



SKATE PARK SAFETY INSPECTION REPORT

FOR

North Hinksey Parish Council

21st September 2009



RoSPA inspections are an independent safety assessment of the skatepark and equipment and are produced for RoSPA by

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The Introduction forms an essential component of this report

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The following forms an integral part of the inspection report

Reading it may save you unnecessary expenditure
SEE ALSO INSURANCE NOTES

1. The British Standard BS EN 14974 "Facilities for users of Roller Sports Equipment – safety requirements and test methods" is not mandatory in the UK. The Health and Safety Executive (HSE) have made it clear that whilst compliance with standards is recommended, it is the risks associated with the equipment which are of paramount importance. They state that compliance does not remove the operator's responsibility to ensure that equipment is safe; equally failure to comply does not necessarily mean that equipment is dangerous. **The Courts have also made it clear that compliance with standards does not remove the operator's obligation to have an area of acceptable risk and that BS EN 14974 compliance cannot necessarily be used as a defence in the event of litigation.**
2. Equipment in this report has been assessed against the relevant standards. The site and equipment have also been assessed with the protection of the operator and contractor against litigation in mind.
3. Play is all about "doing" and by "doing" accidents will from time to time occur. Play is an essential part of a young person's physical and mental development and RoSPA believes that it is essential that a level of assessed challenge and risk is provided to enable young people to develop properly their survival skills. Risk Assessment is all about balancing risk against return. RoSPA believes that Skateboard areas are by their very nature high risk. However see 4 below.
4. A Risk Assessment is attached to this report. Clients are reminded that there is no such thing as NO RISK. Due to the nature of the activity High Risk is as low as you can normally get. **Where economic measures can be taken to reduce risk these should be undertaken but as a general principle, risk scores of 20 or less are considered acceptable.**
5. The Courts and the HSE normally require that the risks be reduced to the lowest acceptable level. **In the case of roller sports, due to the nature of the activity, this is likely to be high risk (rather than unacceptable risk). See Insurance Notes section of this report.**
6. BS EN 14974 is not always a precise standard and includes wording that may be interpreted in more than one way. **The client is therefore advised to use the Risk Assessment to make a judgement as to whether the indicated failure warrants remedial action.**
7. BS EN 14974 requires certain labelling information on equipment. Without it the item fails the standard. It is unlikely that the lack of correct labelling will make any significance difference to safety.
8. Some equipment that met the old standard PAS35 may not meet BS EN 14974. Where equipment that met PAS35 fails BS EN 14974 no remedial action may be considered necessary

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9. Bristol County Court, on 17 February 2002, set a legal precedent regarding noise levels. The acceptable level was set at 55 decibels at surrounding property boundaries. Where noise may be a problem, an acoustic survey by a qualified acoustic engineer is recommended. No acoustic survey has been undertaken during this inspection.
10. RoSPA has a duty of care to report all issues that might affect safety or quality, regardless of whether they are the responsibility of the contractor or not. We therefore normally report on the site as a whole. In most cases we are not aware if all ancillary items etc. are part of the contract or not and they may have been installed by a different contractor. **RoSPA recommend that where problems are identified that are not the responsibility of the contractor who has commissioned the report, these should not delay payment to that contractor.**
11. The RoSPA report indicates the state of the area *at the time of inspection*. Subsequent events may change the condition of the site. Where major problems are identified it may be necessary to re-inspect the site. Where problems are relatively minor the report may reflect some remedial action where this has been certified as being completed by the installer.
12. RoSPA are aware that in some instances moneys are being held back from suppliers. **Where any problems identified are the result of vandalism/use etc. or factors not in the control of the contractor, RoSPA recommends that this should not be used to delay payment to the contractor.**



INSURANCE NOTES

The HSE and the Courts state that where practical risks should be reduced to "an acceptable level". It is worth noting that the courts are being reasonable robust regarding claims and RoSPA are aware of recent instances where the courts have not only thrown out speculative claims but have at the same time awarded costs against the claimant.

Successful litigation depends upon being able to prove negligence on behalf of the operator. Just because someone has an accident it does not mean that the operator was negligent. It could however be deemed that the failure of the operator to reduce risk to an acceptable level is negligence. Some items of equipment, by the very nature of the activity that takes place on them, are risked as being medium or high risk. This may well be deemed an acceptable level. For instance any sports facility (including Multi Use games areas etc) will normally be at least medium risk. This is because by playing sport there is always a risk of injury (torn ligaments, sprain injuries etc). Someone cannot successfully sue just because they got an injury. They have to prove that they got the injury as a result of the negligence of the site operator. Similarly Wheeled Sports (Skateboard etc) facilities, even in perfect condition, are high risk. This acknowledges that some "nasty" injuries occur when a skateboarder, for instance, tries a complex trick and gets it wrong with subsequent injury. The only time the operator could be held responsible is if the accident could be caused by their negligence and "getting a trick wrong" by the skateboarder is nothing to do with the operator

It should be appreciated that there is no such thing as "no risk". There is a risk associated with everything we do and Low Risk is as low as you can get. Therefore as you cannot get lower than low risk, it is reasonable that remedial work on items indicated with low risk failures in this report *and where some remedial action is suggested* is only undertaken when resources are available. Very low cost work is recommended to be completed within 12 months but in all other circumstances a much longer time cycle is acceptable and in the case of equipment nearing the end of its useful working life any action may not be considered necessary.

The comments in the Introductory Notes to this report also cover, when read in conjunction with the above, medium and high risk and this includes recommended time scales *where RoSPA are recommending remedial work*.

Finally, Professor David Ball, an advisor to the HSE, has estimated that the risk of a life threatening injury on any form of play area is less than 1:30,000,000. The HSE consider that a 1:10,000,000 chance is negligible so the risk of any life threatening injury on an area where children and young people play is insignificant.

In spite of this, RoSPA recommend that all site operators carry a minimum of £5,000,000 public liability insurance for their own protection and that they undertake routine documented inspections of their own in addition to the annual RoSPA report.



ROSPA WORLD WIDE

RoSPA Playsafety is the largest playground inspection service in the world with a presence on four continents. This provides a vast pool of expertise on play safety and the internal communication system is such that if, say, an inspector in Australia, finds a problem with a particular item of equipment, ALL RoSPA Playsafety inspectors throughout the world would be made aware of it, normally within 24 hours. RoSPA's world wide experience and access to accident data means that the risks indicated are based on hard evidence. This means that your report is based on this world wide experience and expertise.

Details of some of the other RoSPA Playsafety Services are listed on the rear cover of this report.

ELECTRONIC REPORTS

RoSPA is able to provide reports in electronic format. Indeed in line with our commitment to the environment, and in spite of the fact that we only use paper produced from sustainable sources, this is now our preferred method of providing reports. Reports can be provided in the standard layout in PDF format or for a small fee can be provided in a spreadsheet format that enables all records for the playground to be kept together and which enables the client to also record their own regular inspections (see <http://www.rospace.com/playsafety/news/saferplay.htm> for a demonstration). If you would like your reports to be in electronic form in future years please contact RoSPA to let us know (Contact details on the Title Page)



Name of Site **Skate Bowl, Botley**
Date **21.09.09**

Inspector **rd**

SITE COMMENTS

Report to North Hinksey Parish Council following a site visit to inspect a fire damaged concrete skate bowl Monday 21st September 2009

The fire damaged skate bowl has sustained considerable damage resulting in the riding surface concrete in the actual bowl being substantially damaged and coping stones being cracked, split apart and dislodged. (See attached photographs)

The heat from the vandalism (believed to be a stolen vehicle set on fire having crashed into the bowl – according to young man on site at time of the inspection) was such that the structural integrity of the concrete bowl may have been compromised.

In places the usually smooth, very hard concrete riding surface appears to have “exploded” away from the structure leaving a heavily pitted and rough surface behind. In other places the concrete has lifted completely leaving raised edge and loose, flaking concrete sections. (See attached photographs)

The smooth coping stones usually set in the top of the bowl have become dislodged, fractured and in a number of cases completely broken. Re-instating these coping stones – used by riders to “grind” around the bowl - will require great care and expertise. It is not certain in the Inspector’s view whether or not the stone slabs can be re-installed following such heat and structural damage. (See attached photographs)

It is a great pity that a facility such as the Botley Bowl has been damaged in such a way. Over the years it has provided great fun and sport for hundreds of skateboarders, in-line skaters and riders.

There must be a very big question mark over its future and the Inspector recommends a structural survey is undertaken and relevant consultation with the manufacturer/installer to determine future use.

It may be possible to render the damaged surface to create a smooth riding surface and it may be possible to re-instate the grinding edge to the bowl but expert advice will be required and it will undoubtedly not be cheap!

One last comment the Heras safety fencing should really be secured using three straps of fixings to prevent unauthorised access and the possibility of accidental falling of the fencing.

Roger Davis
RoSPA Playsafety Inspector and Trainer
21st September 2009

See photographs 6674 – 6684











