

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 28 September 2021**

**MANAGEMENT RULES FOR KEPTIE PARK, ARBROATH**

**REPORT BY INTERIM DIRECTOR OF VIBRANT COMMUNITIES AND SUSTAINABLE GROWTH**

**ABSTRACT**

This report requests the Committee approve Management Rules for Keptie Park, Arbroath and to give approval to carry out a further public consultation exercise with the aim of extending these rules to include all Parks, Gardens and Open Spaces owned or managed by Angus Council Parks Service.

**1. RECOMMENDATION(S)**

1,1 It is recommended that the Committee:

- (i) Authorise the implementation of the attached Management Rules for Keptie Park;
- (ii) Instruct the Director of Legal and Democratic Services to formally execute the Management Rules by signing on behalf of Angus Council;
- (iii) Note that the revised Management Rules will come into force on the date of their execution;
- (iv) Authorise the Interim Director of Vibrant Communities and Sustainable Growth with the Director of Legal and Democratic Services to initiate the necessary procedures for public consultation on extending the rules across all Angus Parks, Gardens and Open Spaces (with any minor local amendments as necessary with the approval of the Director of Legal and Democratic Services);
- (v) Note that a further report on the outcome of Angus wide consultation will be submitted in due course.

**2. ALIGNMENT TO THE ANGUS COUNCIL PLAN**

This report contributes to the following local outcome contained within the Angus Council Plan:

**PEOPLE**

- Improved physical, mental and emotional health and wellbeing

**PLACE**

- Safe, secure, vibrant and sustainable communities
- An enhanced, protected and enjoyed natural and built environment

**3. BACKGROUND**

3.1 Section 112 of the Civic Government (Scotland) Act 1982 gives local authorities the power to make Management Rules to regulate (a) the use of; and (b) the conduct of persons while in or on, any land or premises owned, occupied or managed by the local authority or otherwise under its control and to which the public have access.

- 3.2 Report No 284/20 authorised the Director of Communities and the Director of Legal and Democratic Services to carry out a public consultation exercise with the view to updating the Management Rules that have been in place since 2010.
- 3.3 Report No 284/20 also highlighted the impact of The Land Reform (Scotland) Act 2003 and Scottish Outdoor Access Code introduced in 2005 in establishing statutory access rights to land and water for recreational purposes. Under the terms of the Act a local authority can introduce byelaws over any land on which the access rights can be exercised to keep order, prevent damage, nuisance, or danger and for the conservation or enhancement of natural heritage. In doing so the authority must follow agreed procedure in regard to publication and consultation. In updating these management rules, The Council is seeking to regulate any form of irresponsible behaviour.

#### **4. CURRENT POSITION**

##### **Reach of Consultation**

- 4.1 Across the consultation period (19 March 2021 to 20 April 2021) the public engagement phase was publicised using the Council's social media channels. The posting on Social Pinpoint received 1074 visits, with 397 unique users and received 10 comments. 7000 people were reached on Facebook, with 738 people engaging with the post, 677 post clicks and 61 reactions, comments, and shares. On Twitter the post was seen 10 times with 6 likes and 4 re-tweets. Information was shared directly by email with local community groups with 5 representations and 1 comment.
- 4.2 Respondents were given the opportunity to comment on the proposals. Appendix (b) Consultation Comments and Responses gives details of all comments received and responses issued in reply.
- 4.3 The proposed management rules have also been shared with councillors for the Arbroath electoral wards and all have conveyed their support when canvassed.

#### **5. PROPOSALS**

- 5.1 As detailed in the recommendations, it is proposed that the management rules for Keptie Park, shown in Appendix 1, are implemented and that we initiate the necessary procedures for public consultation on extending the rules across all Angus Parks, Gardens and Open Spaces.
- 5.2 It is proposed that the agreed management rules are made available from the council web site and that the rules are communicated in a format that is easily accessible.

#### **6. RISKS**

There are no significant risks associated with this report.

#### **7. FINANCIAL IMPLICATIONS**

There are no significant financial implications for the Council arising from this exercise. The cost of advertising the consultation process and the cost of producing and displaying copies of the Management Rules can be met from existing revenue budgets.

#### **8. CONSULTATION**

The Chief Executive, Director of Finance and Director of Democratic and Legal Services have been consulted in the preparation of this report.

#### **9. EQUALITIES**

The issues dealt with in this report have been the subject of consideration from an equalities perspective.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report No. 284/20

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List of Appendices:

Appendix (a) – Management Rules  
Appendix (b) – Consultation Report