
REPORT TO:	HOUSING & COMMUNITY SERVICES	AGENDA ITEM: 14
DATE OF MEETING:	17 th NOVEMBER 2005	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	CHRIS MASON 5794	DOC:
SUBJECT:	MANAGEMENT OF PUBLIC OPEN SPACE	REF: openspacesept05.doc
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:HCS10

1.0 Recommendations

1.1 That Members approve the revised policy, described in the report, for the management of complaints about the playing of ball games on public open space.

2.0 Purpose of Report

2.1 To outline the background to the proposals to revise the above policy.

3.0 Executive Summary

3.1 The report covers an area of open space management & policy, i.e. complaints regarding the playing of ball games. For dealing with complaints regarding alleged nuisance caused by the playing of ball games it is proposed to move away from the current policy of installing signs if the majority of people in the immediate vicinity approve their erection to a more pragmatic approach of mediation.

4.0 Detail

Playing of Ball Games on Public Open Space

4.1 By way of definition the public open space referred to in the report relates to land on estates, of varying sizes, that has been created as part of planning arrangements and normally legally adopted by the Council. It is currently allocated on the basis of pre-agreed criteria. On more recent developments a great deal of effort is taken to obtain significant areas of open space and to try and design out problems by more appropriate landscaping

Current Policy

4.2 The Council's current policy regarding complaints about the playing of ball games on public open space is as follows:

- Open Space greater than 900m² would be deemed suitable for the playing of ball games and no signs would be erected except where a hazard existed close to the open space
 - On areas less than 900m² 'No Ball Games' signs would be erected if the majority of residents in the immediate vicinity approved of their installation. Petitions have historically been used to confirm local opinion
 - Before erecting signs residents are always made aware that the signs were not legally enforceable and that staff resources were not available to police the areas.
- 4.3 The Grounds and Facilities unit have traditionally dealt with complaints on this subject. The number of this type of complaint has increased in proportion to the development of new housing estates. The complaints are time consuming to deal with and, in many ways, are never really satisfactorily resolved.
- 4.4 The main reasons for this are that on many estates not everyone will have been in favour of the erection of the signs in the first place (often split between families that have children and those that don't). There is often no legal basis to enforce signs that prohibit the playing of ball games nor have the Council the staff resources to police the signs, even if there was a proper basis for enforcement. Increasingly, the Police are receiving calls to service to deal with complaints and even with the best intentions the Grounds and Facilities unit are struggling to deal with what are often inter-neighbour disputes.
- 4.5 As part of the Crime & Disorder Strategy 05/08 the multi agency Anti Social Behaviour Action Team established a working group to identify the issues arising from managing public open space. The initial meeting of the group took place in May 2005 and the group identified a number of issues that arose from application of the existing policy. These are identified in Annexe A.

Proposed Policy Change

- 4.6 With the appointment of the Community Safety Officer and the development of the community safety team a resource has become available that has the skills and the time to deal more pragmatically with this type of complaint.
- 4.7 The unit to date, often working with local Beat Officers, have dealt with a number of long standing complaints. Through getting neighbours together, discussing the problems caused and agreeing compromises, it appears that more long-standing solutions are becoming possible. The team's goal in the cases they are dealing with is that, with the agreement of everybody concerned, the existing 'no ball games' signs will eventually be removed. Since mid-summer the unit have been dealing with all new complaints relating to the playing of ball games on open space
- 4.8 To try and move things forward and to get us away from the problems caused by the erection of unenforceable signs it is proposed, for a 2-year trial period to:
- set aside the current criteria for the erecting of signs
 - not erect any new signs prohibiting the playing of ball games on public open space.
 - that the anti- social behaviour action team continue the policy of managing

complaints through mediation

5.0 Financial Implications

5.1 There are no immediate financial implications arising from the proposed change in policy.

6.0 Corporate Implications

6.1 None.

7.0 Community Implications

7.1 The revised proposals for dealing with complaints about the playing of ball games on public open space offer a much more inclusive solution to what are often fraught conflicts between neighbours.

8.0 Conclusions

8.1 The proposed revisions to the policy are intended to improve the service we provide to the public.

9.0 Background Papers

9.1 None.

