



Report of the Director of City Development

Executive Board

Date: 22nd June 2010

Subject: Woodhouse Moor Park Barbecue Use

Electoral Wards Affected:
Hyde Park and Woodhouse

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

1. This report considers the background to the decision of Executive Board on 26th August 2009 to trial a designated barbecue area at Woodhouse Moor Park, and progress made to implement this decision.
2. There has been a delay in implementing the Executive Board decision to trial a designated barbecue area as a result of not agreeing a suitable support material with local community representatives.
3. As an interim measure, the Parks and Countryside service has been enforcing the byelaws prohibiting barbecue use supported by funding from the North West Inner Area Committee.
4. The presence of Parks Watch officers is proving successful in preventing barbecue activity at Woodhouse Moor and enforcing the byelaws.
5. If funding is sustained, then it is felt that enforcement activity could be a viable long term solution to address issues associated with barbecue use.
6. Members are requested to note the contents of the report and consider enforcement of existing byelaws at Woodhouse Moor Park as an alternative to trialling a designated barbecue area.

1.0 Purpose Of This Report

1.1 This report provides the background to the decision of Executive Board on 26th August 2009 to trial a designated barbecue area at Woodhouse Moor Park, and progress made to implement this decision. It provides a summary of research of alternative support materials and the outcome of trials in consultation with community representatives. It requests that Executive Board reconsider the approach to addressing issues associated with barbecue use at Woodhouse Moor in the light of the recent experience of enforcement activity.

2.0 Background Information

2.1 At the meeting of Full Council on the 2nd July 2008 a deputation was received regarding a number of issues concerning Woodhouse Moor Park. In particular the issue of barbecue use and the associated anti-social behaviour was raised along with more general concerns about the park. The response to these issues was submitted in a report to Executive Board on the 8th October 2008. Executive Board noted the proposal to consult on this issue, and a consultation process was undertaken.

2.2 The consultation methodology was developed around gauging opinion on the concept of a designated barbecue area at Woodhouse Moor Park. This was developed in consultation with local ward members and officers of the North West Inner Area Committee to gauge opinion and inform any decision on this matter from all stakeholders involved. Accordingly, there were 3 primary means of consultation. First, a household survey to all residences within a defined catchment area around the park also sent to 65 relevant community organisations; second, open consultation events on the issue; and finally consultation with the Police and Fire Authorities.

2.3 Ward Councillors representing Hyde Park and Woodhouse Ward and Headingley Ward requested that Scrutiny Board (City Development) investigate the consultation process following concerns received from residents stating that they did not receive a questionnaire. This matter was considered by Scrutiny on the 9th June and 7th July 2009.

2.4 A report was submitted to Executive Board by the Director of City Development on 26th August 2009 in response to the deputation to Council from North Hyde Park Residents' Association, South Headingley Community Association and the Friends of Woodhouse Moor organisation on 15th July 2009. The report also outlined the result of a recent consultation exercise with local residents and stakeholders, from which the following conclusions were drawn.

- On balance, there is a view that a designated area for portable barbecues is worth considering
- Enforcement is crucial to a successful outcome, but there are limits in capacity to provide enforcement
- Providing a solution that can be effectively enforced should ensure that associated anti-social behaviour issues can also be addressed
- Concerns have been raised about the use of concrete and the general unsightly nature of the area as set out in the consultation questionnaire
- There is also a concern that widespread barbecue use in the park impacts on the enjoyment of other users

2.5 The report appraised 3 options, as follows:

- Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process
- Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process
- Option 3: To trial a designated barbecue area

2.6 It was resolved that the analysis and summary consultation activity contained in the report be noted, and that approval be given to the implementation of Option 3 from 1 April 2010 until the end of the barbecue season.

3.0 Main Issues

3.1 Following the decision by Executive Board, research on suitable cellular systems as well as standing barbecue supports was conducted, and a trial area set up at Red Hall displaying each potential solution. In summary, there were 3 approaches that could be considered to implement the trial designated barbecue area.

- The use of cellular systems flush with the ground
- The use of standing barbecue supports above the ground
- No support materials i.e. grassed designated barbecue area

3.2 Cellular systems allows grass to grow through holes whilst supporting portable barbecues and protecting the root zone. They are generally robust and difficult to damage and the cost to purchase and install is modest. Grass maintenance is easily facilitated as the mower can pass over the top of the cellular structure. There are however issues with concrete or metal solutions due to the potential for concrete to crack or disintegrate and for metal to rust, distort or present a safety hazard due to high temperatures. Burnt grass can also create an eyesore and conversely if a cellular support is not used it can disappear from view.

3.3 Standing barbecue supports above the ground would prevent scorch marks on the grass, although both choices available would involve the use of metal with associated issues with rust, distortion and safety issues associated with heat conduction. It would be more difficult to manage the grass around such supports and generally they would be more visually obtrusive on the landscape.

3.4 Providing no support materials, whilst clearly the lowest cost solution would result in scorch marks on the grass and the possible effects of erosion once the grass root structure has been destroyed.

3.5 Following visits to the trial area and analysis of each option, it has not been possible to agree a suitable barbecue support material with community representatives. Furthermore, it was felt that scorch marks in a more concentrated area would be particularly unsightly and did not present a viable alternative. In these circumstances, a trial designated barbecue area has not yet been put in place.

3.6 In the interim the Parks and Countryside service has been enforcing the byelaws prohibiting barbecue use. This has been supported by funding from the North West Inner Area Committee of £25,085 which has been allocated to utilise two Parks Watch officers from the period 1st April to 30th September on a daily basis from 10am to 10pm.

- 3.7 The following table summarises the incident log for April and May 2010 during the time that Parks Watch officers have been present.

Incident	April	May	Total
BBQ advise, set up, extinguish & remove	58	13	71
Littering issues and assistance	15	10	25
Interference of temporary enforcement notices	11	2	13
Urinating in public	2	10	12
Drunkenness and drink related issues	3	5	8
Graffiti, fly posting	4	4	8
Unauthorised or evidence of motor vehicle access	1	5	6
Inappropriate use of bowling green	4	2	6
Verbal abuse to enforcement staff	2	3	5
Fires and breaking off branches for fuel	2	3	5
Non-violent injuries	1	2	3
Violence, stone throwing	1	2	3
Illegal golfing activities	2	0	2
Lost keys	1	1	2
Other incidents	3	2	5

- 3.8 Whilst there was considerable enforcement activity in April, with 58 incidents recorded, this had reduced to 13 incidents in May. The presence of Parks Watch officers is therefore proving successful in preventing barbecue activity at Woodhouse Moor and enforcing the byelaws. This provides evidence to support the option of continued enforcement of barbecues which could be a viable alternative should enforcement resources be available.
- 3.9 It should be noted that £14.5k has been committed for signage and bins in support of the designated area, and whilst some art work has been commissioned costs have not been incurred for the sign themselves. If Executive Board agreed not to proceed with a designated area, this funding could be allocated to emphasising enforcement of byelaws at Woodhouse Moor Park. In addition the inclusion of additional litter bins and recycling facilities would help alleviate some of the litter and waste management issues on the park as the result of the high level of use by the local population.

4.0 Implications For Council Policy And Governance

- 4.1 The decision of Executive Board on 26th August 2009 was to trial a designated barbecue area. Following the circumstances described in this report, this decision has not yet been fully implemented. Should the Council wish to reconsider the approach to addressing issues associated with barbecue use on Woodhouse Moor Park and adopt an enforcement approach, a further decision is now required by Executive Board.

5.0 Legal And Resource Implications

- 5.1 The use of 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.* Barbecue activity is only permitted in a designated area.

- 5.2 Advice received from the Council Regulatory and Enforcement section indicates that existing byelaws can be enforced by an Authorised Officer provided that the required scheme of delegation is implemented. At this stage such an officer would be able to caution and/or prosecute, but would not be able to issue a fixed penalty notice. The byelaw would need to be exhibited in order to commence the legal process.
- 5.3 Given the experience of carrying out enforcement activity during April and May, a more accurate assessment of revenue costs can now be undertaken. This has been assessed at £5k per month, including utilising a golf buggy, tools, and staff welfare facilities which represents a total of £30k over a six month period. Ongoing funding would be required in order to continue effective enforcement activity

6.0 Conclusions

- 6.1 There has been a delay in implementing the Executive Board decision to trial a designated barbecue area as a result of not agreeing a suitable support material with local community representatives. In these circumstances as an interim measure, the Parks and Countryside service has been enforcing the byelaws prohibiting barbecue use supported by funding from the North West Inner Area Committee. The presence of Parks Watch officers is proving successful in preventing barbecue activity at Woodhouse Moor and enforcing the byelaws. If funding is sustained, then it is felt that enforcement activity could be a viable long term solution to address issues associated with barbecue use.

7.0 Recommendations

- 7.1 Members are requested to note the contents of the report.
- 7.2 Members of Executive Board are requested to consider enforcement of existing byelaws at Woodhouse Moor Park as an alternative to trialling a designated barbecue area.

Background Papers:

- Delegation to Full Council 2nd July 2008
- Executive Board report 8th October 2008
- Questionnaire responses and correspondence
- Scrutiny Reports (City Development): 9th June and 7th July 2009
- Deputation to Full Council July 2009
- Executive Board report 26th August 2009