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**Report of the Director of City Development**

**Scrutiny Board (City Development)**

**Date: 9<sup>th</sup> June 2009**

**Subject: Woodhouse Moor Park Consultation on Barbecue Use**

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**Electoral Wards Affected:**

Headingley, Hyde Park and Woodhouse

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Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

Eligible for Call In

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Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. This report considers the rationale and approach to a recent consultation exercise with local residents and other stakeholders on the issue of barbecue use at Woodhouse Moor Park. This follows a deputation to full council and subsequent report to Executive Board on 8<sup>th</sup> October 2008.
2. Questionnaires were sent to 65 community organisations, approximately 10,000 residences in an 800m catchment area around the Park along with the provision of three open consultation events.
3. The Council has received complaints from 20 households that they have not received a questionnaire. These complaints have been checked with the company delivering the questionnaires and one instance of non-delivery, at Kensington Court, has been verified due to access difficulties.

## **1.0 Purpose Of This Report**

- 1.1 This report considers the rationale and approach to a recent consultation exercise with local residents on the issue of barbecue use at Woodhouse Moor Park. This follows a deputation to full council and subsequent report to Executive Board on 8<sup>th</sup> October 2008.

## **2.0 Background Information**

- 2.1 Over the years the use of portable barbecue units on Woodhouse Moor has developed into a growing problem. Invariably their use has led to unsightly scorch marks on the grass, discarded litter and unused food left lying around. As a consequence the Council has had to consider the most appropriate way to manage this problem.
- 2.2 At present barbecues are prohibited on Woodhouse Moor and all other parks within the Leeds Metropolitan Borough under the Leeds City Council Byelaw for Pleasure Grounds, Public Walks and Open Spaces (17<sup>th</sup> December 2008) section 11 clause (1) which states: *11 (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.*
- 2.3 However, it is evident that barbecues are a popular activity amongst some elements of the users of the Park, although there is also opposition to the activity. At present the view of the Friends of Woodhouse Moor, North Hyde Park Neighbourhood Association and South Headingley is that such activities should not be allowed in view of the damage, smoke and mess that is created. The opposition to the provision of a designated barbecue area has been expressed very clearly by these groups, alongside support for the proposition from other members of the public. It should also be noted that many residents in the local area do not have a garden of their own and will be looking for a suitable park/green space for this activity. This problem is further exacerbated in urban areas with terraced housing such as in Woodhouse, Headingley and Burley.
- 2.4 Although Parks & Countryside have consistently maintained a policy of not allowing barbecues on Woodhouse Moor Park the difficulty of enforcing, what is traditionally looked on as a popular activity, has led to the service to consider the provision of a suitable area on the park for barbecues as the most pragmatic way of managing the position. This option can be considered as there is a clause in the Leeds City Council Byelaws for Pleasure Grounds, Public Walks and Open Spaces (17<sup>th</sup> December 2008) section 11 clause (1) which states: *11(2) Byelaw 11(1)b shall not apply to the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed barbecue, in a designated area for barbecues.*
- 2.5 A proposed solution by Parks and Countryside for consideration is the installation of small concrete slabs that are flush with the ground surface. This technique ensures a more aesthetic appearance, avoidance of grass burn marks and does not impede grassland maintenance as mowers can simply run over the top of the barbecue spots. The provision of special bins at the barbecue sites to accept portable barbecue units and their hot coals will reduce the risk of bin fires. The scheme also includes extra litter bins around the designated barbecue area.
- 2.6 If the designated barbecue area is created the enforcement emphasis changes from trying to stop barbecues to requesting the activity is conducted in the allocated area with an explanation of the facilities on suitable interpretation boards. By adopting this approach Parks and Countryside may be better able to manage the existing

desire to hold barbecues on Woodhouse Moor in a controlled way. The concept and design of a designated barbecue area has been extensively discussed with the Woodhouse Moor Multi-Agency Forum.

- 2.7 At the meeting of Full Council on the 2<sup>nd</sup> July 2008 a deputation was received regarding a number of issues concerning Woodhouse Moor Park, where in particular opposition to a designated barbecue area was expressed. The response to these issues was submitted in a report to Executive Board on the 8<sup>th</sup> October 2008. The minutes of this meeting stated that the proposal to consult on the potential for a barbecue area in the park was noted.

### **3.0 Main Issues**

- 3.1 Following the outcome of the report to Executive Board, a consultation methodology was developed in liaison with area management and ward members who responded to an invitation on this matter. The purpose of the consultation process was to gauge opinion on this issue from all stakeholders including local residents, community groups, the university and statutory agencies to inform any decision on this matter. The aim of the consultation exercise was to illicit the range and balance of views held on this matter, to be able to gauge the strength of the views held and the merits of any respective arguments. The consultation exercise was not designed as a formal referendum. In particular, given the nature of the issue, the views of the Police and the Fire Authority will need to be carefully considered alongside the views of local residents in determining a way forward. Accordingly, there were three primary means of consultation. First, a household survey to all residences within a defined catchment area around the park, and second, open consultation events on the issue and finally consultation with the statutory agencies such as the Police and Fire Authorities. The consultation commenced on 20<sup>th</sup> March and it is anticipated that responses from all stakeholders will be received by the end of June.
- 3.2 The household questionnaire was sent out at the end of March 2009 to approximately 10,000 households and community organisations that fell within an 800m catchment zone around the park, calculated with the use of a geographic information system. Accordingly, random sampling was not used in this instance. A small area west of the railway line and north of Burley Park was omitted along with a section north of Woodhouse Ridge. These two areas were excluded as the railway line and the ridge acted as barriers, and residents were therefore unlikely to use Woodhouse Moor Park on a regular basis. A plan showing the extent of the catchment area is contained in Appendix 1.
- 3.3 Properties were selected from the Local Land and Property Gazetteer (LLPG), which holds the addresses for all property units within Leeds Metropolitan District area. The LLPG allowed every property within the consultation zone eligible for the payment of Council Tax to be identified, including residences occupied by students. The LLPG does not however enable individuals within residences to be identified, so 1 questionnaire was sent to each address for completion by whichever occupier chose to return it. Initially all the properties within the consultation zone were selected, following which obvious commercial premises were removed leaving a total of 9,982 potential residential properties within the consultation zone.
- 3.4 The questionnaire that was prepared asked respondents whether they wanted a designated barbecue area or not. A copy of this questionnaire is contained in appendix 2a. In addition the questionnaire also asked for comments on the scheme and reasons for not having a designated barbecue area. To assist in their

deliberations, respondents received a plan and explanation of what the proposed designated barbecue area would entail. The questionnaire provided for a written response and the approximate location of respondent was identified by postcode. These are included in appendix 2b and 2c respectively. A freepost envelope was provided for the response.

- 3.5 The company used to send out the questionnaires was Distribution Business Services (DBS). DBS have ISO9001:2001 quality management accreditation and Direct Marketing Association accreditation and thus monitor the effectiveness of their delivery. Furthermore the company has been used on a number of occasions by other sections of the Council such as International Relations, the former Learning and Leisure Marketing and Kirkgate Market.
- 3.6 The apparent concern that large numbers of people did not receive questionnaires appears not to be the case from investigations made. When a report came through of not receiving a questionnaire the address was requested and checked with DBS. There were 23 queries received comprising 20 addresses, 1 block of flats and two streets. In only one case, Kensington Court, was delivery hindered due to access restrictions and then this was subsequently rectified. In all other instances DBS were able to confirm delivery. Furthermore in 9 of these situations we were able to confirm questionnaires have been returned from the particular streets in question.
- 3.7 In addition to the postal questionnaire, three open consultation events were held as follows:
- Leeds University Union, Meeting Room 2, 20<sup>th</sup> March, 5pm – 7pm
  - Bowls Pavilion, Woodhouse Moor Park, 26<sup>th</sup> March, 3pm – 7pm
  - Wrangthorn Church, Hyde Park Terrace, 2<sup>nd</sup> April, 4.30pm – 6.30pm
- 3.8 The intention to consult through a postal questionnaire was advertised and detailed at the first 2 open consultation events held at Leeds University and the Bowls pavilion at Woodhouse Moor Park.
- 3.9 These events were advertised by posters displayed in the Woodhouse Moor Park notice boards and attached to trees at all main entrances leading into the Park. In addition, all the community organisations received the above posters with their questionnaires for distribution amongst their members. Further posters were sent to the above organisations as the Wrangthorn Church venue was a later addition that needed to be advertised. Questionnaires were distributed at each event.
- 3.10 It should be noted that at these open consultation events, groups in opposition to the proposal had parallel displays objecting to the use of barbecues on the moor.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 The consultation exercise is an important prerequisite should planning permission be required to establish a designated barbecue area on Woodhouse Moor.

#### **5.0 Legal And Resource Implications**

- 5.1 The use of barbecues are the subject of byelaws which were discussed in the previous report to Executive Board. In summary barbecues are prohibited on Woodhouse Moor and all other parks within the Leeds Metropolitan Borough under the Leeds City Council Byelaw for Pleasure Grounds, Public Walks and Open Spaces (17th December 2008) section 11 clause (1) which states: *11 (1) No person*

*shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.*

- 5.2 However the option to consider designated areas is appropriate as there is a clause in the Leeds City Council Byelaws for Pleasure Grounds, Public Walks and Open Spaces (17th December 2008) section 11 clause (1) which states: *11(2) Byelaw 11(1)b shall not apply to the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed barbecue, in a designated area for barbecues.*
- 5.3 The costs of the consultation exercise was £2,467, met within the Parks and Countryside revenue budget.

### **Conclusions**

- 5.4 The report aims to provide a concise and clear account of the background leading to the need for a consultation process and the format followed to ensure local communities were given every opportunity to respond to the proposal of introducing a designated barbecue area in Woodhouse Moor Park.
- 5.5 A small number of people complained about not receiving a questionnaire. These complaints have been checked with the company delivering the questionnaires. only In one situation, at Kensington Court, was there a case of non-delivery due to access difficulties. This problem was rectified by sending a questionnaire to this address.

### **6.0 Recommendations**

- 6.1 That members note the content of the above report.