

Parks & Recreation

Advisory Committee Meeting of Witney Town Council



Monday, 17th May, 2021 at 6.00 pm

To members of the Parks & Recreation Committee - V Gwatkin, J Aitman, L Ashbourne, T Ashby, D Butterfield, L Duncan, D Enright and A McMahon (and all other Town Councillors for information).

You are hereby summonsed to the above meeting to be held in the **Virtual Meeting Room via Zoom** for the transaction of the business stated in the agenda below.

Admission to Meetings

All Council meetings are open to the public and press unless otherwise stated.

As an Advisory Committee of the Council this meeting will take place virtually via Zoom. All decisions of this meeting will be recommendations to Full Council.

Zoom login details of this meeting will be published on the Council's website prior to the meeting.

Recording of Meetings

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Town Clerk or Democratic Services Officer know before the start of the meeting.

Agenda

1. Apologies for Absence

To consider apologies and reasons for absence.

Committee Members who are unable to attend the meeting should notify the Democratic Services & Legal Services Officer (democracy@witney-tc.gov.uk) prior to the meeting, stating the reason for absence.

Standing Order 30(a)(v) permits the appointment of substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer before the meeting that they are unable to attend.

2. Declarations of Interest

Members are reminded to declare any disclosable pecuniary interests in any of the items under consideration at this meeting in accordance with the Town Council's code of conduct.

3. Election of Vice-Chair

To elect a Vice-Chair of the Committee for the 2021/2022 Municipal Year.

4. Minutes (Pages 5 - 8)

a) To adopt and sign as a correct record the minutes of the Sport and Play Committee held on 1 March 2021;

b) Matters arising from the minutes not covered elsewhere on the agenda (Questions on the progress on any item).

5. **Public Participation**

The meeting will adjourn for this item.

Members of the public may speak for a maximum of five minutes each during the period of public participation, in line with Standing Order 42. Matters raised shall relate to the following items on the agenda. 5

6. **Oxlease Play Area - Memorial Picnic Bench** (Pages 9 - 10)

To receive the report of the Maintenance & Environmental Services Officer.

NOTE: As this request has no financial implications because it will be funded by the applicant, the Town Clerk, under her delegations will implement the recommendation accordingly.

7. **Madley Park Playing Fields & Play Area** (Pages 11 - 14)

To receive and consider the report of the Town Clerk/CEO and make recommendations to full Council.

8. **Park Road Play Area - Update** (Pages 15 - 22)

To receive the report of the Projects Officer.

NOTE: As this project is planned and budgeted for, the Town Clerk suggests delegation to Officers in consultation with the Ward Councillors to progress the procurement and installation.

9. **Skate Park - Update** (Pages 23 - 32)

To receive the report of the Projects Officer, and a verbal report from Cllr Daniel Butterfield, if appropriate.

10. **Leys Recreation Ground - Request to run a Doughnut Stall** (Pages 33 - 34)

To receive and consider the report of the Maintenance & Environmental Services Officer, and make recommendations to full Council.

11. **Leys Recreation Ground - Splash Pad re-opening**

At the full Council meeting held on 12 April 2021, the Maintenance & Environmental Services Officer reported under Health & Safety that he was researching if the Splash Pad could reopen under the Government's Roadmap (due to not operated using chlorinated water).

The facility will need to be professionally commissioned, which will cost in the region of £2,400 – and depending on their availability could be open when the Roadmap dictates no restrictions in place.

The Committee is requested to decide whether this facility should reopen, and close in line with current Council policy when Witney Feast fair arrives on site at the beginning of September.

12. **Leys Recreation Ground - Witney Town Bowls Club Request to Erect a Sign**

To receive a verbal update from the officers on this request.

13. **West Witney Sports Ground - Cycling Speed Awareness** (Pages 35 - 36)

To receive the report of the Maintenance & Environmental Services Officer.

NOTE: As this is a H&S issue, the Town Clerk will, under her delegation, deal with the recommendations if deemed urgent and in the interests of public safety.

14. **West Witney Sports Ground - Compliance & Project Update**

To receive a verbal report from the Town Clerk in respect of the Clubhouse compliance and if the West Witney Sports & Social Club have been able to re-open the facilities in line with the latest stage of the COVID roadmap as planned.

To also note that Consultants Knight Kavanagh and Page (KKP) have been appointed to undertake the feasibility study of the Sports Ground and assist with the master planning of new facilities.



Town Clerk

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**SPORT AND PLAY COMMITTEE MEETING OF THE
WITNEY TOWN COUNCIL**

Held on Monday, 1 March 2021

At 6.00 pm in the Virtual Meeting Room via Zoom

Present:

Councillor V Gwatkin (Chair)

Councillors:	J Aitman	L Duncan
	L Ashbourne	A Prosser
	D Butterfield	R Smith
Officers:	Sharon Groth	Town Clerk
	Adam Clapton	Deputy Town Clerk
	John Hickman	Operations & Estates Advisor
Others:	1 member of the public.	

SP96 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr T Ashby.

SP97 DECLARATIONS OF INTEREST

Cllr V Gwatkin and Cllr L Ashbourne declared non-pecuniary interests for agenda item 5 where a community hub facility were to be discussed as they had involvement with Witney Community Fridge.

SP98 MINUTES

The Committee received and considered the minutes of the Sport & Play Committee meeting held on 11th January 2021.

RESOLVED:

- a) That the minutes of the Sport & Play Committee meeting held on 11th January 2021 are a true and correct record and should be signed by the Chair.
- b) There were no matters arising from the minutes of the meeting, which were not covered elsewhere on the agenda.

SP99 PUBLIC PARTICIPATION

The Committee adjourned for this item.

Punam Owens addressed the committee supporting the provision of space for a Community Hub on the Town Council's estate.

The Committee reconvened following public participation.

SP100 CORPORATE STRATEGIC PLAN/OPEN SPACES STRATEGY UPDATE

The Committee received and considered a verbal update from the Town Clerk regarding the Corporate Strategic Plan and Open Spaces Strategy.

A draft Corporate Strategic Plan would hopefully be presented to members during the next cycle of meetings, from May 2021. It had regrettably been delayed due to the staffing restructure and the transition of officers into new roles.

Members were advised that consultation on the Open Spaces Strategy had begun and a report, based on the feedback was expected towards the end of April. The Chair raised the prospect of a community hub on Council owned land which could form part of the strategy and members agreed, while this was building on open space, the Town Council should support local organisations in locating suitable land for a community hub. There was discussion on what form this assistance should take, what rental charge should be applied and what funding might be available to groups but at this stage it would simply be an affirmation in principle in the emerging strategy.

RESOLVED:

1. That the verbal update be noted; and
2. That Witney Town Council supports in principle proposals from community groups and organisations looking to secure land to place a community hub on; and
3. Agrees to include a suitable referent to this in the Town Council's draft Open Spaces Strategy.

SP101 OPERATIONAL REPORT

The Committee received and considered the report of the Operations & Estates Advisor concerning updates on play areas, the Splash park annual maintenance, third party events, football and pedestrian access and the provision of toilets at West Witney Sports Ground.

Members heard that temporary toilet facilities would be delivered to West Witney Sports Ground during the next three weeks and understood the necessity on remedial works at the Leys Play Area.

With the express permission of the Chair, members received an additional update regarding football, and particularly the extension of the season until June as agreed by the FA due to the ongoing COVID-19 pandemic. This would result in competing demands on the Council's sports pitches over the summer including cricket, additional training, events and annual renovation works. Members agreed this was a complicated issue, a delicate balancing act was needed with no simple answer likely. There was a possibility of less favourable sites being used as well as facilities outside of the Council's control; if these were required there would need to be further discussion on what assistance the Town Council could offer. The issue would have to be investigated further by Officers with a report brought back to a future meeting.

RESOLVED:

1. That the report be noted; and,
2. That the creation of a flexible plan to accommodate the competing demands on the Town Council's sports pitches during this summer be delegated to Officers and brought back to the next meeting of the Policy, Governance & Finance Committee. If all demands are unable to be met, this could include the subsidised use of other facilities.

SP102 LEYS SKATE PARK - UPDATE

The Committee received a verbal update from Cllr Butterfield on the Leys Skate park upgrade.

This project had been branded as 'Ramp up the Leys' and the community group formed to spearhead fundraising were keen to progress. There were several grant pots available, as well as the funds earmarked by the Town Council, but a design and specification would be needed before the tender process began and these could be applied for.

RESOLVED:

1. That the report be noted; and
2. That Officers provide project management details and specification for the previous Skatepark refurbishment; and
3. That the Vice Chair, Cllr D Butterfield holds meetings with the 'Ramp Up the Leys' group and the Town Clerk to understand the fundraising procedures, in line with the Council's financial regulations, and potential timeline around the project.

SP103 BOWLS IRRIGATION SYSTEM

The Committee received and considered the report of the Operations & Estates Advisor concerning transfer of the bowls club's irrigation systems.

RESOLVED:

1. That the report be noted.

SP104 OLD BOWLS BUILDING - THE LEYS

The Committee received and considered the report of the Operations & Estates Advisor concerning the future of the old bowls building at the Leys.

Given that the building was structurally sound, and its use was currently an addition to the Leys Depot storage area, members agreed that the building should remain in situ. However, members noted its unsightly appearance directly opposite the bowls club and agreed that the area around it should be tidied and planted with shrubs and climbing plants. It would also be an opportunity to erect bird boxes and bee habitats if appropriate.

RESOLVED:

1. That the report be noted; and
2. That the old bowls building be left as it is structurally, but the immediate area be tidied and planted with shrubs and climbing plants. Consideration should also be given to biodiversity, including bird boxes and bee habitats if possible.

SP105 **EXCLUSION OF PRESS & PUBLIC**

RESOLVED:

1. That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

SP106 **WEST WITNEY SPORTS GROUND - UPDATE**

The Committee received a confidential verbal update from the Town Clerk concerning West Witney Sports Ground.

There was concern from members that the current Covid-19 lockdown would be ending in the forthcoming months and due to the compliance issues at the Sports & Social Club, temporary facilities for clubs would imminently be needed.

Quotes for several temporary sports facilities were provided but members were mindful that these would need to be FA compliant, and they would be a large outlay for the Town Council. A firm plan was needed on the future of the site and the Town Clerk had held conversations with consultants on this very issue.

As previously delegated, officers would continue to hold dialogue with the clubs and consultants to try and find a solution as soon as possible. In the meantime, an earmarked reserve for sports improvements could be given over for the temporary facilities, subject to approval by the Policy, Governance & Finance Committee.

RECOMMENDED:

1. That the confidential verbal update be noted; and
2. That the Town Council's earmarked reserve (EMR) for Sports Improvement be allocated towards temporary measures and facilities at West Witney Sports Ground, subject to approval by the Policy, Governance & Finance Committee.

The meeting closed at: 7.07 pm

Chair

PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: Oxlease Play Area - Memorial Picnic Bench

Contact Officer: Maintenance & Environmental Services Officer - Angus Whitburn

Background

A request has been received to install a memorial picnic bench at Oxlease Play Area. The picnic bench will be in memory of Stephanie Ormonde and it is the friends and family of Stephine that have approached the Town Council for permission. They have offered to cover the cost of picnic bench and memorial plaque via fundraising.

Current Situation

Oxlease Play area has space to install one more picnic bench. This would create a nice perimeter around the play area and offer a natural protective barrier to all children using the area.

There is not a standard issue picnic bench Witney Town Council install. The picnic bench would have to be of an entirely wooden construction, so it is in keeping with the surroundings of Cogges and the play area.

The area has been vandalised once before and one of the circular benches was damaged beyond repair. Unfortunately, due to the entirely wooded construction the bench had to be removed and disposed of.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Financial implications

As stated in the report the family intend to fundraise for the picnic bench, however the area has been vandalised once before which involved the complete removal of one round picnic benches. The family will be made aware of this risk.

Recommendations

Members are invited to note the report and consider the request for a memorial picnic bench in memory of Stephanie Ormonde.

PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: Madley Park Playing Fields & Play Area

Contact Officer: Town Clerk/CEO - Sharon Groth

Background

Sometime ago the Council resolved to request taking on the freehold of the Madley Park Play Fields from West Oxfordshire District Council so that the number of maintained and available football pitches on offer in the town would be increased.

Current Situation

Due to COVID-19 there was a delay in WODC considering the request. However due to some existing covenants and agreements on the land in question, the District Council is unable to transfer the freehold and is offering a lease. See correspondence attached.

Furthermore, WODC are also enquiring if the lease should include the Play Area, which has just been refurbished.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Financial implications

Currently the Town Council has no financial commitment to either the playing fields or the play area as they are both managed and maintained by WODC. Moving forward if the Council takes on the areas under a lease of the freehold, a budget will need to be allocated for the ongoing maintenance – although initially the Town Clerk had asked for funding towards bringing the football pitches up to an acceptable standard.

There will also be the legal costs for the lease/freehold transfer.

Recommendations

Members are invited to note the report and consider

1. Whether, in light of the information provided in the attached correspondence, to take the Madley Park playing fields on under a lease arrangement (subject to legal advice), because clearly, given the existing legal agreements in place, the freehold isn't available until 2029;
2. If in agreement to recommendation 1, whether the lease should extend to include the Madley Park Play Area.

Alternatively, the other option would be to leave WODC to manage and maintain these areas under the existing arrangements until the freehold becomes available.

From: Suzanne Barton
Sent: 09 April 2021 11:24
To: Info <Info@witney-tc.gov.uk>
Subject: Madley Park Playing Fields

Good morning,

Firstly, I would like to apologise for the delay in getting back to you regarding the attached letter.

I have now obtained the relevant legal advice regarding Witney Town Council taking over the Madley Park playing fields.

Because there are two restrictions on title in the Proprietorship Register, there can be no disposition of any part of the registered estate for 25 years, and until 22nd December 2029, without a consent certificate duly signed by the Trustees or their Conveyancer (Henmans Solicitors in Woodstock), as well as a Deed of Covenant entered into by the purchaser. It is clear that these restrictions relate to the whole of the playing fields and registered estate shown tinted blue on the title plan, and not just the play area originally intended to be transferred by WODC to WTC.

Our Legal team have therefore suggested WODC grant a lease to WTC referring to relevant Dual User Agreement's (DUA) and Deeds of Variation (DoV). Existing DUA's and intended DoV's could be annexed to lease.

As there are quite a number of parties involved it may take a little longer than a normal transaction but initially I am contacting you to see if you are interesting in a lease of the site due rather than purchase at this stage due to the above.

Also I would need to know how WTC wish to vary the existing DUA's i.e. what would you like to see charged in DUA's etc.

Just to double check would this be the entire playing field including play area?

It might, also, be possible to make the lease subject to the 2002 Dual User Agreement and require WTC to agree to perform the terms of the same? If, however, the terms of the Dual User are to change then there needs to be either a new agreement, or a variation of the existing terms, entered into by all the parties.

Please let me know your thoughts.

Kind regards,

Suzi

Suzanne Barton
Senior Estates Officer

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PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: Park Road Play Area - Update

Contact Officer: Project Officer - Nicky Cayley

Background

The Council has asked for this play area to be refurbished and opened ideally in time for the summer holidays. Due to previous ASB, the park will be aimed at young children.

Current Situation

Further to the update submitted to Full Council, Officer have met four contractors on site and have asked them to quote to provide new play equipment.

The rocking horse will be refurbished by the Works Team and made static (to ensure it complies with current safety guidelines) and the slide will also be renovated by the Works Team.

The bear bin will be relocated to the park from The Leys, and will be complimented by a Penguin bin that is currently in storage. The Works Team will also install a recycling bin and a bench from existing stock.

The Council has a trampoline in storage which can be fitted by the Works Team and also a 4m mini space net, which contractors have been asked to install and include in their quotes. Some additional parts will be required for this but it has been confirmed by the manufacturer that these are available to purchase.

Play providers have been asked to quote for a small spinning dish (DDA compliant), two rockers, play panels and new play surfacing under equipment. They have also been given the opportunity to include extra equipment which the Council could decide to purchase at a later date. By selecting a few small new items to install to open the park for the summer, this also provides local residents with the opportunity to fundraise and choose additional items going forward.

Swings

The Project Officer, Operations and Estates Advisor and the Maintenance and Environmental Officer have held several discussions on the swings currently in the park, to consider if these could be brought back into use.

All the play providers who visited the park have commented that they are currently not compliant as the seats are too near to the poles (see fig. 1) and the base underneath is not large enough. If seats were removed to ensure compliance, only one swing per bay would be able to be used. This would be disappointing as swings are always popular and it is hoped to include an inclusive swing for children with disabilities. The play providers also advised that it would not be cost efficient to restore them, if indeed this was possible.

One of the legs is rusted and shows signs of pitting (see fig. 2) and this would give cause for concern in terms of safety. The loose arm castings (see fig. 3) are also badly corroded. The swings are 52 years old and the manufacturer (Wicksteed) only provides replacement parts for equipment up to 20 years old. If Council staff did try to restore them, the Operations and Estates Officer has concerns that they may not be insurable due to modification.

Officers have therefore requested that the play company quotes include a new set of swings.

Currently Officers are waiting for designs and quotes to come back. If these are available at the time of the meeting, they will be shared.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates. By reusing and refurbishing four pieces of equipment, the Council is reducing its carbon footprint as opposed to purchasing entirely new equipment.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

There is some risk that the project may not be completed in a timeframe that is in line with the Council's aspiration, although all companies providing proposals have been advised of the the timeframe.

Financial implications

The budget already set aside for this project is £20,000, which includes the donation of £2,500 from the Witney Town Hall Charity.

Recommendations

Members are invited to note the report and consider the following:

1. that new swings be installed, replacing the old, non-compliant set;
2. that the bear bin from the Leys be moved to Park Road Play area;
3. that in view of the short time frame for project completion, the decision of which company to proceed with is delegated to Officers, in consultation with the local ward Councillors – these being Cllrs Ashbourne, Duncan and Smith with the main deciding factor being price.



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PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: Skate Park - Update

Contact Officer: Project Officer - Nicky Cayley

Background

The Council has been approached by several members of the community in the last few years asking for improvements to be made to the skatepark at The Leys. Currently there is a member of the skate community who is keen to drive this forward and Officers are working alongside him and Cllr Butterfield to do so.

Current Situation

The Project Officer met a month ago via Zoom with Cllr Butterfield and Mr Ollie Pockett to discuss initial steps toward getting the project started.

It was agreed that either a charity or community interest group should be set up and a bank account opened ready to start fundraising. The Project Officer advised that she would be happy to support the group in grant applications but that there would be more opportunities for funding if the applications were made in the community group's name. She has put Mr Pockett in touch with the former Chair of the "Liven Up the Leys" group who were very successful in shaping the current provision at The Leys [note: having achieved its objective this group has now been disbanded and the bank account closed].

At the meeting, community engagement was also discussed. The Project Officer explained that in order to apply for grants there was often a requirement to demonstrate community engagement and support for a project. Cllr Butterfield and Mr Pockett explained that it was hoped to hold an open day at the current skatepark, to gather views on what skaters would like to see in the park in the future. Due to Covid-19 restrictions, it was agreed to wait until the next meeting (scheduled for 20 May) to discuss this further, as there was concern about attracting a large crowd in what is an enclosed space.

Mr Pockett has been in touch to confirm that the group "Ramp Up the Leys" now has a formal constitution and that he has an appointment with a bank to arrange opening an account.

A timeframe for the project was discussed and Ramp Up The Leys would like to see tangible progress within a year – however this is dependent upon how quickly funds can be raised.

Included at the end of the report is the tender contract for the existing skatepark along with the proposed design, as requested at the last meeting of the Sport and Play Committee.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates. There is currently nothing of concern at this point.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability. There is currently no area of risk to the Council.

Financial implications

The Council has budgeted £40,000 toward the skate park and there is £12,000 S106 designated for skatepark improvements from the Abbey Homes development at Thorney Leys. It is probable that Ramp Up The Leys will need to raise at least that amount again, depending on what the group wishes to see put in.

Recommendations

Members are invited to note the update.



WITNEY TOWN COUNCIL

TOWN CLERK : MRS JUDY WHITE
TOWN HALL, MARKET SQUARE, WITNEY, OXON, OX28 6AG
Tel & Fax: (01993) 704379 E-Mail: townclerk@witney-tc.gov.uk

Our Ref: R19

21st November 2002

Bendcrete Leisure Ltd
2 Bridge View Business Centre
Bridge Street
Abingdon
OX14 3HN

Dear Sirs

Witney Skatepark

Please find enclosed documents describing the manufacture, supply and installation of the skate facilities at the Leys Recreation Ground, Station Lane, Witney.

It would be appreciated if you would provide a quotation for the above works and include the following provisional sums for works to be carried out by others:-

Fencing	£5,100
Seating, lockers and cycle racks	£1,450
Litter bins and noticeboards	£ 900

The arrangements for the RoSPA post installation inspection are to be made by yourselves and the cost of the inspection should be included within your quotation.

Please provide a price no later than 6th December 2002.

Yours faithfully

Town Clerk

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PROPOSED LAYOUT - WITNEY SKATEPARK

0. LIGHT AND CCTV POLE

MINI GOLF

DUTY HUT

ENTRANCE GATE

FOOTPATH

32m

10m

28m

FOOTPATH

CRICKET PITCH

EXISTING FENCE LINE

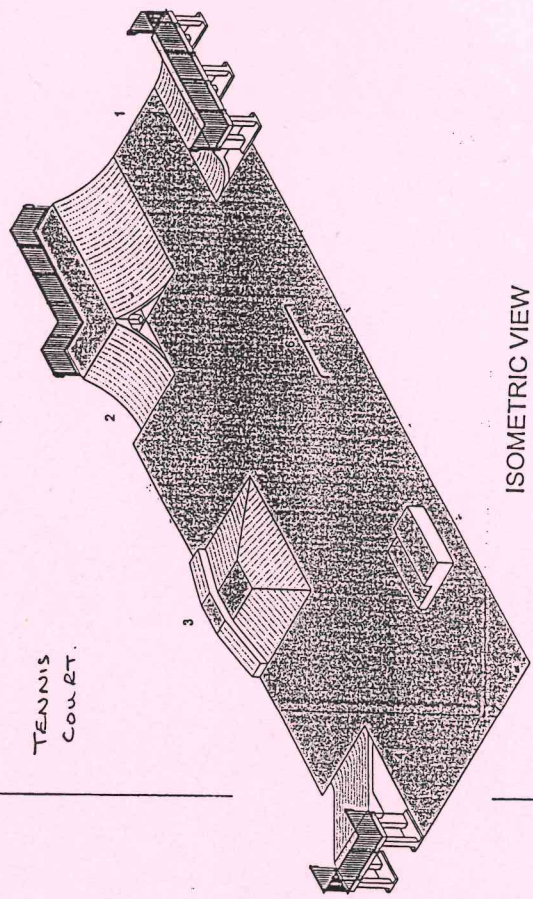
PLAN

TENNIS COURT

EXISTING FENCE LINE

WITNEY TOWN COUNCIL
TOWN HALL MARKET SQUARE
WITNEY OXON OX8 6AG

TENNIS COURT



ISOMETRIC VIEW

KEY:

1. HALF PIPE 1200mm HIGH x 4800mm WIDE
2. QUARTER PIPE 1200mm HIGH x 2400mm WIDE
3. 15' JUMP BOX 400mm HIGH x 3650mm x 4500mm WITH DESCENDING GRIND BLOCK
4. 25' FLAT RAMP 1500mm HIGH x 2400mm 1/12E
5. STEPPED GRIND BLOCK 300 - 600mm HIGH x 2400mm x 1000mm
6. GRIND RAIL 300mm HIGH x 3000mm LONG

SCALE 1:200

[Signature]

14th Nov. 2002. Issue 2. 21st Nov 2002.

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PROJECT INFORMATION

PROJECT: WITNEY SKATEPARK

CLIENT: WITNEY TOWN COUNCIL

SUPERVISING OFFICER: HENRY WESTBURY

CONDITIONS OF CONTRACT: See GENERAL CONDITIONS OF CONTRACT

DESCRIPTION OF WORKS: MANUFACTURE, DELIVERY AND
INSTALLATION OF SKATING FACILITIES

ACCESS: FROM STATION LANE, WITNEY

DURATION OF CONTRACT: COMPLETION TO BE BY END OF
.....
AT THE LATEST

OTHER PARTICULARS:

Minimum value for interim certificates - £500.00

Minimum insurance – personal/public liability	£2M
Property	£250,000

Minimum insurance of works – The contract value of the work plus 10%

Liquidated damages for delay per week - £100.00

SMALL CONTRACTS

A GENERAL CONDITIONS OF CONTRACT

1.00 The contractor shall:

- 1.01 Carry out all works detailed on the enclosed schedule, to appropriate British Standards unless otherwise specified, and in the time stated. No variation of work will be allowed without prior agreement in writing from the Supervising Officer.
- 1.02 Provide a Health and Safety Policy Statement in accordance with the requirements of Section 2(3) of the Health and Safety at Work Act, 1974.
- 1.03 Provide a method statement with safety measures as required by the Construction (Design and Management) Regulations 1994 (CDM), if they apply to the contract.
- 1.04 Employ a competent site foreman, who is familiar with the work schedule and who can liaise with the Supervising Officer.
- 1.05 Have visited the site, and have satisfied himself as to the conditions and schedule of work requirements before tendering, and that his tender is adequate to fulfil the Contract.
- 1.06 Have satisfied himself of any conditions relating to the site as Planning Conditions, Tree Preservation orders, Conservation orders, Private Covenants, or legislation that is applicable to the contract.
- 1.07 Be responsible for all measures necessary to safeguard the public and property while the Contract is in progress, including the guarding and lighting of obstructions during the hours of darkness.
- 1.08 Be responsible in taking precautions to prevent damage to private and public services while the Contract is in progress. The Supervising Officer will make every effort to assist the Contractor in identifying such services but cannot be held liable for the accuracy of the information.
- 1.09 Make copies of insurance policies and current receipts available to the Supervising Officer and Employer upon request.
- 1.10 Not carry out any work, including additional work, without written authorisation or direction from the Supervising Officer.
- 1.11 Not subcontract any part of the Contract without written permission from the Supervising Officer. The Contractor shall be responsible for maintaining the required standards and conditions where subcontracting takes place.
- 1.12 Be responsible for making good at his own cost any damage caused as a result of his own work.
- 1.13 On completion of the Contract leave the site clean and tidy from his own work.

1.14 The Contractor shall be liable for and shall indemnify the Employer against any expense, liability, loss, claim or proceedings whatsoever arising under any statute or at common law in respect of personal injury to or death of any person whomsoever arising out of or in the course of or caused by the carrying out of the Works, unless due to any act or neglect of the Employer or any person for whom the Employer is responsible. Without prejudice to his liability to indemnify the Employer the Contractor shall maintain and cause any subcontractor to maintain such insurances as are necessary to cover the liability of Contractor, or, as the case may be, of such subcontractor, in respect of personal injury or death arising out of the Works. Provided that nothing in this clause contained shall impose any liability on the subcontractor in respect of negligence or breach of duty on the part of the Employer, the Contractor, his other subcontractors or their respective servants or agents.

1.15 The Contractor is to comply with the CDM regulations if they apply to the Contract.

2.00 The Employer shall:

2.01 Reserve the right to suspend or cancel the Contract and recover from the Contractor any costs incurred, where:

1. the conditions and requirements of the Contract are not being met.
2. It is found that inducements have been offered to obtain special favour.

Notification of suspension or cancellation may be given in writing, or verbally and confirmed later in writing.

2.02 Consider the extension of the period of the Contract where extra work is required or when work has been delayed by exceptional weather conditions or other exceptional circumstances following a reasonable request from the Contractor.

2.03 Reserve the right in serious cases of default by the Contractor, to employ other persons to make good any defects or omissions in the Contract and to recover the cost from monies owing to the Contractor.

2.04 Reserve the right to inspect the work and materials for use on the site at all reasonable times.

3.00 Contract Prices:

3.01 Contract prices shall not include Value Added Tax.

3.02 Where variations to any part of the Contract or extra work are required, then the Contractor will be asked to submit revised or additional quotations, if no billed rates exist. Such variations will not invalidate the Contract.

3.03 Consideration will be given to an increase in contract price, resulting from delays outside the control of the Contractor.

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PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: Leys Recreation Ground - Request to run a Doughnut Stall

Contact Officer: Maintenance & Environmental Services Officer - Angus Whitburn

Background

A request has come in from Baker Sweet to run a doughnut stall at the Leys Recreation Ground. They have requested to run on Saturdays and Sundays only.

Current Situation

A doughnut stall at the Leys Recreation Ground would be an additional offering for users. The offering is an artisan product and not cheaply produced for mass consumption.

The council did use to have a contract with an Ice Cream van that operated on the leys. There were complaints received from parents about its operation outside the play area. This was an added pressure for parents who were taking children to the play area for a free day out.

There are two locations the town council can offer to Bakers sweet to set up. One would be on the concrete area outside the play area. The other would be across from the districts public toilets. The latter of the two choices would cut off any view from the bench installed in the location.

Baker Sweet have already shown their willingness to work with the council by not offering hot drinks on their menu. They believe this will help support the Coffee shed as doughnuts and coffee go hand in hand.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Any additional food and drink retailers on the leys could cause an issue with the Coffee Shed. The Coffee Shed do serve a full menu not limited to hot drinks.

If the council were to give permission to a stall near a children's play area selling doughnuts only this could be seen as the council not supporting healthy eating habits. And this could raise issues with parents taking children to Leys for a free day out.

Financial implications

There would be an expectation that some sort of pitch rental would be charged and a formal contract should be entered into in order to make sure terms and conditions are adhered to.

Recommendations

Members are invited to note the report and consider the request from Bakers Sweet to run a doughnut stall on the Leys Recreation Ground, and agree following:

1. a fixed term period for operating along with clear terms and conditions – which will be reviewed and monitored by officers;
2. Decide on the area of set up if councillors permit the doughnut stall to operate;
3. Delegate to officers to handle all the legalities and charges associated.

PARKS & RECREATION COMMITTEE

Date: Monday, 17 May 2021

Title: West Witney Sports Ground - Cycling Speed Awareness

Contact Officer: Maintenance & Environmental Services Officer - Angus Whitburn

Background

West Witney Sports Ground has a junction consisting of a pedestrian and cycle route. The route is correctly marked however visibility around the area is poor and there is no signage leading out of West Witney sports ground. Although no close calls, incident or accidents have been reported to Witney Town council is has been reviewed as a potential hazard.

Current Situation

The pedestrian and cycle route has the correct signage, bikes and pedestrians should be slowing down and giving way to traffic. The issue seems to lie with the visibility around the junction. There are two large hedges and a line of trees blocking the view for pedestrians, cyclists, and drivers. As it is an infrequently used junction regular users of the pedestrian and cycle route have the habit to walk out without stopping and giving way to traffic.

Additionally there are no precautions from the road. There is no traffic signage leading out of West Witney sports ground that Witney Town Council is responsible for. At a minimum, the council should install two 5mph speed signs in both directions. To further help reduce the risk surrounding the junction the council could also install a warning sign for "Cycle Route Ahead" on the exit.

A cheaper option would be to cut back and mulch the hedge. On exiting West Witney the hedge on the right side cuts off all visibility to users. Some may not even realise this is an exit from a sporting ground and those using the sports ground may not even realise there is a cycle route.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

The removal of any vegetation would be a negative approach to Witney Town Council's environmental goals and would raise a concern about the possible removal of any habitats.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

If a serious (or any) incident was to happen at the junction part of the investigation would involve the Council. So now the issue has been raised Witney Town Council do need to act swiftly to remedy it and mitigate the risk.

Financial implications

The cost of a 450mm – 600mm road grade pedestrian or cycle crossing ahead sign is between - £30.00 - £80.00.

“5mph” speed signs - £42.00

Galvanised Traffic Post - £119.99

Recommendations

Members are invited to note the report and consider the following:

1. Approve the purchase and installation of 2 “5mph” signs and posts.
2. Consider the additional installation of a warning sign for “Cycle Route Ahead”
3. Delegate to officers the responsibility of assessing and possibly remove part of the hedge to the right side of the junction exiting West Witney.