

## Evidence Submission: Planning and Infrastructure Bill

### About Play England

Play England is the national organisation dedicated to championing every child's right to play. We work collaboratively with local authorities, community groups, schools, and national policymakers to ensure that children and young people have access to high-quality play opportunities in both formal and informal settings. Our vision is for a child-friendly England where play is recognised as essential to children's development, wellbeing, and happiness. Through advocacy, research, and policy engagement, we promote environments that allow children the freedom, time, space, and opportunity to play, ensuring that play is embedded in planning, design, and decision-making at all levels.

At the heart of our work is a commitment to advancing the [United Nations Convention on the Rights of the Child](#) (UNCRC), particularly [Article 31 and General Comment No. 17](#), which affirm the fundamental right of every child to engage in play and recreation. We strive to ensure that this right is recognised, protected, and implemented across government, civil society, and industry through inclusive, sustainable, and equitable play opportunities. By fostering strong partnerships and advocating for policies that prioritise play, we aim to create a society where play is valued, supported, and accessible to all children, regardless of their background or circumstances.

### Executive Summary

- Children's opportunities for play have declined over recent decades, significantly impacting their physical and mental wellbeing.
- Play is fundamental to children's development, wellbeing, and resilience, yet current legislative and policy frameworks in England fail to protect or promote play opportunities.
- England lags behind [Wales](#) and [Scotland](#), which have Play Sufficiency legislation ensuring children have access to time, space, and opportunities for play.
- There has been **no national play strategy in England since 2008**, which was developed by the last Labour government, together with Play England.

### Action Required: Introduce Play Sufficiency legislation in England:

- Amend the Planning and Infrastructure Bill 2025 to explicitly include a Play Sufficiency duty.
- This should be introduced as a new clause in the Bill, ensuring that local authorities have a statutory obligation to plan for and secure sufficient play opportunities for children.
- Accompany the duty with supporting regulations and guidance (via a Statutory Instrument) once the Bill is passed. This should detail the practical implementation – including assessment methods, consultation requirements, provision standards, and developer contribution mechanisms – to guarantee effective and consistent delivery nationwide. Early preparation of this secondary legislation will help local authorities smoothly transition to the new requirements.

We urge the Committee to amend the Bill to include a statutory Play Sufficiency duty, ensuring that local authorities plan for and provide adequate play opportunities for children. Play is essential, critical infrastructure for children – just as vital as education, housing, transport or utilities – yet it currently lacks statutory status. The proposed duty is a clear, feasible and cost-neutral measure that would:

- **Protect and enhance play spaces:** Safeguard both formal playgrounds and informal play spaces from loss and require new developments to include quality play areas.
- **Integrate play into planning:** Make children’s play a priority in local planning decisions and infrastructure strategies, rather than an afterthought.
- **Fulfil national and international commitments:** Implement Article 31 of the UN Convention on the Rights of the Child (UNCRC) – the child’s right to play – through concrete legislative action, as urged by the UN Committee.
- **Align with devolved nations’ success:** England is now the only British nation without a play sufficiency duty in legislation. Wales and Scotland have already enacted similar duties via primary legislation, providing proven models that England can readily adopt.
- **Support children’s wellbeing and government priorities:** Secure the benefits of play for children’s health, development and community life, directly supporting the Government’s commitment to raise the healthiest generation of children.

This call follows a pivotal change in December 2024: after extensive advocacy by Play England, the National Planning Policy Framework (NPPF) was amended to [include new protections for ‘formal play spaces’](#) for the first time. While welcome, this change remains a policy statement, lacking enforceability. The logical next step is legislative reform through the **Planning and Infrastructure Bill 2025**.

Recent research further exposes why this is urgent. A 2024 study by the University of Sheffield mapped [England’s 34,000 playgrounds and revealed stark inequalities in access](#). Children in deprived areas and ethnically diverse communities are far less likely to have usable, local play areas. Planning that ignores play further compounds these inequalities.

Play sufficiency is more than just playgrounds. It means creating play-friendly environments where children can engage in spontaneous, self-directed play – wherever they are: at home, at school, on the street, in parks, and the public realm. Play spaces are critical infrastructure for children – as essential as access to education, healthcare, and safe housing.

Children aren’t broken. It’s our systems, our planning, and our priorities that need fixing. Protecting children’s right to play must be part of planning for a better future.

## Why a Play Sufficiency Duty is Needed

**Play as critical infrastructure:** Play opportunities – from playgrounds and parks to safe streets and open spaces – are a form of community infrastructure crucial for children’s development and happiness. Just as we plan for schools or transport, we must plan for play. Yet currently, informal play spaces and child-friendly public spaces are often overlooked or treated as expendable. Children’s ability to play freely in their neighbourhoods has drastically diminished in recent decades, with many communities lacking accessible, safe places for play. This has tangible impacts: reduced physical activity, poorer mental health, and fewer opportunities for children to learn social skills and independence. Elevating play to a statutory

priority ensures it is no longer neglected. It signifies that providing for play is as fundamental to building sustainable communities as providing for housing or utilities.

**Planning gap in England:** Recent policy steps have been taken to recognise play, but they – in isolation – are insufficient. In December 2024, after extensive advocacy by Play England, the [NPPF was amended to include new protections for ‘formal play spaces’](#) – a pivotal recognition of play’s vital value. However, this remains policy guidance with no statutory force, meaning local authorities can (and unfortunately do) sideline play under other pressures.

Moreover, [informal](#) play spaces (like streets, estates, open spaces, or parks where children actually play) remain entirely unprotected by any policy or legislation. In practice, children’s informal play areas are routinely lost to development or traffic with little recourse. The proposed Play Sufficiency duty squarely addresses this gap by giving both formal [and](#) informal play spaces robust legislative protection and priority in planning decisions. It would complement, enhance and complete the hard-fought NPPF reforms by providing clarity and explicit statutory guidance to avoid ambiguity and strengthen enforceability.

**Children’s wellbeing at stake:** Play is not a luxury for children – it is fundamental for their health, happiness, and development. The decline in accessible, inclusive play spaces correlates with worrying trends in children’s physical health (e.g. rising childhood obesity) and mental wellbeing (stress and anxiety). Restoring opportunities for free play can help reverse these trends by encouraging active lifestyles, social cohesion, and emotional resilience in children.

A statutory duty would require every local planning authority to assess and meet children’s play needs, rather than leaving it to chance or charity. It embeds consideration for children’s rights and quality of life into the decisions that shape our built environment. In essence, it is planning for children’s wellbeing as deliberately as we plan for other critical public infrastructure. This aligns strongly with the Government’s broader goals – for example, the duty would directly support the ambition to make this *‘the healthiest generation of children’*, as outlined in the [Child Health Action Plan](#).

**Legal and International Obligations (UNCRC Article 31):** The UK has obligations under international law to uphold children’s right to play. Article 31 of the UN Convention on the Rights of the Child guarantees every child the right *‘to rest and leisure, to engage in play and recreational activities appropriate to the age of the child’*. By signing the UNCRC, the UK committed to take all appropriate measures to fulfil this right.

Importantly, the UN Committee on the Rights of the Child has explicitly called for legislative action to ensure play opportunities. In [General Comment No. 17 \(2013\) on Article 31](#), the Committee urges governments to implement *‘legislation and planning for ensuring that every child has sufficient time and space in their life for their Article 31 rights’*. In other words, international guidance [specifically recommends](#) measures like a Play Sufficiency duty to secure children’s right to play. Paragraph 58(a) of General Comment 17 calls on States to introduce legislation that guarantee all children access to play opportunities, and to integrate such provision into planning processes. By enacting a Play Sufficiency duty in England, we would [not only](#) fulfil the recommendation – but demonstrate leadership and good faith in meeting our UNCRC obligations.

Currently, England’s lack of a statutory Play Sufficiency duty puts it in breach of the spirit of Article 31, as there is no legislative or systematic framework ensuring this right is delivered. The proposed amendment would close that gap. It translates the abstract right to play into concrete acceptance, responsibilities and accountability at the national and local level. This is a necessary step for treating children’s rights with the same seriousness as other statutory duties (like education or child protection). Failing to act keeps

England out of step not only with the UN's expectations but also with other home nations who have already legislated for play sufficiency.

**Home Nations' Precedent:** England is falling behind its British counterparts in supporting children's play through legislation. Both Wales and Scotland have established Play Sufficiency duties in legislation, yielding valuable lessons and clear precedents that England can and must build upon.

- **Wales:** Pioneering in this field, Wales introduced a statutory Play Sufficiency duty through the [Children and Families \(Wales\) Measure 2010](#), making it the first country in the world to legislate for children's play. Since 2012, Welsh local authorities have been required to assess the sufficiency of play opportunities in their areas and take action to fill gaps. This duty, supported by the [Play Sufficiency \(Wales\) Regulations 2012](#), has led to a structured approach in Wales: councils produce [Play Sufficiency assessments](#) and implement action plans. The Welsh experience demonstrates that a play duty is practical and effective – authorities have embraced it without undue burden, and it has heightened the profile of play in local policy making. It is no coincidence that Wales is often cited as a leader in play policy; the legislative duty created a culture of accountability and innovation around play.
- **Scotland:** Following suit, Scotland recently enacted its own play sufficiency duty. The Planning (Scotland) Act 2019 (a piece of primary legislation) [amended the statutory planning framework to require consideration of play](#). It introduced a duty on planning authorities to prepare Play Sufficiency assessments when making local development plans (now embedded in [Section 16D of the Town and Country Planning \(Scotland\) Act 1997](#)). This has been put into practice via the [Play Sufficiency Assessment \(Scotland\) Regulations 2023](#), which set out how local authorities must evaluate and report on play opportunities. Scotland's approach underscores that Play Sufficiency can be integrated into planning legislation in a practical and readily implementable manner. Early indications show it is improving the design of neighbourhoods – for example, new housing developments in Scotland now pay greater attention to playable spaces and child-friendly design, backed by the statutory assessment process.

These devolved examples prove the feasibility and significant value of a Play Sufficiency duty. They offer ready-made models for England, minimising any implementation risk. Indeed, the amendment proposed for England closely mirrors these proven approaches. Adopting it would simply put England on equal footing, rather than lagging behind. It would also fulfil our child rights obligations uniformly across Britain, avoiding a patchwork where English children have weaker statutory protections than their Welsh or Scottish peers. The success of Wales and Scotland means that in 2025, this duty is no experimental idea – it is established best practice, and England can and must proceed with confidence that it will work.

## Why We Are Submitting Evidence

There is a growing crisis in children's play. Over recent decades, urbanisation, traffic-dominated neighbourhoods, inadequate planning policies, and reduced public space have severely limited children's freedom to play. This decline in play opportunities has had devastating consequences for children's health, wellbeing, and development.

This crisis was highlighted in Play England's [Open Letter to Government](#) (July 2024), which called for urgent action to reverse the decline in play opportunities, which has fundamentally undermined their quality of life and deprived them of the critical infrastructure they desperately need on their doorstep, in their communities, at school and more widely across the public realm.

The urgency of this issue was underscored during the [Westminster Hall debate](#) on the 8 January 2025, led by **Tom Hayes MP**. The debate expanded beyond playgrounds, recognising the importance of unstructured free play, adventure playgrounds, active play, and the essential role of Playworkers.

MPs raised serious concerns about how funding cuts have led to the deterioration of play spaces and a stark decline in play opportunities. The lack of a long-term National Play Strategy was identified as a major barrier preventing children from accessing quality play opportunities.

At the heart of the debate was **strong, cross-party support** for [Play England's manifesto](#), calling for;

- **Play Sufficiency legislation** to ensure every child has access to safe and inclusive play opportunities.
- **A new National Play Strategy** to embed play sufficiency into national and local policy.

Based on this evidence, we urge the Government to introduce Play Sufficiency legislation in England and develop a new National Play Strategy, to ensure that the importance of play is recognised, valued, and protected across government and wider society.

## Proposed amendment

Play England is proposing a new clause to introduce a Play Sufficiency duty for local planning authorities, aligning with the overarching aims of the Planning and Infrastructure Bill 2025.

Embedding a Play Sufficiency duty within the Bill would enhance the Bill's ability to meet the needs of children, while strengthening existing legislative and policy framework, including recent updates to the NPPF, which now provides protection for ['formal play spaces'](#).

The proposed clause has been purposefully drafted to be legally robust, as well as practical and readily implementable – aligning explicitly with existing planning tools, obligations, and professional best practices (e.g., London Plan guidance – [Play and Informal recreation](#)) – while allowing for effective national oversight through guidance from the Secretary of State.

This approach would ensure that children's right to play is properly recognised within national and local government decision-making, without imposing excessive or impractical burdens.

### How

Insert a new chapter in the Bill ([as introduced](#)) under Part 2 – Planning.

### Rationale

- Part 2 already covers strategic planning, spatial development, and infrastructure—core domains directly relevant to the integration of play sufficiency into local plans and development decisions.
- Embedding the duty here ties play directly into the planning system, not just as a community aspiration but as a statutory planning function.
- It fits the logic of the proposed clause, which aligns with the duties of local planning authorities.
- Keeps the duty alongside related functions such as plan-making, infrastructure provision, and development decisions.

## The proposed clause

### Chapter 3: Play Sufficiency

(1) A local planning authority in England must, so far as reasonably practicable, assess, secure, enhance, and protect sufficient opportunities for children's play when exercising its planning functions.

(2) In fulfilling this duty, a local planning authority must:

- (a) regularly undertake and publish play sufficiency assessments at intervals defined by regulations;
- (b) explicitly integrate the findings of these assessments into local plans, relevant strategies, infrastructure planning, and development decisions;
- (c) refuse planning permission for developments resulting in a net loss of formal or informal play spaces, unless equivalent or improved provision is secured;
- (d) require new developments to provide high-quality, accessible, inclusive play opportunities, incorporating natural features and integrated within broader public spaces;
- (e) consult regularly with children, families, communities, and play professionals regarding play provision.

(3) Play sufficiency assessments under subsection (2)(a) must specifically evaluate and report on the quantity, quality, accessibility, inclusivity, and integration of play opportunities within the planning authority's area.

(4) The Secretary of State may, by regulations, specify:

- (a) the frequency, methodology, content, and publication requirements of play sufficiency assessments;
- (b) minimum design standards and quality expectations for formal and informal play provision;
- (c) developer obligations regarding play infrastructure contributions, secured through planning conditions.

For the purposes of this section—

- “play” means activities undertaken by children and young people that are freely chosen, self-directed, and carried out following their own interests, in their own way, and for their own reasons;
- “play opportunities” include formal and informal play spaces, parks, open spaces, streets, schools, neighbourhoods, active travel routes, supervised play settings (including adventure playgrounds), and community recreation facilities;
- “sufficient” means adequate in terms of quantity, quality, accessibility, inclusivity, and integration within community infrastructure.

## Practical Implementation

The proposed clause will:

- Clearly define ‘play opportunities’, covering both formal play spaces (e.g., playgrounds, adventure playgrounds, MUGAs etc.) and informal spaces (e.g., open spaces, streets, parks etc.).
- Require Local Plans to embed Play Sufficiency assessments as evidence, guiding strategic development decisions.
- Provide robust grounds for refusing planning applications that fail to protect or enhance local formal and informal play provision.

- Clarify developer obligations to provide appropriate contributions towards formal and informal play infrastructure.

## Benefits

- **No-cost policy ask:** statutory backing reinforces existing planning processes without additional financial burdens for local authorities.
- **Robust enforceability:** strengthens existing and new NPPF protections, ensuring practical impact.
- **Enhanced community wellbeing:** protects and enhances spaces vital for children's health, social development, and community cohesion.
- **Streamlined planning processes:** offers clarity for local authorities and developers, reducing uncertainty and facilitating more efficient decision-making.
- **Alignment with existing practice:** mirrors proven legislative approaches successfully operating in [Wales](#) and [Scotland](#) via primary and secondary legislation.

This proposal is also supported by a growing coalition of organisations from planning, health, sport, and children's rights sectors.

## Conclusion

Children only get **one** childhood, and its quality fundamentally shapes their future and our society's future. Providing spaces to play is one of the simplest, yet most profound, things we can do to improve childhood. It yields immediate joy and long-term gains.

This is a generational chance to deliver a legacy for England's children by implementing the Play Sufficiency duty amendment. The proposal is **clear in its intent, feasible to implement, and immensely valuable** in outcome. It ensures that every part of England – from dense urban boroughs to rural districts – **plans and provides for play** as a basic necessity, not an optional extra. It is about putting children's needs at the heart of planning, recognising play as the 'work' of childhood.

The amendment is also remarkably aligned with the Government's own stated priorities. It delivers on manifesto commitments to improve child health and wellbeing – in a cross-cutting, preventative way. It resonates with the values of a society that cares for all its members, including the youngest. By adopting this duty, the Government would be strengthening families and communities in a tangible way and responding to the call of international child rights standards. It's a policy that is **evidence-backed, rights-based, and people-centred**.

Play England, on behalf of the children and families we serve, strongly urges the Government to support this amendment. We have seen through our work and research that when play is prioritised, children thrive – they become healthier, more resilient, more engaged in their communities. Conversely, when play is neglected, the effects are evident in poorer outcomes and social problems.

England is falling behind in supporting children's right to play. With Wales and Scotland already legislating for Play Sufficiency, it's time for England to catch up!

Introducing a Play Sufficiency duty within the Planning and Infrastructure Bill would ensure that children's play is **protected, valued, accepted and embedded** into legislation, national policy and local decision-

making. It is a timely and decisive solution to ensure no community, and no child is left behind in having access to play opportunities.

Moreover, it isn't just good policy — it's critical [unfinished business](#), first championed by the last Labour government, and essential for any government serious about delivering healthier, happier childhoods.

This is Parliament's chance to secure a legacy for future generations — **by giving children their childhood back!**



Eugene Minogue

**Executive Director** (Former child, and now big kid!)