



Report of the Director of Learning and Leisure

Executive Board

Date: 9th February 2007

Subject: Policy on the Safety Management of Open Water

Electoral Wards Affected:

All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

An interdepartmental group has been established to deal with the issues arising from the tragic drowning incident at Roundhay Park in June 2005 and the subsequent Coroner's Inquest. The group commissioned the Royal Society for the Prevention of Accidents (RoSPA) to report on the water health and safety issues in Leeds and they have further developed a draft Policy on the Safety Management of Open Water for the City Council. The Policy attached to this report sets out an approach to deal with the safety issues regarding all bodies of open water managed by the City Council and makes reference to school trips and visits. A programme of educational information on water safety, particularly for adolescents and teenagers has also been developed.

1.0 Purpose Of This Report

- 1.1 The purpose of the report is to inform Executive Board of the outcome of the Coroner's Inquest into the tragic drowning of 2 teenagers at Roundhay Park, the subsequent actions regarding water health and safety issues and to seek approval of the Policy on the Safety Management of Open Water which is attached at Appendix 3.

2.0 Background and Information

- 2.1 Following the unfortunate drowning of two young men at Roundhay Park on the 22nd June 2005, the Coroner's Inquest found the cause of death of the two persons to be misadventure. However, the Coroner did make two comments regarding water health and safety at Roundhay. The comments were specifically to look at the signs and consider new signage which is more explicit about the dangers in respect of depth and coldness of water in the Lake. The Council were also asked to consider the use of telephone numbers other than 999 on the signage.
- 2.2 To address the issues raised following this incident an interdepartmental group was formed comprising senior officers from Parks and Countryside, Corporate Health and Safety, Legal Services, Corporate Communications, Learning and Leisure Health and Safety, Education Leeds, Peace and Emergency Planning and Sport and Active Recreation, with the group chaired by the Chief Recreation Officer.

The group was formed to deal with:

- Preparation for the Coroner's Inquest
 - Implementation of any recommendations from the Inquest
 - Commissioning of a RoSPA report on Water Health and Safety in Leeds
 - Development of a programme of risk assessments for Council water areas
 - Development of a Water Health and Safety Policy for the City Council
 - Development of educational information on water safety, particularly for adolescents and teenagers
- 2.3 RoSPA were commissioned to prepare a report on water health and safety for the City Council. The report attached at Appendix 1, sets out
- A summary of Hazard and Risk
 - Existing Management of Risk
 - Legal Responsibilities
 - Definitions of Safety provision
 - Site Specific Recommendations
- 2.4 Appendix 2 details specific risk assessments and recommendations for action for Roundhay Park Lane and Wharfemeadows Park in Otley. RoSPA have also trained a number of Parks and Countryside Staff who are now carrying out the Risk Assessments for the other parks sites listed in Appendix 4.

3.0 Main Issues

- 3.1 The Council has statutory duties and a duty of care in common law regarding water bodies that fall under their ownership or management. The RoSPA report highlights the need for a Policy on the Safety Management of Open Water and that risk

assessments need to be carried out for all such water bodies within Council control.

- 3.2 Following consultations with Departments and Education Leeds a Policy on the Safety Management of Open Water has been developed which sets out the approach to be adopted by all Council Departments. The Policy is attached at Appendix 3.
- 3.3 RoSPA were commissioned to carry out risk assessments at two sites, Wharfemeadows Park in Otley which is an example of a river/flowing water within a Park and Roundhay Park which is an example of a lake/static water, where water safety is a major factor. The costs for implementing works identified in these two risk assessments is approximately £165,000 and £80,000 respectively. The risk assessments take into account that a balance must be struck between the idealistic measures needed to make all water as safe as is humanly possible against the costs in financial, aesthetic and practical terms. These 2 risk assessments will provide a template for all future risk assessments. RoSPA has also provided the Council with specific recommendations for Gledhow Valley Lake, Bramley Falls Park, Chippies Quarry, Farnley Balancing Pond and four lakes/ponds at Temple Newsam. The works for these sites are being costed.
- 3.4 The Parks and Countryside Service has identified that it has health and safety responsibilities for 67 sites containing water bodies including those mentioned above. In order to complete risk assessments on all these sites a number of officers have been trained by RoSPA in undertaking risk assessment for water bodies. A schedule of Parks and Countryside sites containing water bodies attached at Appendix 4 has been drawn up and the risk assessments for these sites will be completed by March 2007.
- 3.5 One of the main issues dealt with by the Working Group was the issue of water education safety, particularly for teenagers in our high schools. Water safety education can give young people the knowledge and confidence to act appropriately and therefore will have a direct positive impact on the drowning and near drowning statistics both now and in later years. Therefore the inter-departmental group has developed educational information on water safety, particularly for adolescents and teenagers in order to raise awareness of the dangers of water. In April 2007, Leeds City Council: Leeds Lifesaving in partnership with Royal Life Saving Society (RLSS UK), Yorkshire Water, Education Leeds and RoSPA will launch a new ground breaking initiative. The 'Wise up to Water!' Lifesaving Water Safety Project for young people at Key Stage 3 / 4, aims to introduce and promote water safety awareness and provide education to assist High School pupils in fulfilling the water safety elements of the National Curriculum. The project also aims to empower students from Year 10 and above to become Leeds Lifesaving RLSS Student Trainers. This will enable students to deliver the 'Wise up to Water' workshop, with the aim of progressing to assisting in the delivery of the Primary School Activate Water Safety Workshops within their Family of Schools. A copy of the programme is attached at Appendix 5.

4.0 Implications for Council Policy and Governance

- 4.1 It is considered that the attached Policy on the Safety Management of Open Water will complement the City Council's commitment to Health and Safety and associated policies.

5.0 Legal and Resource Implications

- 5.1 The Council has a duty of care both under statute and at common law, to ensure that the risks associated with water bodies it manages or owns have been assessed and appropriate measures have been put in place to limit any risks to an acceptable and agreed level.
- 5.2 The cost of implementing any remedial measures identified in risk assessments is not known for sites where assessments have not been carried out. However the following costings have been calculated:

Wharfemeadows Park	£165,000
Roundhay Park	£ 80,000

The funds to carry out these works have been identified by the Asset Management Group .

A reasonable estimate of £20,000 per site for the remaining 65 Parks and Countryside sites would result in a capital requirement of a further £1.3m with the work to be phased over the next 2 to 3 years.

- 5.3 The City Council is of course responsible for the management and health and safety of open water areas outside the Parks and Countryside service and it is therefore recommended that Directors follow the course of action undertaken by Parks and Countryside to develop an audit of sites, and to carry out risk assessments at each site.

6.0 Conclusion

- 6.1 Leeds City Council has a responsibility regarding health and safety of all water bodies it owns or manages. The Policy on the Safety Management of Open Water needs to be approved and risk assessments carried out on all such bodies of water and resources need to be identified to carry out all remedial action identified in the risk assessments.
- 6.2 In order to promote water safety awareness the 'Wise up to Water' education programme should be implemented with the support of Education Leeds.

7.0 Recommendations

- 7.1 Executive Board are recommended to:
- i) Approve and adopt the Policy on the Safety Management of Open Water and request that Directors implement the Policy as outlined in para 5.3.
 - ii) Endorse the 'Wise up to Water' Lifesaving Water Safety Project for young people.
 - iii) Approve provision within the Capital Programme to ensure that the result of the remaining risk assessments can be implemented.