

Do we need insurance for a play street?

Most councils don't insist on public liability insurance; but you will find many 'strongly recommend' it. So, what should you do?



Public liability insurance in theory covers event organisers for injury or property damage to members of the public. This could be residents, children, the local authority, motorists or passers by. Our view is that insurance should not usually be necessary for a play street and that the requirement to purchase insurance can put people off starting one. But ultimately the decision must be one that you and your neighbours are comfortable with. We cannot tell you what you should do, but can offer the following thoughts to help you decide.

Firstly, and thankfully, we have never heard of any incident on a play street which has led to anyone being pursued for damages.

Secondly, it is difficult for damage or injury to be inflicted on a person or property during a play street session, without many people witnessing it. The responsible person is easy to identify.

Further, if such damage or injury was to occur, it is difficult to think of a scenario in which the applicant could be held liable. The organiser is not responsible for the actions of participants, or of motorists who enter or exit the street during the session.

On a play street, as in any other public space, adults are responsible for the consequences of their own actions. They also retain responsibility for any children in their care. So any damage or injury caused by participating adults or children – to others or to themselves – is their own

Any motorist ignoring the protocols for entering or exiting the street would be liable for any injuries or damage caused through their actions. They would also be risking police action. As long as the organisers ensure that the road closure points are clearly signed and marshalled, and that marshalls and drivers are advised of the protocols, it seems unlikely that the applicant could be held liable for any negative consequences of their actions.

There is one responsibility that you may well take on as an applicant and that is for the road closure signs and barriers that many councils ‘loan’ to play streets. If these are stolen or damaged, it is possible that the council will hold you liable for the cost of their replacement.

We do recommend that organisers do a basic risk assessment to flag up possible risks in advance and act to mitigate them. You can download a template from the London Play website.

Further reading

You can read the views on this matter of other organisations that promote community uses of streets:

<http://www.streetparty.org.uk/insurance.aspx>

<http://playingout.net/how/how-councils-support-street-play/faqs-local-authorities/public-liability/>

Possible insurers

These are companies that we know have provided insurance for street parties and/or play streets in the past. Their listing here does not constitute an endorsement from London Play.

<https://www.ladbrook.co.uk/charity-insurance/community-group-insurance/street-play-groups/>

<https://www.eventinsuredirect.co.uk/>

<https://www.events-insurance.co.uk/event-insurance-policies/street-party-insurance/overview>