



Petition Hearing - Cabinet Member for Community & Environment

Date: **TUESDAY, 3 FEBRUARY 2026**

Time: **7.00 PM**

Venue: **COMMITTEE ROOM 6**

Meeting Details: The public and press are welcome to attend and observe the meeting. For safety and accessibility, security measures will be conducted, including searches of individuals and their belongings. Attendees must also provide satisfactory proof of identity upon arrival. Refusal to comply with these requirements will result in non-admittance.

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Cabinet Member hearing the petition(s):

Councillor Wayne Bridges, Cabinet Member for Community & Environment (Chair)

How the hearing works:

The petition organiser (or his/her nominee) can address the Cabinet Member for a short time and in turn the Cabinet Member may also ask questions.

Local ward councillors are invited to these hearings and may also be in attendance.

After hearing all the views expressed, the Cabinet Member will make a formal decision. This decision will be published and sent to the petition organisers shortly after the meeting confirming the action to be taken by the Council.

Published: 26 January 2026

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Putting our residents first

Useful information for petitioners attending

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Agenda

- 1** Declarations of interest in matters coming before this meeting
- 2** To confirm that the business of the meeting will take place in public
- 3** To consider the report of the officers on the following petition received:

	Start Time	Title of Report	Ward	Page
4		Petition requesting the containment of commercial waste bins on Coldharbour Lane and Hunters Grove, Hayes, to use smaller vehicles to collect waste more frequently and add more bollards at the location to stop illegal parking	Hayes Town	1 - 10
5		Request to lock the gates at Fassnidge Park, Uxbridge (ASB)	Uxbridge	11 - 18

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Agenda Item 4

Petition requesting the containment of commercial waste bins on Coldharbour Lane and Hunters Grove, Hayes, to use smaller vehicles to collect waste more frequently and add more bollards at the location to stop illegal parking

Cabinet Member & Portfolio	Councillor Wayne Bridges - Cabinet Member for Community & Environment
Responsible Officer	Richard Webb, Director of Community Safety and Enforcement
Report Author & Directorate	David Holmes ASB Team (Response), Residents Services Directorate
Papers with report	None

HEADLINES

Summary	This report informs the Cabinet Member of a petition requesting improvements to waste management and parking controls at Coldharbour Lane/Hunters Grove, Hayes. Petitioners ask the Council to: (i) provide a contained/enclosed area for commercial waste bins on private land to the side of 108 Coldharbour Lane; (ii) install additional bollards at the junction of Hunters Grove and Coldharbour Lane to deter illegal parking; and (iii) use smaller vehicles to collect waste more frequently. The report sets out the background, assessment, and options, and seeks direction on engagement with the landowner/management company.
Putting our Residents First	This report supports our ambition for residents / the Council of: Be / feel safe from harm
Delivering on the Council Strategy 2022-2026	This report supports our commitments to residents of: Safe and Strong Communities
Financial Cost	No direct financial cost to the Council is anticipated at this stage. Any enclosure works on private land would be a matter for the landowner/management company.
Select Committee	Residents' Services Select Committee.
Ward	Hayes Town

RECOMMENDATIONS

That the Cabinet Member for Community & Environment:

- 1. Notes the work undertaken to date to improve the appearance and management of the bin storage area.**
- 2. Notes the legal limitations on the Council's ability to take enforcement action on privately owned land.**
- 3. Notes the recent change of ownership, specifically of land at 106 to 126 Coldharbour Lane, Hayes.**
- 4. Notes that the ASB team is delivering a number of community-based initiatives in the area aimed at improving waste disposal practices among residents and businesses.**
- 5. Agrees to the commitment to hold a site meeting to discuss the ongoing issues with the petitioner and concerned residents.**

Reasons for recommendations

The Petition Hearing will provide a valuable opportunity to hear directly from the petitioners regarding their concerns and suggestions.

Alternative options considered/ risk management

None at this stage.

Select Committee comments

None at this stage.

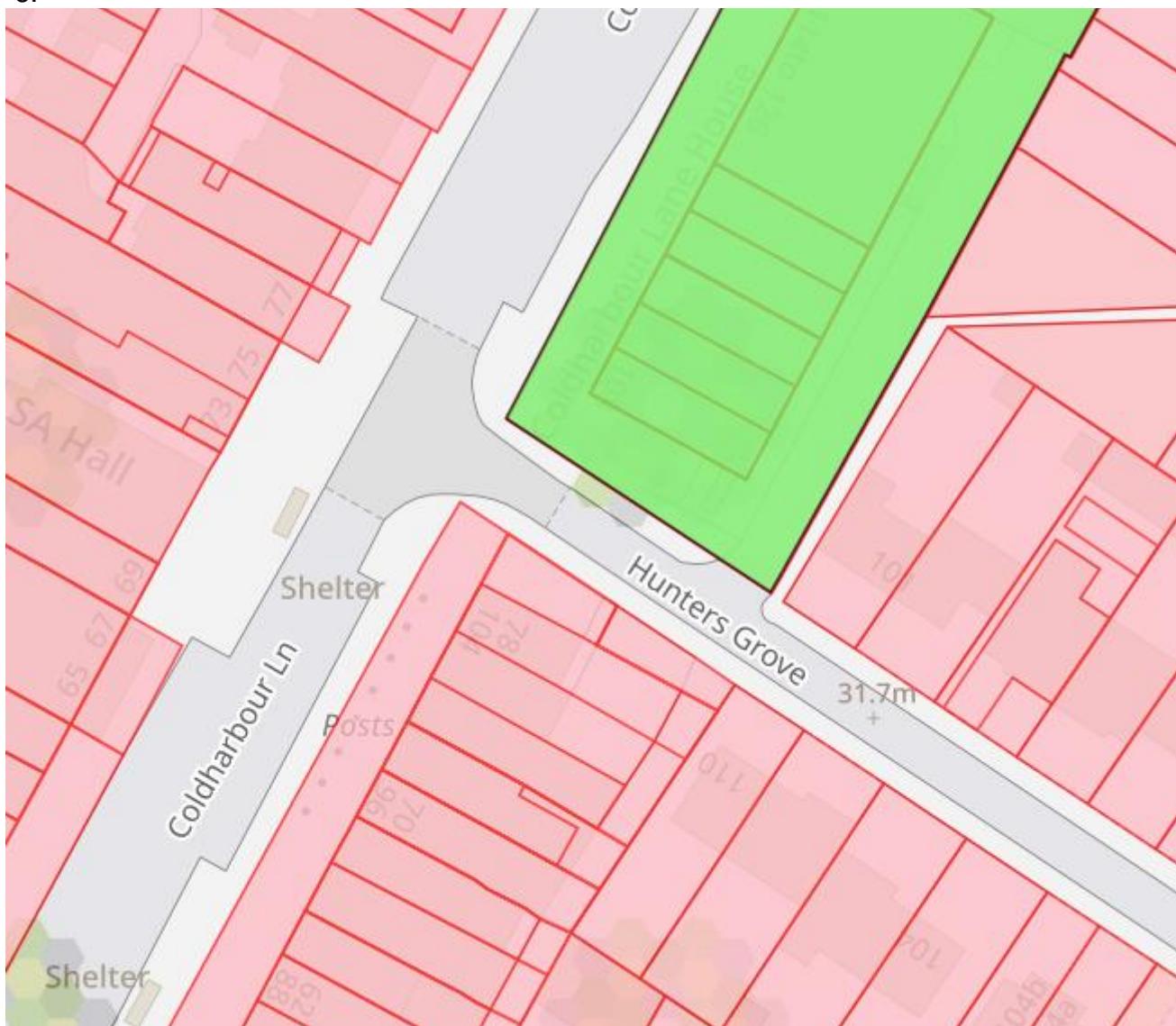
SUPPORTING INFORMATION

Background

1. For a considerable period, a piece of private land located in Hunters Grove, Hayes at the address of 106- 126 Coldharbour Lane, Hayes, UB3 3HD has been utilised for storing bulk waste bins and waste items from an adjacent furniture store.
2. This waste facility is intended for use by occupants of flats located at the address. In addition, the facility has been used unlawfully by the general population to dispose of other waste, including household waste.
3. The land has been owned since December 2013 by LIONWALK JERSEY LIMITED (incorporated in Jersey) care of RBC Trust Company (international Limited), La Motte Chambers, St Helier, Jersey, Channel Islands, JE1 1PB.
4. From recent enquiries officers understand that this proprietorship has changed to a management company, namely Uniq Block Management of Wickford, Essex from August 2025.
5. A map of the property from HM Land Registry is below. The area in grey/white is adopted highway which includes the footpath. The green highlighted area is Title Number MX435602, the Freehold Title to the building and land at 106 to 126 Coldharbour Lane,

Hayes. It also shows Leasehold Title AGL207040 to the land at the same location. There are separate Leasehold Titles for some flats above ground level.

6.



7. It has been the responsibility of the leaseholder to clear any accumulation of waste from the private land and of the Council to remove waste from the highway (footpath) that runs alongside.

Petition

8. The desired outcome suggested by the petition are as follows:

"These Commercial Bins should be removed from the footpath and relocated elsewhere safe and away. In some nicely designed enclosures within the premises of the buildings the refuse comes from."

"This will improve the street scene, will be safer for footpath users and shall make the junction nice and clean."

"Refuse should be collected by smaller trucks, may be more frequently (2/3 days per week) so that they are NOT overfilled, smelly and wouldn't attract RATS/MICE in our streets."

"Add more bollards at the top end road, that will avoid illegally parking and conjection and arguments at the top of the road."

Waste & Fly tipping concerns

9. A review of reports made to the Council over the last twelve months reveal that fly tipping is a problem identified by residents at locations the length of Hunters Grove. Most of the reports received are managed by the Waste Services team owing to the lack of evidence identifying a possible suspect. This means that the waste is cleared quickly.

10. A review of reports made to the Council in the preceding thirteen months (December 24 to January 26), linked with Hunters Grove, reveal the following figures.

- Domestic Recycling Bags 76
- Fly tipping 15
- Street cleansing 5
- Trees 3
- Planning 2
- Potholes 2
- Dogs 1
- Request for Domestic Grant 1
- Rubbish Accumulation 2
- Request for Road Gritting 1
- A small number of reports were duplicated.
- 5 reports related to the land in question.

11. A waste contract is in place for two bulk bins with weekly collections each Monday. The bulk bins are used by residents of the flats located above 106 to 126 Coldharbour Lane. They are located on the strip of land in Hunters Grove that belong to the premises.

12. Our waste services team have provided information that the location was subject to daily attendance for removal of waste from the public highway (footpath) and have considered whether the use of smaller vehicles would be a viable option. Their response is detailed below:

"Due to the volume, weight and size of the bulk bins cleared from this location a smaller waste vehicle would not be suitable due to limited lifting ability and load capacity to clear the volume of waste. Furthermore, smaller vehicles require more frequent visits to tipping locations and are therefore less environmentally friendly as larger vehicles that are able to collect substantially more waste with fewer visit to disposal locations resulting in better productivity and round efficiency."

13. Conversations with the new proprietor have shown promise but no evidence of positive steps have been provided to date. Uniq Block Management maintain the land and clear waste whilst maintaining a waste contract for two bulk bins with Hillingdon Waste Services.

14. The proprietors so far have complied with any requests from Council teams responsible for anti-social behaviour. These requests have often been prompted by complaints from Members and residents. The ASB team agree with the petitioner that a long-term solution is required, and an option is to contain the area used for waste receptacles. An image

from 2021 shows the extent of the issue raised and the timescale over which the problem has been presenting itself.



15. More recent enquiries have identified a new leaseholder of the land. Initial engagement was constructive and established a positive and promising dialogue. The proprietor has engaged with officers from the ASB Team and initially indicated an intention to secure the land to address the issues. However, they have since advised that there is currently no budget available to progress such works.

CCTV and Bollards

16. The junction at the location is covered by CCTV operated by the London Borough of Hillingdon, which can assist in gathering evidence relating to incidents of littering and fly-tipping. However, the evidential value of CCTV footage is dependent on the ability to clearly identify an individual committing the offence. As a result, while CCTV can provide supporting evidence, it does not in isolation provide sufficient information to enable enforcement action unless the person captured can be reliably identified.

Other Matters

17. Hunters Grove has been the subject of four requests by the Petitioner. This report covers one area, specifically the removal and management of waste.

18. Other requests in petitions have sought improvements to the footpath surface, additional bollards and revised parking management. The latter three have been addressed to the satisfaction of our petitioner with a new footpath surface laid, additional bollards placed on Hunters Grove and parking management in place the length of Hunters Grove.

19. This petition also includes the comment relating to bollards in the area. Consideration for additional bollards has prompted guidance from the Highways Network Manager, as follows: *Overuse of bollards results in visual clutter, obstruction to the mobility impaired, and an ongoing maintenance liability. In accordance with best practice, bollards should be avoided if possible, and if used, should be part of a coordinated street furniture design, and even then, only in moderation.*

Accordingly, there is a presumption against the installation of bollards solely to deter illegal parking or unauthorised crossing of the footway where all enforcement options should be reviewed first.

Highways will therefore only install bollards as a last resort once all avenues of enforcement have been exhausted by way of Parking and/or enforcement action.

20. In this instance, having taken the above into consideration and in response to the petition, additional bollards have been installed in the area.

Enforcement Powers and Actions by the ASB Team

21. Dealing with reports of waste deposits, whether arising from fly-tipping, littering, or the inappropriate storage of waste associated with a premises, follows a well-established and proportionate process within the ASB service. This process normally begins with engagement and education, and where necessary progresses to formal enforcement action. This approach utilises the provisions of the Environmental Protection Act 1990, including Section 79, whereby an inspection is undertaken to determine whether the deposit constitutes a statutory nuisance. Where a statutory nuisance is identified, responsibility for remedying the issue, including the removal of the waste, rests with the person responsible for the deposit or, in the case of commercial premises, the proprietor.
22. Should sufficient evidence be obtained to support enforcement action and to meet the criminal standard of proof namely, beyond reasonable doubt that an individual has committed an offence of littering or fly-tipping, the Council may, in appropriate cases, issue a Fixed Penalty Notice as an alternative to prosecution.
23. The Environmental Protection Act also provides guidance and direction on the provision of waste receptacles for domestic and commercial properties and empowers Local Authorities to take enforcement action where this is not complied with.
24. In this case, the proprietor holds an active contract with the Council's Waste Services team for the provision and servicing of bulk waste bins, which are located and stored on private land associated with the premises.
25. Section 47 of the Environmental Protection Act 1990 gives the council the power to require businesses to store and present their waste in a specific way. This may include using particular bins, the designation of specific storage locations, and requirements to ensure waste is not deposited on the public highway or in a manner that causes obstruction, creates health and safety risks, or results in environmental harm. A business served with a Section 47 notice has a legal duty to comply with the requirements set out within it, and failure to do so may result in enforcement action.
26. Consideration must also now be given to the forthcoming changes in recycling requirements due to be introduced from 31st March 2026. These will require businesses to separate waste into a minimum of four distinct waste streams: food waste; paper and cardboard; dry recyclables (glass, metal and plastic); and residual waste.
27. Although the Council has no statutory power to require the construction of a dedicated storage facility for bulk waste bins, it is accepted by the petitioner and Council that the current arrangements are unacceptable.

28. Whilst it is acknowledged that the current measures are inadequate, the Council has limited enforcement options to compel the landowner/proprietor to undertake improvements to the site. To date the Leaseholders have complied with their legal obligations, in that appropriate provision has been made for the disposal of waste and the facilities are located on private land. However, the location and visibility of the current facility have made it a focal point for unlawful disposal by third parties, consistent with wider patterns of fly-tipping observed in the surrounding areas of Hunters Grove and Coldharbour Lane. A proportionate and effective solution for this specific location would be to relocate or screen the existing waste storage so that it is removed from public view, while remaining accessible to residents entitled to use the facility and to the Council's Waste Services team for collection and servicing.

29. Where inadequate storage is causing a persistent, detrimental community impact, the Council may issue a Community Protection Notice (CPN) requiring reasonable improvements, though any structural works may still require planning permission. It should be noted that non-compliance with a CPN results in only a £100 Fixed Penalty Notice, which may be a cheaper option for the landowner than undertaking necessary bin-storage improvements, and therefore limits the effectiveness of this enforcement tool. By contrast, Section 59 of the Environmental Protection Act 1990 allows the Council to require removal of unlawfully deposited waste but cannot compel investment in new bin-storage infrastructure.

30. Previous actions taken to gather evidence from waste deposits at this location and issuing Fixed Penalty Notices has achieved some success and provided a short-term solution. However, the evidence gathered has also demonstrated that the location is being used by a significant number of unidentified individuals who are not entitled to use the facility and who are treating the area as an informal local refuse disposal point, resulting in ongoing littering and fly-tipping.

31. Prior to 2025, enforcement and monitoring efforts were primarily focused on the junction of Coldharbour Lane and Hunters Grove. This resulted in a range of formal interventions being taken in respect of the previous leaseholder of 106–126 Coldharbour Lane, including the service of an Environmental Protection Notice, a Community Protection Warning, a Community Protection Notice, and the issuing of a Fixed Penalty Notice. During 2025, concerns broadened to encompass the wider Hunters Grove area, with reports of domestic waste being deposited on the public highway. This included items such as mattresses, beds and a refrigerator. Regular reports have also continued to be received in relation to 106–126 Coldharbour Lane. All reports received during this period were triaged in line with established procedures and referred to the Council's Waste Services team for clearance, as no direct enforcement opportunities were identified.

32. During 2025, a total of two Fixed Penalty Notices were issued in Hunters Grove and 81 issued in Coldharbour Lane. In Coldharbour Lane, this included one Fixed Penalty Notice for fly-tipping and 14 for littering. In Hunters Grove, two Fixed Penalty Notices were issued for littering offences. In addition, proactive checks of business premises to assess compliance with waste storage and disposal requirements were carried out in both 2024 and 2025.

Ongoing actions and monitoring

33. Hunters Grove is currently identified as an area requiring a robust and coordinated enforcement response that extends beyond the immediate location identified by the

Petitioner. The wider Hayes Town area is recognised as a hotspot for waste accumulation and fly-tipping, requiring sustained intervention.

34. Officers from the Council's Environmental Enforcement Team and the Anti-Social Behaviour (ASB) team are present in the area on a regular basis and will continue to work collaboratively. This includes the coordination of multi-agency days of action aimed at enforcement, education, and securing compliance with waste management requirements.

35. It is suggested that a more effective and financially efficient approach would involve a programme of community engagement and targeted education with both businesses and residents, followed by coordinated enforcement activity covering the entire length of Coldharbour Lane and Hunters Grove. A recent increase in reports has provided an opportunity to commence focused engagement with residents in Hunters Grove. This is particularly important given the emerging challenge identified through future enforcement considerations, namely a developing pattern of multiple waste deposit locations along the length of Hunters Grove, rather than a single isolated hotspot.

36. Addressing this emerging pattern will require sustained community engagement as the foundation of the approach, supported by further targeted enforcement activity. In parallel, consideration will need to be given to practical environmental improvements designed to reduce opportunities for misuse.

37. This may include the relocation or redesign of existing waste facilities to remove them from public view where possible, discourage unlawful disposal, and improve overall compliance with waste management requirements.

Financial Implications

Any decision or future decisions made incurring financial expenditure on this matter is subject to and will also require spend control approval in line with the council's updated financial procedures.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The recommendations will allow the Cabinet Member to consider the petitioners' requests and determine the most appropriate course of action. Further engagement with residents would provide an opportunity to empower the local community, enabling residents to influence and shape the improvements that are proposed in response to the issues identified.

Consultation & Engagement carried out (or required)

No consultation has been carried out.

CORPORATE CONSIDERATIONS

Corporate Finance

None at this stage.

Legal

There are no known legal impediments to the Cabinet Member accepting the recommendations as proposed.

BACKGROUND PAPERS

Nil

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Agenda Item 5

Petition Requesting the Locking of Fassnidge Park

Cabinet Member & Portfolio	Councillor Wayne Bridges Cabinet Member for Community and Environment
Responsible Officer	Chris Wheeler, Director of Environment Jordan Groves, Head of Waste and Green Spaces
Report Author & Directorate	James Bell, Green Spaces Technical Manager, Resident Services
Papers with report	Appendix A: Plan of Fassnidge Park Gates and Entrances

HEADLINES

Summary	This report considers a petition signed by residents requesting that Fassnidge Park be locked each evening. Petitioners state that ongoing antisocial behaviour (ASB), noise disturbances and late-night- gatherings are affecting local amenity, safety, and quality of life. This report sets out the background, evidence, and options for addressing these concerns.
Putting our Residents First	This report supports our ambition for residents / the Council of: Enjoy access to green spaces, leisure activities, culture and arts
Delivering on the Council Strategy 2022-2026	This report supports our commitments to residents of: Safe and Strong Communities
Financial Cost	There is currently no approved budget for reinstating park locking. Retaining the existing arrangement has no financial impact. Introducing nightly locking at Fassnidge Park would create additional ongoing revenue costs for staff or contractors (estimated in the tens of thousands of pounds per year if replicated boroughwide), alongside potential one- off costs for gate improvements, signage, and managing accidental lock- ins. Any locking arrangement would therefore require spend control approval / budget reallocation.

Select Committee	Resident's Services Select Committee
Ward(s)	Uxbridge

RECOMMENDATIONS

That the Cabinet Member for Community & Environment:

- 1) Notes the petition received requesting that the gates of Fassnidge Park be locked each evening.
- 2) Considers the request made by residents and determines whether to introduce the locking of park gates subject to spending approval.
- 3) Notes the Council's current policy position on park locking and the associated financial/operational implications.

Reasons for recommendation(s)

To enable the Cabinet Member to consider the petition and the views of residents signing it.

Alternative options considered / risk management

These are alternative options to consider and they are set out further in the report.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. The Petition

A total of **40 residents** have signed a combined online and paper petition. While the exact wording varies slightly between the online and paper petition, the primary request asks the Council to introduce a **nightly locking regime** at Fassnidge Park. The online petition request is detailed below:

Title: *Tackling anti-social and criminal behaviour at Fassnidge Park in Uxbridge.*

Statement:

We the undersigned petition Hillingdon Council to, as a responsible local authority, lock Fassnidge Park's both gates after 8pm to stop the antisocial behaviour that is disrupting the local neighbourhood. We would also like to ask the Council to raise a section of low fence around the Oxford Road end to prevent people from jumping over it at night. We suggest the Fire Brigade be given a key in case of any emergency and that there are notices inside the park next to the gates with a phone number should anyone be locked in. Some of the reported anti-social behaviour experienced in Fassnidge Park: drug taking, drug dealing, loud music, drunken parties, people fighting, littering, indecent

graffiti, setting off fireworks, people having sex in the bushes etc. The spring & summer months is when these criminal and anti-social behaviour are at its highest. The park and surrounding areas become dangerous and the constant noise coming from the park negatively affects the local residents.

Justification:

Similar action has been introduced at Primrose Park where all gates close now close in the evening hours - you can check the article below:

<https://www.mylondon.news/whats-on/whats-on-news/controversial-locking-primrose-hill-gates-28972441>

2. Background: Current Park Locking Arrangements

In recent years, the Council has moved away from routinely locking parks as part of a boroughwide savings programme. Historically, 31 parks were closed each evening, with locking times shifting seasonally, with early evening closures in winter and later closure in summer. This longstanding practice required daily staff attendance and created ongoing budget pressures.

As part of the corporate budget process, a review identified that ceasing locking would deliver significant savings of around £35,000 annually, whilst aligning Hillingdon with the approach increasingly taken by other local authorities. Occasional additional costs were also incurred when staff were called out to release members of the public who had accidentally been locked inside.

Evidence from councils such as Richmond, Barnet, St Albans, Somerset and Birmingham shows a growing national trend towards reducing or ending park locking in favour of more targeted ASB management. In response, the Council adopted a new policy position: parks will remain unlocked unless there is a clearly evidenced and exceptional local need to reinstate locking.

3. National Context: Other Local Authorities

The shift away from locked-gate regimes is not unique to Hillingdon. Across the country, councils are reevaluating whether nightly locking offers value for money or meaningful ASB reduction.

- The Royal Borough of Richmond Upon Thames trialled the cessation of park locking across 11 sites between September and December 2024.
- In 2019, Barnet Council formally approved the end of locking at 26 parks.
- Other authorities—including St Albans, Somerset and Birmingham—have implemented similar changes.

Collectively, these examples reflect a wider national movement towards:

- Reducing operational costs in parks and green spaces;
- Relying more on early evening- patrols, targeted operations or community stewardship;
- Addressing ASB case by -case rather than through blanket nightly locking.

4. ASB and Incident Information for Fassnidge Park

To assess whether Fassnidge Park should be considered an exception to the borough's non-locking policy, available ASB and incident information has been reviewed.

Current data indicates:

- Police logs: Not available
- Community Safety reports: 2 reports
- Recent complaints to the Council: 0
- Seasonal trends: Issues typically linked to summer months and lighter evenings
- Nature of incidents: Isolated reports of noise, gatherings, suspected drug use, and occasional vandalism

Of the two ASB reports recorded by the Council's ASB Team:

1. One concerned a single tent encampment within the park.
2. The second related to an abandoned vehicle located outside the park on Rockingham Parade.

While this information provides useful context, it represents relatively low incident levels. The Cabinet Member will need to consider whether this evidence is sufficient to justify a departure from the borough-wide non-locking policy.

5. Options

There are options available to address residents' concerns, but should take into account both operational feasibility and the wider corporate policy framework:

- a) Option A — Do Nothing - Retain the current borough-wide approach, keeping Fassnidge Park unlocked at all times.
- b) Option B — Introduce Nightly Locking (All Gates) - Adopt the full locking regime requested by petitioners, requiring staff or contractors to attend twice daily.
- c) Option C — Partial Locking - Lock only specific entrances where ASB is most commonly reported, potentially reducing costs and operational risks.
- d) Option D — Infrastructure Based Deterrents - Introduce physical or technological measures, such as CCTV, improved lighting, or strengthened vehicle barriers, to deter ASB without locking the park.

- e) Option E — Community or Volunteer Involvement - Work with Friends groups or other local volunteers to manage gate locking under an agreed policy—an approach referenced in the corporate proposal.
- f) Option F — Enhanced Monitoring - Increase targeted ASB patrols, especially at peak times, or coordinate joint operations with the Police's Safer Neighbourhood Team.

The Cabinet Member should also note, that if locking is reinstated at Fassnidge Park, risks include:

- Staff safety when attending late-night lock-up
- Escalation if groups confront staff
- Inadvertent lock ins
- Financial pressure on existing service budge

Financial Implications

The former borough wide locking programme cost approximately £35,000 per year, primarily for staffing. Reintroducing locking at Fassnidge Park would require:

- Twice daily staff or contractor attendance
- A growth bid or budget reallocation, as no funding currently exists under the new policy. This would require spending approval.
- Additional risk-based costs such as callouts for accidental lock-ins or potential upgrades to deter vehicle access.

Alternative options may also have financial implications, although these cannot be fully quantified at this stage. Measures such as partial locking, enhanced monitoring, infrastructure- based deterrents (including CCTV, lighting or barrier upgrades), or increased ASB patrols would likely result in additional revenue and/or capital costs, depending on the scale, frequency and delivery model adopted. Any such costs would need to be assessed following further detailed investigation and would be subject to separate funding approval as no provision currently exists within approved budgets.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

Benefits to residents will be dependent on any decision taken. There are no anticipated equalities impacts, and any locking arrangement would continue to protect daytime access for all park users.

Consultation & Engagement carried out (or required)

No formal public consultation has been undertaken, other than the petition itself.

Stakeholders to be consulted if locking is introduced:

- Ward councillors
- Local community groups
- Police (Safer Neighbourhood Team)
- Parks operational staff

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed this report and concur with the Financial Implications set out above, noting the recommendations to seek consideration of the requests made by residents through the petitions received for the gates of Fassnidge Park to be locked each evening.

Furthermore, it is noted there is no immediate direct financial impact to the General Fund in relation to the recommendations in this report, however, if the introduction of locking park gates were to proceed this would create an impact on the General Fund of an estimated £35k per annum, based on the former borough-wide locking programme. There is currently no existing budget for this service and therefore would need to be met through either budget reallocations or a growth bid through the current MTFS refresh and will then be subject to the spend control approval process. As at Month 7 the Green Spaces, Sports and Culture service was reporting an adverse variance of £595k.

Additionally, it is further noted that the alternative options outlined in the report would also carry revenue and / or capital implications. These costs are yet to be quantified and would require officers to undertake further detailed assessment before any funding requirements can be determined and presented for approval.

Legal

Legal Services notes the report, which asks the Cabinet Member to consider a petition requesting the introduction of nightly gate locking at Fassnidge Park. Legal Services confirms that the recommendations fall within the Cabinet Member's delegated authority. Decisions of this nature must be taken in accordance with the Council's statutory powers, its general duties, and established principles of lawful decision-making.

When considering whether to reinstate a locking regime, the Cabinet Member must have regard to all relevant factors, including:

- the evidence of anti-social behaviour presented in the report;
- the operational and financial implications of locking or not locking the park;
- the current adopted boroughwide policy that parks remain unlocked unless there is a clear and evidenced justification to depart from that position; and
- the availability of any reasonable alternatives.

No formal consultation beyond the petition has been undertaken. While no statutory duty to consult applies in relation to an operational decision of this kind, the Cabinet Member must nevertheless act fairly and take account of the views expressed by petitioners as part of the decision-making process.

In reaching a decision, the Cabinet Member must comply with public law principles including Wednesbury reasonableness. The decision must be based on relevant considerations falling within a range of reasonable outcomes, irrelevant factors must be disregarded. Failure to do so may expose the Council to challenge by way of judicial review.

In addition, the Council must meet its Public Sector Equality Duty under section 149 of the Equality Act 2010. The report confirms that no adverse equality impacts have been identified. Nevertheless, the Cabinet Member must remain satisfied that any decision taken will not disproportionately disadvantage persons with protected characteristics, including those relying on parks for exercise, socialisation or accessibility.

If the Cabinet Member is minded to approve reinstatement of nightly locking, the Council would need to ensure:

- appropriate risk assessments are undertaken for staff or contractors attending the site;
- emergency access for the fire service or other responders is maintained;
- adequate signage and processes are in place to minimise accidental lock-ins; and
- any decision involving additional expenditure complies with the Council's financial governance, budget framework and spend control processes.

If any aspect of nightly locking is delegated wholly or partly to community volunteers or Friends groups, appropriate arrangements must be in place to manage liability, safeguarding, insurance and health and safety responsibilities.

The Cabinet member's decision must be reasonable, evidence-based and properly informed by the financial, operational and policy considerations as set out in the report.

BACKGROUND PAPERS

NIL

TITLE OF ANY APPENDICES

Appendix A Site Plan

