

Overview and Scrutiny Committee
21st September 2021

Title: Briefing Note on the Park Exercise Policy and Permit Scheme

Lead Officer: Paddy Herlihy

Portfolio Holder: Councillor Liam Bartlett

Public briefing note

Wards of the District directly affected: District-wide

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: Yes

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: Engagement with stakeholders and members of the public that have contacted WDC on this matter.

Final Decision: No

Accessibility checked: No

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	23/08/21	Chris Elliott/Andy Jones
Head of Service	23/08/21	Rose Winship
CMT	31/08/21	All members of CMT
Section 151 Officer	23/08/21	Mike Snow
Monitoring Officer	23/08/21	Phil Grafton
Finance	31/08/21	Tony Sidhu
Portfolio Holder(s)	31/08/21	Councillor Liam Bartlett

1. Background

- 1.1 The Park Exercise Policy was formally introduced into Warwick District Council on 24th August 2020 with a report to the Executive recommending the introduction of the scheme. An informal scheme had been in place from 2018 to help the Council monitor the use of parks and open spaces by organisations and individuals such as fitness groups and personal trainers.
- 1.2 The Policy introduced on 24th August 2020 was based on similar policies and charges set by other Councils around the UK. It allows the Council to monitor the usage of its parks and open spaces as well as making some income when issuing the permits.

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- 1.3 Recommendation 2.3 of the report on 24th August 2020 was "That Members instruct officers to review the Park Exercise Policy and charges on an annual basis as part of the annual review of fees and charges".
- 1.4 Following the Scrutiny meetings held on 18 and 19 August 2020 this recommendation was amended to read "That Members instruct officers to review the Park Exercise Policy after the first 6 months of operation and then on an annual basis, with charges being included as part of the annual review of fees and charges.
- 1.5 The workload in managing outdoor sport during the various changes in Government regulations in connection to the Covid 19 pandemic prevented the initial 6-month review of the Policy.

2. Introduction

- 2.1 The purpose of this report is to present the first annual review of the Park Exercise Policy and the accompanying Park Exercise Permit scheme. It has been decided that this should be presented as a report to the Overview and Scrutiny Committee at this time as it is one year since the Policy was introduced and because the annual review of fees and charges process is getting under way for the forthcoming year.

3. Review

- 3.1 The Park Exercise Policy was announced on the Council's website, following the meeting on 24th August 2020. Those organisations that were already in the earlier, informal scheme mentioned in paragraph 1.1 above were contacted to ensure that they transferred to the new scheme with new permits.
- 3.2 The organisations that currently hold a Park Exercise Permit are as shown in Table One.

Table One – organisations that hold a currently Park Exercise Permit

Location	Organisation	Max in group	No per week
All Parks	Group Walx	15	20
Abbey Fields	Yoga	8	2
Castle Farm	Circle Dance	6	3
Eagle Rec	Change your life, put down your knife*	20	1
Jephson Gardens	Lifewithamandaj	10	3
Newbold Comyn	Volleyball	30	22
Newbold Comyn	Battle Bootcamp	20	7
Newbold Comyn	Sunset Yoga	6	3
Newbold Comyn	Everyone Health*	10	1
Newbold Comyn	Peddlamaniacs Cycle Club*	25	1
Newbold Comyn	Lifewithamandaj	10	3
Newbold Comyn	Be Military Fit (BMF)	30	6
Pump Room Gardens	Lifewithamandaj	10	3

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Victoria Park	Physical Formula Ltd	20	17
Victoria Park	Volleyball	30	22
St Nicholas Park	Be Military Fit (BMF)	30	5
St Nicholas Park	Battle Bootcamp	20	7
St Nicholas Park	Warwick Touch Rugby Club*	20	1
St Nicholas Park	Junior Parkrun*	100	1
	* = Charity or not-for-profit=no charge		

- 3.3 Organisations that can demonstrate that they are charities or not-for-profit organisations are not charged for their Park Exercise Permit. These are indicated with an asterisk in Table One.
- 3.4 Organisations that are trialling the use of the Council's parks are given a three-month trial period for free. This is in accordance with amended recommendation 2.2 of the report on 24th August 2020, which gave "a delegation to the Portfolio Holder for Culture and Head of Cultural Services to apply discount prices as deemed appropriate for the purpose of launching the scheme". Please note that these posts are now referred to as the Portfolio Holder for Culture, Tourism and Leisure and the Head of Culture, Tourism and Leisure. This facility was particularly used to encourage new organisations to set up operations as the country emerged from lockdown, in order to ensure additional sport and physical activity activities were available for residents. These organisations then begin to pay if they wish to continue beyond their first three months. Organisations were given payment 'holidays' if they were not permitted to operate due to Government restrictions during the Covid 19 pandemic.
- 3.5 Early uptake in the first year of the scheme has therefore been good, with significantly more Permit holders than under the earlier, informal scheme. This was partly due to advertising the scheme on the Council website, but also because of the increase in public interest in exercising outdoors, due to the Covid 19 pandemic.

4. Current issues

- 4.1 As might be expected with a new scheme, a number of issues have arisen during the first full year of operation.
- 4.2 One of the main issues with the new Policy is enforcement. Within Culture, Tourism and Leisure the Sports Assistant is responsible for outdoor sport, but this includes many duties and enforcement of the Park Exercise Policy is only one of them. The Council's Ranger Service has a great many responsibilities across the entire District but is the only specific resource outside Cultural Services able to enforce the Policy.
- 4.3 It is clear that a number of other organisations are operating sport and exercise classes in the Council's Parks and Open Spaces without permits, but it is hard to enforce the Policy by asking them to leave when they could simply move venue or return at another time. This is leading to

frustration by some holders of Park Exercise Permits as they are paying for a service that they can see others are obtaining for free.

- 4.4 In order to tackle this issue Cultural Services colleagues intend to search social media for adverts concerning sport and exercise classes in the Council's Parks and Open Spaces, as this is more time efficient than patrolling the spaces themselves. When adverts are found the organisers will be contacted and instructed to apply for a Park Exercise Permit. Rangers will also be asked to redouble their efforts to inspect sport and exercise classes in the Council's Parks and Open Spaces to verify that operators are in possession of Park Exercise Permits.

- 4.5 The initial Policy identified a number of key parks and open spaces where the Park Exercise Permits would be required. These were identified as –

• Harbury Lane Recreation Ground • Newbold Comyn • Castle Farm Recreation Ground • St Mary's Lands • St Nicholas Park • Victoria Park • Jephson Gardens • Pump Room Gardens • Abbey Fields • Priory Park

However, Culture Business Support Team staff have received applications from organisation wanting to carry out sport and physical activity sessions in other parks and open spaces. They have also received complaints from Councillors and members of the public relating to such activities taking place in parks and open spaces other than those listed here. Some of these requests or complaints relate to smaller parks in the District, such as Bates Memorial Park, and others relate to informal areas of open space.

- 4.6 One of the two Addenda to the report of 24th August 2020 provided an additional recommendation 2.4 that "Members delegate to the Portfolio Holder for Culture and the Head of Cultural Services the decision as to the future inclusion of new areas of the Council's Parks and Open Spaces within the remit of this policy".

- 4.7 Adding new areas to the Policy has the potential to offer more opportunities to local residents to take part in activities near their home, which reduces the amount of travelling undertaken, which is a sustainable solution. It also reduces car parking if residents choose to walk or cycle to their local class. It increases the income received from the Council for permits issued. However, it does also increase the number of opportunities for such activities to cause nuisance to local residents or other park users. It could also be that some locations are not suited to activities – perhaps because of a lack of parking or adequate toilet facilities. Increasing the number of areas covered by the Park Exercise Policy increases the problem of enforcement described in paragraphs 4.2 to 4.4 above.

- 4.8 It is proposed that this issue is debated at the Culture, Tourism and Leisure Programme Advisory Board in order to establish what, if any, new geographical areas should be added to the Park Exercise Policy.

- 4.9 The first year of operation of the Policy has identified that there may need to be some changes to the pricing policy. The initial pricing policy was based on prices charged by other Local Authorities and on the charges made during the earlier, informal scheme. The current prices appear to disadvantage the smaller groups applying for Park Exercise Permits. There has been some resistance to the charges made by the Council by those organisations with Park Exercise Permits, on the basis that they object to paying for their permits when others are avoiding the charge by not applying for a permit. However, this is an issue of enforcement, and not a reason to reduce charges.
- 4.10 The issue of equity in the pricing policy between larger and smaller operators will be addressed as part of the annual review of fees and charges and recommendations for the coming year will be made to Councillors as part of that process.
- 4.11 The activities covered by the Park Exercise Policy has also been reviewed during the first year of operation. A number of additional activities have been considered for inclusion in the Park Exercise Policy but it has been decided for now that the Policy will not be expanded to include any activities outside of the current list.
- 4.12 One of the purposes of the Park Exercise Policy is to regulate the number of sport and physical activity activities that are taking place in the Council's Parks and Open Spaces, in order to ensure that these activities do not come to dominate the Parks and Open Spaces and also wear out the fabric of the Parks and Open Spaces with over-use or concentrated use of specific areas. However, this does also mean that the Council is selling a service to the operators of these sessions and so it is important that the areas used are kept in a fit state to be used by the groups.
- 4.13 Close liaison between colleagues in Cultural Services and Green Spaces will continue, in order to ensure that areas used by Permit holders are not being damaged with over-use, and also that the areas are managed in a way to keep them suitable for the activities booked.
- 4.14 Table Two – summary of issues and proposed mitigation

Paragraphs	Issue	Proposed mitigation
4.2 to 4.4	Enforcement	Social media searches/ Ranger patrols
4.5 to 4.8	Parks and Open Spaces to be included in Policy	Discussion at Cultural Services Programme Advisory Board
4.9 to 4.10	Charges	Reviewed as part of annual review of fees and charges
4.11 to 4.12	Activities included	Review regularly
4.13 to 4.14	Maintenance of areas used by permit holders	Liaison between officers to ensure correct maintenance

5. Financial matters

- 5.1 Income from the sale of Parks Exercise Permits in the last financial year was affected by the Covid 19 pandemic, and the fact that this was the first year of the scheme. Existing users were given payment 'holidays' during periods when they were unable to operate due to Government restrictions or advice relating to the pandemic. New organisations joining the scheme in its first year were given introductory 3-month trial periods for free, in order to encourage them to begin or recommence their activities after restrictions were lifted in full or in part. Charities or not-for-profit organisations do not have to pay for their Park Exercise Permit.
- 5.2 £2,500 was received from the sale of permits in the period from 1st April 2021 to 30th September 2021. More income will be received for the remainder of the year. It is expected that this annual sum will increase for the financial year 2022/23 if organisations can operate throughout the year and if those organisations given free trial periods in the first year of the scheme decide to continue with their activities and therefore pay for a full year.

6. Summary

- 6.1 The Park Exercise Policy was introduced by a report to Executive on 24th August 2021.
- 6.2 In the first year of the Policy a number of issues have been identified and mitigations for these issues have been proposed
- 6.3 Income in the first year of the scheme was reduced by the Covid 19 pandemic and the use of 3-month free trial periods to encourage new operators into the scheme.