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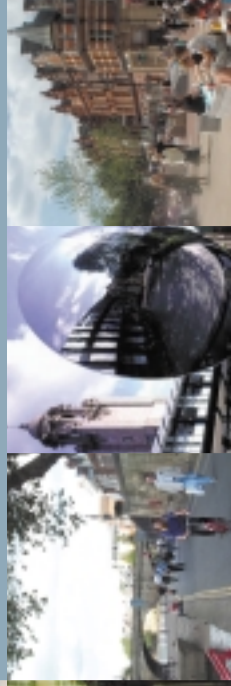
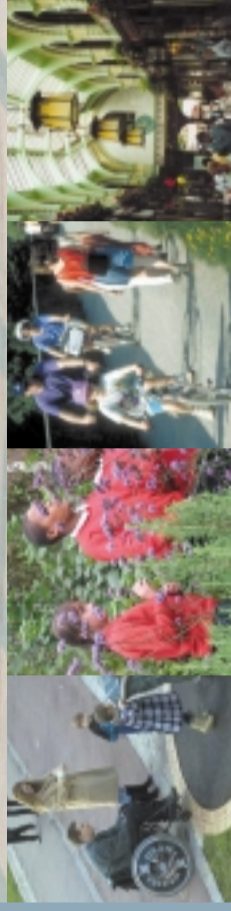
Home Office
BUILDING A SAFE, JUST
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defra
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Department for
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Living Places Cleaner, Safer, Greener

Living Places
Cleaner, Safer,
Greener

LP/E3/9

LIVING PLACES

Cleaner, Safer, Greener

October 2002

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MINISTERIAL FOREWORD



The quality of our public space affects the quality of all our lives. It affects how we feel about where we live, where we work and where our children play.

Successful, thriving and prosperous communities are characterised by streets, parks and open spaces that are clean, safe, attractive – areas that local people are proud of and want to spend their time. Tackling failure, such as litter, graffiti, fly-tipping, abandoned cars, dog fouling, the loss of play areas or footpaths, for many people is the top public service priority.

This report sets out the Government's vision for public space – everybody's local environment should be cleaner, safer and greener. It recognises that many good things are happening already in cities, towns and villages right across the country. However, we recognise that more needs to be done, especially in the most disadvantaged areas.

This report draws on the work of six Government Departments, joining up, to provide policies that link together in a sustainable way. We are determined to ensure that this cross-cutting work continues so that we do achieve a real improvement to the quality of our public space.

Government can and will take the lead but the solutions will invariably be local. We need to give local leaders and decision-makers the power to get the job done. We will set targets for improvements. We will also provide sources of advice and expertise to help get the job done. Those responsible will know what action they should take to deliver the cleaner, safer and greener public spaces that everyone has a right to expect.

Improving the quality of our public space is not about creating a sanitised, sterile, shrink-wrapped world. It is about creating living, sustainable and inclusive communities – communities where people feel they have a stake in their future.

This report represents the Government's commitment to improving public space. It is not the end, but merely the beginning of our drive to create and maintain local environments that are cleaner, safer and greener. We all have a role to play – Government, local authorities, agencies and business. Ultimately, each of us as individuals has a role to play in caring for our neighbourhoods and respecting the communities in which we live, work and play.

A handwritten signature in black ink, appearing to read 'John Prescott'.

John Prescott,
Deputy Prime Minister

SUMMARY

Public spaces are a barometer of a community. As human beings we respond positively and instinctively to places that are welcoming. We want to spend time – and money – in such a community. But all too often, we experience places that are unwelcoming, unkempt and difficult – or even dangerous – to use.

The quality of public spaces affects all of us wherever we live and work. Safe, well-maintained and attractive public spaces have a critical role in creating pride in the places where we live which, in turn, is essential to building community cohesion and successful communities. That is why the Government is committed to action to make public spaces cleaner, safer, greener places that enhance the quality of life in our neighbourhoods, towns and cities.

A Cleaner, Safer, and Greener Public Realm

This document sets out the Government's approach to making cleaner, safer, greener public spaces.

Section 1 explains why our public spaces are important. It explains the need for new thinking to sort out the complex, overlapping responsibilities for public spaces, to remove the cumulative symptoms of degradation, to tackle the problems in deprived areas and to respond to changing times. It also identifies some key components that underpin successful schemes – committed leadership, strong partnerships, active community involvement, desire for quality and innovation and better communicating and sharing of ideas.

Section 2 maps the main policies of the Office of the Deputy Prime Minister (ODPM), the Home Office, the Department for Transport (DfT), the Department for Environment, Food and Rural Affairs (Defra) and the Department for Culture, Media and Sport (DCMS) that are improving the quality of local environments throughout the country. It highlights reforms, policies and initiatives that show how the Government is working with a range of partners. It also shows how these measures are working to forge stronger partnerships across the public, private and voluntary sectors, thus enabling more imaginative and better designed solutions to meet people's concerns about the places where they live.

Section 3 explains that local environments also need to be greener and healthier and details the need for a good balance of green spaces in our towns and cities. It sets out how the Government has achieved the Urban White Paper's

commitments to raise the profile and improve the quality of urban parks, play areas and green spaces. It also contains the further measures that the Government will implement to produce continuous improvements and a better future for these precious spaces. In considering how to improve service planning for parks and green spaces it shows how a general approach to improving public spaces can be applied to other elements of the public realm.

Finally, Section 4 explains how the Government will build on the successes described in the report by implementing additional measures for improving the quality of the public realm. It also sets out how the Government will act over the next five years to get the basics right – structures, legislation, policies and funding – to tackle the quality of the local environment in deprived neighbourhoods and to meet the commitments on urban parks and green spaces. It launches a new national campaign for raising awareness, stimulating debate and inspiring action for cleaner, safer, and greener spaces in all our communities.

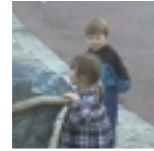
Action for continuous improvement

Evidence shows that people want action on this agenda. Spending Review 2002 saw additional investment and new targets working towards this end. The Government is committed to working with all the parties to deliver a programme of action in four key areas.

1. Getting the Basics Right:

- Establishing an inter-departmental Ministerial team for improving co-ordination of policies and programmes across Government that will deliver cleaner, safer and greener public spaces for everyone.
- Ensuring that funding for these policies and programmes is in place and delivers the outcomes required against a rigorous system of performance measurement.
- Making the legislation fit-for its-purpose – balancing rights and responsibilities with the power to deliver and the possibility of redress.
- Making sure that public spaces are accessible to all members of our society, able and disabled, young and old.

2. Tackling the Particular Problems of the Poorest Communities:
 - Better targeting of mainstream resources, along with better co-ordination of those resources with funding from both the Neighbourhood Renewal Fund and the Lottery.
 - Producing a review of social and environmental exclusion complete with recommendations for action.
3. Tackling the Needs of Urban Parks and Green Spaces:
 - Setting up a new unit for urban spaces attached to the Commission for Architecture and the Built Environment (CABE), supported by a strategic partnership, to deliver a comprehensive programme of work for improving urban parks and green spaces.
 - Implementing a clearer national policy framework and stronger planning policy guidance for open spaces.
 - Programme of work to improve information and data, good practice and higher quality standards that can be accessed by a wide range of users. Working with partners to raise standards and aspirations.
4. Communicating Ideas and Promoting Best Practice:
 - Launching a drive to raise awareness of the benefits of high quality public spaces in improving the lives of people and their communities and to promote the sharing of best practice between professionals through events and use of new technology.
 - Raising standards of design by appointing Design Champions and developing Design Quality Indicators for public space.
 - Working with partners to develop an approach to communications that will raise awareness of public space issues and encourage changes in behaviour and attitudes.



SECTION 1 – SETTING THE SCENE

“We need stronger local communities and an improved local quality of life. Streets where parents feel safe to let their children walk to school. Where people want to use the parks. Where graffiti, vandalism, litter and dereliction is not tolerated. Where the environment in which we live fosters rather than alienates a sense of local community and mutual responsibility.”

(Prime Minister, Croydon, April 2001).

Following the Prime Minister’s speech, the Government undertook an inter-departmental review of policies, funding streams and targets that have an impact on the public realm as part of Spending Review 2002. This was the first time that central Government had sought to take such an approach to the wide range of policies that directly affect the local environment. This document reflects the outcome of this review. It also draws on the work undertaken following the Urban White Paper proposals for improving local environments and sets out the Government’s response to the final report of the Urban Green Spaces Taskforce, “*Green Spaces, Better Places*”.

Public spaces and daily life

All of us – rich or poor, young or old, living in cities, towns, villages or the countryside – use public spaces every time we leave our homes.

They are the streets and paths where we walk on the way to the bus stop, to take our children to school, to exercise the dog or to hang out with friends. They are the parks and play areas, town centres and sea fronts we visit on holiday or at the weekend. They are internal public places such as libraries and town halls. They are also the privately owned and managed spaces to which the public has free access, such as car-parks, shopping malls, leisure and business parks, airport terminals and bus or rail stations. Public spaces mean everywhere between the places where we live and work.



The quality of our experience of these public spaces has a major impact on our lives. It affects our sense of well-being and how we feel about the places where we and others live.

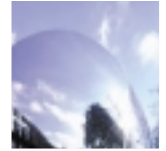
Every one of us, every day, takes decisions about which areas to use and when and how we use them. Many of our decisions and activities are influenced by our perceptions of the quality and safety of the spaces we encounter. We make decisions about the routes our children take to school or the playground because we want to ensure their safety. We make decisions about the route we take to get home from the station at night in order to avoid a badly-lit side street.

The quality of public spaces matter to people. Evidence shows (Oxford Brookes, 2002) that people are typically concerned about:

- unsafe streets and public spaces that foster anti-social behaviour, crime and the fear of crime.
- dirty streets and public spaces strewn with litter, dog mess, abandoned cars and graffiti.
- unattractive and inaccessible parks, play areas and open spaces with poor provision for children and young people, older people and disabled people.

A survey carried out by MORI (Consumer Focus for Public Services – People’s Panel Wave 5, March – April 2000) asked: “What would most improve the quality of your life in this area?” At least two of the following appeared in everyone’s top four responses:

- cleaner streets, including rubbish and dog fouling
- reducing crime
- more activities for children and young people
- improve parks and open spaces
- improving the street infrastructure including paving, lighting etc.



The survey also showed that people associate these services most closely with local authorities. It showed a decline in satisfaction on street cleaning and litter collection from around 45 per cent in 1998 to 30 per cent in 2001.



There is a growing body of research that establishes and analyses the relationships between local environmental quality, people's health, their fear of crime and the social and economic vibrancy of the community. Some of this is discussed in more detail in the literature review undertaken by Oxford Brookes University during the course of SR2002 and published alongside this document on the ODPM website (see www.urban.odpm.gov.uk/crosscut/litreview/index.htm). The 2001 British Crime Survey (as published in '*Crime in England and Wales, 2001/02*', see www.homeoffice.gov.uk/rds/crimeew1.html) shows a direct link between perceptions of visible disorder and fear of crime. It is also interesting that the majority of complaints at police consultative meetings, even in high crime areas, are often about dog fouling and other 'quality of life' issues.

Concerns about the quality of public spaces affect all areas and are bound up with the social and economic life of communities. The quality of public space, real or perceived, plays a vital role in the vicious or virtuous cycles which characterise communities on the up, in decline or in recovery. Degraded public spaces are not a sign of a vibrant community.

Dirty and dangerous places encourage graffiti, vandalism and anti-social behaviour, which in turn undermine public confidence in them and lead people to avoid them. An unattractive and threatening local environment encourages people to use their cars for short journeys and to move to a better area if they can. It can discourage investment and lead to abandonment and dereliction. A high quality local environment is a big influence in making people visit a place, spend money and invest in it. Conversely, a low quality environment can lead to places becoming stigmatised and drive people, businesses and investment away.

This sort of spiral of decline is starkly highlighted in some of our poorest neighbourhoods, where badly designed, managed and maintained public spaces combine with high crime rates, poor health, low skills, poor housing and joblessness to sustain poverty. There is a strong relationship between levels of deprivation in an area and the condition of the local environment. Child pedestrian deaths and accidents are more common in deprived areas, facilities such as parks and play areas tend to be worse and less accessible and air quality is poorer.



Poor local environmental quality, therefore, also affects the physical health of communities. Places that are strewn with litter and rotting rubbish attract vermin and disease. Noise, air and light pollution affect the physical and psychological well-being of residents, while traffic can reduce the amount of exercise people take. Increasingly, the health benefits of good local environments are being realised. For example, high quality green spaces go a long way to encouraging people to pursue healthier lifestyles through exercise such as walking, cycling and active children's play.

Particular demographic groups tend to suffer disproportionately from poor quality public spaces. Children, young people and older people can be inhibited from walking to school or to the shops, from meeting friends or taking exercise. This can lead to a greater sense of isolation and poor health. Moreover, although it is commonly assumed that parks are, by their very nature, socially inclusive facilities, research demonstrates that people from black and minority ethnic communities are less likely to use them than the rest of the population.

Achieving high quality public spaces

We instinctively know both good and bad public spaces when we see them but we rarely define the criteria by which we judge them. The simple fact is that most people want their neighbourhoods to be cleaner, safer and greener. Safe, well-maintained and attractive spaces have a critical role in creating the pride in the places where people live that is essential to successful and cohesive communities.

Achieving high quality spaces will require new thinking that better integrates the ways we design, create, manage and maintain our public realm. Here we pick out four main challenges:

- public space is not a single definable service;
- local environmental problems can feed off each other;
- problems need to be tackled where they are worst; and
- circumstances can change quickly.

The first challenge is inherent in the very concept of public space – it is not a single definable public service; it has a far more complex pattern, with many owners, tenants and users. It requires many different management arrangements, service providers and agencies, involving the public, private and voluntary sectors.



Responsibility for public realm policy is spread across central government departments and agencies. Although the public generally identifies local authorities as responsible for managing and maintaining public spaces, there is also a fragmented system of ownership, statutory roles and management responsibilities at the local level.

One consequence of this fragmentation is that public space issues are seldom looked at as a whole. Even when new public spaces are created the long-term maintenance issues involved are frequently overlooked.

The second challenge is symptomatic of the dynamic way in which public space develops and changes – creeping degradation. All public spaces, however well-designed initially, are prey to the simple carelessness of users, the indifference of some service providers, the misguided embellishments of others and the ravages of time. Add to this poor maintenance, neglect or, worse still, ill-conceived intervention and today’s award-winning schemes can easily turn into tomorrow’s neglected and rundown areas.

A streetscape can be compromised by poor air quality, noise and traffic, by inappropriate restoration of a pavement or simply by indifference and carelessness but the cumulative effect is a local environment that is threatening, unwelcoming, or even hostile.

The third challenge is to improve the quality of public spaces in disadvantaged neighbourhoods and ensure that people are not excluded from enjoying the benefits of high quality local environments. In the past, tackling such issues in deprived areas has all too often resulted in short-term, unsustainable investment in patched-up solutions rather than dealing with the underlying problem. The key to sustainable improvements in deprived areas is ensuring that mainstream providers offer decent standards of service provision – in environmental services, in policing, in local transport and other relevant areas. Additional or one-off interventions can kick-start progress but only main services can improve things in the longer term.

The final challenge is to respond to changing circumstances whilst ensuring the continued provision and maintenance of high-quality public spaces for all. Today, we face changing demands in the housing market – whether it is for new communities in the South-East or low demand and abandonment in parts of the North and Midlands. The requirements of pedestrians, public transport users and motorists are also changing and need to be balanced. We need to retain people who move out of towns and cities in search of ‘nature’, ‘greenery’ and



‘clean air’. We also need to tackle the growing fears, real or imagined, of young people, women, older people and people from culturally diverse communities about their safety.

But if there are challenges to be overcome, there is also inspiration to be gained from programmes and schemes all over the country which are addressing these issues in innovative and exciting ways. There is no blueprint for success – different solutions suit different areas.

Components for success

Five components stand out as key factors in the many successful schemes identified through the crosscutting review and the work of the Urban Green Spaces Taskforce. They are: committed leadership; strong partnerships; active community involvement; the desire for quality and innovation; and better communicating of ideas.

Leadership. Committed local leadership and engagement is vital for raising the profile of the public realm and allocating resources for improving and maintaining it better. Most of the successful schemes identified during the course of the reviews were products of strong leadership. In many cases the leadership was political – resulting from the recognition of the importance of high quality local environment to residents, businesses and visitors. Community leaders, individuals and organisations such as parish councils, residents’ associations, or friends groups can also play a key role in championing local aspirations and driving forward improvements – particularly to facilities like parks and play areas and those that affect pedestrians.

Leadership of successful public realm projects can also come from outside the political or public sector. In some town centres, local businesses have emerged as champions for higher quality public spaces especially in town centres and retail environments.

Partnership. Strong leadership can be vital to delivering strong partnerships. Effective and sustained partnerships are important for managing the complex distribution of ownership and responsibilities for the public realm and achieving improvements to service planning and delivery.

Within local authorities, different departments such as planning, highways and parks need to work well together. They, in turn, need to work well with all those other agencies and local stakeholders. Local Strategic Partnerships (LSPs) and Crime and Disorder Reduction Partnerships (CDRPs) are increasingly providing opportunities for key stakeholders to get together to discuss issues and decide and achieve priorities.



Local businesses are also more willing to work with local people and local authorities to maintain higher quality environments. Government proposals for developing Business Improvement Districts (BIDs) will provide an effective model by which businesses in an area to agree to an additional levy on rates to pay for a programme of measures aimed at improving the quality and safety of local public space. The Government is currently preparing guidance on setting up BID schemes and preparing legislation that will set out the legal and regulatory framework.

Community involvement. Community involvement with public space schemes, large and small, is essential to getting a scheme that really works and is sustainable in the long-term.

Engaging local people in schemes that improve the quality of the places where they live or work can range from the clean-up of a local pond to the pedestrianisation of Trafalgar Square. It will help them believe that they can influence the result and make them more likely to care whether the pond or square is well maintained. The benefits of active involvement of local people can outweigh the additional efforts required – active engagement of the community has been proven to bring about results that better meet users' needs. Where communities have been effectively engaged in projects the outcomes are better – and stay that way for longer. That has been shown time and time again.

Moreover, there are important benefits for local people themselves from being involved in community activity – the opportunities for meeting and working closely with other local people, for developing new skills and for building confidence that can lead to greater community cohesion. Increasingly these are being recognised and efforts are being made to build community involvement into all stages of policy and action.

Quality and Innovation. The best public realm schemes strive for the highest achievable quality. This does not always mean the most expensive solution but does imply an understanding of the principles of good design, a balancing of the sustainable over the quick fix, of quality over quantity, of innovation over the easy option. Quality tends to focus minds on design issues. Although they are obviously important, it is equally important to define quality in terms of standards of service delivery and the process by which it is created. Quality can also save money in the longer term, since lowest cost does not necessarily equate to best value. There is no point in creating a good new public space and then not maintaining it to an acceptable standard.



Many imaginative and innovative solutions have been found to the bewildering array of challenges involved in creating and maintaining high quality spaces. For example, some local authorities have sought creative solutions by:

- modernising their contractual relationships with contractors by improving the specification for services and developing stronger partnership working;
- using and enforcing legislation in order to deal with problems associated with derelict land or persistent offenders;
- using new technology, both in the delivery of front-lines services such as street cleansing or grass cutting and in office systems such as job-ordering or record-keeping; and
- involving local stakeholders in projects to improve and maintain the quality of local spaces.

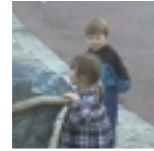
Communicating ideas. The best schemes place a real value on good communication – both listening and providing information – which clearly pays dividends in the way people feel about the finished product. Some of the most impressive schemes have emerged after extensive periods of community consultation.

There are many positive benefits to involving the community in the management and development of their parks and open spaces. Creating a shared sense of ownership of that space and the development process can help to break down some of the barriers between people of different backgrounds and circumstances, in turn leading to greater community cohesion.

Of course, communities change over time and the challenge to all public bodies is to recognise these changes and respond to the changing wants and needs of all local people.

Our priorities

The Government is committed to taking a leading role in ensuring that public spaces are fit-for-their-purpose, enhance the quality of people's lives and strengthen our communities. This requires action to make our streets and public spaces:



- **cleaner** – by improving how they are maintained and how services are managed and delivered;
- **safer** – by improving how they are planned, designed and looked after;
- **greener and healthier** – by ensuring access to high-quality parks and green spaces.

Government is realistic about how much it can achieve on its own. Our departments and agencies (and others) need to work closely together in future to ensure that we continue to promote policies and programmes that enable others to deliver high quality public spaces for all.

Summary

Every one of us should expect to enjoy places that are clean, safe and green. Poor quality spaces are visible indicators of decline and disadvantage in too many of our neighbourhoods and reduce quality of life.

The Government is determined to make towns and cities more liveable. High-quality public spaces and local environments are a big part of that agenda. We must stimulate new thinking to overcome the many challenges in providing high quality public spaces – the complex distribution of responsibilities, cumulative symptoms of degradation, poor spaces in our deprived areas – and respond to changing times.

Many successful schemes are showing that these challenges can be overcome through committed leadership, strong partnerships, active community involvement, the desire for quality and innovation and better communication and sharing of ideas.

The next section identifies the most important areas of public policy where progress has been made and how these are helping to create public spaces which are cleaner, safer and more attractive.



SECTION 2 – A CONSTANTLY EVOLVING LANDSCAPE

In the last five years the Government has introduced major reforms that are already producing better quality public spaces. In the vital areas of local government, planning, housing, policing and transport new policies are in place to ensure measurable and sustained improvement. Government is also taking action in a number of key areas that affect directly the quality of public spaces and local environments, including regeneration, neighbourhood renewal and quality design. Spending Review 2002 has delivered significant additional resources to fund the programme of reforms. (Details of the outcome of Spending Review 2002 are at Annex 1).

The Government alone cannot deliver on these policies. It must work in partnership with all those individuals, organisations and partnerships that make policy work on the ground – the police, street cleaners, neighbourhood and street wardens, community leaders, businesses, artists, contractors and local government, to name just a few.

This chapter highlights the most important areas in which progress is being made and sets out how new investment contributes to creating public spaces that are more attractive, cleaner and safer. This is not, however, a complete list of all Government policies with an impact on our local environment and we have therefore included weblinks to more detailed information where appropriate.

Local Government

Local Government is vital to the creation and maintenance of good public spaces. Many of the successful schemes to improve the quality of local environments across the country are driven by strong local political leadership, clearly defined local targets, successful local consultation and productive local partnership. These factors tie in to the principles that underpin the vision for modern local governance that are set out in the White Paper “Strong Local Leadership – Quality Public Services” published in December 2001 (see www.local-regions.odpm.gov.uk/sll/index.htm). To help deliver the reforms set out in the White Paper, Spending Review 2002 saw a significant increase to both local authority revenue funding and support for capital investment.



Reforms have already been introduced to enable local councils to deliver the quality of local leadership and public services that their communities need. These reforms will provide the basis for Councils to continue their drive for higher standards of performance to earn them greater freedoms and flexibilities.

A range of measures is being brought in to help local authorities co-ordinate the activities of the utilities. On 1 April 2001 Government made it possible for local authorities to fine utilities that fail to complete works within an agreed deadline. The Government is also testing powers to allow utilities to be charged “lane rental” whenever they dig up the road. In addition, new standards have been introduced that utilities will have to meet when carrying out works or restoring road and pavement surfaces.



Many local authorities have set out a strong commitment to tackle their public space problems – to great effect. One example is The London Borough of Camden’s “Boulevard Project”



Camden's ambitious initiative known as the Boulevard Project is based on a Community Strategy that says:

“By 2005 the Council will make streets in Camden more attractive through better cleaning, design, enforcement and lighting. It will upgrade roads and pavements and keep them in a good state of repair.”

The project draws together a number of strands to achieve the maximum impact including streetscape design and audit, quality surfaces, new cleaning techniques, proactive enforcement and management.

A simple but effective example is that Camden has started washing its streets as well as sweeping them, bringing the benefits of the project to the whole borough not just selected areas.

This £32 million project includes a range of measures such as:

- New footway surfaces;
- Removing unnecessary street furniture;
- Improved street lighting;
- Reviewing enforcement activities;
- Improving shop frontages;
- Tackling graffiti and flyposting;
- More trees;
- Better drainage;
- Better facilities for people with disabilities

Partnership working is at the heart of the Project, developing new relationships with contractors, public utilities, across departments in the council and with local shops and businesses. However the most important partners are the residents with whom the council communicates both before and after works are undertaken.

The Boulevard Project has achieved significant improvements – reflected in the comments of external auditors and in the unprecedented customer satisfaction ratings – 81% –after works have been done. One unexpected benefit has been the dramatic reduction in insurance claims on the early boulevarded road, In three years they have fallen from 140 at a cost of £400,000 in the previous 3 years to zero.



Planning

The planning system has a key role to play in ensuring high quality public spaces and local environments and creating places for people. *Sustainable Communities – Delivering through Planning (July 2002)* sets out the Government's vision for reforming the planning system to support its objectives for building more sustainable communities. It sets out plans for changing the culture of planning so that development adds value through better design. At the heart of the reforms is the introduction of local development frameworks – a new style of development plan at local level – the revision of the Planning Policy Guidance (PPG) series and a programme for raising skills of planners and councillors.

The PPG series are being revisited and reissued as Planning Policy Statements (PPSs). The revisions will provide opportunities for clarifying Government objectives for creating high quality public spaces that improve local life.

In the meantime, ODPM has introduced PPG17: *Open Space, Sport and Recreation* (24 July 2002 – see www.planning.odpm.gov.uk/ppg/ppg17/index.htm). This guidance provides a new and more effective planning framework for providing, protecting and enhancing open spaces and is discussed further at pages 44 to 45 of this document.

The Government has announced a significant injection of extra resources to strengthen the capabilities of local planning authorities to improve performance on handling planning applications and to put in place local frameworks. A new planning delivery grant worth £350m between 2003 and 2006 is being introduced, targeted on authorities that significantly improve planning performance.

In addition, a review of transport planning will be carried out by the Department for Transport and the ODPM by July 2003 – proposing reforms to improve consultation, approval procedures and compensation mechanisms for faster delivery of transport infrastructure projects.



Housing

Poor housing can directly affect the quality and attractiveness of the surrounding public spaces. Run down or abandoned housing contributes to fear of crime and may in fact provide a magnet for crime. It can affect the confidence and esteem of the local community. For example, 19 per cent of homes in the 10 per cent most deprived wards are in areas suffering from high levels of vacancy, disrepair, dereliction or vandalism, compared with 5 per cent elsewhere.

New Century Family Garden

New Century Family Garden in Openshaw, East Manchester, is an example of inner-city regeneration at its most local and community-led. The site was a former drying green enclosed by terraced housing and accessed by alleyways. Blighted with fly-tipping, dog fouling, joy-riding, poor drainage and dangerous surfacing, children from the houses had nowhere safe to play.

The only time that residents left their backyards was to put out the bin. Now the area has mild steel gates at the alleyway entrances, helping to tackle crime and improve community safety.

Improved drainage, resurfacing, ornamental pots, flowers and climbers have created a safe and pleasant area, fully maintained by the residents.

The project was initiated by the residents' group. Following a number of consultation workshops, with the help of Groundwork, a brief for the project was developed and funding secured through New Deal for Communities and the private housing sector.



before



after



The Government is committed to delivering extra resources to ensure that everyone should have the opportunity of a decent home and has set itself targets to improve the condition of both the social and private sector housing stock.



As part of the reform programme, building on the £25 million awarded from the Capital Modernisation Fund in 2002 to establish nine pathfinder projects in areas experiencing low demand, new resources are being allocated to allow these projects to implement their market renewal strategies. This will benefit more than 400,000 properties in communities currently blighted by low demand and abandonment.

Policing

Tackling crime and fear of crime is essential for giving people the confidence to make full use of their local public spaces. The police and their strategic partners have a major contribution to make in improving local environments.

The White Paper “*Policing a New Century*” (www.policereform.gov.uk/whitepaper/index/index.htm) published in December 2001 set out the Government’s intentions for the future of policing in England and Wales. It included major proposals for improving the performance of the police service and for delivering support for police officers. Some of the proposals required legislation and these formed parts of the Police Reform Bill that received Royal Assent in July 2002.

Of the forty reform projects in the White Paper, three are already improving people’s experience of public space. The Street Crime Initiative, that focuses on the ten areas that account for 80 per cent of robberies nationally, is showing reductions of about 25 per cent in street robbery offences since the initiative was introduced. Anti-Social Behaviour Orders (ASBOs) have been tightened-up and fixed penalty fines for minor disorder offences are now being piloted in the West Midlands, Essex, Croydon and North Wales. Community Support Officers are being recruited in 27 police forces. More than 100 are already at work on the streets of Westminster and by April 2003 we hope to see more than 1,000 on our streets.



Kent Rural Partnership

Kent County Council, Kent Police Authority and the Chief Constable of Kent have set up an innovative Rural Partnership aimed at building community confidence and reassurance by reducing crime and fear of crime, deterring anti-social behaviour, improving residents' access to local authority services and fostering social inclusion.

Twelve pilot areas each have a rural community warden who works alongside a rural police constable. The County Council provides the resources both for the warden and for the constable.

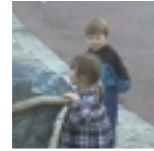
The role of the warden is to support the local rural community with a conspicuous uniformed presence based in the locality (in Minster, for instance, the warden works out of the local library). The Partnership is promoting community solidarity and is preventing and reducing crime and fear of crime, vandalism and anti-social behaviour.

Transport

The Integrated Transport White Paper, published in July 1998 (see www.dft.gov.uk/itwp/paper/index.htm) signalled a change in emphasis in transport planning and provision, encouraging a fresh view of the use of road space. The ten year transport plan (2000) set out an ambitious programme of modernisation, backed by historic levels of new investment, much of which will directly improve the local quality of life.

Following on from these and the development of Local Transport Plans, the Department for Transport (DfT) is promoting and funding a number of initiatives aimed at improving the quality of public spaces. These include:

- **Clear Zones** (www.clearzones.org.uk) that use innovative technologies to reduce road traffic, making places that are clean and safe for people to use. Nine trailblazer sites are being developed to illustrate what can be achieved.
- **Home Zones** (www.homezonenews.org.uk) are residential streets where residents and motorists share the highway. The changes to the street layout, and the use of innovative design techniques to support local residents. There are 61 successful bids across England for Home Zone Challenge funds to enable rapid dissemination of developing good practice. (see www.homezoneschallenge.com)



- **Access to Public Transport (AtPT)**, which is a joint project with Sustrans, Network Rail, Train Operating Companies and others aimed at making it easier to walk and cycle directly to and from stations.
- **School Travel:** DfT has undertaken a raft of initiatives designed to improve safety and reduce car use on the journey to school. These have included funding dedicated school travel advisers in local authorities and disseminating best practice through published guides and a free site-specific consultancy service.

Morice Town

Plymouth City Council, working in partnership with local residents, has introduced a Home Zone in Morice Town, an area with a mix of private, council and social housing adjacent to the Devonport naval base.

Residents say that being involved in the Home Zone has given the area a new feeling of community and has already begun to improve the quality of life, making local journeys safer and contributing to the well-being of the population.

There are nine gateways, each with the new Home Zone sign that alerts motorists that they are entering a different street environment. The zone has nine streets totalling more than two kilometres in length.

Key features of the Morice Town Home Zone include:

- a shared surface at one level over much of the area
- gateway features that narrow the carriageway
- introduction of planters and seating which effectively act as traffic calming
- a winding route for vehicles to ensure that speeds are reduced
- environmental enhancements
- on-street play facilities
- creation of a community space





Early next year the Department for Transport will be publishing a national strategy for creating improved conditions for walking.

The Government's ten year plan also recognises the need to address skills shortages and to remedy the lack of long term certainty of investment planning that has caused many employers to under-invest in training and recruitment. The Government is taking a number of initiatives to identify the actual and potential shortages, working with employers, the education sector, unions and professional bodies to address them. These include the Transport Planning Skills Initiative – working with the professional institutions, universities and employers to improve the number of people entering the sector (see <http://environment.uwe.ac.uk/tps/activities/tpsi/tpsi.htm>).

Rail Passenger Partnership

The Strategic Rail Authority's (SRA) Rail Passenger Partnership (RPP) scheme plays an important role in improving local station facilities to bring real benefits to passengers. These benefits can include facilities such as new bus shelters and additional cycle storage. It can also include better access for pedestrians, CCTV and improved platform facilities such as the renovation of ticket halls, toilets and waiting rooms. The SRA have recently enlarged and extended RPP to run for 10 years with a budget of £430m.

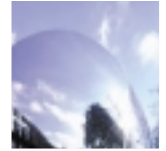
Bodmin Parkway

Bodmin Parkway Station – a principal station on the line between London and Penzance – received fastrack funding of almost £500,000 to improve facilities for passengers.

The package includes:

- New car park facilities
- Better access to the station
- New lighting
- Bus shelters and a covered cycle storage
- Toilets
- Platform and fencing
- Security surveillance by CCTV
- Improved infrastructure

One of the key benefits will be easier and safer access to the station. A new integrated transport package has been drawn up including better bus services to and from the station. There will also be CCTV and good quality lighting in the car park.



Other Key Initiatives

Over the past five years the Government has introduced a range of innovative programmes in key areas that are improving the quality of many public spaces and local environments.

Urban policy and regeneration: The Urban White Paper, *‘Our towns and cities: the future’*, (see www.urban.odpm.gov.uk/whitepaper/index.htm) set out the Government’s blueprint for an urban renaissance. It made clear that the creation of high quality towns and cities – attractive, clean, safe and well cared-for, where people can be proud to live – is crucial for this revitalisation.

The White Paper has provided a framework for ensuring that policies and programmes affecting urban areas are better co-ordinated and delivered. The importance of high quality local environments and making sure that the urban environment is better looked after is a key part of the strategy. The establishment of seven new Millennium Communities across the country by English Partnerships will set the benchmark in new standards of design, sustainability, building quality and efficiency and improving access to key public services. (www.englishpartnerships.co.uk).

We will be working with Groundwork over the next three years to help expand its network of Trusts and work with more local communities, businesses, local authorities and others to produce sustainable environmental improvements. We will also be working closely with CABI (www.cabi.org.uk) to support them in their work in promoting excellence in urban design, as well as to help establish the new unit for urban spaces (see page 41 – box). In addition, significant extra resources will be made available for the Regional Development Agencies (RDAs) who have an important role to play in tackling deprivation and supporting urban renaissance (see Annex 1, paragraphs 1.2 and 2.5).

Social exclusion and Neighbourhood Renewal: The *National Strategy for Neighbourhood Renewal* (2001) sets out the Government’s approach to regenerating the country’s most deprived areas. The Strategy aims to ‘narrow the gap between the most deprived and the rest so that within 10-20 years no one is disadvantaged by where they live’. Key priorities are outcomes in health, education, crime, jobs and housing and the physical environment. Central to the strategy are better minimum standards of service provision. Better targeting of large mainstream funding programmes is essential for these improved outcomes. ‘Floor’ (minimum standards) targets were introduced for the first time in Spending Review 2000 to ensure departments focused on deprived areas and disseminate that message to service deliverers. These targets have been brought forward and strengthened in Spending Review 2002.



The Neighbourhood Renewal Unit (NRU), based in the ODPM, works alongside the range of Whitehall departments so that the right structures are in place to ensure main programmes deliver on minimum targets. It is also providing seed money for a number of pilot schemes and initiatives that will allow communities to trial radical and innovative solutions to their problems.

In each local authority area, Local Strategic Partnerships (LSPs) are bringing key partners together to draw up local neighbourhood renewal strategies, detailing how main services and funding will be better targeted.

As part of the National Strategy for Neighbourhood renewal, the New Deal for Communities (NDC) programme was set up. It is delivering £2 billion over the next 10 years to 39 neighbourhood partnerships. These partnerships are acting as a test bed for discovering ‘what works’ in neighbourhood renewal. The Neighbourhood Renewal Fund (NRF) also provides 88 eligible deprived local authorities and their Local Strategic Partnerships with funds to improve services in the most deprived neighbourhoods. The Spending Review 2002 has extended the original £900 million fund with an additional £975 million: eligible authorities will now receive £300 million in 2002/03, £400 million in 2003/04, £450 million in 2004/05 and £525 million in 2005/06.

Kingsmill Corner play areas at Marl Hole Park in Sandwell

One example where NDC funding has supported the improvement to public space is in Sandwell.

This play area had been neglected for many years. A grass mound surrounded it, so parents could not watch their children playing from houses nearby.

Now the scheme is a flagship environmental improvement for Sandwell NDC, developed in partnership with environmental agency Groundwork Black Country. Children at the Guns Village primary school next to the site inspired the design. They chose play items from a catalogue – the climbing frame proving to be the most popular. A safe rubberised surface was necessary but it didn’t have to look boring. The children asked for an ocean floor look, with pictures of a giant octopus, sharks and sea creatures.

Some of the images were based on drawings by pupils at the school. The children now feel it is “their” playground in a way they never did before.

The NRU will also be expanding the **Neighbourhood and Street Wardens programmes** across the country that are achieving impressive results – cutting crime, tackling problems of fly-tipping and graffiti and providing a reassuring presence for local residents (see www.odpm.wardens.gov.uk). For example,



wardens in Hull installed ‘Sharps Bins’, resulting in the 250 needles being found on the streets each month reduced to a more manageable 30. The warden scheme in Knowsley in Liverpool runs a “walking bus” to get primary school children to school. In the East Manchester New Deal for Communities (NDC) area a 30 per cent reduction in crime was recorded following the introduction of a community-driven package to tackle crime that included a number of wardens schemes.

Blackthorn CASPAR Project

A neighbourhood warden played a key role in an award-winning project on the Blackthorn Estate – an estate of 2,200 houses on the outskirts of Northampton.

The local Community Safety Partnership (CASPAR) had produced a Crime and Disorder Strategy that included as a Personal Safety Target:

“To identify and implement an estate action community programme specifically aimed at reducing crime and disorder.”

The aims of the resulting CASPAR project were:

- to make the estate a safer place;
- to reduce crime and antisocial behaviour, without simply moving it to surrounding areas;
- to co-ordinate more effective joint working by all agencies; and
- to fully involve the community.

The objectives were to provide innovative solutions to:

- overcome environmental factors contributing to crime;
- divert young people from involvement in crime and disorder;
- protect and support victims;
- reduce burglaries by 30 per cent by December 2001;
- increase the community ownership; and
- have a sustainable crime and disorder strategy.

Three project managers were appointed from the police, the Borough Council and the Country Council to work closely with the Residents Association. They surveyed every household to identify specific issues.

A neighbourhood warden was employed to target and prevent repeat dwelling burglaries (a problem identified by earlier research). Landscaping was altered to give greater protection and peace of mind – CCTV, fencing of alleyways, improved lighting, motorcycle barriers, installation of alarms and locks. Trees and shrubs pruned and abandoned vehicles and graffiti removed.



Sally Scott, a resident and chair of Blackthorn workers forum, said: “...*the general feeling is of people now choosing to live here. It is considered to be safer, cleaner, and nicer and that people are more accessible for advice and support. There is also more respect for the two Community beat officers, all of which is strengthening the community spirit.*”

Won the Tilley Award in 2001 for piloted best practice in community safety projects for the Home Office and has won one of the Deputy Prime Minister’s Awards for Urban Renaissance, presented at the 2002 Urban Summit.

The Neighbourhood Renewal Unit (NRU) has introduced the “*Learning Curve*” to set out the Government’s strategy for providing the skills and knowledge needed to renew the most deprived neighbourhoods (see www.neighbourhood.gov.uk/nswardens.asp). It aims to tackle shortages of skills, experience and knowledge within the organisations and amongst the professionals responsible for designing policies and delivering regeneration and renewal initiatives. It also targets the skills needs of residents and communities for providing greater access to local jobs, as well as supporting their own regeneration initiatives.

Quality design: The Government set up the Commission for Architecture and the Built Environment (CABE) in 1999 to create a national focus for raising the quality of design in the built environment. CABE promotes high standards in the design of buildings and the spaces between them. Earlier this year CABE produced a useful report on England’s streetscapes called “*Paving the Way*” (available on-line at www.cabe.org.uk/ynR31Rv8pnj=B0XYgx3JW_-publications/index.html).

Funding from the Crime Reduction Programme enabled the Design Council to work up a strategy for increasing the contribution that design can make to crime reduction. One strand of this is a Royal Society of Arts Student Design Award “*Less Crime through Design*” (see www.rsa-design.net/sda_cfe_2002/htm/cfe_2002_20.htm).



Designing out crime

Incorporating crime prevention measures at the design stage can have crucial role in delivering and creating a sense of safety and security; once a development has been completed, the main opportunity to incorporate these measures will have been lost.

A practical example can be found in South Yorkshire where bus shelters were re-designed to tackle problems of vandalism and passenger safety. A new ‘see and be seen’ design offers an attractive, illuminated, glass-panelled shelter that has proved popular and, with improved maintenance, is helping to develop a sense of passenger ‘ownership’ and reduced levels of vandalism.



The Government is addressing the shortage of skills for urban design and regeneration by implementing the recommendations of the report and action plan of the ‘Urban Design Skills Working Group’, chaired by CABI. (see www.cabi.org.uk/9B-IVmpz7OK=i2xTdWTman-/publications/index.html). RDAs are developing proposals for centres of excellence to raise capacity in all sectors and at all levels across the full range of regeneration and neighbourhood renewal activity. The Government will take action to address the skills gap by establishing a national centre of excellence to increase urban regeneration skills of professionals.

The Government is working with the Construction Industry Council to develop the Design Quality Indicator (DQI) system that was launched in July 2002. DQIs will assist those involved in the development or redesign of buildings, the space surrounding those buildings and the building’s contribution to the wider neighbourhood. This work should be completed by May 2003. The Government is also working with the CIC and other partners to develop DQIs for the public space.



Rural Policy: The provision of high quality public space is vital to sustaining thriving rural communities and many of the key issues around safety, cleanliness and attractiveness of the local environment apply equally to rural areas as to urban. The Rural White Paper published in November 2000 (see www.defra.gov.uk/wildlife-countryside/ruralwp/index.htm) announced new funds to support parish and town councils wishing to improve service provision to their local communities, either through their own direct action or by articulating their communities' needs.

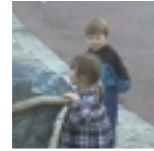
Parish Plans Grant, part of the "Vital Villages" scheme administered by the Countryside Agency, funds the preparation of action plans that will cover social, economic and environmental issues for villages. The Countryside Agency has published interim guidance to help some of the first parish councils who would like to produce a Parish Plan (see www.countryside.gov.uk/vitalvillages/whatis/parishplans.asp).

The Rural White Paper also announced the Market Towns Initiative, with £37 million of funding over the three years from 2001-02. Its aim is to regenerate small rural towns as vital and thriving centres able to provide a range of employment and high quality services for their own residents as well as for those of their hinterlands. RDAs and the Countryside Agency work with each town to create local partnerships, whose role is to engage the community with a view to agreeing an action plan for the town. The quality of the local environment, including public spaces, is considered as part of this process. For example, Downham Market and Ely are working to improve public spaces as part of their action plans.

The Department for Transport is assisting the Countryside Commission and local authorities to develop ideas as part of the Quiet Lanes initiative that is encouraging measures to make selected country lanes more attractive for walking, cycling and horse riding.

Rough Sleeping: Since 1998 the Government has reduced the number of people sleeping rough from 2000 to around 600. Work continues to help those sleeping rough, whose problems are complex and difficult to solve, and homeless people who use the streets during the day to beg for money to sustain a drug habit.

Many local authorities, police forces and voluntary agencies are now starting to work together to address these problems and ensure that streets are not used in this way and that vulnerable people are directed towards services. Action to address crime and fear of crime in town centres, by tackling begging, drug dealing and street drinking has – in some areas – also helped to reduce the number of people sleeping rough.



Oxford – Street Scene Task Force

Tackling begging, street drinking and rough sleeping

When Oxford was found to have one of the highest concentrations of rough sleepers outside London, the Street Scene Task Force was created – bringing together representatives from Oxford City Council, Thames Valley Police, Oxford City Primary Care Trust, social services, the Drug and Alcohol Action Team and the voluntary sector.

With a clear mandate to make Oxford's streets safer places to be, and to help those vulnerable people who are using them during the day or night, the aims of the Street Scene Task Force were to reduce the number of:

- rough sleepers;
- street drinkers;
- begging incidents; and
- drug related incidents from these client groups.

During the life of the Street Scene Task Force the number of rough sleepers fell from 23 in April 2001 to seven in January 2002. The number of people begging in the city has fallen dramatically, along with the number of street drinkers. The success of the Street Scene Task Force continues to be built on and the group has now developed to become part of a wider Homelessness Task Force.

In addition, the task force ran a public awareness campaign on the impact of giving money directly to beggars. This aimed to let people make an informed choice – and offered them the alternative of giving any donations directly to a local voluntary organisation that helps people away from the streets. Currently, the police are actively discouraging both the begging and street drinking scene with a combination of street intervention and ASBOs and with civil injunctions on the more aggressive individuals. These measures, alongside a soon-to-be-approved no drinking zone and an effective wet centre, provide a comprehensive approach to tackling street nuisance whilst helping the vulnerable.

Environmental Campaigns (ENCAMS) is an environmental charity that aims to achieve litter-free and sustainable environments by working with community groups, local authorities, businesses and other partners; it also runs the Keep Britain Tidy Campaign. The Department of Environment, Food and Rural Affairs (Defra) has asked ENCAMS to develop a voluntary Code of Best Environmental Practice for the Fast Food Industry that will enable operators – together with local authorities, other major land managers and enforcement



agencies – to reduce litter and waste in the local environment, without significant extra cost to the industry. A clear communications strategy will promote the efficient and effective implementation of the voluntary code across the fast food industry.

Rats and Dogs

Communicators can sometimes get their message across by use of hard-hitting themes.

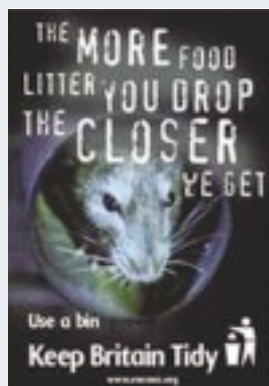
Recently, in a Keep Britain Tidy survey 95 per cent of respondents said that the amount of dog mess in public places worried them. This was the second biggest concern and finished well above other local issues.

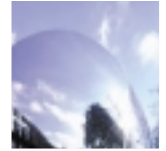
ENCAMS knew their target audience; therefore the campaign was launched specifically with the tabloid media in mind. Ricky Tomlinson, aka Jim Royle from BBC comedy *The Royle Family*, agreed to launch the campaign with a photoshoot at Clapham Common in London.

The pictures and words were very direct, too much so for one local authority that insisted on covering up what they saw as offensive images. But the ‘shock’ pictures and basic tabloid language worked – in test areas, dog fouling was reduced and the industry reported a prompt and large increase in the sales of dog-mess related products. It would appear that public behaviour was challenged and changed in a campaign that cost less than £130,000.

A similar approach was taken a few months later when ENCAMS launched a campaign to make people – young men especially – aware of the increase in the rat population, encouraged in large part by fast food waste and litter.

A see-through ‘rat run’ was erected in London’s Soho Square to confront passers-by and to illustrate just how rats devour waste food. This was combined with other media opportunities.





The impact was considerable and immediate – the campaign was in every national newspaper, made at least two-pocket cartoons and even featured in that week’s edition of BBC Radio Four’s ‘The News Quiz’.

Hard-hitting copy and tactics can and do work, used sparingly they can be a telling contribution to communicating messages and changing behaviour.



Summary

The reforms, policies and initiatives highlighted in this section show how the Government is working with a range of partners to deliver improvements to the quality of local environments. They show how Government policies, backed by additional funding, are delivering safer and cleaner streets and places by providing a stronger presence through police, special constables and wardens. They also show how Government is forging stronger partnerships across the public, private and voluntary sectors and enabling more imaginative and better-designed solutions to the concerns of people about the places they live in.

Local environments also need to be greener and healthier. They need to have a good balance of parks, play areas and green spaces and imaginative use of tree-planting. The Urban White Paper recognised the special case for examining the state of urban parks and green spaces and for developing proposals for raising their profile and their quality. The next section sets out how the Government has met the UWP’s commitment, the objectives for urban green spaces and the further steps that will be taken to achieve continuous improvements. The section will also help to show how a general approach to delivering higher quality public spaces can be applied.



SECTION 3 – URBAN PARKS AND GREEN SPACES

The Urban White Paper explained the need for focused action to improve urban green spaces. It challenged all involved to think more imaginatively to find ways to make parks, play areas and green spaces cleaner, safer and more attractive places that people will want to use for play and rest, exercise and sport, or entertainment and lifelong learning. It gave the Minister for Regeneration responsibility for developing proposals for improving the quality of urban parks and green spaces and announced the setting up of the Urban Green Spaces Taskforce to advise in this process. The Taskforce was established in January 2001 and published its final report, *Green Spaces, Better Places* in May 2002.

The Government shares the aims of *Green Spaces, Better Places* and commends its principles for ensuring that parks and green spaces play their full role in creating a better quality of life in our towns and cities. We encourage all those involved in providing and caring for urban parks and green spaces to adopt the good practice the report promotes.

The final report contains 52 recommendations for achieving a better future for urban parks and green spaces. The Government's response to each recommendation is set out at Annex 2. In considering the recommendations the Government has given priority to identifying those for which immediate action is necessary in order to achieve sustained improvements and the longer-term objectives of *Green Spaces, Better Places*. This section sets out the Government's objectives for parks and green spaces, and the proposals it will implement for achieving continuous improvement in their quality.

Our objectives

Good parks and green spaces make neighbourhoods, towns and cities attractive and appealing. They are an integral part of the wider public space network and as much a part of the urban fabric as its buildings. They bring many benefits that make places more liveable and sustainable and enrich the quality of peoples' lives and communities. Good parks and green spaces are therefore vital for a wide range of Government priorities, such as regeneration, renewal and housing programmes, supporting healthy living, fostering neighbourhood pride and community cohesion.



Everyone has a right to good parks and green spaces close to his or her home or place of work. The needs of all people should be served, especially children and young people, older people, those with disabilities, minorities and people in disadvantaged areas. Over time the needs of people and their communities change. Today people want a more diverse range of green spaces that cater for their social, educational and physical needs and changing lifestyles. They want city farms and community gardens, wildlife areas and woodlands, allotments and tree-lined streets, as well as parks, sports grounds and play areas. At the end of life, they want cemeteries to provide a dignified resting place for themselves and those they love.

The Government is committed to the creation of networks of accessible, high-quality parks and diverse green spaces in all our towns and cities. Achieving these aims will require imaginative, new approaches that integrate policy and action for parks and green spaces with the Government's agendas for improving public spaces, neighbourhood renewal and an urban renaissance.

Building on success

The Urban White Paper initiatives are promoting action across the country for improving the quality of parks and green spaces. There is now increasing public appreciation of the benefits of parks, play areas and green spaces in creating sustainable neighbourhoods and communities. More local authorities are also achieving these benefits and giving priority to providing good quality green spaces. People are recognising these improvements and the differences they make to their local area and lives.

Over the last five years action across the country has led to many new parks and green spaces – for example, there are now 245 new millennium greens and major new parks such as Mile End Park in London and Exhibition Park in Newcastle are being created as part of regeneration programmes. Many parks and green spaces have been given a new lease of life by networks of 'friends' and local groups and by local businesses, working together on projects to improve them. For example, more than 500 green space projects have been supported by the New Opportunities Fund's Green Spaces and Sustainable Communities Programme and Groundwork, through the Barclays SiteSavers scheme, has transformed more than 600 derelict or underused sites into community spaces and play areas. The Heritage Lottery Fund's Urban Parks Programme has provided new investment to more than 200 historic parks and gardens.



Leadership, structures and co-ordination

Green Spaces, Better Places identified a need for strategic thinking and better co-ordination of policy and programmes across government that have an impact on urban green spaces. It explains why action is needed at the national and local levels to give parks and green space services equal status to other services.

The Government agrees that parks and green spaces need more visible champions and clearer structures for co-ordinating policy and action better, and at all levels. These changes could significantly raise their profile and achieve better outcomes, which would also be promoted by the added focus that a national body could bring. The Government is not convinced, however, that the setting up of a new dedicated agency for parks and green spaces, as recommended by the Taskforce, would be the most effective way to achieve these objectives and the aim of a more integrated approach.

Several existing national bodies have responsibilities or programmes with impact on various aspects of urban green spaces – including English Heritage, Sport England, Groundwork, English Nature, the Commission for Architecture and the Built Environment (CABE), the Countryside Agency, and the Forestry Commission. Each could do more to promote and support aspects of urban green spaces. It is likely, therefore, that a new body would overlap or compete in areas already covered, or that it would need to specialise in the areas that are not covered. Neither of these outcomes would be desirable and both would work against Government objectives for a more integrated approach.

Instead of setting up a new body the Government will take action on three levels to improve co-ordination of policy and action for urban parks and green spaces. It will provide a clearer national policy framework, invite CABE to set up a new unit for urban spaces, and encourage a strategic partnership to support the work of the new unit and inform national policy and local delivery. Proposals are set out in the boxes below.



Clearer national policy

Over the next five years the Government will lead in developing an effective national framework for urban parks and green spaces. It will implement new planning policy that puts green spaces at the heart of our objectives for achieving a renaissance of towns and cities. The Minister responsible for urban parks and green spaces will work collaboratively across government in developing our objectives and co-ordinating initiatives and complementary programmes. The Government will also set up a Joint Agency Group, involving Government Departments and agencies to advise this process.

Better organisational focus for urban spaces.

The Government will invite CABI to set up a new Unit for ‘urban spaces’. It believes that CABI has the potential for developing the new, integrated approach which should be encouraged – one that unites thinking about the open and built environments. In relation to parks and green spaces, the Unit will:

- i). Champion the vital role of urban parks and green spaces in improving quality of life and delivering urban renaissance.
- ii). Work closely with relevant government departments and agencies, voluntary organisations and funding providers to improve co-ordination and delivery of programmes and initiatives.
- iii). Advocate the need for higher priority and resources for parks and green spaces at national, regional and local levels, and provide advice on funding issues.
- iv). Strengthen existing and promote and stimulate new partnerships for improving green spaces involving the voluntary and private sectors and local groups.
- v). Promote and develop skills and training needs for delivering and supporting improvements.
- vi). Carry out research and develop information, quality standards and good practice.



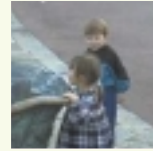
The Unit should focus in its initial years on developing its expertise in the field through a programme of work that carries forward action recommended by the Taskforce. Its early priorities will include:

- launching an awareness raising campaign to promote the value and importance of quality parks and green spaces.
- commissioning a research and information development series – to include work on funding needs for urban parks and green spaces and their economic and social benefits and opportunities.
- launching a good-practice programme and develop networks for sharing information.
- implementing and managing an enablers scheme.
- working with key partners to develop quality standards and measurable targets.

Strategic Partners

The Government will continue to work closely with the four organisations set out below, and will encourage the new CABE Unit to form a strategic partnership with them as well as the Landscape Institute and the Institute of Leisure and Amenity Management.

- **Groundwork:** developing community-based approaches and partnership working, to create practical projects which develop a sense of local ownership, improve people's quality of life and contribute to the wider regeneration of an area.
- **Urban Parks Forum:** developing information and good practice for professionals and community groups.
- **Green Flag Award scheme:** developing quality standards and the Award scheme to reward excellence in the provision, management and care of parks by professionals and community groups.
- **Improvement and Development Agency** for local authorities (IDeA): disseminating good practice in service improvement, based on Best Value and Beacon Council principles, to local authorities.



A more supportive information base

Green Spaces, Better Places documents the adverse effects of the lack of information on all aspects of parks and green spaces provision, management, maintenance, and funding. It also identified the urgent need for better information to support policy and action, funding decisions and good practice.

The considerable body of information generated by the Urban White Paper initiatives provides a good start. This includes the information gathered by the Taskforce and its six working groups; revision of PPG17; research by Sheffield University (2002); Beacon Councils theme on improving urban green spaces; the *Public Parks Assessment* (2001); and partnerships with the Green Flag Award scheme and the Urban Parks Forum.

The Government will take further action to build on this work and develop a more supportive information base. Proposals are set out in the box below.

Improving information

The Government will work with the new CABE Unit and strategic partnership, the Heritage Lottery Fund, English Heritage, the Countryside Agency and Sport England to develop and broaden the scope of the *Public Parks Assessment* to cover a fuller range of green spaces, including:

- updating the survey of local authority parks to achieve a 100% response.
- updating the English Allotments Survey 1996 to ensure current and thorough information regarding allotment provision is available. This will be expanded to include community gardens and city farms.
- carrying out a survey of cemeteries and burial grounds as part of a review of burial law, policies and practices.
- developing national data on playing fields and pitches (as part of a wider survey of the supply of, and demand for, sports and leisure facilities).



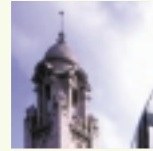
- assessing urban forests and woodlands. Revisiting the Trees in Towns survey 1993 to provide up-to-date information on the composition and condition of urban trees and woodlands. This will be expanded to provide insight into the resources and processes that local authorities use in managing urban trees.
- ensuring greater compatibility in the collection of survey data on various types of green spaces for the purposes of data integration and development of Geographic Information Systems (GIS).

The new CABE Unit will commission a research programme based around the issues recommended by the Taskforce, with an early focus on improving evidence of funding needs, ways of making more effective use of existing funding streams, and the social and economic benefits of good quality provision.

The Government intends to ensure that all data about urban green spaces are collected using consistent approaches that enable the results to be assimilated and mapped to give a complete national picture. Part of this approach will be to ensure that survey data is geo-coded. The Government will explore the feasibility of using Ordnance Survey's MasterMap product to assist in the identification and collection of data on urban green spaces. This electronic dataset provides a detailed map of the country with all land parcels categorised according to their type (eg: buildings, roads and railways, land). It also plans to disseminate resulting national datasets through map-based internet applications, building on the Maps on Tap infrastructure that is being developed by ODPM. This will allow data providers, planners, managers and users of urban green space to access and analyse up-to-date quantitative and qualitative information about these spaces.

Local strategic planning

Strong local leadership is essential for improving parks and green spaces. There is growing belief that because parks services are not mandatory they are often at a disadvantage compared with other council services. This has led to concerns that parks services have been taken for granted, and have lost local support and priority, skills and investment.



Improving the parity of parks and green spaces with other local authority services will require a shared vision, integrated approaches and strategic planning at the local level. Transferable lessons from the Beacon Council areas show how this can be achieved – see box below.

Beacon Council – principles for quality parks services delivery

The following principles underpin the parks and green spaces services of councils that gained Beacon Council status for this theme:

- commitment to address the needs of all sections of the community including the young, older people, disabled people and other disadvantaged groups and targeting areas of deficiency and social exclusion.
- strategies for identifying and achieving improvements to local green spaces. These are linked to corporate objectives and broader strategies and priorities such as community strategies, sustainable development plans, regeneration and planning.
- a consultative approach, working in close partnership with local people, local business and national partners to develop and implement projects for improving urban green spaces.
- imaginative approaches to planning, designing and creating urban green spaces as well as attracting funding.
- a focus on improving management and maintenance to tackle issues such as crime and safety, dog fouling, litter, vandalism and graffiti, by using sustainable management techniques and materials, tree planting and soil management.
- clear and measurable standards and mechanisms for continuous monitoring and review of service delivery.

Evidence from the Beacon Council process shows that preparing local parks and green space strategies is effective in developing a shared vision for service planning – see also research carried out by Sheffield University (2002) and the *Public Parks Assessment* (2001). A strategic process considers how all aspects of local green spaces could be improved – how provision is planned, designed, managed, used and maintained. By bringing together officers from parks and other services within the council, local stakeholders, users and non-users of



green spaces, the process helps to raise awareness and identify local aspirations and priorities. It can also create links to other local programmes that can help to meet green space objectives (including regeneration, neighbourhood renewal, crime reduction, promoting cycling and walking), or whose objectives might be met through a better strategy for green spaces (such as combating obesity, promoting preventative healthcare, providing safer routes to school and building citizenship and neighbourhood pride).

Strategic green space planning need not be complex or costly. In most cases the information needed should already exist within the local authority and community (e.g. from preparation of community strategies, local development plans and plans for biodiversity, sport and culture).

Strategic planning for high quality urban green spaces

The Government has announced the urban green spaces **strategic enablers scheme** to assist local authorities and partnerships to develop integrated approaches to planning and managing green spaces. The scheme will allocate ‘enablers’ – expert advisors – to assist local authorities to develop strategies for improving local networks of green spaces. An outline of the scheme is at the end of **Annex 2**.

Effective land-use planning and design

Achieving high quality public spaces underpins the Government’s approach to planning, regeneration and renewal. *Sustainable Communities – Delivering through Planning* (July 2002) sets out a programme of reforms for improving the planning system to support its objectives for building more sustainable communities. The Government will take opportunities to reinforce the importance of parks and green spaces in implementing the reforms – see Section 2.

The new Planning Policy Guidance (PPG) note 17: *Open Space, Sport and Recreation* (2002), sets out how the Government expects local authorities to plan for the delivery of high quality open spaces. The policies it contains are crucial in ensuring that everyone has access to high-quality green spaces. The guidance provides a new strategic framework within which local authorities will be better able to plan for delivering new provision and enhancing and protecting existing spaces.



PPG17 introduces a new needs-based approach. At the heart of the guidance is the requirement for local authorities to assess current and future needs of local communities for a range of types of open spaces, as well as the quality of existing open spaces by undertaking audits of provision. These assessments should identify areas of deficient provision (in terms of quality and quantity) and opportunities for improving that provision. They should prepare planning strategies that are linked to the local authority's Community Strategy, develop appropriate policies in development plans, and set locally derived standards for provision. The Government has also published *Assessing Needs and Opportunities; A Companion Guide to PPG17* (September 2002), which sets out how the approach could be applied in practice.

Raising standards

Strategic planning for managing and maintaining local green space should be tied to service level agreements, quality standards and targets. By setting appropriate quality standards based on measurable outcomes and then monitoring service performance, local authorities will be better able to demonstrate to local people that they are delivering good parks, play areas and green spaces.

The requirement of Best Value for continuous improvements in delivering services is having a positive influence on the performance of local authority services. Parks and green spaces, recreation and cultural services are represented within the national suite of Best Value Performance Indicators (BVPs) that supports the best value management framework. They are also included in the best value 'general satisfaction surveys' (BV119) that are carried out every three years to assess the levels of local satisfaction with a basket of quality of life indicators. The next survey will be in 2003/04.

The proposed Comprehensive Performance Assessment (CPA) framework for district councils will also take explicit account of local authority management of its green spaces. Further information about CPA can be found in Annex 1 (paragraphs 2.21 to 2.25).

Many local authorities have developed a range of standards and indicators that reflect their own circumstances and priorities. Greater consistency in the number and types of indicators and measures being used by local authorities is needed to both aid comparison of their performance and data aggregation at regional and national levels.



Raising Standards

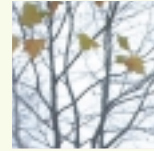
Over the next three years the Government will work with the new CABE Unit and other partners to develop nationally and locally recognised quality and performance standards. It will:

- (i). work with the Improvement and Development Agency (IDeA) to:
 - disseminate best practice in parks and green spaces services based on best value and beacon council principles; and
 - establish an appropriate set of local indicators that can be shared by authorities and support continuous service review.
- (ii). work with the Audit Commission on the development of the Comprehensive Performance Assessment frameworks.
- (iii). establish nationally respected standards and measures for good quality parks and green spaces, drawing on the Green Flag Award scheme by April 2003. Our development objective will be for every local authority to have parks and green spaces that meet those standards by 2005. Our targets are to:
 - increase the annual number of Green Flags awarded to 500 by 2005;
 - increase the annual number of Green Pennants awarded for local community-led projects to 250 awards by 2005; and
 - introduce a special commendation for excellence in the provision of children's play areas and facilities by 2004.

Involving Local Communities

Green spaces are predominately owned, managed and maintained by local authorities. However, local people, business and the voluntary sector are increasingly taking action to improve the quality of the spaces and places where they live.

Effective partnership working and engagement of local people have been proven to achieve results that better meet users' needs and increase the sense of local ownership. Partnership working also makes more effective use of resources, facilitates the sharing of expertise and skills and can help to meet a range of community priorities.



The community was a key partner in the development of Clarefield Park in the London Borough of Barnet. The council worked in partnership with local people in planning the development of the derelict land near Brent Cross Shopping Centre. Designs were developed through a Planning for Real exercise with the local community. Council landscape architects and recreation officers helped to collate ideas and agree a final design and name for the park. The involvement of a range of local people from the beginning has helped to ensure the park meets the needs of all users, developed a greater sense of local ownership, and helped to build relations between different members of the community. The park is now an attractive, accessible and well-used green space with a range of facilities for young people, families and the elderly.

The Government encourages the involvement of local people, groups and partnerships in practical initiatives that create and care for local green spaces. Proposals are set out in the box below.

Promoting partnerships and local involvement

The Government will encourage local initiatives and partnerships which promote greater involvement of local people and stakeholders, optimise the capacity of communities, foster a greater sense of individual responsibility and citizenship and give communities a sense of ownership of their local spaces, all leading to more cohesive and sustainable communities. It will:

- (i) give greater support through its sponsorship of the Federation of Groundwork Trusts, for local partnerships and projects that create and improve local spaces, especially small spaces in urban areas such as those around housing estates, play areas and ‘hang-out’ spaces, and derelict spaces.
- (ii) continue support for voluntary organisations engaged in environmental action, including the British Trust for Conservation Volunteers and the Wildlife Trusts (funding already committed through the Environmental Action Fund until 2005) and the Federation of City Farms and Community Gardens in working with communities to improve green spaces.



- (iii) launch a new Community Enablers scheme to support local groups such as ‘friends’, and local volunteers that are actively engaged in improving local green spaces and environmental projects. Further details of the scheme are provided at the end of Annex 2.
- (iv) promote greater involvement and partnership working through a new CABI Unit. It will develop information and good practice, including the role of local trusts in delivering sustainable management and care of urban green spaces.
- (v) support the Urban Parks Forum, including the development of a register of community and friends’ groups involved in local projects, and a network for gathering and sharing good practice.

Good Practice

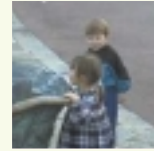
Greater sharing of good practice is essential in improving the accessibility and quality of urban parks and green spaces. *Green Spaces, Better Places* summarised evidence of good practice in all aspects of local authority parks and green space planning, management and service delivery, in particular, the many innovative schemes and partnerships that have been established across the country. It sets out the transferable lessons and offers principles for achieving good practice.

The need now is to share those lessons and principles more widely, and for good practice to be adopted by all mainstream service providers. This will require better networks for collecting, analysing and disseminating good practice. The Government will work with CABI and the strategic partners to develop national networks for disseminating good practice to local authorities, professionals and community and user groups. Proposals for further action are set out in the box below.

Developing good practice networks

The Government will encourage good practice by:

- (i) developing advice on the needs of particular groups of people for a diverse range of local green spaces, including:
 - preparing guidance on accessible play spaces.



- working with the Sensory Trust to promote greater awareness of the barriers preventing or dissuading use and participation by disabled and elderly people.
 - working with the Black Environment Network to prepare advice on the participation of minority groups in environmental action that reflects their social and cultural aspirations
- (ii) ensuring that the CABE Unit works with the Urban Parks Forum to develop a good practice programme and networks for disseminating information and good practice to professionals, and voluntary and community groups. This should include advice on:
- preparing and implementing urban green space strategies;
 - planning and design solutions for improving quality of new provision and transforming poor spaces;
 - managing and maintaining networks of green spaces; and
 - development and applications of quality standards.
- (iii) monitoring the implementation and effectiveness of the Urban Green Spaces Taskforce demonstration projects in delivering good practice. The performance of each project will be closely monitored and evaluated two years following its completion.

Better use of resources

Green Spaces, Better Places explained that resources for parks services have been spread ever more thinly as local authorities have acquired greater amounts of green space to manage, and increases in funding have been constrained. It also explained the long-term impacts of this process on the quality of these spaces, especially in disadvantaged areas that face a backlog of maintenance and repairs, vandalised facilities and degraded spaces. The Taskforce report estimated that around £500m of capital investment is needed over five years to make significant improvements and that this should be delivered through a range of sources external to local authority budgets.

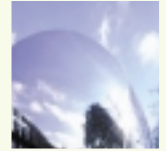
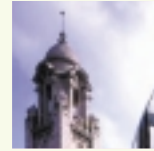


Total resources available to urban parks and green spaces have significantly increased over the last five years. Central Government revenue funding to local authorities for parks and green space services is provided as part of the ‘environment protection and cultural services block’ (EPCS). Allocations to the EPCS have increased by 15.7 per cent in cash terms (5.4 per cent in real terms) in the period 1998/99 to 2002/03. Local authority budgets for parks services have also increased by 11.8 per cent in cash terms (2.4 per cent in real terms) over the same period. Spending Review 2002 saw additional real term increases in EPCS allocations for the years 2003 to 2006. Extra funding available to parks and green spaces is now being delivered through mainstream routes. Other areas of local authority funding have also received substantial uplifts in recent years that will relieve some of the pressures on local authorities to use EPCS funding to absorb other pressures.

In addition to direct central funding, a range of new funding opportunities are complementing local expenditure. Central government provides significant funding through regeneration and renewal programmes. At a regional level the Regional Development Agencies support improvements to urban green spaces through their target to deliver urban renaissance and excellence in design and through projects funding local regeneration activity. A big contribution is being made to improve the quality of urban parks and green spaces by Lottery programmes, in particular, the Heritage Lottery Fund and the New Opportunities Fund. New development is also creating new parks and green spaces either as part of regeneration projects or through contributions from developers through s106 planning agreements. Many local businesses are also engaged in a variety of local partnerships with local authorities, voluntary organisations, friends and user groups. Taken together these contributions are considerable and have helped to create and restore thousands of parks and green spaces across the country.

A fuller account of Government funding for public spaces is at Annex 1: Funding and Targets.

New investment for parks and green spaces should focus on making more effective use of increases in main funding available to local authorities alongside the range of funding sources that are available (e.g. Lottery). Opportunities should also be sought for drawing on additional investment, for example, from partnership with the private sector (e.g. through the adoption of Business Improvement Districts, commercial sponsorship and contributions to local projects).



If local authorities make good use of their own resources to capture investment opportunities, they should be able to improve delivery and achieve better standards of provision and maintenance. Not all local authorities, however, are benefiting from the many funding opportunities. In order to take these opportunities, local authorities and others involved in providing and managing green spaces will need better information and clearer measures for demonstrating the quality of outcomes that new investment would deliver. Better monitoring of service performance will therefore be important.

More work needs to be done, especially in relation to targeting new resources to disadvantaged areas where quality of local environments are worse. Further work is also needed to develop mechanisms capable of delivering a better balance of capital and revenue resources for parks and green spaces, and which reflect the many ways in which services are provided and the needs of the diverse parties involved.

The Government will take further steps to focus more resources to improve the quality of local environments especially in disadvantaged areas. It will also consider the issues and conclusions of this report in deciding how to make best use of Lottery funds to support sustainable improvements to local environments, including the particular funding calls of local parks and green spaces in the next formal round of New Opportunities Fund Initiatives in 2003 – see section 1 of Annex 1.

Summary

The Government is committed to the creation of networks of accessible, good quality parks and diverse green spaces in all our towns and cities. The implementation of the Urban White Paper's initiatives and the work of the Urban Green Spaces Taskforce are having positive effects that are helping to produce improvements.

Further measures will be implemented to provide more effective organisational arrangements at the national level for parks and green spaces. This will include the creation of a new unit for urban spaces attached to CABI. Working with strategic partners, the new unit will lead a programme of work to implement many of the recommendations of the Taskforce for improving planning and design, information, quality standards and measures, partnership working and community involvement, and good practice.



There is no magic wand that can instantly turn around the decades of under-investment in urban parks and green spaces. It will take time for all poor parks and green spaces to attain the quality of the best. Although total resources available to parks and green spaces have significantly increased, further action will be needed to make better use of them and to ensure continued increases in investment. If local authorities make good use of their own resources to take advantage of available investment opportunities, they should be able to improve delivery and achieve the better standards of provision and maintenance that local communities want.

The proposals contained in this section will provide a better focus and building blocks for all those involved in planning, managing and maintaining green spaces to identify the important issues and develop consensus and priorities for further action.



SECTION 4 – CONTINUOUS IMPROVEMENT

The Government is determined to make a step-change in the quality of the public realm by better integrating the development and delivery of policies that affect local environments. It is determined to build on the successes described in this report and to implement its proposals for making continuous improvements.

Over the next five years the Government will work through new arrangements, with all the parties involved, aimed at getting the basics right. It will mean action in four areas:

- organisation, legislation, policy and funding;
- improving the quality of the local environment in deprived neighbourhoods;
- improving the quality of urban parks and green spaces;
- and gathering and sharing ideas and good practice.

Getting The Basics Right

Better organisational arrangements: The first priority is to improve across government the ways in which policy and action with an impact on public spaces are organised, developed, co-ordinated and implemented. The Government will address this in three ways.

First, it will establish an inter-departmental team of Ministers, under the leadership of Barbara Roche, to assist this process and make improvements. To begin with, the Ministerial team will represent the Home Office, the Department for the Environment, Food and Rural Affairs, the Department for Transport, the Department for Culture, Media and Sport and the Office of the Deputy Prime Minister. As the agenda develops, Ministers from other Departments will also be involved. The Ministerial Group will be supported by an inter-departmental team of officials who will be based in their Departments – thus ensuring that they remain connected to the mainstream of Departmental business – but who will work as a team across Departmental boundaries.

Second, the Government will provide a more effective national framework for urban parks and green spaces by implementing stronger planning policy guidance that places open spaces at the heart of our objectives for achieving a renaissance of towns and cities. The Minister responsible for urban parks and green spaces will work collaboratively across government in co-ordinating initiatives and complementary action. The Government will also set up a group Joint Agency Group, involving Government Departments and agencies to advise this process.



The new CAFE unit will champion these issues, develop intelligence and advice and carry out the programme of work contained in Section 3 and Annex 2 of this document for improving the quality of local environments.

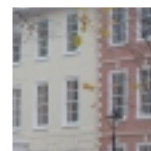
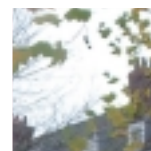
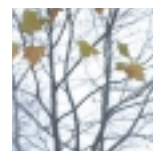
Legislation: The rights and responsibilities of all those who have a stake in the quality of public spaces are enshrined in a vast array of statutes and regulations. Many of these are complicated and out-of-date and may be inhibiting, rather than supporting, improved performance. Some pieces of legislation may simply not give those with responsibility for action the necessary powers to act.

ABANDONED CARS



Progress has been made in improving powers to act in some areas, such as tackling abandoned cars. Abandoned cars are an obvious blight and potential hazard in many streets and public spaces. The notice period after which many abandoned vehicles can be removed – usually by local authorities – has been reduced from seven days to 24 hours. £2.7m has been made available over three years for the Invest to Save budget to improve links between local authorities and DVLA to help trace the owners of abandoned vehicles. Further reforms to the vehicle registration system will ensure that all vehicles can be traced to the correct keeper.

The Government has already changed legislation to increase the levels of fines for litter and dog-fouling offences and is committed to allowing local authorities to retain money raised in this way for spending on enhancements to the local environment. The Government is also committed to bringing forward legislation to encourage local authorities and local business to enter into agreements for providing additional services. This will support proposals for introducing Business Improvement Districts.



BIDS

The government is supporting the development of Business Improvement Districts (BIDs), whereby businesses in an area agree to an additional levy on rates to pay for a programme of measures aimed at improving the quality and safety of local public space.

Local Business Improvement District schemes have begun to emerge. In order to support their development, Government is working with regeneration practitioners, local authorities and property developers to prepare guidance on setting up BID schemes. The government is also currently preparing legislation that will set out the legal and regulatory framework for the setting-up of contracts between local service deliverers and local businesses for additional services and improvements.

The Government has also undertaken a detailed examination of the responsibilities, powers, freedoms and enforcement mechanisms currently available to local authorities for affecting the quality of local environments. The findings are at Annex 3 and an audit of the main powers and responsibilities is at Annex 4. In addition, a consultation paper setting out 27 options for reform is published alongside this report.

The Government hopes that a wide range of organisations and individuals will respond to this consultation exercise www.defra.gov.uk/environment/localenv. It plans to publish its response to the consultation by mid 2003.

Options for reform include:

- extending local authorities' powers for dealing with litter to include other aspects of local environment quality (eg: graffiti, fly-posting and minor acts of vandalism).
- empowering local authorities and the police to set the level of existing fixed penalty notices within a prescribed range and an option for early payment discount.
- creating a new duty on the owners of street furniture to keep their property clear of graffiti and fly posting.
- extending the existing powers and duties for litter clearance to include beaches, rivers and canals.

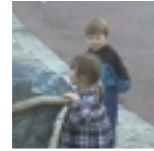


- creating new powers for local authorities to deal with the detrimental impacts of light pollution.
- overhauling the powers available to the police and local authorities for dealing with beggars, rough sleepers, peddlers, buskers and others who are threatening or who engage in anti-social behaviour in public areas.
- introducing new restrictions on the continual use of fireworks and noise-making devices that can cause distress to vulnerable members of the community, pets and wildlife and generally diminish the quality of life in neighbourhoods.
- making it easier for people with a legitimate grievance about the state of their local environment to obtain meaningful redress.
- improving communication to the public about the ways in which they can use legislation.

Policy, Funding and Targets: It is important to ensure that mainstream policies and funding streams that affect public space are coherent. Chapter 2 provided a snapshot of the policy developments that are already making an impact. The Government will be doing more to tackle crime and poverty; more to revive the countryside and increase the productivity of our towns and cities; more to improve both access and efficiency in the transport system.

The recent Spending Review White Paper (see www.hm-treasury.gov.uk/Spending_Review/spend_sr02/spend_sr02_repindex.cfm) sets out the range of increased funding which will be available for the period 2003-06. Work continues beyond the Spending Review to simplify the way funding is delivered. For example, the Home Office, the Government Offices for the Regions and the Regional Co-ordination Unit of the Office of the Deputy Prime Minister are working together to help further simplify the allocation of money to, and monitoring of, crime reduction Area Based Initiatives.

The 2002 Spending Review also introduced a number of new targets for Central government that will enable us to judge how well these policies and funding streams are working. A new Service Delivery Agreement (SDA) target has been introduced on reducing people's perceived experience of anti-social behaviour as measured by the British Crime Survey. This target is shared between the Home Office, the Office of the Deputy Prime Minister and the Department for Environment, Food and Rural Affairs (Defra), while a new SDA target has also been developed by Defra on street and local environmental cleanliness. This target will contain a "floor" (minimum standard), reflecting the need to provide a particular focus on improving the poorest local environments.



Home Office has a strengthened Public Service Agreement (PSA) target to reduce crime and fear of crime, narrowing the gap between high crime areas and the rest, with a particular emphasis on cutting robbery rates in ten ‘Street Crime Initiative’ areas.

A new Service Delivery Agreement (SDA) target has been introduced on reducing people’s perceived experience of anti-social behaviour as measured by the British Crime Survey. This target is shared between the Home Office, the Office of the Deputy Prime Minister and the Department for Environment, Food and Rural Affairs (Defra), while a new SDA target has also been developed by Defra on street and local environmental cleanliness. This target will contain a “floor” (minimum standard), reflecting the need to provide a particular focus on improving the poorest local environments.

The Department for Transport has also adopted a Public Service Agreement (PSA) setting specific targets for reducing the number of people killed or seriously injured in road accidents, with a separate target for child casualties. Again, there will be a particular focus on those communities where such incidences are higher; these are, for the most part, in areas where people suffer from other disadvantages.

Annex 1 of this document provides more detailed information about funding streams, measures and targets, including the National Lottery and performance measurement.

Tackling The Problems Of Deprived Areas

The Government will give priority to action in the most disadvantaged communities. The key to this is better minimum standards of mainstream service provision – key local services like local authority environmental services, local transport and the police taking responsibility for achieving better results in areas where improvements are most needed. A great deal has already been done through better targeting, the added focus of Government targets with in-built minimum standard (floor) elements, alongside additional programmes like the Neighbourhood Renewal Fund (NRF) and the Single Regeneration Budget.



The Government is determined that these communities should also benefit from Lottery funding. Historically, many deprived areas have received less than their fair share of lottery funding. To redress this trend, the Government launched “Fair Share” – a joint Community Fund/New Opportunities Fund (NOF) initiative worth £170m – focusing on these communities. As part of this the Government will work with NOF to target £38.75m at 51 deprived areas in England to support projects that will assist local communities to make their local environment cleaner, safer and more accessible.

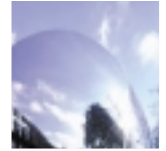
The relationships between local environmental quality, social exclusion and economic decline are complex. Whilst much is being done to tackle their causes and effects, the Government believes that more can be done to understand these relationships and identify and promote practical solutions. It is therefore committed to undertaking further work, building on that already done during Spending Review 2002 and by the Neighbourhood Renewal Unit, to inform the future work of Government Departments, local authorities and agencies.

A two-stage review is proposed. The first phase, which will begin in January 2003 and be completed by May 2003, will examine environmental exclusion, drawing on Government and external sources to establish the extent to which poor local environmental quality is:

- correlated to areas and households experiencing multiple deprivation; and
- a significant factor in maintaining social exclusion and perpetuating cycles of deprivation by identifying impacts on health, employment, quality of life and educational development.

The second phase, which will be completed by November 2003, will:

- develop policy and propose mechanisms to meet identified gaps; and
- suggest ways to add value to existing activity through effective co-ordination, communication, measurement and dissemination.



Improving the Quality of Urban Parks and Green Spaces

The Government will take the steps set out in Section 3 of this report to ensure a better future for urban parks and green spaces. Through the new arrangements (see page 53) it will implement a better national policy framework and stronger planning policy guidance.

The Government will enable CABI to set up a new Unit charged with implementing a comprehensive programme of work for improving green space. The Unit will help to provide greater leadership and develop a shared vision for urban parks and green spaces that will deliver:

- better planning, design, management and maintenance of parks and green space services;
- better information on the quantity, condition and use of urban green spaces and sharing of good practice; and
- better partnership working involving communities and local public, private and voluntary stakeholders.

Promoting Best Practice

Central government can also play an important role in promoting best practice. There is a need for greater dialogue between professionals and organisational groupings about the particular challenges of managing and improving the public realm. The Government and its agencies, such as CABI, can play an important role in bringing some of the key players to the table and ensuring that information about what works – and what does not – is recorded and shared. The Government intends to develop a website that will enable the exchanges of information and advice to continue.

The Government is committed to improving the quality of design, for major new-build projects – such as key-worker housing – and for smaller scale schemes and routine refurbishment. The Government endorses the “Design Champion” model that is working well in Government Departments and some Local Authorities. By April 2003, to help them achieve their objective to promote excellence in urban design, all Regional Development Agencies will have a Design Champion in place and by April 2004 the Government would like to see all major agencies and Non-Departmental Public Bodies follow suit.



Design

Since the Ministerial Design Champions Group was established some Government Departments have taken giant strides in pushing forward the design agenda in the development of new public buildings.

NHS Estates, for example, have adopted their own version of the Design Quality Indicators test that has made a huge difference to the design standards of new hospitals around the country.

At the Norfolk and Norwich University Hospital the grounds have been improved with a new state-of-the-art medical complex that includes the use of gardens and courtyards to improve the space and allows a lot of natural sunlight to filter through. This project has been short-listed for the Prime Minister's Better Building Award.

The Foreign and Commonwealth Office has used some of the best British architects for British Embassies and residencies around the world, putting forward the message that Britain is at the heart of good design. In Warsaw for example, a new British Embassy and Ambassador's residence – sponsored by design champions – is currently being built.

The Government is also working with the Construction Industry Council to develop the Design Quality Indicator (DQI) system that was launched in July 2002 to assist those involved in the development or redesign of public spaces.

Communicating Better

Public space – as has been demonstrated elsewhere in this report – affects many different audiences and embraces a number of themes and ideas.

To bring these together requires not only a political and managerial impetus but also good two-way communications to ensure that all the messages are received and understood by all the audiences.

A common theme of those successful public space projects identified during the course of the review is the value placed upon communication to inform and to influence residents and partners.



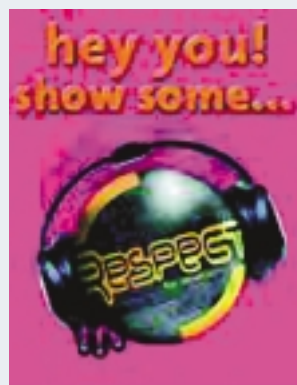
Respect, Newham

Respect is a campaign to reduce crime and disorder and improve the quality of life for people in Newham. It brings together all those in the fight against anti-social behaviour – including the council, police, the probation service, voluntary organisations, health workers, local businesses and community groups – for a targeted blitz on every kind of anti-social behaviour in the area.

Respect will include action to crack down on graffiti, abandoned vehicles, truancy, crime, harassment and noise nuisance.

Members of the Respect team wear distinctive orange Respect jackets. These participants will also be working with young people to give them a safe and stimulating alternative to hanging about in the street.

Communication plays a major part in keeping local people informed and enthused. To publicise the work of Respect, residents received a leaflet explaining the campaign at the time of the launch and regular articles have appeared in the local community papers. There is a hotline number and a website (<http://www.newham.gov.uk/respect>) for people in the community to report any concerns.



Respect posters are displayed on notice boards at various places such as youth centres.



The value of building communications into public space activity is found in clarity, the management of expectations and in the engagement of the public – the people that will use the space and the facilities within it.

But communication is as much about listening as it is talking. Local Strategic Partnerships, New Deal for Communities boards and other locally-based partnership initiatives have shown the way. All those responsible for public space should now follow their example and do even more not just to canvass the views, hopes and aspirations of local people but to have in place the structures that translate those views into action.

Sharing best practice, sharing key messages are ways to ensure that local people are engaged with – and enthusiastic about – the changes they expect to see in public spaces.

Through good two-way communications, more community involvement, more and better partnerships and greater community cohesion can be encouraged and fostered.

This is not a job just for Government, central or local. All the professional associations, pressure groups and campaigners have a role to play – in the area of public space more almost than any other, the third-party supporter and activist has a vibrant and valid voice.

Volunteering with the Experience Corps in Newcastle

The Experience Corps – the Home Office-funded company that encourages people aged 50 and over to put their skills and experience to community use – is running Our Park, a scheme in which local volunteers transform inner city parks and play areas.

Action Day at Nun's Moor Park

More than 80 people proved that they weren't prepared to let the grass grow under their feet when they took part in a two-day clean up of one of Newcastle's most historic parks as part of celebrations to mark the 40th anniversary of Community Service Volunteers (CSV).



Volunteers, staff from the Parks and Countryside Training section of Newcastle City Council, members of the Newcastle branch of CSV and Experience Corps volunteers took part in the clean-up of Nun's Moor Park.

Gifted to the people of Newcastle by the city's Freemen more than 130 years ago, Nun's Moor is now at the heart of a major regeneration scheme being spearheaded by Westgate New Deal for Communities.

Working with all partners, the Government will develop and implement a co-ordinated approach to communications across public and green space issues to:

- be responsive to individuals and communities;
- emphasise the importance of good quality public spaces in social and economic terms;
- make the connections between cleanliness, safety and community cohesion;
- work at a national, regional and local level;
- involve public, private and voluntary sector partners.

This will include the setting up of a website to allow the public, local authorities and others to access information quickly.

What Next?

This report shows the good progress that has been made in delivering high quality public spaces that are cleaner, safer and greener. It also shows that there is much more to be done. Over the next five years the Government is determined to improve delivery, building on the successes described in this report and to implement the proposals it contains for continuous improvement in the quality of the places where we live.



It is important to maintain the momentum that has been generated by the cross cutting review on public spaces and the Urban Green Spaces Taskforce. Everyone should act now to build on this, raising awareness and continuing debate, to deliver new solutions. Local government will have a key role in this process. Planners, police, transport planners and engineers and designers will also play a big part, as will neighbourhood wardens, park keepers and maintenance contractors, to name just a few.

The Government will continue efforts to turn around disadvantaged neighbourhoods, make better use of mainstream resources, to involve local people and build local capacity, to develop links with education, health and sports. It will also take immediate steps to examine funding available for public spaces, in particular, the need for additional capital investment in urban parks and green spaces.

The Government will work through the new inter-departmental Ministerial Team and supporting arrangements to get the basics right, tackle the quality of local environments in deprived neighbourhoods and to deliver promises on urban parks and green spaces. It will need to do all of this in partnerships with the public, private and voluntary sectors. It will also need the help of good designers and the involvement of local people in order to deliver imaginative and high-quality schemes.

The Government will take steps to raise awareness, promote debate, exchange of ideas and to inspire actions that improve the quality of public spaces and local environments. The Urban Summit provides a timely springboard to raise awareness and promote the importance of clean, safe and green spaces in our daily lives and in improving the “feel” of the places where we live.

Greater appreciation of the role of the importance of high-quality local environments in supporting the health and well-being of people will also inform the Government’s thinking in developing its plan for more attractive and sustainable communities throughout the country.

The renaissance of our towns and cities requires that where new developments create public spaces they are of high quality. It also requires sustained improvement in the quality of the existing environments and the places where people have to live and work – now and for many years to come. The range of reforms, policies and measures already being implemented and the further proposals set out in this document will continue to improve public spaces and local environments and contribute to a real transformation in the quality of life in our towns and cities.

ANNEX 1

FUNDING & TARGETS – DELIVERING IMPROVEMENTS

1. RESOURCES

Delivering through mainstream funding

- 1.1 Mainstream programmes provide the principal means of delivering cleaner, safer neighbourhoods. While additional programmes can shore up the delivery of services in the short term, the key to sustainable improvements, particularly in the most deprived areas, is better core services and higher minimum standards of service delivery – by the police, by local authority environmental services, in local transport, social housing and other relevant areas of service delivery.
- 1.2 A number of large mainstream budgets directly affect the safety and cleanliness of local neighbourhoods. Additional investment in real terms for these areas was announced in Spending Review 2002 covering the years 2003-06, including:
- General revenue grant to local authorities is up by an average of 3.9% a year after inflation. The Government's general revenue provision for most aspects of public space is allocated via the Environment, Protective and Cultural Services grant block (up 1.3% after inflation).
 - Overall spending on police is to increase by around £1.5 billion by 2005-06, compared with 2002-03.
 - Local Authority Capital investment (including PFI investment) will increase in real terms by an average of 10.7% a year. This includes local transport plan funding (doubling in real terms – compared with previous ten years – to £19.3 billion from 2001 to 2011).
 - Public Investment in Housing, increasing by 4.2% per annum in real terms; and
 - Significant increases in Regional Development Agencies' funding. RDA budgets in 2005/06 will represent an increase of some £375 million when compared to 2002/03, with a total budget of £5.676 billion over the next three years.

What will this new investment actually deliver?

Tackling Crime and Fear of Crime:

- 1.3 The increase in Home Office funding for the police will mean not just more police on the beat than ever before (132,500 by the end of 2004), but also new resources being available for new Community Support Officers (CSOs), with more than 1,000 due on stream by April 2003.
- 1.4 CSOs provide an additional reassuring, visible presence in the community, not just helping to tackle anti-social behaviour, crime and fear of crime, but also building community cohesion. CSOs will work closely with the police and also co-ordinate their activities with neighbourhood and street wardens in areas where they operate.

Cleaner Streets:

- 1.5 Keeping streets and other spaces clean is a key responsibility for district and unitary local authorities. A wealth of survey evidence¹ suggests it is a key priority for local communities directly affecting quality of life. Additional investment in real terms will allow better standards to be achieved and maintained.
- 1.6 Government has also introduced a new monitoring system to help local authorities assess how well they are performing and to use that data to target resources to areas which need them most. More details on this new system are below at paragraphs 2.7 and 2.8.

Better local transport, safer neighbourhoods:

- 1.7 Local transport plan (LTP) capital expenditure is doubling in real terms (on 1991 to 2001 figures) to £19.3 billion from 2001 to 2011 as part of the ten year transport plan.
- 1.8 Well-targeted local transport expenditure makes a real difference to people's local environment. Many of the measures implemented by local authorities as part of their local transport plans are small-scale and localised in nature and will have benefits for both local communities and transport users. These measures, which could have significant effects on the public realm, include improvements to transport interchanges and waiting areas, the introduction of Home Zones and Clear Zones, measures to improve facilities for pedestrians and cyclists, measures to improve

¹ e.g. MORI (2000) Consumer Focus for Public Services – People's Panel Wave 5, March – April

personal security and local safety schemes and measures to address congestion and pollution.

- 1.9 Figure *i.* below shows what this increase could mean in five specific areas of LTP expenditure (based on projected spend figure as at July 2001). Using outturn figures from 1997-98 to 2000-01, and projected spend for 2001-02 to 05-06, we can see the rapid growth in investment.

**Figure *i.*: LTP capital expenditure on specific schemes²
(1999-00 prices)**

| | £ million | | | | | | |
|------------------------------|-----------|---------|---------|---------|---------|---------|---------|
| Schemes Type | 1999-00 | 2000-01 | 2001-02 | 2002-03 | 2003-04 | 2004-05 | 2005-06 |
| Cycling Schemes | 11.9 | 23.5 | 35.3 | 33.3 | 33.7 | 33.8 | 34.5 |
| Walking Schemes | 11.8 | 35.4 | 34.5 | 32.8 | 32.9 | 30.6 | 27.2 |
| Local safety schemes | 44.6 | 65.1 | 106.4 | 99.7 | 102.2 | 101.5 | 102.7 |
| Road Crossings | 4.8 | 8.6 | 11.6 | 9.2 | 8.9 | 8.2 | 8.3 |
| Traffic Management & calming | 25.0 | 44.2 | 86.7 | 81.6 | 82.2 | 81.2 | 77.5 |
| | 98.2 | 176.7 | 274.5 | 256.7 | 259.9 | 255.3 | 250.3 |

More Investment in Better Quality Housing:

- 1.10 Government is committed to investing in Housing. Public investment in housing will increase by more than £1 billion a year between 2002-03 and 2005-06, an annual average growth rate of 4.2% after inflation.

- 1.11 This sustained increase in investment will:

- improve the quality of existing social housing;
- increase supply of social housing and affordable homes for key workers in the South-East;
- tackle the problems of low demand in the North, benefiting more than 400,000 properties in areas blighted by low demand and abandonment; and
- deliver additional resources to tackle homelessness.

² Figures do not include spending within London. This is under the remit of Transport for London. The 'scheme type' classification method used pre 1999-00 does not map directly to that used now so this comparison is approximate. Numbers have been rounded.

- 1.12 This sustained investment will not only improve housing stock itself but also benefit the local environment. Investment will be delivered in a way that is sensitive to surroundings. Design quality standards will be met, local facilities incorporated and valuable countryside protected.

Additional funding to delivering safer, cleaner neighbourhoods:

- 1.13 A number of area-based programmes are delivering additional resources where it is needed most.
- 1.14 As part of Spending Review 2002, the Neighbourhood Renewal Fund is being increased from £400m in 2003-04 to £525m by 2005-06, in part reflecting an increased commitment to the cleaner, safer communities agenda. This fund offers flexible additional support to the 88 most deprived local authority areas, to be used in consultation with local stakeholders through the local strategic partnership (LSP).
- 1.15 Neighbourhood and Street Wardens³ programmes are being expanded across the country and are achieving impressive results – cutting crime, improving the local environment through reducing litter and graffiti and providing an assuring presence for local residents. The Community Chests⁴ programme run by ODPM is also providing support for local community led projects, including a number that support improvements to local public space.
- 1.16 Additional resources are also being provided by ODPM between 2003 and 2006 to fund work on demonstration projects and other activity to support cleaner, safer local environments. This includes extra support to voluntary sector groups, Groundwork – to deliver public space improvements in partnership with local communities – and the Commission for Architecture and the Built Environment (CABE)⁵ – to promote better quality urban design – and for a new unit to be attached to CABE to promote green and public space. CABE works on a range of projects to champion good design, spreads best practice about good design, and improves design education in a variety of ways, including through a network of design centres, many focused on deprived areas⁶.

³ For more on Neighbourhood and Street Wardens see website 'odpm.wardens.gov.uk'

⁴ For more on Community Chests see 'odpm.cc.gov.uk'

⁵ CABE's website is at www.cabe.org.uk

⁶ An example is Hackney Building Exploratory. For more see 'design centres' at 'cabe.gov.uk'

1.17 As part of Spending Review 2002, Basic Command Unit (BCU) police commanders will receive £50m per annum from 2003-06. This flexible resource will be available to support local measures to reduce crime and improve community safety, in accordance with the local Crime and Disorder Reduction Partnerships (CDRP) strategy. Funding has also been set aside to continue to support CDRPs and Drug Action Teams directly through the Communities Against Drugs Initiative and the Safer Communities Initiative. The Home Office will reach a final decision in the New Year on allocations for these programmes from 2003-04.

Ensuring Resources work together:

- 1.18 Mainstream programmes and main public service providers are key to sustainable improvements and cleaner, safer more attractive neighbourhoods, but as set out above there are a range of other funding streams that have an impact on this policy area. It is vital that these different strands work better together, that Central Government takes an integrated approach to these issues and that local delivery agents and partnerships work together in an integrated, holistic way.
- 1.19 Section 4 (page 53) of the main document details how Government departments are working to become better joined-up across Whitehall. At the local level Local Strategic Partnerships (LSPs) are bringing together the public, private, voluntary and community sectors to take an integrated approach to tackling local priorities. Additionally, the new partnerships that will take on the integrated roles of Drug Action Teams and the Crime and Disorder Reduction Partnerships (CDRPs), and their integration into LSP structures, will ensure that funding streams such as the Neighbourhood Renewal Fund, the Safer Communities Initiative and the new direct funding for BCUs will be better integrated and achieve better value for money.
- 1.20 The Home Office, the Government Offices and the ODPM Regional Co-ordination Unit are also working together to help further simplify the allocation of money to, and monitoring of, crime reduction and other relevant Area Based Initiatives.

A joint approach to safer, cleaner neighbourhoods:

1.21 In order to take this joint approach one stage further, ODPM and Home Office are working on proposals to pilot a new joint approach to tackling the problems of street crime, anti-social behaviour and litter and graffiti blighting the local environment.

Lottery Support for Public Space projects

1.22 The National Lottery is already helping to improve public spaces around the UK, for example:

- The Arts Council of England (ACE) has provided funding of over £80m for public art projects.
- NOF's £125m Green Spaces and Sustainable Communities Programme is helping communities understand, improve and care for their natural living environment.
- Sport England, with the New Opportunities Fund and ACE, is helping fund the £130m Space for Sport and Arts initiative that will provide new multi-purpose sports and arts facilities for children and the wider community.
- The Heritage Lottery Fund's Townscape Heritage Initiative and Urban Parks Programme are targeted at deprived areas.
- The New Opportunities Fund PE and Sport programme, offering almost £600 million to schools in England to bring about a step change in the provision of sports facilities and have a positive impact on issues facing local communities including education, health, crime and drugs use.

1.23 The 1998 Lottery Act made the Lottery more accessible, more responsive to people's needs and led to a simplified application process; however more can be done to harness Lottery funds effectively for public space projects. Some communities in particular continue to perform poorly in accessing Lottery funding due to a lack of awareness of different funding streams, inadequate capacity to develop project ideas and the necessary partnerships and problems (real and perceived) with raising matching funding.

1.24 The Government has already launched Fair Share, a joint Community Fund/NOF initiative worth £170m, to tackle the issue of low Lottery funding in deprived areas. But the Government will do more, including working with NOF to:

- Develop the Transforming Your Space initiative which, as part of Fair Share, will target £38.75m at 51 deprived areas in England to support projects that make communities cleaner, safer, healthier, greener, better designed, more welcoming and accessible to all.
- Consider how the next round of NOF initiatives might support a range of public space related activity.
- Carry out a review of children’s play opportunities, jointly sponsored by DCMS and DfES and under the leadership of Frank Dobson MP.

1.25 In July 2002, the Secretary of State for Culture, Media and Sport published a consultation paper setting out her vision for the Lottery over the next seven years. This included:

- bringing the Lottery closer to communities
- making the Lottery more responsive and democratic
- involving local people in the design of programmes
- local referendums on how pots of money should be spent
- challenging distributors to delegate the delivery of grants up to £500 to local level
- a network of Lottery advice shops across the country

1.26 This vision is closely aligned with the themes and objectives of the public space cross cutting review and the Government wants to use the Lottery review to invite comments on how the Lottery can be better used to improve public space.

The New Opportunities Fund

The NOF was set up to distribute funding to education, health and environment programmes, set by the Government. Its remit incorporates action to improve the environment of communities across the UK, particularly those facing disadvantage. The aim of NOF is to improve quality of life through finding projects that enable local people to be involved in their local environment, through direct action to improve local streetscapes or landscapes, or to provide greater access to existing formal and open green spaces.

An example of such project is the **Doorstep Greens Scheme** in Devon. One complaint often heard by the manager of the Ockment Community Centre in Devon was the lack of attractive outdoor space available to the local community and centre users. A grant of £59,791 has been awarded to convert an old school playground and unsightly tarmac area into a community garden. Plans include something for everyone – areas for play and a sensory garden. The garden will also be easily accessible to all members of the community.

Heritage Economic Regeneration Scheme

- 1.27 The Lottery is by no means the only source of funding in the heritage sector. The Heritage Economic Regeneration Scheme, for example, is an English Heritage grant scheme aimed at regenerating the most deprived urban and rural areas.
- 1.28 English Heritage announced the fourth round of HERS grants in April this year, providing £9 million towards transforming 53 decaying rural, seaside and urban areas where the economic base has floundered and led to decline. The amount pledged in total by English Heritage since the scheme began now stands at some £36 million. The match-funded grants are helping finance renovations and improvements to a whole range of local environments including residential areas, streets, shop fronts and churchyards.

Buxton Market Place

The area, which includes the Market Place and High Street of mainly 19th century stone-built shops, inns and houses, has declined environmentally, with buildings at risk and in poor repair. Regeneration has started and will concentrate on repair and architectural reinstatement, with emphasis on shop-fronts and commercial buildings. The University of Derby will invest in The Crescent and The Hospital, and this, plus a continuing HERS, SRB and RDA Rural Market Towns Initiative funding, will accelerate a broadly-based programme to reinvigorate Buxton.

2. MEASUREMENT AND TARGETS

The importance of measurement

- 2.1 Setting benchmarks, using incoming data to inform management, establishing targets and monitoring progress against them is vital to day-to-day management of the delivery of services. Robust systems also offer transparency to the general public about performance and quality of outcomes.
- 2.2 The cross-cutting review audited the range of central government Public Service Agreement (PSA) targets that are relevant to the public space. These targets set out departmental priorities and many contain ‘floor’ (minimum standard) or convergence elements that ensure that action is prioritised in communities where outcomes are worst and that the gap in outcomes between these areas and the rest is narrowed over time.

National targets

- 2.3 While areas like crime and fear of crime were shown to have fair coverage by targets set in Spending Review 2000, other important local environmental issues like street cleanliness were shown to receive scant measurement at national level.
- 2.4 Spending Review 2002 saw the introduction of a range of new PSA and lower-level Service Delivery Agreement (SDA) targets on the safety and cleanliness of neighbourhoods:
 - a new PSA target to cut robbery in the ten Street Crime Initiative areas by 14% by 2005,
 - a new convergence element added to the existing PSA to reduce the number of people killed or seriously injured in road accidents,
 - a new SDA-level target on reducing the perception of anti-social behaviour, as measured by the British Crime Survey, and;
 - a new SDA-level target on street and local environmental cleanliness.

Full details of Spending Review 2002 Public Service Agreement (PSA) and Service Delivery Agreement (SDA) targets relevant to safer, cleaner neighbourhoods:

PSAs

Home Office – Crime and fear of crime:

To reduce crime and the fear of crime; improve performance overall, including by reducing the gap between the highest crime Crime and Disorder Reduction Partnership (CDRP) areas and the best comparable areas; and reduce:

- vehicle crime by 30% from 1998-99 to 2004;
- domestic burglary by 25% from 1998-99 to 2005;
- robbery in the principal cities by 14% from 1999-2000 to 2005; and
- maintain that level.

Department for Transport – Pedestrian deaths / accidents, congestion:

To reduce the number of people killed or seriously injured in Great Britain in road accidents by 40%, and the number of children killed or seriously injured by 50%, by 2010 compared with the average for 1994-98, tackling the significantly higher incidence in disadvantaged communities, and;

To reduce congestion on the inter-urban trunk road network and in large urban areas in England below 2000 levels by 2010.

Office of the Deputy Prime Minister (ODPM) – Housing:

To achieve a better balance between housing availability and the demand for housing in all English regions while protecting valuable countryside around our towns, cities and in the greenbelt – and the sustainability of existing towns and cities – through specific measures to be set out in the Service Delivery Agreement, and;

By 2010, to bring all social housing into decent condition, with most of this improvement taking place in deprived areas, and increase the proportion of private housing in decent condition occupied by vulnerable groups.

SDAs

Department for Environment, Food and Rural Affairs (Defra) – Local Environmental Cleanliness:

By 2005-06, to improve the level of street and local environmental cleanliness on 2003-04 levels by reducing the proportion of relevant land in local authorities that is significantly or heavily deposited with litter and detritus by 15%. Concentrated improvements should be made in neighbourhoods with the greatest need so that no more than 30% of the relevant land in any one local authority has significant or heavy deposits of litter and detritus.

Home Office, Defra, ODPM shared target – Anti-Social Behaviour:

To achieve a reduction in people's perception of anti-social behaviour across seven indicators, as measured by the British Crime Survey, by 2005-06 compared to 2001-02 levels. The seven indicators are problems caused by:

- *Noisy neighbours and loud parties;*
- *Teenagers hanging around the streets;*
- *Rubbish or litter lying around;*
- *Vandalism, graffiti or other damage to property;*
- *Racist attacks/harassment;*
- *People using or dealing drugs; and*
- *People being drunk or rowdy.*

The Department for Transport also has a contribution to make towards this overall objective, particularly through experience of anti-social behaviour around transport interchanges.

Regional targets

- 2.5 Accompanying the increase in their funding allocation over the next three years (see paragraph 1.2 above) the Regional Development Agencies have also adopted a range of new targets. This includes a commitment to enhance the quality of space and buildings in towns and cities through the promotion of excellence in design. Design Quality Indicators (see paragraphs 2.13 to 2.15 below) will be given full consideration as part of this and, where they have been established, Regional Centres of Excellence and the newly appointed RDA ‘Design Champions’ will contribute to this commitment.

Locally delivered targets

- 2.6 The cross-cutting review also did a project mapping the range of local targets and measures that promote improvements to the cleanliness and safety of local public space. As with higher level national targets, although there was some coverage, there were clear gaps in what gets measured locally.
- 2.7 There are some measures and targets within the “environment” block of the current set of Best Value Performance Indicators (BVPIs) that are relevant to the public space agenda (see www.local-regions.odpm.gov.uk/bestvalue/indicators/pi2002-03/10.htm). These cover areas such as waste collection, recycling, road and footway condition and road safety, but do not give attention to the core local environmental issue – namely the litter in the street.
- 2.8 There have been BVPIs in past years that have attempted to measure performance of keeping local environments clean – for example, the cost of street cleansing per kilometre. However, the methodologies used to measure these were found to be unreliable and led to the indicators being dropped.
- 2.9 This meant that there was no performance indicator on local environmental cleanliness within the range of statutory local authority BVPIs for 2002-03.

Filling the gaps in locally measured targets:

- 2.10 Through working with ENCAMS and other partners a new methodology for local authorities to measure local environmental cleanliness has now been developed. This system is in the process of being consulted on with local authorities (see www.local-regions.odpm.gov.uk/consult/pi2003-04/index.htm.) It is currently being piloted in four local authority areas and it is hoped, subject to consultation, that it will be included in the BVPI suite for 2003-04.
- 2.11 The new BVPI is based on the methodology developed by ENCAMS for their Local Environmental Quality Survey (LEQS). The LEQS methodology has already been adopted by more than 100 local authorities and the results have been of enormous benefit in managing the provision of services affecting the public space, targeting resources, securing improvements and achieving efficiencies.

Local Environmental Quality Survey – LEQS

The Local Environment Quality Survey (LEQS) is a measurement tool developed by ENCAMS – the organisation behind the ‘Keep Britain Tidy’ campaign – to set out a clear and concise picture of exactly how clean our public spaces are. It is able to cover a range of environmental factors that collectively form peoples’ impression of the quality of an area. This includes litter; graffiti; fly-posting; dog fouling; fly-tipped rubbish; broken glass; chewing gum and staining; even the odour from public toilets.

The LEQS can clearly illustrate, through the use of a “traffic lights” style system, the condition of the various elements of environment quality listed above from ‘good’ (dark green), through ‘satisfactory’ (green) and ‘unsatisfactory’ (amber) to ‘poor’ (red).

Local Environment Quality Survey of England (LEQSE):

The Local Environment Quality Survey for England (LEQSE) report follows the largest ever survey of local environments, using the LEQS methodology, and involved grading local authorities in terms of their performance in keeping their streets, parks, playgrounds and other open spaces clean. The report concluded that most councils were under-performing – but not by much and not because of a lack of effort. Improving the situation is a question of councils being more sophisticated in their approaches, more open to change and more careful in their planning. For example:

- Do councils consider sending street sweepers out when fewer cars are on the street?
- Do they always use the most effective machinery or tools? – sometimes a brush can be more effective than a cleansing machine
- Are weeds dealt with quickly, to avoid footways becoming undermined or unsafe?

For the first time, LEQS has produced reliable national and regional benchmarks for local environment quality and the LEQSE will now be repeated annually to give year on year comparisons.

More information about the LEQSE report, and the underpinning LEQS methodology, can be found on-line at www.encams.org or by telephoning ENCAMS on 01942 612642.

2.12 A valuable source of statutory and non-statutory performance indicators can be found in the on-line ‘Library of Local Performance Indicators’, managed by the Audit Commission and the Improvement and Development Agency (IDeA). This can be found at <http://www.local-pi-library.gov.uk/index.shtml> and includes a specific section covering “street scene” issues.

Measuring design quality

2.13 Until now there has been no means of measuring design quality to ensure that all the members of a development project team share an understanding of what is meant by ‘good design’ and what it should deliver. In July 2002, the Construction Industry Council launched Design Quality Indicators (DQIs), a new tool that can be used by all members of a project team – architect, planner, client *and user* – to measure design quality input (see www.dqi.org.uk for more information).

2.14 The DQI test would be applied at the drawing board/design brief stages but could be re-applied at any key stage if the brief changes during construction. DQIs are a series of wide-ranging questions covering a broad raft of issues related to a building, the immediate space around that building and the building’s relationship to the wider neighbourhood. The scores accorded to the DQI questions point to the design’s strengths and weaknesses and afford an *early* opportunity to address imbalances.

2.15 Further thought is now being given as to how best to develop the DQI model to measure design quality in the wider built environment. A methodology is being developed, building on the DQI approach, to provide the basis for assessing applications for Beacon Council status in achieving good urban design in the next round of the scheme. The criteria being considered are likely to fall under three broad headings:

- the quality of buildings/built environment construction projects procured by the local authority and their commitment to the ‘Rethinking Construction’ agenda;
- the local authority’s approach to delivering high quality public space (including streetscapes) and the strategies adopted; and
- the commitment to high quality design as expressed in the authority’s planning policies and supplementary planning guidance – and their implementation.

A public space “index”

- 2.16 The cross-cutting review consulted with a range of bodies including ENCAMS, the Audit Commission, the Local Government Association, CABE and the Pedestrians’ Association (now Living Streets). While the gap on street and local environmental cleanliness in the statutory BVPI set needed to be filled, consultation told us that assessment of the cleanliness, safety and attractiveness of the local environment needs to be approached holistically, not just seen as a range of separate parts. The review therefore developed an ‘index’ of measures that local partners could use to assess the quality of a local environment and monitor progress in improving it.
- 2.17 The index aims to cover the key elements that, when taken together, build up a rounded picture of the cleanliness, safety and attractiveness of a neighbourhood and its local environment. The index should allow:
- a diverse range of relevant factors to be covered;
 - an overall outcome – or ‘score’ – to be calculated, reflecting the different elements of the public space agenda;
 - robust findings to be presented to stakeholders in an easily understood way; and
 - local policy makers, managers and strategic partners to become more informed to make decisions about service delivery and priorities in a more holistic way, based on the incoming information on the index.
- 2.18 The index provides a framework and resource for local authorities and their partners (eg: in Local Strategic Partnerships) to help them record baselines, set targets and monitor and evaluate progress in a transparent way.
- 2.19 The review team went through a series of iterations with a wide range of stakeholders before arriving at a final draft ‘index’ of indicators, set out below at Figure *ii*. Robust data does not yet exist in all relevant areas, though further work is now being undertaken to develop the index, including looking at ways to fill some of the gaps identified.

Figure ii). – The public space “index”

| The Vision | What we measure | More specifically | Measure Available already? |
|------------------|--|---|---|
| Safe Communities | Robbery* (or ‘Street Crime’)**7 | Incidents per 1000 population | Personal Robberies – Recorded Crime Statistics (BCU and CDRP level). ‘Street Crime’ is Metropolitan Police category for personal robbery and snatch theft only. For the purpose of the Street Crime Initiative, the Home Office defined street crime as robbery, snatch theft, car jacking and gun crime. Unlike the offence of robbery, ‘snatch theft’ is not covered by a standard Home Office offence classification and has historically been identified within the broader category of theft from the person. However, all forces involved in the street crime initiative provided information on ‘snatch thefts’ during the initiative. |
| | Satisfaction with the safety of the local area | % of residents that feel safe in their local environment | New BVPI 189 on ‘public reassurance and quality of life’, collected for first time in 2003-04. (Three yearly). |
| | Anti-Social Behaviour rates | As assessed in British Crime Survey | Only at Police Authority Level |
| Clean Streets | Street and local environmental cleanliness | Using ENCAMS’ Environment Quality Survey (LEQS) methodology, which is being piloted for the new BVPI. | New BVPI on this area in 2003-04 |
| | Satisfaction with street cleanliness | % of residents satisfied with standard of clean streets and other areas | BVPI 89 – collected in 2000-01 and again in 2003-04. (Three yearly). |
| | Graffiti | Clean up rate/areas free to acceptable standard | LEQS methodology can be used and is already being used in number of local authority areas |
| | Flytipping | Clean up rate/areas free to acceptable standard | LEQS methodology can be used and is already being used in number of local authority areas |
| | Abandoned Vehicle clean up rates | Number of days after report of abandoned vehicle to clean up | No measuring methodology available as yet |

Figure ii). – The public space “index” (continued)

| The Vision | What we measure | More specifically | Measure Available already? |
|-----------------------------------|---|---|--|
| Balanced Use of Streets | Pedestrian and cyclist casualties | Rate per 100,000 population | BVPI 99 – gives us number of road accident casualties broken down by (i) nature of casualties and (ii) road user type. Road user types include: pedestrians and pedal cyclists |
| | Congestion/Vehicle Pollution | As measured by DfT | No local authority measure available as yet |
| | Streets to cater for all users – not just motor vehicles | | No measure available as yet |
| Quality Footways | Quality footways | Condition of the footway network. | BVPI 187 – measures condition based on Detailed Visual Inspection (DVI) surveys of the whole network on a cycle of 15% per year. |
| Open Spaces/ Facilities | Satisfaction with quality parks /open spaces, safe play areas | (i) How satisfied are you overall with parks, green spaces and play areas in the LA? (ii) How satisfied are you with their maintenance? (iii) How satisfied are you with your access to these facilities? (iv) How satisfied are you with the safety, sense of safety of these facilities? | BVPI 119 – satisfaction with cultural & recreational facilities (collected 2000-01 and again in 2003-04 – three yearly) exists but does not cover all of this ground. Local indicator would need to be employed in addition or instead (see section 3 on indicators for parks and green spaces). |
| | Safe Play Areas | Provision of accredited play areas may be one possibility | No indicator available as yet |
| | Other (LA) recreational facilities | Libraries, sports centres, museums | BVPI 119 – satisfaction with cultural & recreational facilities (collected 2000-01 and again in 2003-04). (Three yearly). |
| Community Involvement in delivery | Community involvement | Community participation in local environmental improvements or design of service delivery | Audit Commission project is working up range of options relevant for this indicator |

Figure ii). – The public space “index” (continued)

| The Vision | What we measure | More specifically | Measure Available already? |
|-----------------|--|---|---|
| Design quality | Design quality of local environment | Design quality of new publicly funded buildings | No single measure available, but design quality indicator set being piloted by a range of public sector bodies. |
| Housing Decency | | % of social/council housing of decent standard | Measured for ODPM PSA target |
| Biodiversity | Number of different species of birds (as proxy for local biodiversity) | Parkland, farmland or other species | Measured for DEFRA PSA target |

Further Development of the “index”

2.20 The Government will work with the Audit Commission and the Improvement and Development Agency (IDeA) to develop the index, in consultation with local authorities and other key partners. Our aim will be to pilot the finalised index, before placing in the Audit Commission’s online library of local indicators (see paragraph 2.9 above) as a free resource for local authorities and their partners.

Comprehensive Performance Assessment

2.21 The Local Government White Paper of December 2001 (*Strong Local Leadership – Quality Public Services*) set out a new relationship between central and local government. Key to that relationship is the new Comprehensive Performance Assessment (CPA) process that will:

- Inform negotiation of targets and freedoms through Local Public Service Agreements (LPSAs);
- Provide a robust basis for action to tackle poor performance and failure; and
- Enable authorities to develop improved planning arrangements for exploiting opportunities and tackling weaknesses identified in CPA. Performance Plans will be the principal means by which improvements are reported following CPA.

2.22 High performing authorities with a proven capacity to improve will be afforded freedoms and flexibilities which will enable further action to enhance the attractiveness and safety of their local public spaces. This could include:

- More freedom to use fine income from fines;
- Lifting of some restrictions and ring-fences on grants, and;
- A lighter-touch inspection and audit regime.

2.23 CPA will also allow greater transparency about levels of performance and areas where action should be targeted.

- 2.24 The first tranche of CPA will be published this winter, assessing performance in unitary areas and county councils. Assessment of district councils will take place over two years, beginning in early 2003, with CPA complete for Districts by 2005.
- 2.25 The Audit Commission has been working with the ODPM, Defra and the Home Office to frame one of the two priority areas in the District-level CPA methodology around the theme of ‘Clean, green and safe’ localities. The Commission is now consulting on their draft District assessment methodology (see www.audit-commission.gov.uk) that aims to examine a range of work that councils are involved in to meet local environmental and community safety priorities. This includes both hard statistic measures, such as BVPIs, as well as an assessment of other activities the councils are involved in. Pathfinder schemes are also now up and running in ten local authorities to help assess the proposed methodology; results of the consultation and pathfinder schemes are expected by December 2002.
- 2.26 The high profile of public space within district level CPA reflects the importance of this issue not just to government but also to local people.

Local Public Service Agreements

- 2.27 Local Public Service Agreements (LPSAs) have won widespread endorsement from the Local Government Association and local authorities as a valuable means to achieve improvements in service. Due to the cross cutting nature, the LPSA process, which encourages more innovative approaches to service delivery, offers great potential in the area of public space improvements.
- 2.28 Many local authorities have already chosen to adopt LPSA targets to help them enhance their communities. Examples include:
- The London Borough of Greenwich’s target on tackling “enviro-crime” – this involves a commitment to reduce the levels of fly-tipped waste by 33%, improve the response time to deal with reports of graffiti by 40%, and achieve a 50% reduction in the amount of nuisance vehicles left on the street;

- Brighton and Hove City Council’s target to reduce violent crime in public places – through more targeted police operations, increased licensing and planning controls, better management of licensed premises and more effective public transport; and
- Bolton Metropolitan Borough Council’s target to improve residents’ satisfaction in the local environment on eight target estates.

2.29 Government would welcome more local councils undertaking LPSA agreements such as these, tailored to the particular public space issues in their areas. Whilst these public space measures are part of the voluntary elements of LPSA agreements, it is clear that such issues are key concerns of local people and more and more local authorities are responding to these concerns through their LPSA targets.

2.30 Detailed guidance on how LPSAs can contribute to safer, cleaner, more attractive environments will be set out on the ODPM’s website. This will provide essential reference material for all local authorities involved in the LPSA process. In particular, we envisage that the “index” approach to measuring local performance on public space issues, as explored in paragraphs 2.10 to 2.13 above, will provide local authorities a framework on which they can base LPSA targets.

ANNEX 2

GOVERNMENT RESPONSE TO THE RECOMMENDATIONS OF THE URBAN GREEN SPACES TASKFORCE

The Urban Green Space Taskforce published its report “Green Spaces, Better places” in May 2002. The report includes 52 recommendations for improving national policy for urban parks and green spaces. We have incorporated the Taskforce’s analysis and recommendations in our proposals in this document for giving urban parks and green spaces a better future. This annex explains in brief the Government’s response to each of the Taskforce’s recommendations and, where appropriate, how we have taken them forward.

| Taskforce Recommendations | Response |
|---|--|
| <p>(R1) The Government and local authorities working through local strategic partnerships where appropriate should make it a priority to provide high-quality parks and green spaces to serve the needs of people in disadvantaged areas. This objective should be at the heart of regeneration and neighbourhood renewal programmes which target such areas.</p> | <p>The Government agrees that high quality parks and green spaces serving the needs of people in disadvantaged areas are a priority. Work to evaluate and update the Neighbourhood Renewal Strategy will look to confirm that the provision of good quality public open spaces and improvements to physical environments as important aspects of neighbourhood renewal. We shall encourage local partners to consider this issue in Local Neighbourhood Renewal Strategies in accordance with locally agreed priorities and needs.</p> |
| RESOURCES | |
| <p>(R2) Additional capital funding of £100m per annum, initially over 5 years, for the restoration and improvement of urban parks and green spaces. Lottery funding is an appropriate source that could provide some of this additional funding, through a major, new, New Opportunities Fund programme for urban parks and green spaces.</p> | <p>See Annex 1.</p> <p>Overall resources available to parks and green space services has increased significantly over the last 5 years, and should continue to do so. In addition to direct funding to local authorities, a wider variety of funding sources are available, including direct spending by government departments and agencies, and renewal and regeneration programmes. The private sector is also making a bigger contribution through new development, commercial partnerships and support for local groups to improve local spaces. Lottery funding has also made a major contribution in supporting a range of green space and park based projects over past 5 years. The Government will take further steps to focus more resources to improve the quality of local environments especially in disadvantaged areas. It will also consider the issues and conclusions of this report in deciding how to make best use of Lottery funds to support sustainable improvements to local environments, including the particular funding calls of local parks and green spaces, as part of its review of the Lottery.</p> |

| Taskforce Recommendations | Response |
|---|---|
| <p>(R3) Take steps to ensure that there is a net increase in funding available for parks and green spaces in developing proposals to amend or replace the Landfill Tax Credit scheme.</p> | <p>Support for green space projects in areas in proximity to landfill sites is an important aspect of the Landfill Tax Credit Scheme, and we will work with DEFRA to maintain this support. Consultation on DEFRA's Waste and Recycling: Possible Changes to the Landfill Tax Credit Scheme (April 2002) is now complete and the results are publicly available on the DEFRA website. Decisions on the future nature of the scheme will need to take into account the updating of the Waste Strategy 2000, due in December 2002, which will consider the funding required for taking the strategy forward.</p> |
| <p>(R4) Allow local authorities to “top-slice” developers’ contributions from s106 agreements or (in the longer term) development tariffs to create the resources they will need to plan for green space properly.</p> | <p>Local authorities may seek developer’s contributions towards green spaces through section 106 agreements in line with Government Policy set out in Circular 1/97 on planning obligations. The new PPG17 makes it clear that planning obligations should be used as a means to remedy local deficiencies in both quantity and quality of open space. The companion guide to PPG17, “Assessing Needs and Opportunities” also explains in more detail that planning authorities could seek contributions from developers for the maintenance of new or existing green spaces through adopted provision standards and planning agreements.</p> |
| <p>(R5) Promote its proposal for Business Improvement Districts as a mechanism for improving the quality of local green spaces as well as for increasing private sector investment in enhancing local environments.</p> | <p>Business Improvement Districts (BIDs) allow local authorities and local businesses to work together to identify and implement projects and activities focussed on making improvements in their district. An additional levy could fund agreed enhancements to existing services and improvements to the quality of the streetscape or local parks and open spaces. Decisions on whether or not to use a BID for the specific purpose of improving local green spaces will rest with local business ratepayers in the BID area.</p> |

| Taskforce Recommendations | Response |
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| <p>(R6) In reviewing SSA provision for local authorities, as part of the Spending Review 2002, the government should adopt a block by block approach, with two aims: first, providing a substantial further increase in the control total for the EPCS block, and second examine the case for breaking down the block into groups of related services to create a “Public spaces” sub-block.</p> | <p>As a result of the spending review the Standard Spending Assessments (SSA) allocation to the EPCS block will further increase by £1 billion in the review period. The crosscutting public spaces review considered whether a sub-block for public space would provide greater emphasis for these services in the SSA and offer greater transparency as to what was being spent on them. It concluded that defining a public space block would not be practical. It would require devising a new distribution grant formula, yet would not necessarily offer more focused spending on public space issues, since the block would not be ring-fenced. See also R8 below.</p> |
| <p>(R7) Introduce a funding and management scheme for urban parks and green spaces, similar to the Countryside Stewardship scheme.</p> | <p>A wide range of funding sources and schemes are available for improving urban green spaces. However, their overall impact needs to be assessed to find out what is working well and the scope for making them more effective. Our proposals for a new CAFE unit will help to do this, and in the long-term may lead to new schemes.</p> |
| <p>(R8) Implement proposals in the recent White Paper: ‘Strong Local Leadership – Quality Public Services to restrict ring fencing of grants, and relax the regime which controls the scope for targeting spending of revenue generated by fines.</p> | <p>The Government has introduced the ‘Gateway Process’ to consider proposals for special and specific grants in light of the commitments in the White Paper to restrict ring-fencing of grants. The results of the Gateway Process will be available autumn 2002. When legislative time permits the Government intends to give authorities the ability to retain the income from fines to be used to support local environmental improvements; high performing authorities would have complete freedom in the way they used this income.</p> |
| <p>(R9) The proposed single list of national priorities for local government should include improvement to the environment and public space, and that local authorities are encouraged to reflect the needs of parks and green spaces as priorities in their local PSAs.</p> | <p>One of the seven shared priorities identified jointly by central and local government is the environment. This encompasses public spaces, including parks and green spaces. Local authorities formulate and adopt local PSA targets to reflect local priorities which may embrace green space provision and management.</p> |

| Taskforce Recommendations | Response |
|---|---|
| <p>(R10) A new National Agency for urban green spaces should be established in order to make best use of additional resources, by providing a central mechanism for co-ordinating and delivering new capital funding with other existing sources, and by providing a focal point for advice and guidance on standards and 'joining up' funding sources. It should also champion and seek to influence funding decisions in favour of parks and green spaces at national, regional and local levels.</p> | <p>See our proposals for improving national leadership and providing a better organisational focus for urban parks and spaces at section 3.</p> |
| <p>SKILLS AND TRAINING</p> | |
| <p>(R11) Additional resources for training should be made available to complement Best Value, Public Service Agreements, Beacon schemes and other local public service innovations.</p> | <p>The White Paper “Strong Local Leadership, Quality Public Services”, set out Government’s approach to providing support for capacity building of councils, including training for members and officers. As part of this commitment, the government is currently working with the LGA, IDeA, Audit Commission and others to review the training and support currently available to councils and how this might be extended. We expect to publish a capacity building strategy later this year that would include proposals for future training.</p> |
| <p>(R12) Identify a Best Value indicator to monitor training provision in local authority green space management and maintenance, applicable both to directly employed staff and contractors.</p> | <p>The focus of this recommendation on inputs would not provide a qualitative measure of the quality of staff skills or of the service provided. It is not possible, nor would it be appropriate, to set Best Value Performance Indicators and targets to cover every service. We have therefore sought to produce a set of indicators that focus on the key priorities for both central and local government, to provide a rounded view of individual authority performance. The Government has reviewed the indicators in use to ensure they are, as far as possible, outcome focussed and are good predictors of performance. The Government will continue to review the indicators.</p> |

| Taskforce Recommendations | Response |
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| <p>(R13) The reintroduction of employer apprenticeship schemes to develop a new generation of craft workers and react to the need to replace the ageing workforce.</p> | <p>The Government supports the contribution that apprenticeship schemes can make in improving service delivery. Modern Apprenticeships already provide quality work-based learning for young people to achieve nationally recognised qualifications and the skills employers need. The Government has recently introduced a PSA target to increase uptake of Modern Apprenticeships and will shortly introduce a national framework for apprenticeships which defines basic standards and strengthens the relationship between employer and apprentice. Working via the Learning and Skills Council, employers are able to work closely with Sector Skills Councils to fund and promote employer training. There is also a concerted campaign, supported by No 10 and the Cabinet Office, to promote Modern Apprenticeships across the public sector.</p> |
| <p>(R14) The Government should promote graduate courses such as those in Landscape Planning and Management. Appropriate degree courses should be encouraged to place greater emphasis on managing recreational landscapes for public benefit in the urban context, and be supported by more research and sponsorship opportunities. Employing organisations such as local authorities should make better provision for graduate entry and support for obtaining professional qualifications.</p> <p>(R15) The Qualifications and Curriculum Authority encourage Awarding Bodies, Colleges and Universities to reinstate a requirement for pre-college work experience and 12-month work placements for sandwich courses.</p> <p>(R17) Encourage the national training organisations (including LSC, LANTRA and SPRITO1) to work with industry to promote a recognised training framework, which will improve the links between appropriate training packages, encourage career progression and act as an incentive for employers to take on apprentices.</p> | <p>Decisions about subjects to be included in curriculum are for the Higher Education Institutions (HEIs) in its legally autonomous role. The Department for Education and Skills is working with the Higher Education Funding Council for England (HEFCE) to develop higher education provision that is responsive to the needs of the labour market in the various employment sectors. This includes introducing Foundation degrees which are developed by HEIs, employers and their representative bodies working in partnership and involves work-based learning. DfES is also funding the HEFCE to establish a specialist employability team to work with HEIs to ensure that their courses offer the work-related skills employers need, including promoting the value of work experience. As part of this the Government is brokering relationships between the Sector Skills Councils and networks of subject specialist within HEIs.</p> <p>The Government will ask the new CABE Unit to carry out work to inform and promote skills needs for better management and maintenance of green spaces. We will also ask LANTRA, the new sector skills council for skills related to the design, planning and maintenance of landscapes, to carry out a review of the skills and training needs with specific regard to urban green space provision and management.</p> |

| Taskforce Recommendations | Response |
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| <p>(R16) Extend the age band of funded Modern Apprenticeships for the landscape industry, continues to fund the Environment Task Force option of the New Deal for 18 to 24 year olds and provides a level of funding for trainees under the option equivalent to what would be available to them if they were funded through the Learning and Skills Council.</p> | <p>Modern Apprenticeships are established and Government is now reviewing the scope for extending the age band, drawing on the experience from Scotland and Wales, which have already done so in limited circumstances. We already support a pilot in the rail sector and might consider more. The Learning and Skills Council also offers its own funding support for some older Modern Apprentices (see also R13). We will continue to fund the ETF option of the NDYP at current levels to both improve the employability of young people and contribute to improving the environment. [DWP unlikely to agree to increasing ETF funding to LSC levels]</p> |
| <p>PARTNERSHIP WORKING AND COMMUNITY INVOLVEMENT</p> | |
| <p>(R18) The Government and local authorities working through local strategic partnerships where appropriate should promote and support partnership working for improving local parks and green spaces, through its strategies and programmes which impact on such spaces.</p> | <p>The Government supports partnership working involving national organisations, local authorities, local business, and local people for improving local parks and green spaces.</p> |
| <p>(R19) The Government and local authorities, working through local strategic partnerships where appropriate, should promote and support voluntary and community sector organisations as catalysts for working with communities, local businesses and other agencies, and supporting community capacity building in brokering schemes for creating and managing urban green spaces.</p> | <p>The LSP is the main vehicle for co-ordinating the strategic delivery of key services in a local area. Government recognises the importance of good quality parks and green spaces in improving the quality of communities and agrees that LSPs will have an interest in taking forward such objectives as part of its strategic overview of local services and strategies, and its role in tackling neighbourhood renewal. The issues that an LSP prioritises for action will depend on local needs and priorities. The community enablers scheme (see R49) will aim to support the community in taking action to improve their local green spaces.</p> |
| <p>(R20) Local authorities should promote and support partnership work for improving local green spaces. This should be underpinned by local strategies which impact on green spaces (including community, regeneration, planning and housing development strategies), Best Value Reviews and performance indicators, information to potential partners local parks and green spaces for users, and provide appropriate training for members and officers.</p> | |

| Taskforce Recommendations | Response |
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| <p>(R21) Local authorities should explore the potential for making greater use of local ‘open space trusts’ as an effective option for delivering improvements to green spaces and their management and maintenance.</p> | <p>Local ‘trusts’, ‘friends’ and local people are making a valuable contribution to enhancing and sustaining the quality of local spaces. The government wants to optimise the contribution of such groups by providing advice and support. However, care needs to be taken to ensure that such groups are not assumed responsibilities that they may not cope with in the long term. We do not consider, therefore, that ‘open space trusts’ should be options, but instead they can be valuable partners with local authorities in delivering improvements to local green spaces. We will commission further research to explore the future role of local trusts and friends groups as stewards for local spaces, including community management arrangements and scope of responsibilities appropriate to such arrangements.</p> |
| <p>(R22) The Government and local authorities working through local strategic partnerships where appropriate should ensure that community involvement is at the heart of programmes for regenerating and renewing areas and projects which create and improve local parks and green spaces. This should be complemented and supported by providing advice and funding to enable local ‘friends’ and user groups, volunteers and local people to actively engage in practical work in these spaces.</p> <p>(R23) Local authorities should involve and support communities in green space service planning and delivery. This should be underpinned by local community strategies, Best Value Reviews and performance indicators, and improved information about local parks and green spaces for users.</p> | <p>The principle of community involvement underpins the Government’s approach to regenerating out neighbourhoods, towns and cities, and to improving service delivery. Where local people are engaged in decisions about their locality the outcomes are more likely to be effective and appreciated by the community. We already encourage local authorities to consider the mechanisms through which they engage and encourage communities to get involved.</p> <p>The Office of the Deputy Prime Minister will also set up a community enablers scheme (see R49), and develop a national register of local groups initiatives – see page 102.</p> |

| Taskforce Recommendations | Response |
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| <p>(R24) Promote greater private sector involvement in partnerships for improving urban parks and green spaces, by providing guidance on ways in which businesses can engage and benefit from working with local communities, voluntary organisations and local authorities to create green spaces as part of new development as well as to improve existing local spaces. Guidance should be provided on the role of Private Finance Initiatives, town centre management and proposals for Business Improvement Districts, and support for local initiatives and volunteering.</p> | <p>The private sector should play a bigger role in ensuring high standards of quality local environments. We will consider the role of the private sector in national and local partnerships as well as in service delivery in developing our good practice series, and the need for advice on:</p> <ul style="list-style-type: none"> • the potential for PFI schemes for improving and managing and delivering green space services; • the role of strategic partnerships, involving the private sector and local businesses, for the improvement and management of urban parks and green spaces; and • the setting up and potential of BIDs in improving local spaces. |
| <p>(R25) Further research should be undertaken to assess the transferability of overseas good practice in partnership working in the field of parks and green spaces management, especially experience from the USA.</p> | <p>New CABA Unit will commission a research programme which examines the transferability of overseas practice.</p> |
| <p>(R26) Establish dialogue with potential funding providers to promote:</p> <ol style="list-style-type: none"> i. Strategic objectives for urban parks and green spaces, and the role of local projects, delivered through partnership, in achieving them. ii. Sustainable funding arrangements that recognise the need for longer term funding beyond three years to ensure that the spaces created and improved will be maintained, and for greater local flexibility in their use by simplifying applications and terms of conditions attached to funding. iii. The importance of providing adequate complementary revenue funding, for consultation and training as well as project management, and for maximising the benefits of capital funding in improving the quality of projects. | <p>This will be achieved through our proposals for improving national policy development and coordination and for setting up a new CABA Unit. See section 3, page 39.</p> |
| <p>(R27) Local authorities and Local Strategic Partnerships should provide information and advice on available funding streams and opportunities for supporting local partnerships involving local resident, voluntary and business groups for improving urban green spaces.</p> | <p>See response to (R18).</p> |

| Taskforce Recommendations | Response |
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| IMPROVING INFORMATION AND GOOD PRACTICE NETWORKS | |
| (R28) Adopts the typology at Table 1, and promotes its use by local authorities and national bodies and agencies as a basis for planning and managing, and collecting more consistent information about the amount and quality of urban green spaces. | PPG17 adopts the proposed typology for planning purposes and encourages local authorities to adopt its broad definition of open space. A summary of the typology is included in PPG17. It is elaborated in the companion guide to PPG17: <i>Assessing needs and opportunities</i> . The ODPM will encourage and work with other partners involved in the collection of data on urban green spaces (e.g. cemeteries) to adopt this typology. |
| (R29) Build on the start made by the Public Parks Assessment by developing a national database of urban parks and green spaces. | See our proposals at section 3, page 42. |
| (R30) DTLR, CIPFA, LGA and the Audit Commission should find ways of improving the response rates of local authorities to the CIPFA annual survey of all local authority Leisure and Recreation Statistics, and to make them more reliable and consistent. | The Government will work with partners, including the LGA, to improve the quality of information on urban green spaces. |
| (R31) Commission a programme of research for establishing and quantifying: <ul style="list-style-type: none"> • social, economic and environmental benefits of good quality parks and green spaces; • types and condition of facilities provided in parks and green spaces; use of green spaces by types of users and activities; • rights of way and accessibility for green space networks within urban areas; and • links between local authority expenditure on green spaces services (spending per head or hectare) and the quality of individual green spaces • [R25] the transferability of overseas good practice in partnership working | New CABE Unit will commission a research programme which examines these issues. |
| (R32) Take a lead in developing means for effective dissemination of proven good practice via regional seminars, CD-Rom or an interactive learning website/learning network for both professionals and community groups. | See section 3. |
| (R33) Consider the need for a best practice series to guide local authorities on the use of community strategies, beacon councils, Best Value and planning policy guidance and neighbourhood plans in improving local green spaces. | New CABE Unit will commission a good practice series which will embrace key aspects of parks and green spaces services service planning and management. Learning form community strategies, best value, and beacon councils should be central to this work. |

| Taskforce Recommendations | Response |
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| <p>(R34) Provide clear leadership and a national policy framework for supporting improvements to urban parks and green space by:</p> <ul style="list-style-type: none"> i. promoting and co-ordinating the inclusion of parks and green space provision across its public policy priorities, strategies and programmes, in particular, regeneration and neighbourhood renewal, regional development, planning and housing development, and culture, play and sport; and ii. providing guidance for national and regional programme providers, local authorities and other local providers, including partnerships involving the voluntary and private sectors on creating, improving and maintaining urban parks and green spaces. | <p>See section 3.</p> |
| <p>IMPROVING GOOD PRACTICE – STRATEGIC PLANNING, DESIGN, MANAGEMENT AND MAINTAINCE</p> | |
| <p>(R35) Local authorities should provide effective leadership for local parks and green spaces at the highest level within the council, by clearly designating either a senior cabinet member or member of the local strategic partnership to champion and promote local parks and green spaces.</p> <p>(R36) Local authority scrutiny committees should give greater weight to the contribution of local green spaces in improving the quality of local environments and people’s lives.</p> | <p>It is for local authorities to decide on the priorities for its leadership, taking into account local circumstances. Working with the LGA, we will however encourage local authorities to designate a cabinet champion, and raise the profile of parks and green spaces with scrutiny committees and area committees dealing with local environmental/planning issues.</p> |
| <p>(R37) Local authorities should develop (or update) and implement a green space strategy, which integrate with neighbourhood renewal, regeneration, planning and housing development, community development, local health improvement, and culture, children’s play and sports strategies.</p> <p>(R38) Stress the importance of “joined-up thinking” between national and regional providers of programmes for green spaces, local authority planners and managers and other local stakeholders in the preparation and implementation of local green space strategies and their role in delivering the wider objectives of stakeholders.</p> | <p>See section 3.</p> |

| Taskforce Recommendations | Response |
|---|--|
| <p>(R39) Promote the strategic importance of parks and green spaces in improving the quality of urban life and urban environments in planning policy guidance (or proposed statements), by ensuring that their provision, protection and enhancement are key objectives which underpin the development of the proposed series of planning policy statements (PPSs).</p> <p>(R40) Ensure that revised planning policy guidance note 17: sport, recreation and open space provides clear guidance on:</p> <ul style="list-style-type: none"> i). the importance of strategic green space planning in developing and enhancing networks of urban green spaces; ii). protecting urban green spaces from development, especially incremental development and in areas where local schools, people and communities, need them; iii). carrying out local assessments of the diverse requirements of people in urban areas, and audits of local green spaces; iv). using planning mechanisms, in particular S106 planning obligation agreements, to deliver a better mix of green spaces, and especially to maintain and enhance them; v). encouraging and assisting local authorities to develop local standards of provision, and to target new provision to areas where people do not have access to high-quality parks and green spaces; and vi). encouraging different kinds of local provision, exploring especially how to make better use of smaller spaces and those around housing estates. | <p>The new PPG17 was published on 24 July 2002. Its associated good practice guidance “Assessing needs and opportunities: a companion guide to PPG17” was published in September. Both documents enshrine the key principles and values of green spaces set out in these recommendations. Improving the quality of urban life and urban environments is a key planning objective for PPG17, which sets out policies new provision, protection and enhancement of open/green spaces The Government will consider the extent to which this message may need reinforcing in other PPGs as they are revised. See section 3, pages 44-45.</p> |
| <p>(R41) Design reviews should be carried out by local authorities for failing or unsatisfactory spaces as part of urban green space strategies.</p> | <p>The Government supports and encourages attention to the principles of good design in the built environment and public spaces. The new CAFE Unit will promote the use of design-led reviews of failing and unsatisfactory spaces and produce good practice guidance accordingly.</p> |
| <p>(R42) Local authorities should prepare, in consultation with local and ‘friends of’ groups and users, a management plan for every major park, groups of smaller green spaces, or types of spaces (such as cemeteries, allotments, nature reserves and woodlands).</p> | <p>The Government recognises that local authorities may find it helpful as part of their service planning to develop operational plans with their partners for particular parks or major spaces. The new CAFE Unit will produce good practice guidance including on the use of management and delivery plans for green spaces.</p> |

| Taskforce Recommendations | Response |
|---|--|
| (R43) Local authorities should conduct a Best Value review of their parks and green space services, taking note of the guidance and Inspection Reports by the Audit Commission as they are published. | The Government agrees that local authorities should carry out best value reviews where there is a need to improve performance on a local or shared priority. |
| (R44) Provide central guidance for local authorities on the development and operation of local (voluntary) best value performance indicators in relation to parks and green spaces, and how those can integrate with targets for regeneration and housing development, health, education, environmental quality, community safety, and provision for youth and older people, through the Local Strategic Partnership. | The Government will ask the new CAbE unit to work with the IDeA and Audit Commission to produce a “key list of local indicators” that can be adopted by local authorities for demonstrating the quality of local parks and green spaces and aiding comparisons. This will draw on lessons from Best Value, Beacon Councils and the work of the Audit Commission and IDeA’s developing a library of local indicators. |
| (R45) Ensure that the lessons from the round 3 Beacon Council theme: Improving Urban Green Spaces lessons are widely promoted, and encourage local authorities to adopt transferable good practice. | The Improvement and Development Agency (IDeA) are currently carrying out a programme to disseminate the lessons learnt and good practice from the theme to all local authorities. See section 3, page 46. |
| (R46) Establish nationally acceptable quality standards for managing and maintaining parks and green spaces, based on those promoted by the Green Flag Award scheme. | The new CAbE Unit to work with the Green Flags, the IDeA and Audit Commission work to produce a “key list of local indicators” and the Urban Parks Forum to develop nationally acceptable quality standards, indicators and measurable targets. See section 3, pages 39-40. |
| (R47) Make use of the Best Value system to promote continuous improvements to the management and maintenance of council-owned parks and green spaces. | New CAbE Unit to work with the IDeA to produce good practice guidance on the use of quality standards and indicators, and continuous service improvement. This will draw on lessons from Best Value, Beacon Councils and the IDeA’s work to develop an ‘improving services model’. See section 3, pages 39-40. |
| (R48) Promote the principles of good practice for achieving good quality urban green spaces, including their links with community strategies by local authorities, and by those national agencies and organisations with responsibility and involvement in green spaces. | The Government supports the principles for good practice contained in Green Spaces, Better Places, and commends them to those involved in service provision. These principles are carried forward into the proposals contained in this document for giving parks and green spaces a better future. |

| Taskforce Recommendations | Response |
|---|--|
| <p>(R49) Develop and announce in its Policy Response to this report, a scheme of bursaries to fund ‘enablers’ to promote good practice and work with local authorities, voluntary groups and the private sector to: build capacity of local communities; and develop local partnerships for creating green spaces, especially as part of regeneration and renewal projects in disadvantaged areas.</p> | <p>See proposals at sections 3 and 4. We will launch green spaces enablers schemes that will: (A) assist local authorities to develop and adopt strategic approaches for planning and managing green spaces. We will ask the new CAFE Unit to manage this scheme; and (B) provide support for communities to develop projects to create or improve green spaces in their local area and promote the involvement of volunteers. Groundwork in partnership with the British Trust for Conservation Volunteers, the Wildlife Trusts and the Experience Corps will manage the scheme. Good practice from the projects, on what works and why, will be collated and disseminated widely by Groundwork to provide assistance others local groups and partnerships.</p> |
| <p>AGENCY FOR PARKS AND GREEN SPACES</p> | |
| <p>(R50) Establish a new National Agency for urban green spaces to:</p> <ul style="list-style-type: none"> • champion the case for parks and green spaces both nationally and locally and advocate their values and benefits; • co-ordinate and provide advice on available and new sources of funding; • develop new partnerships involving the voluntary and private sectors and local groups; • ‘kick start’ initiatives that contribute to green space strategies and policies; • carry out research and develop information and good practice networks; and • ensure that green spaces contribute to social cohesion, responsive communities, and urban renaissance. <p>(R51) The new Agency should champion the recommendations of this report, and should be responsible for implementing key ones identified throughout the report and summarised at section 8.</p> | <p>See proposals for improving national policy development and coordination and for setting a new CAFE Unit for urban spaces at section 3, pages 39-40.</p> |
| <p>(R52) Immediately establish, within DTLR, a ‘Shadow Agency’ to maintain the momentum generated by the Urban White Paper’s commitments for improving the quality of local environments, and charged with responsibility for developing detailed proposals for, and advise to the Government on the setting up of the new agency. This Group should involve the relevant government departments and agencies and sponsored bodies, professional bodies, local authorities and the voluntary sector.</p> | <p>A steering group was set up in response to this recommendation to advise on R50 and 51.</p> |

Strategic Enablers Scheme.

Introduction

The new strategic ‘enablers’ scheme aims to bring about real improvements in the quality of our urban parks, green spaces and play areas through promoting a strategic approach to improving green spaces by local authorities.

Who is the strategic ‘enablers’ scheme for?

The scheme is aimed at those English local authorities without an existing green space strategy (the Public Park Assessment shows this applies to 56 per cent of English local authorities). Authorities applying for help will need to demonstrate how they meet the following criteria:

- strategy development is being taken forward in line with the Government’s good practice for improving green spaces;
- strategies are inclusive of the considerations, needs and involvement of partners and local people;
- how strategies will meet local needs, including the balance between new spaces and management and maintenance arrangements and effective partnership working; and
- a commitment to adopting, publishing, implementing and monitoring the strategy.

How will the scheme work?

The scheme will allocate ‘enablers’ – expert advisors – to aid local authority officers to develop strategies for planning, designing, managing and maintaining networks of green spaces. Enablers are likely to work with the local authority for between 5 and 25 days.

The enablers will be drawn from across the green spaces sector. They will provide a range of expertise including developing green space strategies and management plans, green space design, partnership building and community development and working with excluded groups across the green spaces sector. Enablers will be matched to authorities according to an authority’s specific needs.

When does the scheme begin?

We will be inviting applications from December 2002. We plan to assign the first enablers to successful applicants by April 2003. The scheme will initially run for three years.

Community Enablers Scheme

Introduction

The community ‘enablers’ scheme will support people to take action to improve parks and green spaces in their local area. It will also aim to promote the role of volunteers and develop good practice by collating and disseminating lessons from the projects supported.

Who is the community ‘enablers’ scheme for?

The scheme is intended to provide assistance for the development of projects by community groups and local partnerships taking action to improve their local environment. Applicants will need to ensure that projects are inclusive, meet local needs and have local support. Specifically, the proposed project should:

- meet the needs of the whole community by engaging a range of people and consulting on the needs of all users;
- demonstrate good practice in community and partnership based-approaches to green space improvements;
- be deliverable and have plans for the long-term care of the site; and
- relate to community, green space or other relevant local strategies.

How will the scheme work?

The scheme will provide assistance for a range of activities, including building capacity of local groups, consulting and engaging local people, developing masterplans and delivering the project.

It will also seek to promote the role of volunteering by matching a range of volunteer support with suitable, local projects.

Groundwork, in partnership with the British Trust for Conservation Volunteers, the Wildlife Trusts and the Experience Corps, will manage the scheme. Projects will be selected by the key partners both from expressions of interest and from knowledge and experience of working with local communities across England.

When does the scheme begin?

We will be inviting expressions of interests from December 2002. Details will be available on the ODPM website (www.urban.odpm.gov.uk/greenspace/index.htm). The scheme will initially run for three years.

ANNEX 3

RIGHTS AND RESPONSIBILITIES – RATIONALISING THE LEGISLATIVE FRAMEWORK

What is the Problem?

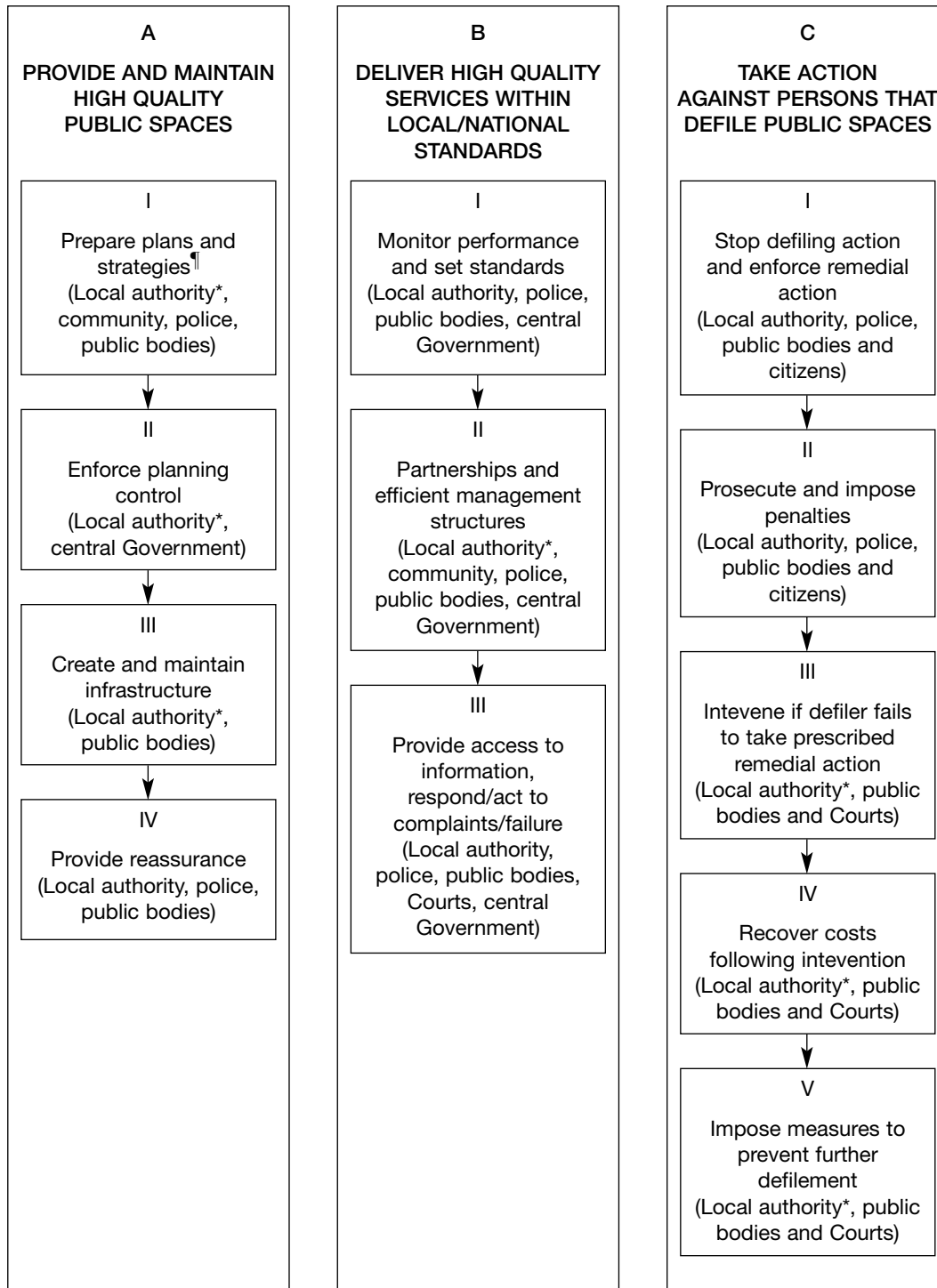
1. There is a widespread view among service providers and professionals that the current legislative framework of powers, duties, and guidance relating to the local environment is failing to raise or maintain standards to an acceptable level. Furthermore, ordinary citizens tend to find it difficult to obtain redress when they suffer from poor levels of service from the variety of bodies responsible for maintaining the safety and cleanliness of their public spaces.
2. A series of discussions with representatives and practitioners from some of the relevant service providers and enforcing agencies were held over 12 months in 2001/02 to find the reasons why the legislative framework might be failing and what could be done to improve it. The following table summarises the main concerns that were raised during these discussions.

| Problem | Cause | Example |
|--|--|---|
| <p>Confusion and misunderstanding creating an institutional barrier within and between service providers that promotes fragmentation and prevents coordinated and timely action.</p> | <p>Plethora of applicable statutory duties, powers and guidance that are currently in place are disjointed, obscure and sometimes archaic.</p> | <ul style="list-style-type: none"> • Powers in the Vagrancy Act 1824 were drafted to deal with the social problems arising after the Napoleonic wars yet are still the principal powers used for dealing with begging in the 21st Century • Powers in the Town and Country Planning Act 1990 for dealing with littered private land adjacent to public spaces were drafted for use by local authority planning officers yet the officers most likely to want to use this power will be working in a different part of a local authority's administrative structure. |
| <i>Continued</i> | | |

| Problem | Cause | Example |
|---|---|---|
| Public unawareness of rights and responsibilities | Complex and daunting procedures for taking action and seeking redress compounded by fear of lengthy and costly proceedings. Despite popular perception, responsibility for the provision and maintenance of public space is not with any one specific body. | <ul style="list-style-type: none"> Any person has the right under the Environmental Protection Act 1990 to take a local authority to Court to get an area cleared of litter and refuse yet only one person has successfully done so. The general public are reluctant to take cases against major bodies and organisations with vast resources at their disposal. Moreover, community group actions are rare. |
| Prosecutions are costly and the sentences are variable | Many aspects of local environmental law are specialised and not well understood by the majority of mainstream lawyers (prosecuting and defence) or Magistrates. | <ul style="list-style-type: none"> A straightforward local authority prosecution for littering or dog-fouling can cost £1,000 and full costs are unlikely to be recovered. A London borough recently won a case involving five convictions for fly-posting yet the costs awarded were only £400. |

How are Powers and Responsibilities Currently Assigned?

- Direct statutory responsibilities for various aspects of public spaces and the local environment currently lie with a number of different public and private bodies. Responsibility also extends to the vast number of commercial and private spaces that form part of the context and amenity of many public spaces (shop frontages, garage forecourts and private properties bordering on to publicly accessible land).
- Harder to quantify but equally important are the responsibilities on each citizen to act within their own space in a way that does not impair the space and environment of their neighbours.
- The legislative framework for managing public spaces and the local environment assigns duties and grants powers to a variety of bodies who are then responsible for providing and maintaining public spaces to a set of standards and with enforcing procedures to tackle specific problems as they arise. The basic model is summarised below and Annex 4 gives an overview of the main duties and powers.



Notes: [¶] Currently subject to a Government evaluation of plan requirements.

* Instances where the local authority does/should play a strategic role.

Why is the Legislative Framework Failing to Drive Improvements?

6. An audit of the existing legislative framework (conducted on behalf of Defra by a firm of lawyers, Simons & Simmons) has revealed that an extensive system of procedures and responsibilities for taking action is in place but it is clear from the problems outlined above that the system is not currently in a state that facilitates or encourages public services to deliver improved outcomes.
7. It is implicit in the legislative framework that the local authority has a strategic role in managing the safety and cleanliness of most public spaces (street cleaning, waste collection, maintenance of parks, lighting, local highways maintenance, planning and development controls) and this is certainly most people's expectation. However, this strategic role is not always well defined in statute.
8. The other major public body with a responsibility in the management of public spaces is the police service. The police service is the main agency (with the Crown Prosecution Service) responsible for deterring and dealing with many aspects of anti-social behaviour, street robbery and other criminal activity that might take place in public spaces. A recent report to the Home Office by the Police Bureaucracy Taskforce made recommendations on how responsibility for tackling these issues should be assigned to improve performance and reduce red-tape. Moreover, Crime and Disorder Reduction Partnerships provide an effective means for the police, local authorities and other stakeholders to work together to deal with these issues. In addition, deterrence and reassurance can also be provided by members of the extended police family such as police Community Support Officers, warden schemes supported by the Neighbourhood Renewal Unit and schemes operated exclusively by local authorities, community groups and the private sector.
9. A variety of other public bodies have responsibility for specific aspects of public spaces. The Environment Agency has duties to control pollution and waste regulation. The Highways Agency has duties to maintain trunk roads (and motorways). The Countryside Agency has a duty to prepare maps showing all registered common land and open country. Business also has a role to play in the effective management of public space and its contribution will further be enhanced with the development of Business Improvement Districts as described in the Local Government White Paper 'Strong Local Leadership – Quality Public Services' (December 2001, Cm 5327).

10. Although there are some good examples of co-operative working arrangements within and between all the relevant public bodies, and in some cases with business and the community (such as Crime and Disorder Reduction Partnerships), the legislative framework has tended to foster and excuse the assignment and undertaking of duties and powers in isolation. This isolation of responsibility is often reflected in public bodies' management structures, leading to fragmented service delivery and ultimately to poorly maintained and unwelcoming public spaces. Where there is a failure of any one body to provide a strategic lead the subsequent failure to co-ordinate the delivery of front line services can contribute to a general malaise with the performance of the local authority, the police and other public services.
11. Moreover, many local authorities complain that the legislative procedures currently lack the complete suite of powers that they need to achieve a lasting, responsive and systematic solution to many of the problems they come across, especially when they need to take action against persons that defile public spaces.
12. Local authorities frequently complain that the fines awarded against businesses and individuals for litter and waste offences are too small. Where local authorities make successful prosecutions they sometimes find that the costs awarded to them are inadequate. For example, a local authority recently prosecuted an individual for allowing their dog to foul in a public place. The individual did not offer any mitigation and was found guilty of the offence. However, the sentence was a fine of £25 – half the amount due had the offender been given a fixed-penalty notice.
13. The apparently inconsistent and disproportionate way that public space and local environment related offences are handled in some cases discourages some local authorities from making prosecutions. Moreover, disproportionately small fines for large businesses and serious offences can afford a mockery to the process, which is often highlighted in the local media.
14. While some local authorities are supportive of their local Magistrates' performance it is evident from the experience of other local authorities and public bodies that a proportion of Magistrates are unaware of the costs and impact that public space related offences have on local people's quality of life. Moreover, the enforcement agencies themselves can be responsible for significant failings in the presentation of their cases.

15. In certain circumstances, some local authorities have found that ‘naming and shaming’ in the local media of businesses and individuals who are found guilty of a public space related offence can be a more effective deterrent than relying on sentences alone.

Strategy for Reform

16. Central Government can help the main public bodies and service providers meet the priorities of their customers (whether they are, residents, visitors or business) by rationalising the current allocation of responsibilities to ensure that:
 - Duties and powers are assigned to the public bodies with the greatest incentive for making improvements, and under the greatest pressure to respond to public complaints or concerns;
 - Duty bodies have robust and flexible powers to meet their responsibilities including powers for the recovery of costs when forced to take remedial action after others have failed to meet their responsibilities, and;
 - The strategic role of local authorities is reinforced in statute to ensure more coordinated service delivery.
17. This rationalisation will require reforms to existing powers (e.g. to facilitate the collection of evidence and for carrying out intelligence-led investigations) and the creation of new powers to plug gaps that create loopholes in existing procedures (e.g. for dealing with nuisance lighting).
18. The Government’s reform of the criminal justice system means that changes should also provide increased opportunity to use restorative penalties against individuals and businesses that fail to meet their respective responsibilities.
19. Rationalisation of the rights, powers and responsibilities of local authorities and the other relevant public bodies needs to be balanced with measures that enable the ordinary citizen with a stake in the quality of their local environment to have a say in enforcing standards. This means making sure that effective systems and procedures are in place for giving aggrieved individuals and community groups the right to seek redress when all other avenues have failed and to make the responsible body meet its duties.
20. This approach to rationalising the legislative framework for public bodies is part of a wider agenda to reinforce the rights and responsibilities of all those who have a stake in the provision and maintenance of clean, safe and attractive public spaces. The model of rights and responsibilities by which the rationalisation will take place is summarised in the following table.

| THE CITIZEN (as individual and/or within a collective group e.g. business and community) | |
|---|---|
| Rights | Responsibilities |
| <ul style="list-style-type: none"> To have democratically accountable central and local government to oversee the provision of high quality standards and services and to have access to relevant information | <ul style="list-style-type: none"> To have due regard for their shared public spaces and the local environment |
| <ul style="list-style-type: none"> To expect their fellow citizens and the relevant public/corporate bodies to observe their respective responsibilities | <ul style="list-style-type: none"> To ensure that their actions are not detrimental to others' quality of life |
| <ul style="list-style-type: none"> To expect their local authority to play a strategic role by taking preventive and/or remedial action when public/corporate bodies fail to observe their respective responsibilities | <ul style="list-style-type: none"> Where appropriate, to aid and encourage their fellow citizens and the relevant public/corporate bodies to observe their respective responsibilities |
| <ul style="list-style-type: none"> To have accessible mechanisms to oblige their local authority to observe their strategic role and seek redress when they fail to do so | <ul style="list-style-type: none"> To inform, scrutinise and hold to account central and local government through consultation and the electoral process |

| PUBLIC SERVICES (central/local government and relevant public/corporate bodies) | |
|--|--|
| Rights | Responsibilities |
| <ul style="list-style-type: none"> To expect citizens (including businesses) to observe their responsibilities To have the necessary means (including resources, powers, freedoms and flexibilities) to enforce and/or carry out preventative and remedial action and to recover costs | <ul style="list-style-type: none"> To ensure public spaces and the local environment are maintained to a high quality according to local priorities and within national standards (especially when under a statutory duty) and that information is made available to citizens and other public bodies |
| <i>Local Government Only</i> | |
| <ul style="list-style-type: none"> To set local standards and intervene to take remedial action when the relevant public/corporate bodies fail to observe their respective responsibilities and to recover costs | <ul style="list-style-type: none"> To act on the priorities of the local electorate by playing a strategic role in taking preventive and/or remedial action when public/corporate bodies fail to observe their respective responsibilities |
| <i>Central Government Only</i> | |
| <ul style="list-style-type: none"> To set national standards and intervene to take preventative and/or remedial action when local government fails to observe its responsibilities | <ul style="list-style-type: none"> To act on the priorities of the electorate by providing leadership and ensuring local government and public/corporate bodies have access to the necessary means to observe their respective responsibilities |

Local Authorities: Strengthening and Mandating their Strategic Role

21. In its final report ‘Towards an Urban Renaissance’ (DETR, June 1999) the Urban Task Force recommended that local authorities should be assigned a strategic responsibility for the whole of the urban environment. This recommendation was made in the context of the urban renewal agenda but, in the case of public spaces, this responsibility is universal. A local authority that has rural communities within its boundaries has as much of a strategic responsibility for their public spaces as an urban local authority has for its public spaces.
22. The responsibility of regional assemblies for the local environment will not be significant, as the Government has stated in its recent White Paper on regional governance (‘Your Region, Your Choice: Revitalising the English Regions’, May 2002, Cm 5511) that the functions of regional assemblies will be taken from central Government and key public bodies, not from local authorities. One minimal impact that may arise would be through an assembly’s influence over the functions of the Environment Agency in their region.
23. Assigning a strategic responsibility to local authorities for public space and local environments will be the underlying principle when considering how the rationalisation of the legislative framework should be delivered.
24. Local authorities currently have a mix of strategic powers and duties for various aspects of public spaces and the local environment. There are three principal powers that must be in place in order for a local authority to play a strategic role. These are outlined below.
 - (a) The **power to enforce all other relevant bodies and/or individuals to meet their respective duties** related to the provision and maintenance of public space and the local environment.
 - (b) The **power to intervene and take remedial action when the other bodies and/or individuals** fail to meet their duties.
 - (c) The **power to recover any costs incurred** during intervention.
25. Each step in this procedure requires robust and enforceable statutory powers. At present these powers are limited because they are:

- made up of disparate provisions within various statutes, some of which are made relevant to the specific administrative functions of a local authority or other public body (e.g. the National Fly-tipping Stakeholders Forum estimate that the total combined cost of fly-tipping to local authorities is £25m yet many local authorities argue that the full suite of powers for dealing with fly-tipping and other waste offences are only available to the Environment Agency);
 - only applicable for dealing with narrowly defined aspects of public space and the local environment (e.g. Part IV of the Environmental Protection Act 1990 contains provisions for the three main principals in paragraph 24 but they only relate to litter and refuse), and;
 - untested and so wide-ranging that local authorities are not yet sure of the power's suitability for dealing with specific problems (e.g. the power of well-being in s.2 of the Local Government Act 2000)
26. Part I of the Local Government Act 2000 contains a strategic enabling power that allows every local authority to do anything which they consider is likely to promote or improve any one or more of the: economic; social; and environmental well-being of their area unless prohibited elsewhere in legislation.
 27. The power to promote well-being must be exercised with regard to the local authority's Community Strategy. In preparing Community Strategies, local authorities will be working with a range of other public, private, voluntary and community sector bodies. They should ensure that the concerns of local people are heard and reflected in all these partners' priorities. The development and fulfilment of action plans, including for the provision and maintenance of public space where this is a local priority, will be a touchstone of local authorities' success as community leaders.
 28. The limits on the power to promote well-being that prevent a local authority doing anything that would contravene any enactment mean that the power cannot be used where the impediment to achieving improvements to public spaces arises from problems within the legislative framework (as outlined above). Moreover, the relative novelty of the power may be acting as a barrier to its widespread use. However, under s.5 of the Local Government Act 2000, where legislation can be clearly shown to prevent or obstruct local authorities from exercising their well-being power, they may request that the Secretary of State of the responsible Department, amends, repeals, revokes or disapplies the legislative impediment. In addition, s.16 of the Local Government Act 1999 may also be used to remove obstacles to achieving Best Value.

29. Options for possible reforms to strengthen the three principal powers set out in paragraph 24 and summarised below and detailed in the accompanying consultation paper. (Powers and responsibilities in public spaces and local environments: options for reforming the legislative, see www.defra.gov.uk/environment/localenv). Some of the options would convert strategic powers into strategic duties thereby underpinning the status of the local authority as the body with a strategic responsibility. Such changes would be in line with people's expectation of a coordinated and responsive service from their local authority and strengthen the civic quality of local government. However, Government would have to be sure that local authorities have the capacity to undertake the responsibility, including adequate resources, before any of these options are adopted. Any new duties could become significant new burdens, even if strengthened powers to recover costs are put in place. Under the new burdens rules, the sponsoring Government department is responsible for securing provision to transfer into the local government finance settlement the full additional costs that local authorities face as a result of any proposals which place new costs upon local authorities.

Delivering Reform

30. Several local authority officers and industry professionals have suggested that the solution to the problems outlined above would be to consolidate all the previous enactments into a new, overarching piece of primary legislation. The new legislation would update the language and provisions in previous enactments to make it more user-friendly for public bodies, citizens and the Courts to interpret. New legislation would realign existing powers and duties and create new ones as well as making local authorities' strategic responsibility more explicit. New legislation may also provide a definitive and symbolic means of elevating peoples' existing expectations for service delivery to a statutory footing.
31. However, there are disadvantages and limitations to the effectiveness of new primary legislation. Although the existing legislation has the many shortcomings outlined above, officers and practitioners in local authorities and public bodies are nevertheless familiar with the duties and powers that are most relevant to their work. While we wish to raise awareness of the other powers that are available to them, a risk of having completely new and consolidated legislation would be the generation of even more confusion and misunderstanding in the short-term.

32. It may take several years for local authorities and public bodies to build a sound base of best practice for using new legislation so that improved outcomes may not occur for several years. For example, local authorities are still in the process of developing ways to make best use of their power to promote well-being. The time taken to build-in confidence to use any new legislation would be additional to the time it would take to find a suitable slot in the Government's legislative programme.
33. The overview of existing primary and secondary legislation and statutory guidance given at Annex 4 demonstrates that the foundations for an improved legislative framework are in place. Therefore the most effective route for delivering improvements to the current allocation of rights, responsibilities (and the mechanisms for enforcement) would be by making specific reforms to exiting legislation. Some of these reforms may be achievable using amending orders under the Regulatory Reform Act 2001 and s.5 of the Local Government Act 2000.
34. The process of reforming legislation must be assessed at every step using policy appraisal tools such as Regulatory Impact Assessments to ensure that reforms do not impose unreasonable regulatory or resource burdens on citizens, businesses, public bodies and local authorities.
35. Any reforms that are adopted must be accompanied by sufficient resources as well as effective and coordinated communication on the way the changes are intended to deliver improved outcomes. This communication will require greater cooperation and coordination between the different Government departments who have responsibility for various parts of the legislative framework and associated guidance. A comprehensive grouping and overhaul of existing and new guidance will require a user-led approach and will therefore need to be made in partnership with local authorities, public bodies and the Courts. Consideration will also need to be given to how the improved procedures can be communicated to businesses, community groups, the voluntary sector and citizens.
36. A selection of options for achieving reforms and improved outcomes are summarised below. Some of these reforms would support other key priorities for the Government's related policies and programmes on increasing the freedom and flexibility for high performing local authorities, the greater use of restorative justice, and targeted improvements for the most deprived areas.

37. Some of these reforms could have a significant impact on the way local authorities and public bodies currently carry out their business. We believe that these possible reforms therefore deserve to be scrutinised by public consultation at this early stage. Detailed options for reform are therefore outlined in an accompanying consultation paper ('Powers and Responsibilities in Public Spaces and Local Environments: Options for Reforming the Legislative Framework', Defra, November 2002). The letters and numbers in parentheses in the following paragraphs are cross-references to specific options in the consultation paper.
38. Each of the options is focused on achieving one or more of the three objectives outlined in paragraph 16 (realigning duties and powers; more robust and flexible powers; reinforce local authorities' strategic responsibility) as well as improving mechanisms for aggrieved persons to seek redress and ensuring improved communication. **These options are for consultation only and do not as yet reflect Government policy.**

Realignment and extension of duties and powers (R)

39. Reforms are already in place or are being implemented that transfer or extend powers and duties to the relevant public bodies that have the greatest incentives to use them for delivering improvements to local environments. Some of these reforms are summarised below.
- Amendments to the Environmental Protection (Duty of Care) Regulations 1991 are currently in hand to enable a local authority, as well as the Environment Agency, to serve a written notice requiring production of a copy of the 'duty of care' waste transfer note. This reform will allow a local authority to check that businesses are depositing their waste in a legal manner, and take appropriate action where this is not the case. It is envisaged that the use of this power will act to reduce the number of incidents of fly-tipping from the commercial sector.
 - Empowering the extended police family to deal with a range of anti-social behaviour in public spaces including the extension of limited powers (eg: issuing fixed penalty notices for offences such as cycling on a footway, dog fouling and litter) to police Community Support Officers and accredited wardens employed by local authorities and others.
 - Empowering businesses to pool resources to create Business Improvement Districts.

40. A selection of the options for new reforms put forward as part of the consultative exercise (R1-R10) are given below:
- Freedom for local authorities and the police to determine the level of fines for existing fixed-penalty notices to allow flexible use of fines in targeted areas and the options for early payment discount to encourage prompt compliance.
 - Extend the litter duty under Part IV of the Environmental Protection Act 1990 to keep certain aquatic environments clear of litter and refuse.
 - Extend current powers that apply only to London for controlling the distribution of free literature in public spaces.

More robust and flexible powers (F)

41. A series of reforms to remove the legal barriers that currently impede service deliverers in their work to achieve improvements to the local environment and public spaces are already being implemented or being considered for implementation. Some of these reforms are summarised below.
- Freedom for local authorities to use the proceeds from fixed penalty fines for littering and dog fouling offences for additional spending to enhance the local environment (and complete spending freedom for high-performing authorities). A legislative route to achieve this reform is currently being identified.
 - Deregulation of the procedures for local authorities and the police to remove abandoned vehicles.
 - Increased freedoms for local authorities to charge for discretionary services including those provided under their well-being powers in the Local Government Act 2000. Proposals for a new general charging power formed part of the draft Local Government Bill issued by ODPM for consultation in June 2002.
 - A review of the requirements on local authorities to prepare plans with the aim of reducing the total number required by half.
 - Intention to amend the Noise Act 1996 to make the night noise offence (fixed penalty notice for excessive domestic noise, including fireworks, between 11pm-7am) more accessible to local authorities by making the powers within the Act available without formal adoption and removing the associated requirement for a round-the-clock noise patrol.

- Abolish the requirements on local authorities to obtain consent from central Government for the disposal of land at less than best consideration (e.g. for the disposal of neglected land to community groups for regeneration into ‘pocket parks’). Legislation is a long-term commitment, but as an early measure, an expansion of the terms of the General Consents is a way of increasing the freedom available to local authorities. A consultation paper on the terms of the new General Consents will be issued in Winter 2002/03.
 - Reform of s.225 of the Town and County Planning Act 1990 to allow local authorities to act at their own discretion to remove posters where they consider them to be illegal and to strengthen local authorities ability to make prosecutions against persons responsible for fly-posters including strengthened provision for cost recovery.
 - Provisions in part of the Countryside and Rights of Way Act 2000 to enable local authorities to close or divert public rights of way, where adjoining properties are affected by high levels of crime and the right of way is facilitating persistent criminal offences.
42. A review of road traffic regulation law (being conducted by the Department for Transport) will aim to rationalise the law and simplify the procedures for regulating traffic. It will remove some legal barriers in order to make it easier for local traffic authorities to carry out their duties to ensure the safe movement of vehicular and other traffic (including pedestrians) and to provide suitable and adequate parking facilities. The reforms will include powers to enable local authorities:
- to remove all types of vehicles that are abandoned (including caravans and trailers) and from all areas not just those in the open air;
 - to make clear that local authorities can place bollards on the edge of the carriageway to prevent vehicles parking on the footway and verge; and
 - to spend surplus funds from parking fines for local environmental improvements.
43. In addition to these ongoing areas of work, specific options for reforms are put forward as part of the consultative exercise intended to give local authorities and public bodies greater freedom to deliver services according to local priorities (F1-F8).

- Remove the consent regime associated with bye-laws controlling dogs in public places (requirement to exclude dogs or keep them on leads) into adoptive powers thus reducing the administrative burden on local authorities and giving increased flexibility on their use;
- More robust powers for the Environment Agency and local authorities to clear fly-tipped waste from private land;
- New power for local authorities to deal with nuisance lighting and to silence nuisance burglar alarms, and;
- Update and strengthen the variety of powers to deal with persons in the street such as beggars, rough sleepers, peddlers, buskers and other persons who may appear threatening or who engage in anti-social behaviour.

Reinforce local authorities' strategic responsibility (S)

44. In addition to recent and ongoing measures that reinforce local authorities' strategic responsibility (eg: power to promote well-being and the development of Community Strategies and Crime and Disorder Reduction Partnerships), the accompanying consultation paper sets out options for reforms that could strengthen and in certain cases mandate the powers to enforce all other relevant bodies to meet their respective duties and to intervene and take remedial action when they fail.
45. An example of a suite of strategic powers that are already available to local authorities are the provisions under Part IV of the Environmental Protection Act 1990. This legislation gives local authorities, educational institutions, designated statutory undertakers and other public bodies a duty to clear litter and refuse from their relevant land and highways (s.89). However, this narrow focus may have contributed to its apparent failure to be adhered to, as it is apparently only applicable to the cleansing departments within local authorities and public bodies and hence fosters management fragmentation (including central Government). Moreover, the narrow focus has meant that the mechanism for individuals to seek redress has not been well publicised.
46. The relevance of the litter powers could be broadened to include other aspects of the local environment by extending them to include other issues affecting the quality of public spaces (e.g. graffiti, fly-posting and minor acts of vandalism) (S1). This would include:

- a new offence (in addition to existing offences) for persons that commit acts that degrade the quality of public spaces. The offence would be liable to a summary conviction to a fine not exceeding level 4 (£2,500) or a fixed-penalty notice for £50.
 - a duty on those responsible for relevant land to keep their areas free of the degrading problems to a set of minimum standards (achieved by updating the existing Code of Practice);
 - a power for local authorities to serve an abatement notice on bodies that fail to meet their duty, requiring the body to take specified remedial action within a minimum period. If the body fails to comply they are guilty of an offence and liable on summary conviction to a fine not exceeding level 4 (£2,500) and the fine increases each day the offence continues.
 - a power for the local authority to intervene by entering onto the land and clearing/repairing it where the duty body fails to comply with the abatement notice;
 - a power for the local authority to recover its costs following intervention, and;
 - a mechanism for citizens to make local authorities meet their duty.
47. A broadened definition for Part IV of the Environmental Protection Act 1990 might encourage local authorities and designated duty bodies to adopt a more holistic approach to the management on the local environment and to align the legislation with people's expectations of local authorities' responsibility for the whole local environment.
48. Another option is to make the use of the broadened strategic powers mandatory (as is currently the case for powers relating to statutory nuisances) so that local authorities would be under a duty to serve notice and intervene when other designated duty bodies fail to maintain reasonable standards of cleanliness. (S2)
49. However, a provision in s.10 means that the existing intervention power does not apply to Crown Land and statutory undertakers. One option would be amend this legislation so that local authorities have the power to intervene on all relevant land albeit with strict safeguards in place to ensure that health and safety considerations are adhered to. (S3)

50. Part IV of the Environmental Protection Act 1990 also bestows powers on a local authority to issue Street Litter Control Notices on certain types of business or commercial premises that are responsible for causing litter. The Street Litter Control Notice can require regular litter removal and the placing of a litter bin. Only certain designated types of premises can be subject to a Street Litter Control Notice. Another option could be to relax this restriction and allow local authorities the freedom to decide (according to local circumstances and priorities) which types of premises (business or otherwise) to serve a Street Litter Control Notice on if it has grounds to believe that the premises is creating litter (or other anti-social activity if the option for reform in S1 is adopted) as a result of its activities. (S4)
51. Powers for local authorities to intervene when the owners/occupiers of privately owned land (unless they are a designated duty body) fail to maintain reasonable standards are contained within various other pieces of legislation. Several local authorities have asked that these powers are rationalised and strengthened. This could be achieved to some extent if the option to reform Street Litter Control Notices is adopted. Additional changes could also be made to the provisions in s.215-219 of the Town and County Planning Act 1990 that currently give local authorities the power to require the proper maintenance of land in their area. One such change could be to allow remediation notices to continue to have effect pending an appeal. (S5)
52. If intervention to maintain reasonable standards is repeatedly required on the same piece of land then it is important that local authorities can take more robust action, otherwise enforcing the strategic responsibility will be unsustainable without considerable additional resources. In instances where the owners/occupier are absent, unable or unwilling to take action and/or pay costs (despite Court action) there are currently a variety of powers for local authorities to put a charge on the land/property and/or serve compulsory purchase orders. These powers allow local authorities to take control of derelict property and ultimately property that has been in a state of dereliction over a long period of time and is detrimental to the amenity of any neighbouring public space. Local authorities need to be sufficiently aware of the powers already available to them before deciding whether new or reformed powers are required. (S6)

53. Other legal mechanisms that can help reinforce a local authority's strategic responsibility include restrictive covenants. These covenants can be associated with land that a local authority has either disposed of or which affects public space. The covenants could be used more widely so that a variety of public and privately owned land remains publicly accessible and well-maintained. (S7)

Improved mechanisms for aggrieved persons to obtain redress (A)

54. Work is already underway by Government to help empower individuals and communities to bring failing service providers to account and ensure standards are maintained including proposals outlined in the Criminal Justice White Paper 'Justice for All' (July 2002, Cm 5563) and ongoing work by Defra and the Lord Chancellor's Department to improve access to environmental information and justice.
55. Part IV of the Environmental Protection Act provides a mechanism for citizens to seek redress whereby "persons aggrieved by litter" (s.91) can apply to a Magistrate's Court to issue a Litter Abatement Order on a duty body to clear an area of litter and refuse. Non-compliance can lead to a fine up to £2,500, plus a daily fine. However, it is estimated by ENCAMS that only one case has resulted in a Litter Abatement Order against a local authority (Haldane v. LB Barnet 1993). ENCAMS has monitored Litter Abatement Order cases over many years and identified a number of barriers to their use. An option for reform in the accompanying consultation paper sets out provisions for a general overhaul of the Litter Abatement Order procedure to make it more accessible and robust and to make it applicable to other possible reforms. (A1)

Improving communication: clearer guidance, working relationships and sharing of best practice (C)

56. Improved outcomes can often be achieved by building partnerships between the relevant enforcing bodies. However, institutional barriers can sometimes prevent partnerships from being formed or working effectively. Where this is the case, the powers to promote well-being can be used. However, the well-being power cannot be used to undertake any activity where an authority is specifically restricted from doing so by any prohibition, restriction or limitation spelt out in other legislation.

57. Several recent reports to Government have highlighted the problem that poorly communicated intention and guidance on the use of legislation has on its effective implementation to deliver improvements. For example, a report for ODPM and the Commission for Architecture and the Built Environment¹ recommended that a succinct summary should be published, detailing the statutes, regulations and design guidance relevant to streetscape design and management. This could be achieved by compiling a strategic document containing an audit of the relevant legislation (built on the material at Annex 4) with statements of intent and summaries, plus complete copies of codes and guidance. This strategic and comprehensive document would be aimed at local authorities, their contractors and other public bodies to help them understand the breadth of powers available to them and the duties that they are under. A much simpler companion document would also be available for citizens and businesses to raise awareness of their rights and responsibilities. (C1)

Conclusion

58. The reforms that are already being implemented and any reforms that are considered for adopting following the consultation on the options set out in the accompanying consultation paper should help local authorities and other public bodies to be more efficient and effective at improving their local environment and public spaces. In addition, some reforms should empower local authorities to be better able to respond to public pressure over poor or unacceptable standards, especially in neighbourhoods that suffer the worst problems.
59. A prioritised action plan for implementing new reforms will be prepared in early 2003 following analysis of the feedback from the consultation on the options that are summarised here (and in detail in the accompanying consultation paper). Dependent on the outcome of this process, the earliest reforms should be in place and achieving improved outcomes during 2004 (subject to the necessary legislative procedures).

¹ Paving the Way: How we achieve clean, safe and attractive streets. Commission for Architecture and the Built Environment and ODPM (2002).

Annex 4

Audit of Main Duties and Powers

The following audit is a summary of the main duties and powers that are applicable/available to the various statutory bodies that are responsible for the provision, maintenance and enforcement procedures relating to public spaces and the local environment. The audit is laid out according to the model described in paragraph 5 of Annex 3 (“Rights and Responsibilities – Rationalising the Legislative Framework”). The audit is not comprehensive and should not be relied upon as an authoritative guide or complete listing of all the relevant duties and powers.

Key:

CA = Countryside Agency;

EA = Environment Agency;

EPA = Environmental Protection Act;

HA = Highways Agency;

HSE = Health & Safety Executive.

LA = local authority;

SofS = Secretary of State;

TfL = Transport for London;

A

PROVIDE AND MAINTAIN HIGH QUALITY PUBLIC SPACES

1 Preparing plans and strategies (currently subject to an evaluation of plan requirements)

Duties

- LA – To prepare, review and update Development Plans – Town and Country Planning Act 1990, s.12, 36
- LA – To prepare a Community Strategy in collaboration with the local strategic partnership of other public, private, voluntary and community sector partners – Local Government Act 2000, s.4
- Police, LA – To formulate and implement a Crime and Disorder Reduction Strategy – Crime and Disorder Act 1998, s.5, 6.
- Police, LA – To formulate and implement a drugs strategy – Police Reform Act 2002 (from April 2003)

Powers

- LA – Development Plans and Community Strategy can contain policies on provision of public space (see PPG17)
- LA – There are also various non-statutory plans which can be relevant to public space

II Enforcing planning control***Duties***

- LA – To consider taking action against unauthorised development and to ensure that public open space is provided in accordance with Local Planning Authority requirements and that development does not adversely affect the extent or quality of open space – Town and Country Planning Act 199 (see also PPG17)

Powers

- LA – To require developers to make provision for open spaces using planning obligations – Town and Country Planning Act 1990, s.106 (see also PPG17)
- LA – To consent to advertisements and remove those which do not have consent – Town and Country Planning Act 1990, s.220-225

III Creating and maintaining infrastructure***Duties***

- LA – To keep all relevant land (public space) clean and clear of litter and refuse – EPA 1990, Part IV, s.89
- Designated statutory undertakers – To keep designated areas clear of litter and refuse – EPA 1990, Part IV, s.89
- LA, HA, TfL – To keep their respective highways and roads clear of litter and refuse – EPA 1990, Part IV, s.89
- LA – to make arrangements for regularly emptying and cleansing of litter bins it provides in public places and on street, Litter Act 1983, s.5
- EA – To supervise activities for which a waste management licence is required so as to ensure activities do not cause pollution of the environment (e.g. fly-tipping) – EPA 1990, s.42
- EA – To promote conservation of amenity, flora and fauna dependant on aquatic environment and use of such waters for recreational purposes, EPA 1990, s.6
- EA – To take conservation issues into account when exercising its functions, EPA 1990, s.7

- LA – To collect household waste and to collect commercial waste if requested to do so by occupier of premises – EPA 1990, s.45
- LA – To arrange for civic amenity sites for household waste, EPA 1990, s.51
- LA, HA, TfL – To maintain highways, footpaths and pavements and to remove obstructions – Highways Act 1980, s.41, 45
- LA, HA, TfL – To provide sufficient footway for the safety of pedestrians – Highways Act 1980, s.66
- LA, HA, TfL – To co-ordinate execution of street works of all kinds, New Roads and Street Works Act 1991, s.59
- CA – To prepare maps showing all registered common land and open country – Countryside and Rights of Way Act 2000, s.4
- LA – To review housing needs and develop homelessness strategy including provision of accommodation and allocation of housing – Housing Act 1996 and Homelessness Act 2002
- LA – To make sure that facilities for primary and secondary education in there area include adequate facilities for recreation and social and physical training – Education Act, s.508
- LA – To make adequate provision for preservation of trees when granting planning permission – Town and Country Planning Act 1990, s.197
- LA – To maintain and keep local authority owned open space in a good and decent state – Open Spaces Act 1906, s.10
- LA – To identify and designate areas where air quality standards are not being achieved and preparation of action plan – Environment Act 1995, s.82, 84
- LA – To secure the best consideration that can be obtained when disposing of land – Town and Country Planning Act 1990, s.233 and Local Government Act 1972, s.123
- LA – To see that building work complies with the Building Regulations – except where it is formally under the control of an Approved Inspector – Buildings Act 1984, s.91

Powers

- LA – To charge for the collection and disposal of commercial/industrial waste in its area – EPA 1990, s.45-225
- LA – To specify receptacles to be used for waste for household and commercial waste (whether or not it is being collected by the local authority) – EPA 1990, s.46, 47

- LA – To designate litter control areas on land to which the public is entitled to have access which must be kept free of litter and refuse to the required standard – EPA 1990, Part IV, s.91
- LA – To provide and maintain bins or receptacles for the collection of street refuse and waste in or under a street – Litter Act 1983, s.5
- LA, TfL – To provide litter bins in a street or public place, Highways Act 1985, s.185; Litter Act 1983, s.5
- LA – To issue Street Litter Control Notice to occupiers of premises – EPA 1990, Part IV, s.93, 94
- SofS – To give directions to LA requiring steps to be taken if air quality standards or objectives are not being achieved – Environment Act 1995, s.85
- LA, HA, TfL – To establish crossings for pedestrians, and construct, light and maintain subways and bridges for the protection of pedestrians crossing the highway – Road Traffic Regulation Act 1984, s.23
- LA, HA, TfL – To provide lighting for all highways – Highways Act 1980, s.97; Public Health Act 1961, s.81
- LA, HA, TfL – To provide parking places either off street or designated on the road – Road Traffic Regulation Act 1984, s.32
- LA, HA, TfL – To remove obstructions and charge a penalty, remove or immobilise parked vehicles – Highways Act 1980, s.137 and 139 and Road Traffic Regulation Act 1984, s.99-106
- LA, HA, TfL – To make orders prohibiting driving on a particular road at speeds exceeding that in the order – Road Traffic Regulation Act 1984, s.84
- LA, HA, TfL – To construct road humps or other traffic calming works – Traffic Calming Act 1992, s.1; Transport Act 1981, s.32
- LA, HA, TfL – To make traffic regulation orders for various purposes – Road Traffic Regulation Act 1984
- LA, HA, TfL – To plant trees and shrubs in the highway – Highways Act 1980, s.96
- LA, HA, TfL – To require removal of vegetation which endangers or obstructs the passage of vehicles or pedestrians – Highways Act 1980, s.154
- LA – To provide recreation grounds in connection with accommodation – Housing Act 1985, s.12
- LA – To provide, extend and manage country parks – Countryside Act 1968, s.6

- LA – To make tree preservation orders in the interests of amenity – Town and Country Planning Act 1990, s.198
- LA – To take action to deal with dangerous trees – Local Government (Miscellaneous Provisions) Act 1976, s.23, 24
- LA – To erect bus shelters, place chairs and seats in public parks, provide toilet facilities – Public Health Act Amendment Act 1907, s.76; Public Health Act 1925, s.14; Local Government (Miscellaneous Provisions) Act 1953, s.5; Public Health Act 1936, s.87
- LA – To compulsorily purchase, with consent of SofS, land for housing, education, transport, highways, parking – topic specific legislation and in particular Regional Development Agencies (urban regeneration companies) power to compulsorily purchase land for, inter alia, the regeneration of its area – Regional Development Agencies Act 1998, s.20 and LA power to exercise compulsory purchase powers for the purposes of securing land in their area required for regeneration or necessary for proper planning of the area – Town and Country Planning Act 1990, s.226
- English Partnerships – To compulsorily purchase derelict land to bring it back into beneficial use – Leasehold Reform, Housing and Urban Development Act 1993, s.162
- LA – To maintain and acquire land for open spaces and plant, light, provide with seats and otherwise improve it – Open Spaces Act 1906, s.9, 10, 14 and Public Health Act 1875, s.164 (in conjunction with Local Government Act 1972, s.121)
- LA – To enact bylaws – Local Government Act 1972, s.235 – good rule and government and suppression of nuisances. More specific powers contained in legislation, e.g. Public Health Act 1961, s.75; Open Spaces Act 1906, s.15; Countryside and Rights of Way Act 2000, s.17; Road Traffic Regulation Act 1984, s.31
- LA – To declare Housing Renewal Areas, LA – To serve notice requiring works in respect of unfit houses or houses in disrepair – Housing Act 1985, s.189, 190 – Housing Act 1985, s.189-190 Local Government and Housing Act 1989, Housing Grants, Construction and Regulation Act 1996, Regulating Reform (Housing Assistance) (England and Wales) Order 2002
- LA – To declare clearance area – Housing Act 1985, s.289
- Regional and London Development Agencies – to do what they consider expedient, subject to limitations, for its purposes including furthering the regeneration of its area – Regional Development Agencies Act 1998, ss.4, 5

- English Partnerships – to maintain a national brownfield strategy for regeneration – Leasehold Reform, Housing and Urban Development Act 1993, Part III
- LA – To undertake works to secure a building to prevent unauthorised entry or prevent it becoming a danger to health – Local Government (Miscellaneous Provisions) Act 1982, s.29
- LA – To require repair or demolition of buildings or structures (including removal of demolition rubble) by owner which are in a ruinous or dilapidated condition that are seriously detrimental to the amenities of the neighbourhood – Building Act 1984, s.79
- LA – To cause courtyards or passages used in common by occupants of two or more buildings to be swept and kept clean of rubbish or other accumulation – Public Health Act 1936, s.78
- To provide such recreational facilities inside or outside its area as it thinks fit or contribute to voluntary organisations in providing such facilities – Local Government (Miscellaneous Provisions) Act 1976, s.19
- LA – (Other than county council in England or Greater London Council) to serve a notice on owner or occupier of places normally used for public entertainment, sale of food or drink to the public requiring provision of sanitary conveniences – Local Government (Miscellaneous Provisions) Act 1976, s.20

IV Providing reassurance

Duties

- Police – To maintain a police force – Police Act 1996, s.2, Schedule 1 (other than Metropolitan Police and City of London)
- LA – To exercise functions with due regard to the need to do all it reasonably can to prevent crime and disorder in its area – Crime and Disorder Act 1998, s.17

Powers

- LA, HA, TfL – To provide lighting for all highways or for purposes of prevention of crime – Highways Act 1980, s.97; Public Health Act 1961, s.81
- LA, private companies – to have accredited community safety organisations where chief officer of police considers it appropriate – Police Reform Act 2002, s.40

- LA – To licence street vendors and other activities occurring in public space (additional powers are available to London local authorities) – Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, London Local Authorities Act 1990, Part III, also Pedlars Act 1871
- Police – To arrest beggars – Vagrancy Act 1824, s.4 (as amended)
- Police – To prosecute rough sleepers if: they cause damage to property, infection with vermin or other offensive consequences; they have previously been directed to a reasonably accessible (free) place of shelter and failed to apply for or refused accommodation there; or they persistently “wander abroad” notwithstanding that a place of shelter is reasonably accessible – Vagrancy Act 1824 s.4 (as amended)
- LA – To install CCTV where it will promote the prevention of crime or the welfare of victims of crime – Criminal Justice and Police Act 1994, s.163
- LA, Police – LA to designate and police or local authority officers to enforce ‘no alcohol zones’ – Criminal Justice and Police Act 2001, s.1-13
- LA – To enact byelaws – Local Government Act 1972, s.235 – good rule and government and suppression of nuisances. More specific powers contained in legislation, e.g. Public Health Act 1961, s.75; Open Spaces Act 1906, s.15; Countryside and Rights of Way Act 2000, s.17; Road Traffic Regulation Act 1984, s.31

B

DELIVER HIGH QUALITY SERVICES WITH LOCAL/NATIONAL STANDARDS

I Monitor performance and set standards

Duties

- LA – To secure continuous improvement in the way in which functions are exercised including measuring performance against specific performance indicators for a variety of topics (Best Value) – Local Government Act 1999, s.3, 5, 6, 7

Powers

- SofS – To direct a LA to take any action which the SofS considers necessary or expedient to secure compliance with the legislative requirements or that a specified function be exercised by the secretary of state or a person nominated by him for a specified period – Local Government Act 1999, s.15

II Create partnerships and efficient management structures

Duties

- LA – To prepare a Community Strategy – Local Government Act 2000, s.4
- LA, Police, Fire Authority, Primary Care Trust, local probation board – To formulate and implement a strategy for the reduction of crime and disorder – Crime and Disorder Act 1998, s.6

Powers

- LA – To do anything which is likely to promote or improve the economic, social or environmental well-being of their area including entering into arrangements or agreements and co-operating, co-ordinating or facilitating the activities of others – Local Government Act 2000, s.2, 3

III Provide free access to information, respond to complaints and act upon failure

Duties

- LA – To provide environmental information upon request subject to specified circumstances where information must or can be treated as confidential – Environmental Information Regulations 1992
- LA – To maintain and make available public registers of information for various matters, eg public registers of Litter Control Areas and Street Litter Control Notices – EPA 1990, s.95, register of street works executed or proposed – New Roads and Street Works Act 1991, s.
- LA, Police – meetings to be open to public and documents open to public inspection unless “confidential” or “exempt” information would be disclosed – Local Government Act 1972, Part VA, s.100A-100K Schedule 12A; Freedom of Information Act 2000, Part 2, s.228 Part II; Local Government Act 2000, s.22, s.38 Local Authorities (Executive Arrangements) (Access to Information) (England) Regenerations 2000 made there under; Public Bodies (Admission to Meetings) Act 1960
- LA – To produce by February 2003, a publication scheme – Freedom of Information Act 2000, s.19

C

TAKE ACTION AGAINST PERSONS THAT DEFILE PUBLIC SPACE

I Stopping the defiling action and enforcing remedial action

Duties

- LA, HSE – To prevent people ‘accidentally’ hurting themselves or one another – Health and Safety at Work etc Act 1974
- LA – To inspect its area for statutory nuisances and to serve abatement notice in relation to any identified nuisances – EPA 1990, Part IV, s.79, 80
- LA – To serve a litter abatement notice if certain public land is defaced by litter – EPA 1990, Part IV, s.92
- LA – To have in place an annual youth justice plan and a multi-disciplinary team to deal with youth offenders (Youth Offending Teams) – Crime and Disorder Act 1998, s.38-40

Powers

- Citizen – To seek statutory nuisance and litter abatement orders from the Magistrates’ Court – EPA 1990, s.82 and 91
- Citizen – To take private prosecutions for breach of relevant legislation (note that legislation may contain restrictions on this ability or require consent) – Prosecutions of Offences Act 1985, s.6
- LA – To remove unlawful advertisements and to prosecute for breach of regulations controlling display of advertisements (“fly-posting”) – Town and Country Planning Act 1990, s.224, 225
- LA – To serve statutory notices requiring works (e.g. statutory nuisance, litter, housing condition, condition of land) on persons responsible or other notices requiring action to deal with the clean up – EPA 1990, Parts III and IV; Housing Act 1985, Part IX; Town and Country Planning Act 1990, s.215
- LA – To seize/remove loudspeakers used in connection with a statutory nuisance in the street – EPA 1990, S.79 and Noise Act 1993
- LA, Police – To seize/remove intoxicating liquor in designated public places – Criminal Justice and Police Act 2001, s.12
- EA – To, with a warrant and accompanied by a constable, seize/remove vehicles used for fly-tipping – Control of Pollution (Amendment) Act 1989, s.6

- Police – To arrest people for anti-social behaviour and criminal damage and detention by Community Support Officers pending arrival of a constable – Police and Criminal Evidence Act 1984; Criminal Justice and Public Order Act 1994; Crime and Disorder Act 1998; Police Reform Act 2002
- LA, Police, EA – To prosecute for criminal offences and upon conviction possibly lead to reparation orders and community service orders
- LA – To shut down premises that have been convicted of breaching trading standards or food hygiene legislation – Consumer Protection Act 1987, s.13; Food Safety Act 1990, s.11
- Police, LA – To remove from school premises persons committing on offence of causing or permitting annoyance or causing nuisance or disturbance on educational premises – Education Act 1996, s.547, Local Government (Miscellaneous Provisions) Act 1982, s.40
- LA, EA – To serve notice on the occupier of the land requiring the removal of any fly tipped waste and/ or to reduce the consequences of the waste. There is defence if the owner neither deposited, nor knowingly caused nor knowingly deposited the deposit of the waste – EPA 1990, s.59
- EA – To prosecute offences under legislation such as the Environmental Protection Act 1990 and Water Resources Act 1991
- LA – To require removal of unlawful advertisements (fly-posting) – Town and Country Planning Act 1990, s.220-225

II Penalties

Powers

- To impose fines upon conviction – up to the statutory maximum for those tried summarily and unlimited for those tried in the Crown Court – Criminal Justice Act 1982
- Examples of offences liable for fines are:
 - Level 1 – £200 – allowing filth, dirt or slime or other offensive matter or thing to run or flow on to a highway from adjoining premises – Highways Act 1980, s.161
 - Level 2 – £500 – contravening byelaws – Local Government Act 1972, s.236 and Countryside and Rights of Way Act 2000

- Level 3 – £1,000 – Failing to comply with requirements of local authority to place household waste in certain types of receptacles – EPA 1990, s.46, Street trading without or otherwise than in compliance with a street trading consent – Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, paragraph 10
- Level 4 – £2,500 – offence of leaving litter and failing to comply with a litter abatement order – EPA 1990, s.87 and 91
- Level 5 – £5,000 – Criminal damage – triable in Magistrates Court if less than £5,000 damage – Criminal Damage Act 1971; breach of the duty of care as respects waste – EPA 1990, s.34 (triable either way)
- Magistrates Court Maximum of £20,000 can be specified in statute – Waste licensing offences – EPA 1990, s.33 (triable either way); Statutory nuisance on industrial, trade or business premises – EPA 1990, s.80; depositing polluting matter in controlled waters – Water Resources Act 1991, s.85 (triable either way)
- Court Custody – statute may specify the maximum term – possibility of suspended sentence of imprisonment where term imposed does not exceed two years – Court passing a suspended sentence must consider whether the circumstances warrant imposition of a compensation order – Powers of Criminal Courts (Sentencing) Act 2000, s.118
- Court – To make a Community Punishment Order – for persons over 16 convicted of an offence punishable with imprisonment – up to 240 hours of unpaid work in the area in which the offender resides – Powers of Criminal Courts (Sentencing) Act 2000, s.46. If a community sentence breaks down because of non-compliance by offender then a prison sentence should normally be substituted
- Court – To make a Community Rehabilitation Order against a convicted person requiring supervision for a specified period. May include a drug abstinence requirement – Powers of Criminal Courts (Sentencing) Act 2000, s.41, 42
- Court – To impose a curfew order against a convicted person – Powers of Criminal Courts (Sentencing) Act 2000, s.37
- Court – To impose upon a convicted person a Community Punishment and Rehabilitation Order – Powers of Criminal Courts (Sentencing) Act 2000, s.51

- Court – To make a compensation order against a convicted person requiring him to pay compensation for any personal injury, loss or damage resulting from the offence. Can be made instead of or in addition to dealing with him in any other way – Powers of Criminal Courts (Sentencing) Act 2000, s.130
- Court – To defer sentencing to enable the Court to have regard to defendant's conduct after conviction, including making of reparation – Powers of Criminal Courts (Sentencing) Act 2000, s.1
- Magistrates Court – to commit to Crown Court for sentencing upon conviction of offence triable either way where conviction has been obtained summarily but Court is of the opinion that a greater punishment should be imposed than the Court has power to impose – Powers of Criminal Courts (Sentencing) Act 2000, s.3
- Court – Must make a youth referral order upon first conviction of defendant under 18 – Criminal Courts (Sentencing) Act 2000, s.22
- Court – To make Action Plan Order where a person under 18 is convicted of an offence where the Court is of the opinion that it is desirable in the interests of securing rehabilitation or preventing commission of further offences – Powers of Criminal Courts (Sentencing) Act 2000, s.69
- Court – To make an order where a person under 18 is convicted of an offence requiring the young person to make reparation to victims of offence or person otherwise affected by it – Powers of Criminal Courts (Sentencing) Act 2000, s.73

III Intervene if defiler fails to take prescribed action to remedy defilement

Powers

- LA – To take action to abate a statutory nuisance where notice not complied with – EPA 1990, s.81 and recover reasonable costs of so doing
- LA – To take action to take steps which address the adverse effect on amenity of condition of land where notice not complied with and recover reasonable costs of so doing – Town and Country Planning Act 1990, s.219
- LA, EA – May remove the waste from the land or take steps to eliminate or reduce the consequences of the deposit – EPA 1990, s.59

- LA – To do anything which they consider is likely to promote the economic, social or environmental well-being of their area – Local Government Act 2000, s.2
- LA – To carry out works in relation to dilapidated or ruinous buildings where notice to carry out works not complied with and recover expenses reasonably incurred – Buildings Act 1984, s.99
- LA – Power to execute works where notice regarding unfit or premises in disrepair not complied with – Housing Act 1985, s.193

IV Recover Costs

Powers

- LA – To recover reasonable costs for clearing unkempt land where there has been non-compliance with a notice issued under section 215 – Town and Country Planning Act 1990, s.219
- LA – To recover expenses reasonably incurred in securing a building to prevent access or danger to public health from owner or occupier – Local Government (Miscellaneous Provisions) Act 1982, s.29(11)-(13)
- LA – To recover expenses reasonably incurred from occupiers of buildings which front or abut on to a courtyard or passage the LA has caused to be cleaned – Public Health Act 1936, s.78
- LA – To recover expenses reasonably incurred in carrying out works to unfit or premises in disrepair where notice not complied with – Housing Act 1985, Schedule 10
- LA – To recover the expenditure attributable to clearing litter or when there has been non-compliance with a litter abatement notice but not from land of Crown or statutory undertakers – EPA 1990, s.92
- LA – To recover reasonable expenses for taking steps to abate or prevent recurrence of a statutory nuisance when abatement notice not complied with and expenses to form a charge on land – EPA 1990, s.81
- EA, LA – To recover reasonable expenses of removing fly-tipped waste where there has been non-compliance with a notice to remove waste – EPA 1990, s.59
- LA – To recover reasonable costs from a licensed street trader for collection of refuse, cleansing of streets and other services provided to him in capacity as a licence holder – Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, paragraph 9(5), see also Late Night Refreshment Houses Act 1969 – fee is “as appears to be appropriate”
- LA – To recover reasonable expenses for works in relation to dilapidated or ruinous buildings where notice not complied with – Building Act, 1984, s.99

V *Preventing further defilement*

Powers

- LA, Police – To seek, obtain and enforce Anti-Social Behaviour Orders – Crime and Disorder Act 1998, s.1
- LA – To compulsorily purchase Houses in Multiple Occupation where there has been a Control Order regarding neglect of management – Housing Act 1985, s.93
- LA – To serve statutory nuisance Abatement Notices to prevent recurring nuisances – EPA 1990, s.80
- EA – To issue enforcement notices or works notices if contravention is likely to arise – Water Resources Act 1990, s.90B and 161A
- LA – To issue Street Litter Control Notices in connection with premises adjoining a street, EPA 1990, s.93
- LA – To designate streets for street trading licensing purposes – Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, paragraph 2

