

## **Appendix A**

### **REPORT TO EXECUTIVE**

Date of Meeting: 2 June 2020

### **REPORT TO COUNCIL**

Date of Meeting: 21 July 2020

Report of: Director, Environment and City Management

Title: Parks & Green Spaces Anti-Intrusion Measures

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

#### **1. What is the report about?**

Seeking funding to carry out works to reinforce the boundaries of parks and green spaces across the city which are considered to be at risk of vehicular intrusion and occupation

#### **2. Recommendations:**

That Executive recommends and Council approve additional capital spending of £112,000 for the purposes of delivering works at 16 green space sites to reduce the likelihood of vehicular incursions and occupation.

That Council delegates authority to the Chief Executive, in consultation with the Section 151 Officer (or Deputy) and Leader of the Council (or Deputy), to give final approval to proceed once the Council's financial position is secure.

#### **3. Reasons for the recommendation:**

3.1 In an average year, there are three incursions onto public open space which require an eviction notice to be secured as trespassers have taken up temporary residence on City Council owned land. These incursions are primarily carried out using vehicles, with the trespassers taking up temporary residence within the vehicles.

3.2 On average, the cost to the council of securing an eviction notice following a vehicular incursion on one of our sites is around £1,700 per event, covering staff time and legal costs. Average clean-up costs following an eviction are an average of £1,000 per event but can be higher if substantial damage is caused during the occupation of the site. Based on historic events, incursions could cost the Council £4,200 per event, translating to over £12,600 per year.

3.3 In addition, these incursions are disruptive to local businesses and residents, and they prevent the residents of Exeter using public facilities during the incursion and clean-up. Previous incursions have seen vandalism to parks and play areas, leading to

temporary closure of these facilities, and park users have felt intimidated so have kept away from the parks.

3.4 It is considered that measures to prevent the access of vehicles on to the city's green spaces will reduce the likelihood of an incursion and therefore reduce the revenue cost to the council in the future

#### **4. What are the resource implications including non financial resources.**

- 4.1 To provide protection to the 16 sites identified, it is estimated that the total cost would be approximately £112,000. This includes a contingency of 20%. A breakdown of the cost estimates for each site is provided in Appendix 1, Section 4.
- 4.2 Works would be managed by the ECC engineering team. Given the number of sites, the works would be divided between two officers and would be expected to take around 8 days per month of their time for the duration of the project, which is expected to be around 4 months
- 4.3 Works will be delivered by a combination of ECC Parks & Green Spaces team and external contractors, with the Parks & Green Spaces team being offered first refusal on all works.

#### **5. Section 151 Officer comments:**

Please refer to the main report.

#### **6. What are the legal aspects?**

None identified.

#### **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

#### **8. Report details:**

Details of the site assessments and proposed works are provided in Appendix A.

#### **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 Promoting Active & Healthy Lifestyles: These incursions have the effect of discouraging people from using the parks, due to feeling threatened by the occupiers. Whilst not a permanent effect, the discouragement can extend beyond the duration of the occupation, particularly for more vulnerable members of public. These works are intended to reduce the number of incursions, and so as a result will mean that our parks and green spaces are open, welcoming places throughout the year. Encouraging their use for an active, healthy lifestyle.

9.2 Promoting Active & Healthy Lifestyles: Incursions have also resulted in temporary closure of parks and play areas due to damage meaning they have been unusable by the public. Of particular note was King George V Play Area which is designed specifically for disabled users, some of whom drive significant distances from outside of the city to use the site, and had to be closed for around two weeks. These works will keep our parks

and green spaces open and useable for those members of the public who rely on the specialist equipment provided to have an active and healthy lifestyle.

9.3 Providing Value-For-Money Services: The cost of responding to and clearing up after any incursion falls on the city council, and the cost has to be met from existing revenue budgets. At an average of £8,000 per year, the total upfront outlay of up to £112,000 will have paid for itself within 8 years. These works will allow us to spend more of our existing budgets on services.

9.4 Leading a Well-Run Council: These incursions are disruptive, requiring council officers to be drawn away from other projects and services and instead respond to and clean up after these incursions. Delivery of these works will make our sites more resilient to incursion, and as a result make our services more resilient.

## **10. What risks are there and how can they be reduced?**

- 10.1 The main risks associated with the project are cost, programme, stakeholder acceptance and vandalism/ degradation / damage in the future which reduce their effectiveness.
- 10.2 As with all engineering works, cost and programme are closely linked and delays to project programme can lead to increases in cost. The most likely cause of a programme delay which might increase the project cost is considered to be bad weather, and the nature of the works proposed on some of the sites will be highly weather dependent. The risk of cost increases due to weather will be managed by close liaison between the council's officers and contractors, so that work is not commenced when a bad weather window is forecast. A 20% contingency has been included in the total requested cost in case of cost increases throughout the project.
- 10.3 It is estimated that the works will take up to 4 months to plan and deliver, with the intention of completing the works before the school summer holidays. There are a number of factors which might cause a delay to the project programme including bad weather, resource availability and material availability. As discussed above, the risk associated with bad weather will be managed through liaising with the contractors. Risks associated with the availability of resources and materials will be managed through early engagement with contractors and suppliers.
- 10.4 At several of the proposed sites there will be a requirement with local stakeholders, either those who lease the site (Arena Park, King George V Playing Field, Hamlin Lane Playing Field) or with local residents (Lakeside Avenue). In each of these locations, the consultation process may extend the project programme whilst alternatives are sought, and this may also affect the cost of the works at these sites. To reduce the budget risk associated with the consultation, the estimated project costs have been based on the most expensive identified option meaning that total projects are less likely to exceed estimates.
- 10.5 Future vandalism and damage to the measures will decrease their effectiveness, which may then permit vehicular incursions. The risk of vandalism, degradation and damage in the future is to be minimised through the appropriate choice of measures

for each site. At each site, an assessment was made of the cost and suitability of different measures available, and a preferred approach selected which balances cost against performance and robustness.

10.6 The risk is that once these measures are in place for public open space, it may increase the potential for incursions on other less secure places.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal there is a potential impact identified on people with protected characteristics as determined by the Act because gypsies and traveller people have health and wellbeing needs as well as the settled community and currently experience higher mortality rates, poorer health, and lower literacy rates than the settled population.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 As with all construction works, there will be a carbon cost associated with the production and delivery of materials, and the installation of the measures.

Wherever possible this cost will be minimised by:

- Specification of reused or recycled materials where appropriate
- Use of local materials, manufacturers, suppliers and installers where possible
- Maximise re-use of on-site materials (i.e. when constructing bunds)
- Minimise removal of vegetation to facilitate the works, compensatory planting to be provided where vegetation is removed.

12.2 There will be no direct ongoing carbon costs arising from the recommended works (i.e. none of the proposed measures will require an electrical supply. The proposed works will reduce the carbon cost associated with site clean-ups, and reduce the amount of waste sent to landfill following clean-up.

12.3 Keeping Green Spaces open and safe for the public increases the likelihood of pedestrian or cycle journeys being made through these spaces, rather than by private transport, reducing carbon and particulate emissions as a result.

### **13. Are there any other options?**

13.1 The option of doing nothing remains, however this will result in the continued unproductive revenue spend on these intrusions, along with continued disruption to residents and businesses.

13.2 An alternative option would be to do works only on those sites considered as at high risk of incursion. This would reduce the estimated cost of the works to around £80,000, however would still maintain a risk at those sites not addressed. Indeed, works to the high risk sites may divert potential intruders onto those sites currently considered to be at lower risk, increasing the likelihood and cost of dealing with incursions at these sites

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### **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-  
None

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