

## **Scrutiny Board (Culture and Leisure)**

### **Inquiry into Wharfemeadows Park Fence and the Council's Water Safety Policy**

#### **Terms of Reference**

##### **1.0 Introduction**

1.1 Following a drowning incident in Roundhay Park an interdepartmental group was formed to deal with;

- Preparation for the Coroner's inquest
- Implementation of any recommendation 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.

The Royal Society for the Prevention of Accidents (RoSPA) was commissioned by the Council to carry out an assessment 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. RoSPA has also provided the Council with specific recommendations for five other sites. These were considered by the Executive Board on the 9<sup>th</sup> February 2007.

1.2 Despite revised proposals detailed in the report to Executive Board on the 18<sup>th</sup> May 2007 public opinion in Otley on the water safety recommendations within the Park has not been positive.

1.3 At its meeting on 16<sup>th</sup> July 2007 Scrutiny Board (Culture and Leisure) received a request for scrutiny from the Wharfemeadows Action Group supported by Otley Town Council and by Greg Mulholland MP. Following a brief presentation and discussion, the Board agreed to undertake an inquiry and to establish a working group in order to scope the terms of reference and begin collecting evidence to be reported to the September Scrutiny Board meeting.

1.4 Members also agreed to recommend to the Executive Board that work relevant to this inquiry be suspended until the Board has completed its deliberations. This recommendation was submitted to the Executive Board meeting of 22<sup>nd</sup> August 2007.

## **2.0 Scope of the Inquiry**

2.1 The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:

To scrutinise the recent decisions of the Executive Board regarding Wharfemeadows, the grounds for those decisions, the advice submitted to the Directors and to make recommendations thereon:

- The consultation process undertaken with regard to water safety at Wharfemeadows Park.
- Details of the decision making process, the options considered, the advice received and position of the Council following RoSPA's recommendations:
  - Legal advice given to the Council
  - Executive Board reports
  - RoSPA's recommendations and relevant reports
  - Any risk assessments undertaken previously with regard to sites with water assets
  - Relevant statistics on accidents relating to the River Wharfe and Wharfemeadows Park specifically.
  - Coroner's report relating to Roundhay Park fatal incident
- The Water Safety Strategy.

## **3.0 COMMENTS OF THE RELEVANT DIRECTOR AND EXECUTIVE MEMBER**

3.1 In line with Scrutiny Board Procedure Rule 12.4 the views of the relevant Director and Executive Member have been sought and have been incorporated where appropriate into these Terms of Reference.

## **4.0 TIMETABLE FOR THE INQUIRY**

4.1 The inquiry will take place over three sessions with a view to issuing a final report in October/November 2007.

4.2 The length of the inquiry is subject to change

## **5.0 SUBMISSION OF EVIDENCE**

Time table to be agreed

## **6.0 WITNESSES**

- Executive Board Member for Leisure
- Chief Recreation Officer
- HR Manager, Safety Well-being and Attendance
- Head of Community Services and Litigation
- Representative from Otley Town Council
- Representative from Wharfemeadows Action Group

DRAFT