



Response of the Head of Cultural and Leisure Services to the requisition of the  
“Preventing damage and injury in parks and open spaces” Executive Decision  
16/48

1. Why are additional powers sought for outside parks and in open spaces so soon after the previous Cabinet decision to attest Parks Protection Officers?

Unfortunately the focus on ensuring that the Parks Protection Team could only exercise their attestation powers within parks and open spaces meant that the issue of preventing access into a park or open space from the outside, which is required on occasions, was overlooked. The Executive Decision seeks to address this issue and confirm that Parks Protection Officers can exercise their powers immediately outside parks, within the parameters set out in the report. No additional powers are being sought.

2. There is a lack of definition to determine what “immediately outside” a park means and how would this apply to an open space?

It is not possible to be exact about the distance from the parks and open spaces gates as every instance will be different. The officers will be required to demonstrate that they took appropriate action to prevent access that might result in damage to individuals or to the park. In the vast majority of instances this is expected to be immediately outside the park or open space boundary. Standard Operating Procedures will require officers to demonstrate that they have taken reasonable and proportionate action and that the action could be reasonably defined as having taken place “immediately outside” of a park or open space, taking account of the circumstances that arose at the time.

3. There is no information on how many arrests have been carried out by Parks Protection Officers since they have gained the power to arrest?

Cabinet agreed that they would receive a report reviewing the use of the attestation powers after one year of operation. However, an interim review has highlighted that since the February attestation, Parks Protection Officers have made arrests as constables on seven (7) occasions for offences of robbery, going equipped to steal, public order and drugs; plus one arrest has had to be threatened in order to obtain a name and address for Byelaw Offence of driving an unauthorised quad bike in a park.

4. There is no information on what incursions or inappropriate access Parks Protection Officers intend to stop with the new powers, will this include stopping travellers gaining access to council land and how will officers

determine the type of use a person(s) may intend to make of a park or open space?

It would not be appropriate to refer to particular groups in the community who might be prevented from entering parks and open spaces. Parks Protection Officers will assess every situation on its merits and come to a judgement on whether damage is likely to be caused by an individual or group of people, taking account of the Standard Operating Procedures that the officers are required to comply with.

5. There is no information on the likely cost savings?

It is not possible to identify actual cost savings; but experience shows that repairing damage in parks and open spaces can be very expensive.

6. There is no data or evidence to support the need for additional powers outside parks and in open spaces?

Officers believe it is important to prevent access where damage could be caused, whether there have been incidents in the past or not. In fact, there have been several incidents over the years, at various locations across the borough, which have resulted in damage and expenditure being occurred.

7. There is no information as to what powers (and under what legislation) will Parks Protection Officers have to prevent a person(s) having access to a park or open space?

There would need to be strong suspicion of any offences before action would be taken, and such action would be under criminal law acting as a constable.

8. Given the intended powers there is no information on what assessment of the additional risk and potential insurance claims has been made?

Risks of wrongful arrest and civil claims for damages remain similar to those now. There have been no such claims since the start of the PPS where any persons arrests have been made in the interest of public safety (ie before attestation powers were provided).

9. There is no information on what partnership arrangements are now in place with the police?

Attestation powers should strengthen partnership working where matters very close to parks, relating to parks offences, can be dealt with by parks

constables, which might otherwise have to be reassigned to Met or Essex police.

10. Since the attestation of Parks Protection Officers, there is no information on how many persons have been arrested, summoned to court and for what offence?

Please see the answer to question 3 above.

11. Given the extra responsibilities given to Parks Protection Officers and the potential risks involved, there is no information on how this might affect the service as a result of the council wide review of Terms and Conditions of employment?

There are no extra responsibilities being given to Parks Protection Officers as a result of this Executive Decision. The same responsibilities are to be applied in a slightly wider area, taking in areas of land immediately outside parks and open spaces.

12. There is no information on whether Parks Protection Officers have the power to use their batons to stop entry onto council land?

No use or threat of use of batons has been necessary thus far since attestation powers have been used.

13. Since the Attestation of Parks Protection Officers have any complaints been made against officers?

No complaints have been raised.

14. Since the Attestation of Parks Protection Officers have any officers sustained any injuries?

No injuries have been sustained.

15. Given the limited number of Parks Protection Officers, there is no information on what resources will be in place to protect outside the parks as well as within, particularly when a park has several access points?

Each park will be dealt with according to the situation encountered. As a service, for officer safety reasons, the exact officer resources are never disclosed.