



Glasgow City Council

**Sustainability and the Environment Policy Development Committee
28 November 2012**

Report by Executive Member for Land & Environment

Contact: Brian Devlin on ext 79100

**REVIEW OF PARKS MANAGEMENT RULES REGULATING PUBLIC PARKS,
GARDENS, OPEN SPACES AND PLACES OF PUBLIC RESORT OR
RECREATION**

Purpose of Report:

The purpose of this report is to advise Committee of proposed amendments to the Parks Management Rules to take account of recent developments, address public order issues and seek the Committee's authority to consult with relevant stakeholders on the proposed changes.

Recommendations:

Committee is asked to:

1. note the recent developments in relation to the use of parks by unauthorised gatherings, meetings or assemblies.
2. note that amendments are proposed to the Parks Management Rules to take account of these developments (subject to the agreement of relevant stakeholders).
3. instruct the Executive Director of Land and Environmental Services to consult with relevant agencies on the proposed changes and report back to a future Committee.

Ward No(s):

Citywide:

Local member(s):

Advised:

Yes No

Consulted:

Yes No

1 Background

- 1.1 The Civic Government (Scotland) Act 1982 confers upon the Council the power to make management rules for the regulation of public parks, gardens, open spaces and places of public resort or recreation under the management or control of the Council. Such rules can regulate the conduct of persons while in said parks, gardens, open spaces and places of public resort or recreation.
- 1.2 The aims and objectives of the Parks Management Rules are to make the City's parks, gardens, open spaces etc safe and protected environments in order that the citizens of Glasgow can enjoy the facilities in a safe and protected environment.
- 1.3 Since the last review of the Parks Management Rules in 2006, a number of incidents have occurred that suggest that reviews of these rules is overdue to maintain a safe environment for members of the public using the parks.
- 1.4 Incidents such as the disorder that occurred in Kelvingrove Park on the day of the Royal Wedding on 30 April 2011 highlighted the need to review management rules to take account of unauthorised use of the parks by groups, gatherings, meetings or assemblies, often organised through social networking media such as Facebook or Twitter.
- 1.5 Also, since the last review was carried out, the Council has embarked on a programme of creating Arms Length External Organisations (ALEOs) and it is considered that the Parks Management Rules should reflect the fact that employees of the Council family may be involved in working in parks and should therefore be in a position to enforce management rules.

2 Proposed Amendments to the Rules

- 2.1 The definition of terms used in the management rules do not at present reflect the potential for employees of ALEOs, such as Glasgow Community and Safety Services Limited (GCSS) who are Community Enforcement Officers to be potentially used in the enforcement of the Parks Management Rules. Accordingly, amendments are proposed which would allow employees of the Council family or external bodies who have a contractual relationship with the Council to be authorised to enforce the rules, to maximise operational efficiency.
- 2.2 The rules have also been updated to take account of the advent of unauthorised gatherings, meetings or assemblies, often organised by social media, such as Facebook or Twitter, which can be organised at short notice and gather spontaneously without prior permission. These amendments reflect the experience of officers in dealing with such gatherings in the recent past.
- 2.3 Police Officers have powers of arrest, but an offence needs to be being committed before they can act and remove people from the park. It is proposed to provide Police Officers with the means to action any breach of these rules within the park, without requiring to obtain authority from an authorised officer of the Council.

This would allow public order issues to be dealt with expeditiously and give Police additional powers to act in terms of the rules, rather than having to wait until a public order offence is committed before being able to act. However, it will be necessary to consult with Strathclyde Police on the proposal, as they will require to be fully briefed on the changes and consent to them before they are brought into force.

- 2.4 It is also proposed to deal with anti-social behaviour in parks within the rules for the first time by inserting a specific definition of anti-social behaviour in Part 1 of the Rules (attached) and a prohibition of anti-social behaviour within the parks in Part 3 which covers provisions as to behaviour in parks.
- 2.5 Whilst there has been provision in the rules for the control of trading within our parks, any part thereof or any building within the park grounds, there is no specific regulation of commercial activity within the park. An amendment has therefore been introduced to allow delegated officers of Land and Environmental Services to regulate commercial activities within the park.

3 Consultation with Relevant Stakeholders

- 3.1 Given that these proposals widen considerably the categories of authorised officer empowered to enforce these rules, it is therefore proposed to consult with those agencies who would be asked to assume the role.
- 3.2 It is envisaged that a further report would be brought back in due course advising on the outcome of the consultation and presenting a revised set of rules for approval.

4 Conclusion

- 4.1 The Parks Management Rules are an essential tool for regulating the use of the Council's parks, open spaces etc and to maintain them as a safe and healthy environment for the public. The current review of the Parks Management Rules has taken account of significant developments in the last few years in respect of the use of social media, spontaneous unauthorised gatherings and parks occupations.
- 4.2 Committee is therefore invited to consider proposed amendments to the Parks Management Rules, authorise officers to consult with relevant stakeholders and to provide a further report to the Committee in due course.

5. Council Strategic Plan Implications

Economic Impact: None

Sustainability: None

Financial: None

Legal: The amended rules propose to increase the powers of enforcement of offences for officers under these rules and widens the group of officers who can be authorised to enforce the rules to include employees of the Council family.

Personnel: Enforcement duties would be carried out employees of ALEOs, as well as the Council.

*Sustainable Procurement
and Article 19:* None

6. Recommendations

Committee is asked to:

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3. instruct the Executive Director of Land and Environmental Services to consult with relevant agencies on the proposed changes and report back to a future Committee.