critical factor in the success of street play projects locally is having enough time for local discussions and consultation to take place. Therefore, it is crucial that the council builds in ample time for this.

Step 1	Stakeholder task group established
Step 2	Key elected members are identified and briefed
Step 3	Council approves to grant Temporary Play Street Orders (TPSOs)
Step 4	Application form and guidance notes drafted and approved by relevant managers
Step 5	Promotional plan agreed
Step 6	Promotional material drafted and approved
Step 7	Announcement and launch of Street Play project (via a webpage and social media). Application period opens for a minimum of six weeks. This includes community consultation by the applicant using templates provided by the council – see Tool 1)
Step 8	Application period closes
Step 9	Applications processed and applicants notified
Step 10	Equipment secured
Step 11	Issue the Orders
Step 12	Equipment is distributed
Step 13	Sessions start
Step 14	Sessions are monitored
Step 15	Annual report produced

Tool 6: Resident monitoring form

Name of street	Date:
Number of children:	Number of adults:
Estimated ages:	Number of stewards:
Please describe the traffic management:	
How many cars were diverted?	
How many walked in?	
Any issues?	
Reflections on the session (What happened? How do you feel about it? What information was captured in discussions?)	
What seemed to work well?	
What might have been better?	
Actions for follow up:	
Any other comments:	

Appendix 1: The legislative framework for play streets

(from *Playing Out's Toolkit for Local Authorities*)

Introduction

Since Bristol City Council introduced the UK's first 'Temporary Play Street Order' in 2012, at least 56 other local authorities have implemented similar policies, allowing residents to make a one-off (usually annual or biannual) application to open their street for children to play out freely on a regular basis (usually up to weekly). Most streets are doing this following the resident-led 'playing out' model, where through traffic is diverted but residents still have car access. Along with official 'Road Closed' signage and barriers, volunteer stewards redirect traffic and escort vehicles in and out at walking pace.

Many local authorities have shown an interest in supporting this model of resident-led street play as it has been shown to be 'do-able', sustainable, low risk and low-cost. However, there has been some confusion over the legal basis for implementing a 'TPSO' or street play policy and, until there is official guidance from the UK government, this briefing aims to help local authorities understand the legalities and to suggest best practice, based on the experience of councils and residents around the country.

The Playing Out website contains detailed film and written guidance for residents wanting to follow this model as well as evidence of the health and well-being impact for children and communities.

Legal framework

There are currently three different pieces of legislation being used by councils to enable play streets. These are listed below, with some pros and cons under each one.

1847 Town Police Clauses Act

www.legislation.gov.uk/ukpga/Vict/10-11/89/contents

This Act is used by many local authorities in England to enable events and street parties. More recently used by Bristol and many other local authorities outside London to allow 'Temporary Play Street Orders' (TPSO).

Positives:

- Minimal bureaucracy, no requirement for permanent signage.
- Flexible: enables councils to make order to close street 'whenever it is thronged ... or likely to be obstructed' i.e. not just for special events.
- No advertising costs.
- No limit on number or length of closures.
- Already being successfully used by many local authorities for this purpose.

Issues/questions:

- Power is officially given to police authority (though most have delegated this to local highway authority)
- Not applicable in London (replaced by Metropolitan Police Act)
- Predates motor vehicles and may be rescinded at some point.

1984 Road Traffic Regulation Act chapter 27 Part II, section 16

www.legislation.gov.uk/ukpga/1984/27/section/16A

The 1984 Act is used by many local authorities (including in London) to enable events and street parties. Some councils have used it to pilot a Temporary Play Street Order or similar e.g. Enfield, Hertfordshire.

Positives:

- More up to date than TPCA and universally applicable across England, Wales and Scotland
- May allow for regular closures on one street under a single annual order
- No requirement for councils to advertise in newspaper.

Issues/questions:

- Order may only last three days unless agreed by Secretary of State
- Not clear whether informal street play constitutes a 'relevant event'
- If only one order allowed per year, could prevent streets from having annual street party and TPSO, unless applied for under same order.

1984 Road Traffic Regulation Act chapter 27 Part III, sections 29 and 31

The Street Playgrounds clause gives councils the power to temporarily prohibit traffic on roads to be used as playgrounds ('Play Streets') and to make bylaws pertaining to this and erecting permanent signage. In the 1950s and 60s there were nearly 700 play streets in London. Most original 'Play Streets' have fallen out of use due to the volume of traffic although some signs are still in place.

Some London boroughs (including Hackney, Waltham Forest, Islington and Lambeth) are now using this law to allow for 'playing out' sessions.

Positives:

- Clear piece of legislation unequivocally allowing restriction of traffic for children's play
- Long history and tradition
- Official 'Play Street' signage may help increase awareness amongst drivers (though Department for Transport has confirmed that temporary signage alone can be used)
- Gives residents flexibility to decide the frequency the street will be closed for play (e.g. 2-6pm weekends, April-September or 4-7pm, Tuesday and Thursday).
- Universally applicable across the UK.
- Period of order can be limited (e.g. to one year) – not necessarily permanent (ensuring continuous resident support).

Issues/questions:

- Permanent 'Play Street' signage alone no longer sufficient to ensure driver compliance and safety for children (stewards and 'road closed' signs still needed).
- Requirement to advertise in press at cost to local authority as above – single annual advert may be only cost-effective option, meaning less flexibility for streets. Many local authorities set deadlines for streets to apply, which is limiting and can discourage residents.

Road Traffic Regulation Act 1984, permanent Play Streets:

www.legislation.gov.uk/ukpga/1984/27/section/29

Appendix 2: Other legislation and policy which underpin street play projects

There is a strong policy framework which underpins and supports the adoption of Temporary Street Play Orders. This section highlights some of the key legislation, but is not exhaustive. The Welsh Government, through its national *Play Policy*, places great value on play and its importance in the lives of children in our society. It believes that children have a fundamental right to be able to play, and that play is central to their enjoyment of life and contributes to their well-being.

Children and Families (Wales) Measure 2010

Wales is the first country to legislate for children's play through the Play Sufficiency Duty as set out in Section 11 of the Children and Families (Wales) Measure 2010. The Play Sufficiency Duty requires local authorities to rethink both services and the design of the general environment to improve the conditions that support children playing out and thereby reaping the benefits of this. The statutory guidance (*Wales – a Play Friendly Country*) notes:

*'For many children the pavements and roads outside their front doors represent not only access to play provision, but also a space in its own right, where they can play; sometimes the only public open space in a community. We also recognise that when children travel somewhere they don't just walk or cycle but they play their way through their community.'*¹⁰

United Nations Convention on the Rights of the Child

Children have a right to play, as recognised in Article 31 of the United Nations Convention on the Rights of the Child (UNCRC). The Welsh Government adopted the Convention as the basis for policy making for children and young people in Wales in 2004.

The UN Committee on the Rights of the Child notes in its General Comment on Article 31, that children should have: *'an environment sufficiently free from ... traffic and other physical hazards to allow them to circulate freely and safely within their local neighbourhoods.'*¹¹

Active Travel Act (2013)

The streets are an important resource for children and teenagers to play. This Act places a requirement on local authorities to continuously improve facilities and routes for walkers and cyclists and to prepare maps identifying current and potential future routes for their use. It requires new road schemes to consider the needs of pedestrians and cyclists at design stage. Safe streets help to encourage play to thrive in the local community.

The Well-being of Future Generations (Wales) Act (2015)

This Act aims to improve the social, economic, environmental and cultural well-being of Wales, with a clear commitment to a better quality of life for future generations. As forward-looking legislation its aim is to secure a safe and prosperous future for our children and grandchildren. This includes a healthier, more resilient and equal Wales where communities are more cohesive. Supporting children to play in their community has a role in this.

For this Act to be effective, it is important to take note of current and future trends. Until recently transport policy has encouraged dependence on cars and UK road traffic rose by an average of 25 percent between 1993 and 2007. Although recent levels are stabilising the Department for Transport predicts a near 50 percent rise by 2035¹².

As well as the number of cars increasing, improving modern car performance means drivers are able to accelerate quickly and easily and evidence suggests that nearly half of all drivers exceed the limit on 30mph roads¹³.

Child casualties from road accidents are falling in the UK. The rate of fatal injuries to children aged 5 to 15 in Wales (by mode of transport), indicates that more children die as car occupants than as cyclists or pedestrians¹⁴. The modern reality is that fewer children are playing outside near their homes and are passengers in vehicles, instead.

Taking Wales Forward (2016-2021)

This Programme for Government sets out the priority areas for the Welsh Government over the next five years. It outlines how the Government will build a united, connected and sustainable Wales. Key public health priority areas include: giving children the best start in life (including reducing adverse childhood experiences), mental

health and well-being, strengthening community assets and the environment – all of which have relevance to play.

Public Health Act (2017) and emerging National Obesity Strategy

This Act acknowledges the issue of obesity for Wales. It places a duty on Welsh Ministers to publish a national strategy on preventing obesity, and reducing obesity levels, in Wales. Play is key to increasing physical activity in children, which in turn impacts population obesity levels. Recent research¹⁵ has found that outdoor, active play was more likely to replace sedentary and screen-based activities, than structured physical activities.



Appendix 3: Frequently asked questions

From *How to organise playing out sessions on your street – A version of Playing Out's manual for residents in Wales*.

Here are some frequently asked questions from people wanting to organise playing out sessions on their streets.

Background information

What are the benefits of playing out in your own street?

There are loads – see 10 good reasons for street play in *How to organise playing out sessions on your street*. These are the 'big' benefits, but you will find many smaller, less obvious ones by holding playing out sessions, for both children and adults on your street.

What is Playing Out?

Playing Out is a not-for-profit organisation set up by parents to activate street play across the UK. It is a small team based in Bristol and gives peer-support 'on the ground' to Bristol residents as well as offering practical help and support for residents across the UK. You can phone 0117 953 7167 or email hello@playingout.net.

What is Play Wales?

Play Wales is an independent charity – our area of charitable remit is Wales.

We work to raise awareness of children and teenagers' need and right to play and to promote good practice at every level of decision making and in every place where children might play. We welcome projects and initiatives that are making streets and communities play friendlier places for children and teenagers.

We have an agreement with Playing Out to promote and support resident-led street play sessions in Wales. We have been involved in the piloting of several street play sessions.

What are 'Play Streets'?

The term 'Play Street' originally referred to inner-city streets, which, from the 1930s onwards, were designated by the authorities to serve as informal playgrounds during certain hours.

London Play's website includes a history on play streets and information about efforts to redevelop play streets in London. An updated version of the legislation used to do this is still being used by some councils to enable regular road closures for play, particularly in London.

The term 'Play Streets' is now also being used interchangeably with 'playing out' or 'temporary play streets' to refer to the current movement of resident-led temporary road closures for play, which contributes towards street play being a normal, everyday activity for children everywhere.

Applying for road closures

How do I 'do' playing out on my street?

A lot will depend on where you are in the country, as different councils have different policies around how to close your road for play.

How do I find out what my council's policy is and who to contact?

You can start by looking at the map on Playing Out's website or local authority directory – or contact Play Wales or Playing Out if you can't find what you need.

What if my council does not have a policy in place?

The people behind the Playing Out model started in Bristol by organising one-off sessions using the council's 'street party' application form – not actually having a street party, but using the procedure to close the road for play.

How do I go about trying to get a street play policy adopted by the council?

After the success of Playing Out's initial one-off sessions, Bristol City Council got behind the

idea and brought about a change in policy to allow streets to close regularly. The same has happened in other local authority areas across the UK. Getting political support is key, so invite local politicians along to your early sessions to see the benefits for themselves. Finding the 'right' person in the council is key – this could be a councillor, or an officer from Highways, Community Development, Public Health or Play/Children's Services, so don't be put off by an initial negative response – try another route.

What different models are there for regular road closures for play?

In Bristol, the council has developed a policy letting residents apply for a Temporary Play Street Order (TPSO), which allows you to close your street to through-traffic up to once a week. Residents can still drive in and out at walking speed, escorted by volunteer stewards.

Other councils are now offering versions of this policy, allowing residents to decide which days and hours to apply for, whereas others offer fixed dates through the year. TPSOs usually last for a year, after which you need to re-apply.

Some other places (particularly in London) are trying to bring back more traditional permanent 'play streets' with fixed signage. In theory, this model could allow for more frequent road closures, even every day, although residents would still need to make sure this happened safely.

It doesn't matter too much which legal route the council chooses to use, as long as residents can cheaply, easily and safely open their street for play on a regular basis.

What do I need to do before applying?

The main thing you need to do before applying is to talk to your neighbours about the idea, perhaps by holding an informal meeting, and make sure you have enough support and have tried to address any concerns.

How do I apply?

In Bristol, the council needs six weeks to process applications, and most other councils have a similar timeframe. In Hackney, London there are four application deadlines each year. The general advice is that it can take about three months to get started. Once you have decided how often you will be closing, how much of the street and got others on board, you will need to go through the formal application process.

In some local authorities in the UK, the council provides a standard 'consultation letter' for you to photocopy and put through all the doors on your street. If your council doesn't provide this, it is still a good idea to do this to make sure everyone feels consulted – a template consultation letter is included on page 20 for you to use or adapt. It is a good idea to add a friendly note to neighbours to go with the formal consultation.

Each local authority will have a slightly different process. Search Playing Out's map to find out about your local council's process and who to contact. If there is not a policy in place or the council does not have a process that would allow



you to play out, contact Playing Out or Play Wales for advice.

Who needs to be consulted?

All residents and businesses within the proposed closure area should be consulted – usually with a letter through their doors – and have a chance to raise any objections or concerns.

You may also want to let others know who are outside the closure area but might be affected, although you are not obliged to do this.

How do I address objections and concerns?

It is good to ensure you have invited and listened to as many opinions on the street as possible and tried to address any concerns raised in an open and neighbourly way. Contact Playing Out or Play Wales if you need advice and support as it can be very unsettling dealing with strong opposition from neighbours.

Can residents who are unhappy stop the application progressing?

Councils will each have their own policies around responding to objections and it is worth finding out what this is in advance.

In several local authorities, objections received by the council will be carefully considered and responded to. The council's aim will be to attempt to resolve or address any objections so that the sessions can go ahead. A street may occasionally be refused permission if a lot of people object or if 'material' objections are unresolvable, but this is very unlikely.

Can I see a street holding a playing out session before I apply?

There are playing out sessions taking place in many different areas of the country. Please see the map on Playing Out's website or contact Play Wales if you'd like to get in touch with someone local to you who would be happy to invite you along to their street and share their experience.

Can I organise a one-off session to try it out?

Yes. This is sometimes a good idea where you are unsure or where you know some residents are unsure about the idea. In some areas, you can organise a one-off session using the TPSO form or apply under the street party procedure. You can reapply for a second TPSO during the same year if you then wish to organise a regular session. If you are unsure about the best route to do this, contact the council to check the process in your area.

See the map on Playing Out's website or the local authority directory for the contact information in your area.

How is it different from a street party?

The main differences are:

- Residents can still drive in and out of the street
- Road closure is 'stewarded'
- Emphasis on free, child-led play (not organised activities)
- Short period of time (one to three hours)
- Potential to become a normal, regular part of street life.

But it still has some of the benefits of a street party in terms of neighbours getting to know each other and the street feeling safer and friendlier as a result. Many streets have both regular playing out sessions and an annual street party, which feels like more of a special event for the whole street.

Practicalities

What work, time and effort is involved in organising playing out sessions?

It is about 20 hours of 'work' for the main organiser, from organising an initial meeting to putting on the first session. This might sound a lot, but it is spread over several months and can be shared between a number of people. Also, a lot of the time involves talking to your neighbours and might be enjoyable. Give yourself lots of time, pace yourself and just do as much or as little as you want to.

We have had a lot of feedback from people testifying to how worthwhile and rewarding they have felt their efforts to be. Get in touch with Playing Out or Play Wales if you have any questions or concerns, need moral support, or to talk things through.

How often and how long do you close the street?

Within the limits set by your council, each street needs to consider what would suit them best. The closure times, days and frequency will depend on the availability of residents, organisers and children and may take into account other factors, for example if there is a church or school on your road.

Some streets close for an hour or so after school on a weekday, others close at a weekend. Streets close weekly, fortnightly or monthly, depending on the policy of your council. You may want to vary what you do at different times of the year, for example closing less frequently in the winter, or at weekends over the winter and weekdays in the summer.

You will need to consider how many people are likely to be involved and able to help. You may also want to take into account other factors such as organised after-school activities (if a large proportion of children go to Scouts on a Monday, it may not be the best day to play out).

Can we still play out in winter or after dark?

Many streets play out all year around. Experiencing different weather and seasons is one of the great benefits of outdoor play. In the winter, it may also be easier and more attractive to play out on the street for a short time, rather than trek to the park.

If you are organising after-school sessions, you may want to keep them short (even 45 minutes is a worthwhile run-around) as evenings draw in and it gets cold for the adults standing around. Or, if the local application process allows for it, you could switch to weekend sessions that are held earlier in the day through the winter.

It is good to keep it going if you can (without forcing it), to maintain the sense of it being 'normal' and regular. You could also think about making the winter sessions special in some way, to maintain enthusiasm. Some streets have had small fires in a 'fire wok' or brought out hot chocolate to share.

Can we play out in the rain?

Definitely. We have found that children generally enjoy the chance to get their wellies on and play out in the rain (and again are more likely to do this right outside their front door, rather than going to the park). As long as the stewards are happy to stand outside and you have addressed any additional risks, there is no reason to cancel. If it is very windy, this might be more of a problem – in particular you would need to make sure any signage was properly secured.

Is there an age limit?

No. Playing out sessions should be open to everyone and not prescribed. We have found that older children (twelve and above) are usually less keen to be in such an adult-supervised environment and hopefully have more freedom to wander further afield. In terms of younger children, as long as they can move, they can play. Even babies and toddlers get a lot out of it and it is a great way for children of different ages to interact. Often children from different schools get a chance to meet and play as well.

What if I live on a major road or bus route?

This might be a problem in terms of closing the road, but check with your council. Otherwise, there may well be other things you could think of doing to enable more playing out and a better sense of 'belonging' on your street. Have a look at Easy and effortless things in *How to organise playing out sessions on your street* for inspiration. 'Pavement play' is one model some streets follow, where residents just agree a particular time to come out and semi-supervise children playing out on the pavement. If speeding traffic is a problem, you might want to think about trying to get some traffic-calming measures put in, or have a '20s Plenty' campaign.



What signage and barriers should be used? How do I get hold of them?

As a minimum, each road closure point needs an official 'Road Closed' sign and a physical barrier across the road. Depending on the layout, some roads will also need 'Road Ahead Closed' signs to warn drivers they can't get through and some may need extra barriers such as cones. Stewards wear high-visibility vests and have whistles to blow when a car is about to come through. Play Wales can advise on road closure kits.

What if I want to cancel a session or change the timings?

If you decide to cancel a session, perhaps due to bad weather or a lack of stewards, you can do so without informing the council. The same applies if you decide to run a shorter session than applied for.

For example, if you have been given permission to close from 3.00pm to 6.00pm but you decide to play out from 4.00pm to 5.30pm, that's fine as

long as you are clear with residents that is what you are doing. However, if you wish to change the times or dates from sessions that your current permission does not cover, you will need to get in touch with the council and may need to re-apply.

Should I try to get local media coverage of my street's activity?

Getting your local newspaper or radio station to come along to a session can be a great way to get people thinking about the issues, spread the idea of playing out and even gain support from the council. However, we have found that there are a few things to consider first. Contact Playing Out if you want to discuss or have any questions.

How do I ensure that only people from my street come along?

Most streets are public highways and public spaces, which is one of the great things about them, so it would be wrong to try to prevent people from coming into the street from elsewhere. This is not about trying to create a 'gated community'. At the same time, you don't want to find yourself hosting a public event. As long as you keep publicity only to the street itself and don't put on any organised activities you are very unlikely to get more than a few 'extras' coming along to see what is happening.

Do we need to have any organised games or equipment?

No. Keeping it 'normal' is good and powerful, showing that children mainly need space and freedom to play on their doorstep, rather than being shown what to do. In our experience, they need very little to make the most of it and will often bring out their own toys, scooters, bikes, roller skates and hula-hoops. The street is a great 'blank canvas', encouraging children to be creative and make the space their own.

However, you may want to provide some extra things such as pavement chalk, long skipping ropes, hula-hoops and soft balls (to replace hard footballs).

How do we ensure that people without children don't feel excluded?

Make sure that any communications and publicity go to all households, not just those with children or those you think will be interested. Start the process with an open meeting for all residents and make it clear that you want this to be something for the whole street, not just young children and their parents. Retired people and students can be particularly useful as stewards and those without children might appreciate having a way in to the community which they don't have otherwise.

What do I do about side streets?

It is important to risk assess all the roads/rights of way that lead onto a street you have closed for play. All junctions need to be stewarded. Even if the side road is a *cul-de-sac* itself or a back lane leading to garages it is important to indicate to emerging drivers that the road ahead is closed, and to steward the junction.

Responsibility and liability

What are the responsibilities of the applicant?

The Temporary Play Street Order (TPSO) form or application should make it clear about the responsibilities of the applicant (the person who signs the form). Normally, these include:

- To ensure the road closure and re-opening of the road is managed safely and using the correct signage
- To ensure there is no permanent damage to the public highway
- To ensure that parents are aware they are responsible for their own children as on any other day.

As the named applicant, you do not need to be present at every session. However, you are still responsible for the points listed.

Often, the applicant takes on the role of organiser and ensures stewards are in place and signage is put out.

What do we do if children turn up unaccompanied?

The job of the organisers and stewards is to make the space relatively safe by stopping through traffic and ensuring that residents drive at walking speed, not to look after other people's children. It is worth some effort in advance to ensure that publicity states clearly that parents are responsible for their own children and that, whilst adults around will aim to keep an eye out for any issues, unaccompanied children will not be 'looked after'.

If you have any real worries about unaccompanied children, either because they seem too young or too irresponsible to be out alone, you should try to talk to their parents. If they have come from outside the street, perhaps give the child a note to take home, politely explaining that the organisers' job is only to manage traffic and that parents are still fully responsible for their own children. In a friendly way, explain that playing out is a collective community effort and invite the parents to come along to the next session and help steward and/or meet other neighbours.

Do stewards need DBS (Disclosure and Barring Service – formerly CRB) checks?

As long as you are clear that this is an informal event organised by neighbours on their own street, that parents are responsible for their own children and you are not providing organised childcare, there should be no reason to go through this formality. The sessions are simply a way for children to play in a traffic-free street. They may come into contact with neighbours of all ages and this can be a good way to learn about interacting safely and positively with adults in their community. The role of the stewards is simply to make sure the space is safe and not to look after children.

If you are an organisation providing volunteers or playworkers then you need to follow your own safeguarding procedures.

Do we need to provide first aid?

It is always good to know if one of your neighbours is trained in first aid, or if someone has a particularly good first aid kit. But, if a child hurts

themselves, it is up to the parent or carer to treat them, as they would if they were playing in a park or on a pavement.

My street is on a steep hill / off a very busy main road / around a blind corner – is it safe?

You should carry out a simple risk assessment and factor in any particular issues to do with your street. On a hill, for example, children may well take the opportunity to free-wheel on bikes or scooters in a way they wouldn't when the street is open to cars. If there is an accident, the organisers could be accused of encouraging this behaviour, so you need to think about how to minimise the risk. Clearly stating that parents are responsible for their own children will go some way towards this but you might also need to think about putting other measures in place to keep it safe, such as an agreed start and finish line chalked on the road.

If you have worries about traffic and the particular layout of your street, the council officers dealing with your road closure application should be able to help advise on correct use and placement of signage and barriers to ensure safety.

Would I (as the 'named' organiser/applicant on my street) be potentially liable for injuries or damage that happen as a result of the session taking place?

Some possibilities that worry me are:

- Injuries occurring during a session
- Damage to property (including council or highways property) during a session
- Children being hit by a car outside of session time / closure area.

There is always some risk of liability for injuries or damage to property if you organise any event, but if you carry out a risk assessment and follow the guidance in *How to organise playing out sessions on your street* you will go a long way to protect yourself against any potential claim.

Generally, you will only have any potential liability for what happens within the closure area and during the session time (or immediately before and after it). Other damage would be too remote.

Finally, remember that not every person who suffers a minor injury or damage to property will necessarily make a claim. Ensure that any injuries that do occur are promptly and supportively dealt with and keep notes of each one, just in case.

Would Public Liability insurance (either under my own name or a residents' group) protect me if someone does suffer injury or damage to property?

Most streets currently organising playing out sessions do not have insurance and the cost (between £50 and £100) can certainly be a show-stopper but it is very much a matter for each street to decide. This is the legal advice that Playing Out has received:

'If you carry out careful risk assessments and put in place suitable controls you should have nothing to worry about. However, the courts can be very sympathetic to injured people, especially children. Public Liability insurance, that will pay such claims for you, is therefore advisable.'

For guidance about insurance see page 11.

Is the named organiser liable for any negligence if not physically present?

The named organiser may be liable if the cause of any injury or damage is inherent in the way the event was planned or set up. For example, if you failed to identify a side alley as a potential vehicular access and a car entered by it, causing injury. However, there would probably be no liability if the marshal of an identified point of access absented him or herself against your instructions and the same accident occurred.

The distinction will not matter if you have appropriate Public Liability Insurance, since both types of liability would be covered. But, generally it is best to be present at an event if possible, since you will have the best overview of the whole



session and will be best placed to spot if someone is not following the plan. If this is not possible, it is best to appoint someone trustworthy in your place.

Who is liable if a child is injured by a car entering the road closure?

As long as you have followed the proper procedures around road closure and stewarding, almost certainly the car driver would be held liable in this instance. There was a case in Bristol in 2014 where a car driver entered the road closure at speed. Although fortunately no one was injured, the driver was convicted of dangerous driving.

If the council includes an 'indemnity clause' when agreeing the road closure, does that absolve them of any liability?

It is not possible for the council to exclude liability for personal injury or death caused by its own negligence. For example, if there was a broken paving slab for which the council would have been

liable when the road was open, they will still be liable during the closure. However, the clause is effective to ensure they don't acquire any liability for anything that results solely from the closure and/or the session.

What action can I take to minimise risk and liability for any accidents occurring during or following a session?

It is worth carrying out a risk assessment and involving others in this so as many people as possible are fully aware of the risks and responsibility is shared. Many councils will require this as part of the application to temporarily close the street. Use the guidance in *How to organise playing out sessions on your street* and the steward briefing that's available on our website and follow any instructions or guidance given by your council on closing the road safely. Finally, ensure everyone involved is aware of any risks and responsibilities, especially parents and stewards.

Other questions

I live in a *cul-de-sac* where children do play out but I'd like to make it safer without it being too formal. Any suggestions?

If children already play out naturally that is fantastic and you need to be careful not to give the message there is anything wrong with this, whilst also making it safer and encouraging more children to play out.

Some *cul-de-sacs* have managed to get the council to agree to informal 'Children Playing' signage to warn car drivers to drive carefully. Some do a version of 'playing out' sessions without a formal road closure, just having stewards in place to walk cars in and out safely.

Closing my street feels like a big step. Are there smaller things I can do?

There are many – have a look at the Easy and effortless things in *How to organise playing out sessions on your street* or join the Playing Out Facebook group to see what people have done on other streets. Anything you can do to get to know your neighbours better or start being out on your street more often will help to build the conditions for street play.

Can I organise street play by my children's school?

Yes. Organising a school street play session is the same as a 'normal' play street but with a few added extras. It is important to ensure that both the school and the residents are fully consulted, and on board and that the school can stay open during the street play session. Hackney Play in London has written a guide on school street play: www.hackneyplay.org/playstreets/tools-for-schools



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- ³ Welsh Government (2014) *Wales – a Play Friendly Country*. Cardiff: Welsh Government Crown Copyright
- ⁴ <https://beta.gov.wales/walking-cycling>
- ⁵ Play our Way Young Ambassadors, Mencap Cymru Play Our Way project
- ⁶ Department for Transport (2012b) *TRA99 – Forecasts of traffic* (pdf). Available at: www.gov.uk/government/statistical-data-sets/tra99-forecasts-of-traffic
- ⁷ University of Bristol (2017) *Why temporary street closures for play make sense for public health*
- ⁸ *Ibid*
- ⁹ Health and Safety Executive (2012) *Children’s Play and Leisure – Promoting a Balanced Approach*. Available at: www.hse.gov.uk/entertainment/childrensplay-july-2012.pdf
- ¹⁰ *Wales – a Play Friendly Country*
- ¹¹ *General comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (art 31)*
- ¹² *TRA99 – Forecasts of traffic*
- ¹³ Department for Transport (2011) *Free Flow Vehicle Speeds in Great Britain 2011* (pdf). Available at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/9069/free-flow-vehicle-speeds-2011.pdf
- ¹⁴ Lyons et al. (2017) *Preventing child injuries in Wales: Needs Assessment*. Swansea University, Medical School, UK
- ¹⁵ *Why temporary street closures for play make sense for public health*

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Playing Out

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How to organise playing out sessions on your street is a step-by step guide to organising street play sessions, based on the experience of parents and residents across the UK.

This is a version of Playing Out's manual for residents in Wales.

Useful resources

London Play Play Streets Project:

www.londonplay.org.uk/content/30290/our_work/recent_work/play_streets/play_streets

Hackney Play Association Play Streets:

www.hackneyplay.org/playstreets/home