



Government Response to the Communities and Local Government Select Committee Report: The Future of Public Parks

Presented to Parliament
by Marcus Jones MP, Minister for Parks and Green Spaces for Communities and Local Government
by Command of Her Majesty

September 2017

Cm 9503





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Introduction

In July 2016, the Communities and Local Government Select Committee conducted an inquiry to examine the future of public parks, with a specific focus on asking why parks matter, what challenges the parks sector is facing, and how a sustainable future can be secured for parks.

The inquiry received a huge response reflecting the vital role that parks and green spaces play in the everyday lives of so many people. The Government recognises the value of parks in providing vibrant and inclusive green spaces that help to foster the health and well-being of our diverse communities.

As the new Parks Minister, I welcome the Committee's report and the effort made to take full account of the views of the range of organisations, individuals and groups who submitted evidence - including the many local councils, voluntary and community groups and park users. I also note the views of the thousands who signed the petition calling for the protection of parks. The themes that emerged from the report resonate with Government and reflect the priority we have given to working with the sector to champion this agenda, to ensure parks continue to make a positive difference to those from all age groups and backgrounds that place such importance on them.

My predecessor Andrew Percy set out in his oral evidence to the Committee on 5 December 2016, why the inquiry is so timely. We have recently increased our activity to support parks policy, delivering 87 innovative pocket park projects that give more people greater access to parks and green spaces, particularly in deprived communities. The Committee's recommendations will help to shape Government's work in this area.

I am pleased to take on this new challenge and set out the Government's commitment to establish a cross-departmental group. I am already progressing with this commitment and I look forward to chairing the first meeting of the group. An overview of the group structure and priorities is set out later in the Government response (covered in the response to recommendation 16).

I am keen to ensure the cross-government group is not seen as 'top-down' with Government telling the sector what is best. I want to work together with the sector to capture the outstanding work delivered by representative bodies, regional networks and the array of local practitioners and voluntary groups. Only then can we respond collectively to the challenges presented by the Committee's report and deliver positive outcomes. I will therefore establish a sectoral group comprising of key partners across all levels of the park sector – including the Local Government Association, Parks Alliance, the Heritage Lottery Fund, Groundwork and the National Trust. An overview of the full sectoral group including its composition is set out in the formal response that follows (covered in the response to recommendation 16).

Conclusion and Recommendations

The Committee made 17 recommendations in total and came to some broader conclusions. I have given consideration to each of the recommendations in the report and the valuable contributions of the inquiry respondents to inform the formal Government response.

Why do parks matter?

Recommendation One: The Minister's cross-departmental group should prioritise support for the development of robust and accessible transferrable models which local authorities in England can use to assess the value of their parks. The Minister's group should work with the Local Government Association to support and encourage local authorities to use such models to assess the real value of their parks, and to take account of such assessments in their strategic planning and prioritisation.

The Government broadly welcomes this recommendation and the importance of reinforcing the value of parks in planning for their future. We recognise the range of important services provided by parks and from having good access to them, such as health and wellbeing, air quality improvement, urban cooling, carbon sequestration, sustainable urban drainage, noise attenuation, and a more sustainable local economy. We can also see a role for spreading good practice, including in the use of natural capital valuation, although ultimately it will be for local authorities to determine the best approach locally. We will establish a cross-departmental group to drive activity across all these recommendations and a sectoral group to advise this. Both of which will have a number of priorities to take forward including this one and an overview of the initial priorities for both groups are set out in the response to recommendation 16. However, it is important that we should not pre-empt discussions with the sectoral group and wider practitioners. The Local Government Association has an integral role to play as a member of the sectoral group and there are many local councils working collaboratively with the parks sector to devise innovative and sustainable models. The Association shares Government's commitment to building partnerships within the sectoral group to enable local authorities to realise the true value of parks.

What challenges are facing the parks sector?

Recommendation Two: To ensure transparency for local communities, and to enable them to hold their local authorities to account for the decisions which are made, local authorities should consult on, and publish, policies which set out the criteria upon which:

- a) any application for exclusive use of a park or part of a park will be determined;
- b) any decisions about whether park users will be charged for the use of the park, park facilities, or clean-up costs will be based.

The Government accepts the Committee's recommendation and believes that local authorities should look to consult with their communities on charging for specific events and exclusive use of a park. Government recognises there is a long established tradition of parks providing a 'green lung' for towns and being free to the public and believes that this should continue for the everyday use of spaces.

Local Authorities do quite legitimately charge for a variety of different events and specific activities that take place in local parks such as outdoor concerts that generate a profit for the local authority or other organisers. We agree with the principle that all local authority decision making should be transparent and accountable when they are exploring the option of charging for access. They should always take into account the priorities for communities they serve in determining what is and is not appropriate to charge for. A Government consultation 'Running free: consultation on preserving the free use of public parks' opened on 12 April and closed on the 5 July. The responses are currently being analysed and a Government response will be published in due course.

As the Government stated in the consultation document, we have a long tradition of free use of public parks. Our public parks and green spaces are, at once, places where individuals and groups can go to for exercise, to relax, to enjoy being part of a community, or to find peace and solitude. The underlying principle is the use of public parks by the public for reasonable everyday use is, and should remain, free.

Recommendation Three: As part of developing their exclusive use and charging policies for parks and green spaces, local authorities should work collaboratively with relevant groups of park users to identify the range of ways in which they can contribute to their parks.

The Government welcomes this recommendation and sees an opportunity for the cross-departmental group in conjunction with the sectoral group and most importantly the various networks, friends' forums and other parks users to actively promote this ethos supported by practical and tangible options for inclusion.

The Committee successfully captured the thriving networks, park forums and local groups who devote their own time to maintain local parks. There is huge potential for more local authorities to tap into the enthusiasm of local volunteers who donate their own time to ensure parks continue to be a focal point for leisure, enjoyment and nature contact for local communities.

We have positively engaged the Local Government Association; they will be a vital link in identifying best practice, building partnerships across existing organisations and connecting parks services and identifying where some of the potential solutions are already being explored. The sectoral group will also co-opt practitioners and local groups that have a proven record of demonstrating what works effectively in practice. While there is no 'one size fits all', by adopting this approach Government will identify varied and diverse models to enable local councils to adopt approaches that meet the needs of their own communities.

Recommendation Four: Local authorities should encourage and support the development of friends' group forums, and work with them in a coordinated way to ensure that needs are properly assessed, and resources are prioritised and targeted appropriately.

The Government welcomes this recommendation and fully recognises that there are already many local authorities that can and do work collaboratively with local groups who are well placed to understand the need and priorities of the local community.

We will explore how local authorities can work with groups such as local friends' forums and look at what more can be done to mobilise local people to form friend's forums and actively support the sustainability of local parks.

Parks Alliance will be a key member of the sectoral group and with its established links to the geographically and socially diverse network of local friends' forums, we are well placed to capture where the relationship between local authorities and friend's forums is working well. The cross-departmental group will draw upon this knowledge and work together with all partners in the group to share best practice. We also accept that this recommendation can only be realised at local level, therefore local park managers and forums will have a valuable role to play in the sectoral group's work.

Recommendation Five: To ensure that health and safety in parks is given appropriate priority, the Minister should collect data on the number and distribution of accidents in parks across England centrally. He should monitor this data, identify any trends or patterns, and work with relevant local authorities to address problems.

The Government notes this recommendation and has taken steps to explore the feasibility of implementing this recommendation, but it is evident there are no systematic national or regional recording mechanisms in place to accurately collect data on the number of accidents in parks across England centrally. The Government does not want to impose excessive central reporting burdens on local government, and since 2010, the Government has taken a series of steps to reduce reporting and data burdens, such as through the Single Data List and the abolition of Comprehensive Area Assessment, Regional (Spatial) Strategies and top-down Local Area Agreements. Any requirement on local authorities to implement new or revised measures, including new reporting arrangements, will be subject to the Government's New Burdens doctrine and will be assessed for new burdens accordingly.

We have also consulted the sector – including discussions with the Local Government Association, the Health and Safety Executive and the Association of Public Service Excellence. This engagement indicates that while there are some established processes, most notably the Association of Public Service Excellence, which does collect some data on incidents across a number of its membership local authorities, this data is not sufficient to determine whether there is a specific problem with park safety at this time.

The cross-departmental group will look to work with the Association of Public Service Excellence and with the sectoral group to look at existing datasets to establish if there is any evidence of a specific problem i.e. to identify types of accidents and if there are emerging patterns. Only on reviewing this issue properly can we determine if applying the proposed recommendation is practicable or the best way to address issues of health and safety.

Recommendation Six: The Minister and the cross-departmental group should identify what action can be taken to improve the provision of parks and green spaces, for example by accessing funds available under public health strategies such as the Obesity Strategy. The Minister should also monitor the provision and distribution of green space across England, and provide Parliament with annual updates, by way of written statements, on whether equality of access is improving. If access to high quality parks and green spaces does not improve for deprived communities, the Minister should identify local authorities where provision is inadequate, and work with them to improve access.

The Government notes the recommendation, the cross-departmental group will draw upon the expertise of the Departments' policies to ensure we cover the policy themes reflected in this recommendation, particularly health and well-being and equality of access. The Government agrees to commit to providing a written update to Parliament on the group's broader activity.

Accessibility to public parks enables people to participate in sports and physical activity and Government has taken steps to encourage more people to make better use of parks. In December 2015, the Government published the '[Sporting Future: A New Strategy for an Active Nation](#)' this set out the importance of sport and physical activity, which drives 5 key outcomes: Physical and mental well-being; and individual, community and economic benefits and reaching under-represented groups - including people in lower socio-economic groups. We recently published the first [annual report](#) on the implementation of '*Sporting Future*' with a specific focus on the themes of central government, local government and outdoor recreation.

There are some positive examples of local authorities, who are working to maximise health and well-being benefits associated with green space provision. The '*What Works Centre for Wellbeing*' is working with Public Health England to develop a set of wellbeing indicators for local authorities and some metrics will relate to green space provision. This is the kind of project; I anticipate the cross-departmental group will look to build upon.

The Government has funded a project with Ordnance Survey to meet a manifesto commitment that will provide free online maps of greenspace making it much easier for people to locate and access greenspaces up and down the country. As well as online maps, public sector organisations will have access to a detailed dataset that will provide a framework to support a wide variety of analysis on our greenspaces. Natural England's Monitor of Engagement with the Natural Environment (MENE) survey also provides data to report on how people use parks and greenspaces. The Government will provide an annual update to Parliament on the groups' delivery outcomes for improving accessibility.

Recommendation Seven: When preparing or updating their Local Plans, local authorities should take a whole-place approach which recognises the importance of parks and green spaces both to existing and to new communities, in accordance with paragraphs 73 and 76 of the National Planning Policy Framework. This will require effective fulfilment of their duty to cooperate with

other local authorities, whether on a bilateral basis or within the structures of devolution deals.

The Government broadly agrees with this recommendation and is confident that the National Planning Policy Framework equips local authorities with the decision-making powers to secure the protection of parks – for both new and established communities.

The duty to cooperate introduced by the 2011 Localism Act and set out in the National Planning Policy Framework states that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities which include issues such as leisure and cultural infrastructure.

We have been clear in the National Planning Policy Framework that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Local planning policies should take account of the needs for public parks and opportunities for new provision and should be based on robust and up-to-date assessments of those needs and opportunities. We are seeing local people supporting the protection and creation of green space in their area with local neighbourhood plans.

Recommendation Eight: We recommend that the Minister's cross-departmental group should engage with the parks sector to assess whether the expanded guidance for local authorities on green infrastructure frameworks published in February 2016 adequately provides both for parks as such, and for their role as a part of green infrastructure networks.

The Government notes the recommendation. We are considering how the cross-departmental group and partners across the sector might best explore further opportunities to help ensure local planning authorities promote the role of parks within existing and proposed green infrastructure networks.

Recommendation Nine: The Minister should work with his colleagues in Defra to ensure that parks, and green infrastructure more widely, are properly recognised in the Government's forthcoming 25-year Environment Plan.

The Government welcomes this recommendation and discussions are already underway between DCLG and Defra in advance of the cross-departmental group convening its first meeting.

The Government is committed to be the first generation to leave the environment in a better state than we inherited it, and will shortly be producing a comprehensive 25 Year Environment Plan that will chart how we will improve our environment.

There is already lots of work underway to better understand and incorporate the benefits of the environment into decision making using a natural capital approach. Following a commission from Defra, the University of Exeter has developed the

ORVAL tool that enables recreational values of green space to be modelled. Natural England's Monitor of Engagement with the Natural Environment (MENE) survey provides data on people's visit to the natural environment, including parks.

How can we secure a sustainable future for parks?

Recommendation Ten: The Minister should issue guidance to local authorities setting out key principles for the appropriate governance and accountability arrangements in non-traditionally managed parks which could be put in place as part of any emerging or alternative model for parks management. Such principles might include the involvement of local people in the governance and oversight arrangements and decision-making, or the establishment of appropriate objectives with which the activities of the management model must be aligned. Whatever innovative arrangement may be adopted, ownership of parks should stay with local authorities, as democratically accountable bodies. A new trust, for example, should have a long lease of a park, rather than taking over the freehold.

The Government shares the Committee's broader aim of positively encouraging innovation, but believes this is best achieved by exploring the important networks that already exist across the sector and working together in a more co-ordinated way. The Government does not want to impose excessive central reporting burdens on local government, and since 2010, the Government has taken a series of steps to reduce reporting and data burdens, such as through the Single Data List and the abolition of Comprehensive Area Assessment, Regional (Spatial) Strategies and top-down Local Area Agreements. Any requirement on local authorities to implement new or revised measures, including new reporting arrangements, will be subject to the Government's New Burdens doctrine and will be assessed for new burdens accordingly. We are, however interested in exploring the use of digital communication tools that provide a more innovative and accessible means of sharing good practice.

While it is important that Government encourages councils to use their local knowledge to explore alternative models of funding, local authorities are best placed to understand the needs of their local communities. The Government notes the collaborative and non traditional ways of working exemplified in many of the projects funded by the Pocket Parks programme. These Local Authorities facilitated community led management models putting local people at the heart of the decision making process from start to finish. Financing is something the cross-departmental /sector group will consider. The 25 Year Environment Plan will explore innovative approaches to funding and financing improvements to natural capital.

Recommendation Eleven: We hope that the additional funding for local authority service transformation will be made available without further delay, and expect the Minister to keep us updated on the allocation and impact of the funds in the development of sustainable parks management models.

The Government notes this recommendation and would like to clarify that the funding for local authority service transformation was a reference to the Department for Communities and Local Government 'Communities Fund' which was announced in

December 2016. While no applications were received directly from parks or green spaces groups a number of applications were for ‘social prescribing’ models encouraging the use of green spaces for exercise and community building.

In order to further demonstrate our commitment to the long-term sustainability of the parks’ agenda, DCLG has allocated funding for the cross-departmental group to support the delivery and implementation of the recommendations of the CLG Select Committee. In conjunction with the sectoral group, it will explore the best options for targeting this funding. We have already began exploring opportunities for match funding with other government departments and funders from the sector and private investors in order to deliver the best possible outcomes for the sector. The Government will report back to the Committee on the work that has been delivered through this funding stream.

Recommendation Twelve: To support service transformation which parks require, the Minister and his cross-departmental group should work with local authorities which are pioneering alternative management models or funding arrangements, to address the barriers and manage the risks which arise and identify additional transitional support or funding which may be appropriate to nurture the development of such models. For example, the Minister should consider the proposals made by the National Trust and Newcastle City Council for indemnity for local authorities which wish to transfer land to parks trusts, and for the establishment of a public interest test to enable local authorities to overturn restrictive covenants, where such covenants hinder the authority’s ability to safeguard public parks.

The Government agrees with this recommendation. The Committee’s report clearly demonstrates there are many diverse models of excellent park management out there, including innovative funding models that we can learn from. The cross-departmental group and sector partners will have an important role to play in championing the value of engaging the third sector and businesses to take advantage of the support they can offer. We should promote the exemplars from across the sector and increase awareness of the good work delivered. We already have a number of ways in which we reach the communities sector – including the Government’s www.mycommunity.org.uk website. We know that many partners on the sectoral group, namely the Heritage Lottery Fund are well recognised for encouraging innovative thinking around parks management and funding models.

Recommendation Thirteen: The Minister and his cross-departmental group should encourage and facilitate the evaluation and benchmarking of emerging models for parks management, and the sharing of best practice within England and from elsewhere in the UK or internationally as appropriate.

The Government welcomes the recommendation. The Association of Public Service Excellence which gave evidence to the Committee inquiry applies models for benchmarking of a number of public services. The Association’s membership to the sectoral group will provide their expertise to inform this exercise alongside other membership bodies. One of the main responsibilities of the sectoral group will be to identify, promote and share knowledge and good practice.

Under the forthcoming 25 Year Environment Plan, the Government will be encouraging the management of environmental assets using a natural capital approach.

Recommendation Fourteen: We recommend that the Minister issues very clear guidance to local authorities that they should work collaboratively with Health and Wellbeing Boards, and other relevant bodies where appropriate, to prepare and publish joint parks and green space strategies.

The Government notes the recommendation and recognises that local authorities that do have a green spaces strategy are more likely to have quality green spaces.

Under the National Planning Policy Framework there are policies to promote healthy communities, (paragraph 69); highlighting the role that green and open spaces can make to health and wellbeing (paragraph 73); and stating that local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population such as for sports and recreation (paragraph 171). The related Planning Practice Guidance on Health and Wellbeing provides further information relating to these policies.

The Government believes that local authorities are best placed to determine their communities' needs and priorities and how best to meet these.

Further, it believes that local authorities that work with stakeholders to take a strategic approach to planning for their natural environment including parks and greenspaces, as part of a network of green infrastructure, will make the most effective use of their resources to deliver the wide range of benefits such as health and wellbeing, air quality improvement, urban cooling, outdoor learning and social cohesion, sustainable urban drainage, noise attenuation, and a more sustainable local economy.

The Government's 25 Year Environment Plan will recognise the value of local leadership in driving local environmental improvement.

Recommendation Fifteen: The Minister's cross-departmental working group should monitor the preparation and publication of joint parks and green space strategies, and report annually on progress made, by way of written statements to the House. If the guidance does not prove effective in encouraging local authorities and Health and Wellbeing Boards to collaborate on the production of joint strategies, or the joint strategies which are produced do not prove effective in raising the profile and priority afforded to parks, the Minister should consider legislating to place a statutory duty on local authorities to collaborate with Health and Wellbeing Boards to prepare and publish joint parks and green space strategies.

The Government notes the recommendation. However, the Government does not want to impose excessive central reporting burdens on local government, and since 2010, the Government has taken a series of steps to reduce reporting and data burdens, such as through the Single Data List and the abolition of Comprehensive

Area Assessment, Regional (Spatial) Strategies and top-down Local Area Agreements. Any requirement on local authorities to implement new or revised measures, including new reporting arrangements, will be subject to the Government's New Burdens doctrine and will be assessed for new burdens accordingly.

The Local Government Association operate models across a range of policies and by connecting parks services with other services facing similar challenges, such as libraries and museums, it should be possible to use these established practices to encourage local authorities to realise the value from working collaboratively with Health and Wellbeing Boards.

These models would have greater impact if they were made freely accessible to all, with the provision of support to partners to guide them to the specific tools that can help them and to understand how they practically can be applied.

Oversight of the local planning process is set out in the National Planning Policy Framework, which states that every local planning authority should produce a Local Plan, which will be examined by an independent inspector whose role 'is to assess whether the plan has been prepared in accordance with the Duty to Co-operate (this will cover the joint working with Health and Wellbeing Boards), and legal and procedural requirements and whether it is 'sound' i.e. that is positively prepared, justified, effective and consistent with national policy. If inspectors find that local authorities haven't appropriately assessed and planned for green infrastructure to meet health and wellbeing needs (alongside other functions of green infrastructure such as urban cooling and sustainable urban drainage) then they would not find the plan 'sound'. Progress on implementation of the local authority's green infrastructure and health and wellbeing policies should be set out in the local authority annual report on their plans which is subject to public scrutiny.

There are local councils that are successfully incorporating into their Wellbeing services schemes that engage friends of parks networks that deliver leisure and conservation projects. There is also evidence of examples of successful connections between health, sport and well-being provision and greenspace.

Recommendation Sixteen: We believe that the Minister's cross-departmental group should have an ongoing role in providing coordination and leadership within the parks sector to ensure that the Minister's vision for parks is delivered. We call on the Minister to publish, in his response to our report, details of the cross-departmental group's membership, terms of reference, initial priorities, how often it will meet, and how it will work collaboratively with the parks sector and the Local Government Association to secure a sustainable future for England's parks. We believe that early priorities for the group should include:

- establishing and maintaining an online parks information hub to make it easier for local authorities to find out about what other authorities are doing, to facilitate the sharing of learning and good practice, and to provide signposting to other sources of information or advice;
- working with the Local Government Association to develop and implement options for establishing and supporting national or regional park manager forums in England, learning from the approach taken in Scotland.

The Government broadly accepts this recommendation.

Cross-government Working Group

This will include officials from across government to effectively respond to the issues raised by the Committee. The cross-department group will include representation from the following departments and, as appropriate, arm's length bodies:

- Department for Environment, Food & Rural Affairs (Defra)
- Department for Health (DH)
- Department for Education (DfE)
- Department for Culture, Media & Sport (DCMS)
- Home Office (HO)
- Department for Business, Energy & Industrial Strategy (BEIS)
- Department for Work and Pensions (DWP)

As the new Minister for Parks and Green Spaces, I will chair the first of two meetings of the cross-departmental group. DCLG will act as the secretariat, convening the cross-departmental group meetings and will set up bi-lateral thematic meetings, as required to support delivery of the main group's agreed actions. The secretariat will liaise with the membership to formally agree the date of the inaugural meeting.

Sectoral Group

I want to go beyond the commitment to set up a cross-departmental group and will establish a sectoral group of representatives from across the parks sector. This body will directly inform the work of the cross-departmental group. I will chair the first of two formal meetings of the group; the DCLG secretariat will liaise with the membership to formally agree the date of the inaugural meeting. I believe that positive outcomes can only be achieved if we work closely with the sector who have the expertise and knowledge of what works well. The group's membership is currently being formalised but will include:

- Association of Public Service Excellence (APSE)
- Fields In Trust
- The Local Government Association (LGA)
- Parks Alliance
- Natural England
- National Federation of Parks and Green Spaces (NFPGS)
- Heritage Lottery Fund (HLF)

- Groundwork
- National Trust

The Government will co-opt other membership bodies to the sectoral group to discuss specific thematic issues as required.

DCLG will act as the secretariat in convening the sectoral group and will convene specific thematic meetings, as required to support delivery of the main group's agreed actions.

Discussions are currently underway with cross-departmental officials and the sectoral group to set out the principles that will shape the terms of reference, but the expectation is rightly that this will be a consultative and collaborative process and can only be achieved through discussion. The first meeting of the sectoral group will clarify the terms of reference.

The initial priorities for this work programme will draw upon the themes in the Committee's report – including skills, networking, knowledge and good practice sharing, resources and delivery models, valuing green space, data evidence and collection and equality of access to green spaces. This will provide a framework around which the cross-departmental and sectoral groups will agree some collective and tangible priorities and draw-upon the groups' relevant expertise in a more targeted and focused way.

Recommendation Seventeen: We intend to return to the issue of parks before the end of this Parliament to assess the progress which has been made. To assist us with this, the Minister's cross-departmental group should publish annual written statements to the House providing an update on the group's activity, progress made against our recommendations, and the progress made by local authorities and Health and Wellbeing Boards in the preparation and publication of joint parks and green space strategies.

The Government notes the recommendation. The Government agrees to commit to providing a written update to Parliament on the group's activity, progress made against the accepted recommendations and the issues Government has agreed to undertake further investigation on. However, in light of the 2017 general election and subsequent pressures on the parliamentary timetable, the proposed deadline for publishing a written statement to Parliament will need to be reviewed.





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