



Ministry of Housing,
Communities &
Local Government

Running Free

Preserving the free use of public parks consultation:
Summary of responses and the Government response



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Introduction

1. Public parks and green spaces form an integral part of the fabric of our towns and cities and this is reflected in the long and proud tradition of public provision of such places. The Government recognises the value these provide in place-shaping and influencing how citizens feel about a place as well as providing much needed space for many in our communities to come together – to exercise, to work, to socialise or to give something back through volunteering.
2. The role that parks and open spaces increasingly play in tackling loneliness and supporting health and wellbeing is particularly important and according to research from Natural England, visits to city parks and greenspaces in England rose by 25% between 2010 and 2016¹.
3. It is very encouraging that people are making greater use of public parks and it is equally important that public parks accommodate the needs of as many users as possible. It was therefore appropriate that the Government sought views of the public on maintaining the free use of parks in response to the Stoke Gifford Parish Council vote to impose a charge on Parkrun for the use of a local park.
4. The Government consulted on proposals to limit local authority powers to charge Parkrun or junior Parkrun for the use of public parks by introducing legislation to prevent authorities from doing this. The Government consulted over a 12 week period (between 12 April and 5 July 2017) on preserving the free use of public parks. The consultation is available here https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/608372/Parkrun_ConDoc.pdf
5. The consultation also invited views on whether the proposals should be extended beyond Parkrun and junior Parkrun, to other organisations or types of non exclusive use of public parks.
6. This document summarises the responses received and sets out the Government's response.

¹ <http://publications.naturalengland.org.uk/publication/6686618761297920>

Summary of responses and the Government's response

7. The Government received 770 responses with over three quarters of these coming from members of the public including those taking part in or supporting Parkrun.

Respondent Type	Number	Percent
Parkrun members and volunteers	216	28
Members of public	374	49
Local Authorities	117	15
Sporting organisations and bodies	30	4
Other bodies and organisations	33	4

8. The majority of responses supported the principle that activities such as Parkrun should have free access to public parks even if they did not support the introduction of legislation to prevent charging by local authorities.
9. The use of legislation as proposed was seen by some respondents as too narrow an approach and suggested the inclusion of a range of activities that have positive outcomes for local communities, rather than looking at individual activities.
10. Issues around the scale of activities permitted in public parks were raised by a number of respondents and, in particular, how they impacted on the financial capacity of local authorities to maintain parks where damage occurs. The commercial use of public parks was also a key issue.
11. More detail on our decisions is given in the following sections which set out the original questions, respondents' views and the Government response.

Question analysis

Question 1: Do you agree that local authorities should not be able to charge Parkrun or junior Parkrun for the use of public parks?

Question 2: Is there any specific activity, in addition to Parkrun or junior Parkrun, that takes place in a public park, that does not require exclusive use of the park or a part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?

Question 3: Are there any activities that involve a financial charge to a client or clients by a professional or business, but do not involve exclusive use of a public park or part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?

12. 767 respondents answered **Question 1**, nearly three quarters (554) of whom agreed that local authorities should not be able to charge Parkrun or junior Parkrun for the use of public parks.

13. 138 respondents did not agree and a further 75 respondents did not provide a definitive answer to the question. Whilst many of the 138 responses supported the free use of public parks by Parkrun, the key issue was the use of legislation to enforce this. Many respondents thought that the decision as to whether or not to charge should remain with local authorities and therefore did not agree with the introduction of legislation. In addition, a number of respondents questioned why Parkrun should be treated as a special case as there were activities of equal value which should also be exempt from charges.

14. Less than half of respondents (348) answered **Question 2**. Of these, 233 suggested a range of activities that should be considered for inclusion in any legislation.

15. The remaining 115 either thought that the decision to charge or not should be left to the local authority or did not identify any additional activities.

16. Few respondents provided examples of specific activities that could be included in any provisions. Where these were provided they included activities such as Nordic walking, orienteering or smaller scale activities such as one to one personal trainers.
17. Some respondents were concerned that by specifically naming activities in legislation, there was a high risk of unintentionally excluding similar or equally beneficial activities from provisions to prevent them from being charged for using local parks. To prevent this they suggested adopting a broader approach, for example in developing a consistent range of criteria for assessing each activity rather than listing them (e.g. not for profit, delivering health benefits, scale of the activity etc).
18. Just over a third (297) of respondents answered **Question 3**. Of these, only 120 provided specific suggestions on what activities could be included, whereas 160 disagreed with the use of legislation in this instance.
19. There was no consensus in the responses as to which activities involving a financial charge to clients, should be exempt from inclusion in any provision. Respondents felt that any basis for exemption should be based on the scale of operation, the type of activity i.e. supporting the delivery of health benefits, or whether it is run on a not-for-profit basis.
20. Alongside answering the three questions, some respondents included a number of wider comments. These covered issues such as the impact that organised large-scale activities can have on the enjoyment of the park by other users and the financial implications for local authorities required to maintain and repair parks acting as venues. As a result, some respondents felt these factors should be considered when deciding on whether an organisation should be charged or not.
21. There were also concerns about how any proposed legislation would impact on the relationships between organisers of activities and local authorities with some suggesting it is ultimately up to local authorities to decide how to manage their parks.

Government response

22. The Government welcomes the responses and the views expressed by all those who responded to this consultation.
23. Many of the responses were received from Parkrun members and health professionals who were keen to point out the benefits from activities like Parkrun, on people's physical health and fitness, as well as improving mental wellbeing. The Government very much supports this view. This principle is at the heart of the Government's sport strategy Sporting Future: A New Strategy Strategy for an Active Nation and Government's 25 Year Environment Plan including the Government's work with the Parks Action Group to ensure that our parks continue to service the needs for all their users.

24. The Government recognises that that the majority of respondents agreed with the Government's view that local authorities should not charge Parkrun and junior Parkrun for the use of their parks and open spaces in their areas.
25. The Government remains very firmly of the view that the use of public parks by members of the public must remain free for reasonable everyday use and it is therefore not appropriate for a local authority to charge a volunteer community group seeking to provide a free weekly event for the use of a public park.
26. The Government also has no wish to interrupt arrangements that local authorities may already have in place or may put in place (through existing legal powers) to charge for commercial events and specific activities that take place in their parks, such as outdoor concerts or other ticketed events that can generate a profit for the event organiser and generate revenue for the local authority. They may also operate facilities such as tennis courts where members of the public may pay a reasonable fee for the exclusive use of the facility.
27. The Government also acknowledges that there are likely to be a range of activities and/or organisations using public parks (now and in the future) that might also be considered for exemption from any charges for using public parks. However, the Government notes that there was no consensus in the responses as to which activities involving a financial charge to clients should be exempt from inclusion in any legislative provisions.
28. As part of developing their exclusive use and charging policies for parks and green spaces, local authorities are very strongly encouraged to continue to work collaboratively with relevant groups of park users to identify the range of ways in which they can collectively ensure that the needs of all park users are being met. Indeed, the Government recognises that many local authorities have very positive relationships with local Parkrun events and already deliver joint activities to maintain good quality local parks. It has no wish for those relationships to be disrupted.

Other Comments

29. Three respondents commented on the consultation approach and process. One respondent did not consider that the consultation met all of the conditions of the Cabinet Office Consultation Principles as it consulted on an issue already decided and the other respondents questioned the approach.

Government response

30. The Government considers that the Consultation was fully compliant with the Cabinet Office Consultation Principles as revised 2016, and that all the responses received have been fully taken into consideration by the Government.

Overall response and next steps

31. Our parks and green spaces are valuable community assets and provide a place for leisure, relaxation and exercise. They are also recognised as being fundamental to community cohesion, physical and mental health and wellbeing and local economies. This sentiment was recognised in many of the responses received.
32. As previously stated the Government is very grateful to those who responded to this consultation and for the views expressed in their responses.
33. The consultation responded to a particular case and the Government, following consultation with the parks sector and the Local Government Association, is not currently aware of any other incidences where a local authority was either considering charging organisations such as Parkrun or had made a decision to impose such charges.
34. Following careful consideration of all responses and issues they raised through the consultation process, particularly those around the need to preserve local decision making, the Government has concluded that legislation is not necessary at this point.
35. However, the Government remains of the view that local authorities should not charge Parkrun or other organisations that currently provide free-to-enter running events and therefore intends to publish non-statutory guidance which will make very clear that local authorities should never charge for local Parkrun events.
36. The Government very much welcomes the contribution of those in the parks sector in ensuring that public parks and green spaces continue to thrive and wants to see relationships between the sector and local government protected. It considers that guidance will provide a better opportunity to demonstrate how local authorities can and do work well with local Parkrun and other free weekly running event organisers. It will enable these practices to be shared widely to aid local authorities in ensuring that these events continue to enjoy free access.
37. The Government intends to keep this guidance under review and will look again at the need for legislation, if the need arises in future.