

WILTSHIRE COUNCIL

Agenda Item No. 9 (I)

**TROWBRIDGE AREA BOARD
14TH JANUARY 2010**

Pilot Scheme of advisory notices displayed in Wiltshire Council owned play areas/open spaces within the Trowbridge Area.

Purpose of the Report

1. To advise the Trowbridge Area Board how its decision to pilot 'No Smoking' advisory notices in Wiltshire Council owned play areas/open spaces within the Trowbridge Area may be implemented.

Background

2. At the Trowbridge Area Board on the 5th November 2009 the Board made the decision to support a pilot scheme of advisory notices (No Smoking) to be displayed at Wiltshire Council owned play areas within the Trowbridge Community Area.

3. This decision followed the presentation of David Bardwell (Principal Environmental Health Officer) on the subject.

4. This decision was made with the knowledge that the banning of smoking outdoors is not a legal requirement and cannot legally be enforced.

Main Considerations

5. There is no legal requirement to install this signage. Legal powers do not exist to enforce the banning of smoking in these areas. Consultation with Environmental Health colleagues indicates that there is no proven Environmental Health reason to ban smoking in the open environment.

6. Wiltshire Council currently does not have a policy on Smoking in public spaces.

7. The Play & Open Spaces Service has not received any complaints regarding smoking in play areas prior to the Area Board decision.

8. The erection of this signage is not covered by the existing revenue budgets. The ongoing regular maintenance and replacement budget would not cover the new signage; therefore, the Area Board would need to give consideration to the source of funding.

9. Each play area would require a sign at each entrance to ensure users of the play areas are aware of the signs.

10. The Trowbridge Area Board will need to be aware of the impact that this action may have on the reputation of Wiltshire Council, especially when it is requested to take action against individuals who act in defiance of the signage and it becomes common knowledge that the Council has no powers to enforce.

11. The cabinet members for Leisure and Environment were both consulted in the process of drafting this report and are in agreement with the recommendations of this report.

Environmental Impact of the Proposals

12. Regular litter collections both inside and outside play areas are undertaken, the introduction of no smoking may increase the amount of litter due to cigarette butts being dropped outside of play areas.

Financial Implications

13. The cost of supplying and installing the signage in play areas in the Trowbridge Community Area would be £1,400.00. This is based on a simple 100mm square 'No Smoking' sign. The Council has no budget provision to provide these signs.

14. This repair or replacement the signage would not be covered by the existing budget and therefore the ongoing budget would need to be found from other funding sources.

15. The Council has no resource that could enforce or monitor the effect of the proposed signage.

Legal Implications

16. There is no legal requirement to install 'No Smoking' signs and the banning of smoking in play areas is not enforceable.

HR Implications

17. Not Applicable

Equality and Diversity Implications

18. Not Applicable

Recommendation

It is recommended that:

The Trowbridge Area Board notes the content of this report and considers the sourcing of funds to implement the signage.

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Appendices:
None

No unpublished documents have been relied upon in the preparation of this report