

## MUNICIPAL YEAR 2014/2015 REPORT NO.

### ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

**PORTFOLIO DECISION OF:**  
Cabinet Member for Environment & Community Safety

**REPORT OF:**  
Director – Regeneration & Environment

**Agenda – Part: 1**

**KD Num: N/A**

**Subject:**

**Parks Locking**

**Wards: All**

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### 1. EXECUTIVE SUMMARY

- 1.1 There are 124 parks and open spaces within the borough. Of these, 22 are currently locked at night either by locking pedestrian entrances or vehicle barriers.
- 1.2 Due to an annual budget pressure to the Parks Service of up to £42,000 per annum, it is proposed that the locking of park gates will cease for a years trial, but with the following caveats:
  - Vehicle barriers will continue to be locked at night
  - Park locking could resume in parks where a known specific increase in crime and/or anti-social behaviour (ASB) is identified.

### 2. RECOMMENDATIONS

- 2.1 Authorisation to undertake a one year trial of ceasing to lock all pedestrian access into parks
- 2.2 To evaluate the findings at the end of the trial and delegate the decision to continue this approach to the Director Regeneration and Environment in consultation with the Cabinet Member for Environment. .

### **3. BACKGROUND**

- 3.1 There are 124 parks and open spaces within the borough. Of these 22 are currently locked at night either by locking pedestrian entrances and/or vehicle barriers. A full list of the parks that are currently locked, along with the nature of their locking, is outlined in Appendix 1 below.
- 3.2 The locking of parks is conducted each night by parks staff operating on an overtime basis. Annually this creates a budget pressure on the Service of approximately £42,000. Whilst a recent change in the working patterns of the parks operational staff will reduce the budget pressure to £33,000 per annum, officers are considering the option of ceasing to lock parks at night to make further efficiency savings.

### **3.3 Enfield's Byelaws**

3.3.1 The nightly closure of parks is underpinned by the parks byelaws, which were made under section 164 of the Public Health Act (1875) and section 12 and 15 of the Open Spaces Act (1906), and formally adopted following approval from the Secretary of State in September 2011. Parks are open to the public from 8am (8:30am at weekends & bank holidays) and are closed to the public around dusk, obviously changing throughout the year depending on when it gets dark.) Park closing times are displayed on the entrances of those parks that are locked and made available on the Council's website.

3.3.2 Part 1 section 3 of the park byelaw states:

#### **Opening times**

3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) "Opening hours" means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

3.3.3 The park byelaw means that the parks do not necessarily need to be physically locked for the parks to be 'closed', and therefore the byelaw will continue to allow the Police to remove members of the public once the park has officially closed.

### **3.4 Proposal**

3.4.1 It is proposed that all parks will continue to close at the specified closing time, but the physical locking of parks will cease. This approach will be adopted across all parks but with the following caveats:

- Vehicle barriers will continue to be locked at night to prevent access to unauthorised vehicles
- Park locking could resume in parks where a known specific increase in crime and/or anti-social behaviour (ASB) is identified, or where it is necessary to secure the park to protect a specific asset.

3.4.2 It is proposed that this approach would be trialled for a year prior and subject to no significant increases in crime or ASB the decision to continue this is delegated to the Director Regeneration and Environment, in consultation with the Cabinet Member for Environment.

### 3.5 Anti-social Behaviour

3.5.1 There may be concerns of increased crime and anti-social behaviour from people who believe that perpetrators would be attracted to an unlocked park. However, currently few of the boundary fences within the borough's parks are sufficient to keep out determined individuals.

3.5.2 Crime figures also suggest that the locking of parks at night may have little bearing on the level of crime. Crime is significantly lower in parks than within the surrounding community, and when crime does take place it is usually against an individual and during the day. Over the last five years the three parks with the highest levels of crime; Pymmes, Broomfield, and Jubilee, are all parks that are locked at night. Within these parks the majority of offences took place during the day when the park was open (82%, 84%, and 88% respectively), and were for offences against an individual e.g. robbery. When the crime figures from these parks are compared to two of the borough's largest non-locked parks; Durants and Ponders End, it is apparent that crime is lower in the non-locked parks, and that the pattern of crime is virtually the same whether the park is locked or not. This is summarised below:

	Locked Parks			Non-locked Parks	
	Pymmes	Broomfield	Jubilee	Durants	Ponders End
Number of Offences (5 yrs.)	306	151	128	116	61
Day-time offences (%)	82	84	88	83	82
Night-time offences (%)	18	16	12	17	18
Predominant type of crime	Robbery	Drugs	Robbery	Robbery	Violence against person

3.5.3 The figures suggest that the locking of a park has little effect on the level, pattern or type of crime within it. Furthermore, the statistics

conclude that the majority of crime is targeted at people, which happens during the day when the community are using the park.

### **3.6 Benchmarking**

3.6.1 There is a mixed approach across London, between those boroughs who continue to lock their parks themselves, those that use a contractor on their behalf, and those that have ceased to lock their parks. Richmond and Bexley have recently ceased locking their parks, with little impact on crime, whilst eight others have continued to lock some of their higher profile parks. However, some of these authorities were also reviewing the policy, with a view to reduce or stop the locking of their parks.

3.6.2 Where other boroughs continue to lock their parks, the majority were using a security company as opposed to the parks grounds maintenance staff. This was partly due to cost, but also operational logistics relating to staff working patterns. Security companies are also better placed than the grounds maintenance staff to deal with any issues posed to them when locking parks late at night.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 Continue to lock the 22 parks currently locked, although the budgetary pressure of £33,000 would remain.

4.2 Look to the voluntary sector such as the Friends of Parks Groups to lock parks. This approach already happens at North Enfield Rec, where two individuals unlock and lock the park daily. Whilst this approach works at North Enfield Rec due to the dedication of those involved, it may be difficult to find reliable volunteers at all sites. This could be an option to consider if the proposed trial is unsuccessful.

4.3 Changing the working pattern of parks staff so that the park's gardeners could lock parks upon completion of their shift. Whilst this could work during the middle of winter when parks close early, it would not be sufficient to enable the continuation of parks locking at weekends or during other times of the year. Consequently the parks service would still need to cover the majority of the year via staff working overtime.

## **5. REASONS FOR RECOMMENDATIONS**

5.1 Ceasing to lock parks at night would provide an annual additional saving of approximately £26,000 (in addition to the £9,000 already identified from the change of working practices outlined above). Approximately £7,000 of overtime costs would still be required to lock to vehicle barriers, which as outlined above is a caveat to these proposals.

- 5.2 The evidence suggests that the vast majority of crime within parks is against an individual and happens during daylight hours.
- 5.3 There is a trend across many London boroughs of either ceasing to lock parks, or reducing the number that are locked. The recommendations within this report are consistent with this trend.

## **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

- 6.1.1 Ceasing to lock parks would result in an annual saving of approximately £26,000 which would be saved from the Parks Service's overtime costs.
- 6.1.2 The report states that it may be necessary to resume locking parks dependent on whether any specific increase in crime and/or anti-social behaviour (ASB) is identified, or where it is necessary to secure the park to protect a specific asset. The 26k saving is the maximum achievable, given the need to continue locking vehicle barriers, but will need to be revised if any parks locking needs to be resumed. This will need to be monitored during the trial period.

### **6.2 Legal Implications**

- 6.2.1 As set out in para 3.3.2 of the report, the Byelaws state that the Parks remain open during the Opening Hours and does not require the physical locking of the park to enforce this Byelaw. Therefore people found in the park outside the opening hours will be in breach of the Council's Byelaws. There is no legal duty on the Council to keep its Parks and Open spaces locked at night.
- 6.2.2 Under the Occupiers Liability Act 1984 the Council has a duty of care to trespassers on its property and must take such care as is reasonable in all the circumstances of a case to see that the non-visitor does not suffer injury on the premises by reason of danger. The Council should consider therefore whether there are any additional risks presented to a trespasser by being in a Park at night.
- 6.2.3 Local Authorities play a key role in preventing and tackling antisocial behaviour. The report notes there is a risk that in the absence of locking parks at night there may be an increased incidence of anti-social behaviour and vandalism. This risk must be weighed against other factors. The report notes that the incidents of antisocial behaviour will be monitored and reviewed.
- 6.2.4 The recommendations contained in the report are within the Council's powers and duties.

### **6.3 Property Implications**

The parks buildings could be at greater risk of criminal damage, which is currently one of the crimes committed relatively infrequently, but as outlined above the parks fences and boundaries pose little protection against a determined individual.

## **7. KEY RISKS**

7.1 Crime and anti-social behaviour could increase within the parks as they would be more accessible.

7.2 There could be significant resistance from the community who would prefer that their local park remains locked at night. This could result in a reputational risk to the Council.

7.3 By ceasing the locking of parks, it would also mean that park toilets could not be locked at closing time. Consequently the toilets would either need to be left open, closed when the parks operations staff finish in late afternoon, or locked by another means. The Parks Service will explore the latter of these options with the parks toilet cleansing contractor to see if they are able to 'clean & lock' the toilets in early evening.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

This policy would be fair as it is proposed that all parks would be treated the same.

### **8.2 Growth and Sustainability**

Savings made from this proposed trial could be invested back into the service.

### **8.3 Strong Communities**

The proposals outlined within this report could bring the community together, as some residents may choose to take on the locking of their park.

## **9. EQUALITY IMPACT IMPLICATIONS**

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment/analysis is neither relevant nor proportionate for the approval of this report.

**10. PERFORMANCE MANAGEMENT IMPLICATIONS**

It is believed that there would be no impact on performance as a consequence of the proposals outlined within this report.

**11. HEALTH AND SAFETY IMPLICATIONS**

The parks will officially remain closed, but not locked. People will not be encouraged to enter the park after dark and put themselves at risk.

**12. PUBLIC HEALTH IMPLICATIONS**

*Parks and open spaces are a community resource and the general presumption should be that they should be accessible to the public for as long as possible.*

**Background Papers**

**None.**

## APPENDIX 1 – Nature of Park Locking

	Pedestrian Gate	Vehicle Barrier
Aldersbrook Rec.	x	
Bush Hill Park	x	
Town Park (high ASB site)	x	
Albany Park (partly kept open)	x	
Craig Park	x	
Forest Road	x	
Jubilee Park	x	
Lee Road OS	x	
Raynham Green	x	
Arnos Park (partly kept open)	x	
Broomfield Park (one entrance unlockable)	x	
Bury Lodge Gardens	x	
Hazelwood SG	x	
Oakwood Park	x	
Minchenden Gardens	x	
Trent		x
Forty Hall		x
Tottenham		x
Enfield Playing Fields	x	x
Grovelands Park	x	x
Riverside Park		x
Pymmes	x	x