

Open Spaces Society response to Running Free Consultation on preserving the free use of public parks Department for Communities and Local Government

The Open Spaces Society was founded in 1865 and is Britain's oldest national conservation body. It campaigns to protect common land, village greens, open spaces and public paths, and people's right to enjoy them.

The society was involved with the Urban Spaces Taskforce (Department for Transport, Local Government and the Regions) in 2001/2002 and has a wealth of knowledge about open-space protection and management. Our concern about the vulnerability of green spaces led to the launch of our open spaces protection tool-kit in 2015: Protecting open space.

The society was also involved in the recent project on Pocket Parks [Department for Communities and Local Government, (DCLG)] but was disappointed about the lack of resources to enable wide take-up of the scheme.

The society made a written submission in September 2016 to the Communities and Local Government Committee on public parks. (see Executive Summary, appendix 1)

The committee published a comprehensive report on public parks in February 2017, The Communities and Local Government Committee: Public Parks, Seventh Report of Session 2016-2017, and the society is concerned that there is no reference to that very recent report or its recommendations in this current consultation.

It is essential that the government responds to the report and implements the recommendations which included a commitment by the Parks Minister to establish a cross-departmental group to deliver a sustainable future for our parks and green spaces.

It will be detrimental to all those involved in the use and management of parks to allow this single issue to be determined in isolation from the wider concerns expressed in the report.

The importance of parks is highlighted in the summary of that report, "Parks and green spaces are treasured assets and are often central to the lives of their communities. They provide opportunities for leisure, relaxation and exercise, are also fundamental to community cohesion, physical, mental health and well-being, biodiversity, climate change mitigation and local economic growth."

Question 1: Do you agree that local authorities should not be able to charge parkrun or parkrun junior for the use of public parks?

If this proposal to legislate to put it beyond doubt that local authorities, including parish councils, cannot charge parkrun or junior park run for the use of public parks, it will undermine all the good work being carried out by stake-holders, communities and councils. It will jeopardize existing good relations between councils and park users. The report of February 2017 did not recommend this current proposal and it should not be considered in isolation.

We urge the government to publish its response to the committee report and act on the recommendations as a matter of urgency.

The Stoke Gifford decision to charge park-run, has not been followed elsewhere and to legislate in this way is not appropriate. It will further complicate the current situation, and make it more likely that charges will be made for other park users if their activity is not included in the Order as proposed. Parks and open spaces do not have the benefit of statutory funding and some particularly large events do damage parks and make it difficult for general use by the public during such events.

Question 2: Is there any specific activity, in addition to parkrun or junior parkrun, that takes place in a public park, that does not require exclusive use of the park or a part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?

We are concerned that DCLG by making an Order to deal with the isolated Stoke Gifford case, gives the impression that councils can charge for any aspect of using parks and open spaces. It will certainly, if allowed, appear as though councils are being encouraged to charge for any use except for use by parkrun. This is unacceptable, there are many community groups and other charitable bodies who make use of parks and open spaces who will be prejudiced by this isolated case.

Question 3: Are there any activities that involve a financial charge to a client or clients by a professional or business, but do not involve exclusive use of a public park or part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?

Even if there are such activities, to prescribe for particular circumstances, there inevitably will be difficulties as to how other activities not included should be dealt with.

This should not be considered outside of the Committee report and recommendations as it will undermine progress on the more important issues of funding, management and community use of parks and open spaces. It should not be seen as a solution to the difficulties facing parks and open spaces.

In addition there is no acknowledgment that not all parks are owned by councils. There is also no reference to other open spaces, for instance those managed under the Open Spaces Act 1906.

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**A submission to the Communities and Local Government Committee
inquiry on public parks from the Open Spaces Society
September 28 2016**

Executive summary

1. The society submits that:
 - ♦ a statutory duty must be introduced to provide, monitor, manage and maintain parks and open spaces;
 - ♦ there must be adequate public resources for all public green spaces;
 - ♦ there must be robust protection in planning and other relevant legislation ensuring that these valuable spaces are retained for future generations because such spaces are capable of delivering a wide range of environmental and quality-of-life benefits for local communities; and
 - ♦ there is an unacceptable level of commercialization of open spaces and parks to the detriment of the public which must be addressed.