



**Havering**  
LONDON BOROUGH

16/48  
DECISION  
NOW MADE

## Notice of KEY Executive Decision

<b>Subject Heading:</b>	Preventing damage and injury in Parks and Open Spaces
<b>Cabinet Member:</b>	Councillor Roger Ramsey Leader of the Council  Councillor Melvin Wallace Lead Member Culture and Communities
<b>CMT Lead:</b>	Andrew Blake Herbert Group Director Communities and Resources
<b>Report Author and contact details:</b>	Simon Parkinson Head of Culture and Leisure Services X2199 Simon.Parkinson@havering.gov.uk
<b>Policy context:</b>	Parks and Open Spaces Strategy 2013-15
<b>Financial summary:</b>	It is proposed to continue to allow Parks Protection Officers the ability to lawfully try to prevent incursions and other inappropriate access from taking place in parks and open spaces. This will reduce costs to the Council and will therefore save money.
<b>Reason decision is Key</b>	Significant effect on two or more Wards
<b>Date notice given of intended decision:</b>	

**Key Executive Decision**

<b>Relevant OSC:</b>	Towns and Communities
<b>Is it an urgent decision?</b>	No
<b>Is this decision exempt from being called-in?</b>	No

**The subject matter of this report deals with the following Council Objectives**

- Havering will be clean and its environment will be cared for
- People will be safe, in their homes and in the community
- Residents will be proud to live in Havering

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

The decision is to allow the Parks Protection team officers, once attested, to continue to undertake operations immediately outside the boundaries of parks and open spaces, to lawfully prevent access to those spaces by people who it is believed will cause damage to the park, break Parks Bye Laws and / or cause harm to themselves or other users of the park and open space.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Part 3, Responsibility for Functions, section 2, Executive Functions, 2.1 General Functions, Policy matters, (f) to promote strategic and Council-wide initiatives to improve the quality, efficiency and effectiveness of the Council's services to the public; and section 2.4 Quality of Life Functions, Leisure and Cultural Services, (f)(vi) taking responsibility for provision and upkeep of the Council's public parks, gardens, open spaces, allotments, cemeteries and burial ground.

### **STATEMENT OF THE REASONS FOR THE DECISION**

At its meeting on 16<sup>th</sup> December 2015 Cabinet agreed that the permanent Parks Protection team officers would be attested, so that they would be able to more effectively deal with the more serious incidents that can sometimes arise in parks and open spaces. This decision was subsequently ratified at a meeting of the Overview and Scrutiny Committee on 12<sup>th</sup> January 2016. One of the recommendations agreed by Cabinet confirmed that the attestation powers could only be used inside the boundaries of Havering's parks and open spaces.

The reason why it was agreed that the attestation powers could only be used in parks and open spaces was to prevent issues arising in parks and open spaces being dealt with outside of those spaces. There was a particular concern to avoid chases outside of the park that might put members of the public and staff at risk.

It has subsequently become clear that some of the Parks Protection team's operations, which seek to lawfully prevent access in to parks and open spaces by people who it is believed will cause damage to the park, break Parks Bye Laws and / or cause harm to themselves or other users of the park and open space, take place at the entrance to the park or open space in question. These operations can sometimes take place immediately outside of the boundary of the park.

Preventing access to a park and open space has been an important factor in reducing the number of potential incursions in Havering, thus avoiding disruption to the management and operation of these spaces, as well as reducing the likelihood that extra costs will arise. It is believed that there is a significant level of public support for these operations.

**Key Executive Decision**

Following further discussion with Lead Members it is clear that the intention of the previous Cabinet decision was to prevent issues arising inside parks and open spaces being dealt with outside of those spaces and not to prevent lawful operations to prevent entry from continuing to go ahead.

The decision covered in this report represents an exception to the decision made by Cabinet at its meeting on 16<sup>th</sup> December 2015, which was to only allow attestation powers to be used within the boundaries of parks and open spaces.

**OTHER OPTIONS CONSIDERED AND REJECTED**

The option of discontinuing operations by Parks Protection officers to prevent access to parks and open spaces has been rejected for the reasons set out in this report.

**PRE-DECISION CONSULTATION**

The Lead member was consulted prior to the report being finalised.

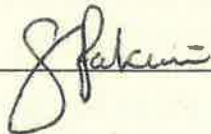
It is believed that there is strong public support for lawfully preventing incursions in to parks and open spaces, so no further consultation was believed to be required.

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Simon Parkinson

Designation: Head of Culture and Leisure Services

Signature:



Date:

16/4/16

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The legal implications and risks remain the same as those included in the Cabinet report, "Attestation of Parks Protection Officers", dated 16<sup>th</sup> December 2015.

The Leader of the Council has the power to take decisions that would otherwise need to be taken by Cabinet.

Kamaljit Jandu - Senior Lawyer Enforcement

### **FINANCIAL IMPLICATIONS AND RISKS**

Lawfully preventing access to parks and open spaces by individuals who might cause damage or inappropriately use facilities could result in potential extra costs to the Council being avoided.

All other financial implications and risks remain the same as those included in the Cabinet report, "Attestation of Parks Protection Officers", dated 16<sup>th</sup> December 2015.

Cleared by Comie Campbell Interim Strategic Finance Business Partner – 21/03/2016

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The human resources implications and risks remain the same as those included in the Cabinet report, "Attestation of Parks Protection Officers", dated 16<sup>th</sup> December 2015.

Geraldine Minchin – Strategic HR Partner

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The equalities and social inclusion implications and risks remain the same as those included in the Cabinet report, "Attestation of Parks Protection Officers", dated 16<sup>th</sup> December 2016.

Savinder Bharna – Corporate Equalities and Diversity Officer

### **BACKGROUND PAPERS**

Report to Cabinet on 16<sup>th</sup> December 2015: "Attestation of Parks Protection Officers"

Report to the Overview and Scrutiny Committee on January 12<sup>th</sup> 2016.

Key Executive Decision

**Part C – Record of decision**

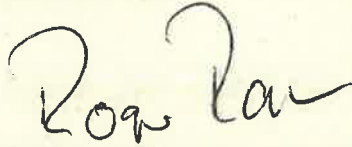
I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed:



Name: Councillor Roger Ramsey  
Leader of the Council

Date:

~~24.5.16~~ 5.5.16

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on 5/5/16

Signed

