

Environment
Waste Reuse and Recycling Centre
1 Cottage Road
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Report of: Executive Member for Environment, Air Quality and Transport

Meeting of: Executive

Date: 9th February 2023

Ward(s): All wards

Subject: Barbecue Policy Review

1. Synopsis

- 1.1. The decision to allow barbecues in Islington's parks was taken in 2011 following a review of the management and enforcement of barbecues in parks across the borough.
- 1.2. Allowing barbecues in our parks has resulted in significant numbers of people using our spaces to enjoy a barbecue with family and friends. On a good weather day at Highbury Fields, a count of the active barbecues at a point in time found over 35 plus barbecues occurring and associated visitors.
- 1.3. The Council has also received consistent complaints regarding the use of barbecues in particularly in relation to the smoke they could produce, increased levels of waste left in the park and damage caused to the grass.
- 1.4. The Council has not allowed Barbecue's for the past two years due to the restrictions as a result of the Covid-19 pandemic and the need to discourage large gatherings.
- 1.5. Circumstances have changed, such as the declaration of a climate emergency and the desperate need to improve air quality in line with changing air quality targets, so the Council is now taking this opportunity to review the policy.

2. Recommendations

- 2.1. To agree a new Barbecue Policy which will ban the public use of coal/wood barbecues in all public parks and open spaces unless part of a formally approved community or commercial event.
- 2.2. To continue the trial of electric barbecues stations in parks as an alternative method of ensuring that those without access to private garden can still enjoy the social benefits of an outdoor barbecues with family and friends.

3. Background

- 3.1. The current policy of the Council is to allow solid fuel barbecues to be used in all parks within Islington.
- 3.2. Gas barbecues are banned on safety grounds unless part of the formal event.
- 3.3. The main reason for introducing this policy in 2011 was that with 80% of Islington's population living in flats, it was the Council's position that the ability to enjoy a barbecue with family and friends should be something that all Islington residents can enjoy.
- 3.4. Permitting barbecues in parks reduces inequalities between those residents who have private garden space for barbecuing and those who do not, and who may also have too little indoor space for any shared meal.
- 3.5. Since the introduction of the policy there has been continuous objections in the form of complaints and in 2018, a Statutory Nuisance Legal Challenge was filed against the Council from some residents surrounding Highbury Fields. This case was settled out of court with the Council responding to the concerns of the residents and agreeing to introduce a specific Byelaw to restrict the hours and location of barbecues use on Highbury Fields.
- 3.6. The Council has not allowed barbecues in public for the since March 2020 due to the Covid-19 pandemic and the need to discourage large gatherings.
- 3.7. Improving air quality is a real priority for the Council with a range of policies designed to tackle pollution and to support local people to do what they can to reduce air pollution e.g., by switching from motor vehicles to walking, cycling, and wheeling. Our air quality team is working hard to raise awareness of the impacts of air pollution and to reduce the sources of air pollution, including wood burning stoves. Restoring coal or wood burning BBQs would be contrary to the Council's priority and messaging to the community.

What are other London Boroughs Policies?

- 3.8. The London Borough of Camden is currently the only other London Borough to have a policy of allowing barbecues across its park's sites.
- 3.9. Barbecues are allowed in Burgess Park in Southwark but only in a designated area however they are currently still banned.

- 3.10. Hackney Council banned barbecues at London Fields in 2019 (the only park in Hackney where barbecues were allowed). Hackney Council cites damage, a huge amount of rubbish and increases in air pollution in the park during the summer months as the reasons behind the prohibition.
- 3.11. No other London Borough allows them. Due to this Islington, is likely to receive visitors to the borough's parks for a barbecue due to its excellent transport links and number of online publications that have promoted Islington as a destination to have a barbecue in a park.
- 3.12. Due to the very dry and hot summer, the London Fire Brigade requested that all London Boroughs implement a temporary ban on barbecues to reduce the risk of grass fires. This request was also issued in the summer of 2018. Due to climate change, it is likely that these hot dry summers will become more likely meaning requests for bans may become more frequent.

What are the benefits of the current policy?

- 3.13. The main reason for allowing barbecues in certain parks is that it provides opportunities for residents who do not have private garden space.
- 3.14. Barbecues provide an opportunity for health and wellbeing through social interaction, with shared food an essential element and the specifics of the meal often culturally important.

What are the issues?

- 3.15. There are several issues that have been experienced due to barbecues being allowed in parks. Below is a summary of those issues and the impacts caused.
- 3.16. **Increased litter levels.** We have witnessed an increase in the amounts of litter produced by people barbecuing. Reports from staff/public indicate significant increases in litter and parks waste because of barbecues. Barbecues, particularly disposable ones, are often discarded without care and discarded food and bones have been issues reported to us by park users. As Islington was previously only one of 4 boroughs where barbecues were permitted, this led an increased number of people traveling to borough to have a barbecue. This placed additional pressure on litter services and in parks like Highbury Fields, required additional large litter bins to cope with the increase in waste and increased staff resources to clear the bins and litter left behind.
- 3.17. **Special barbecue disposal bins** were needed to be purchased to allow for the safe disposal of disposable barbecues and hot coals. These bins are expensive and required removal and storage over the winter months. To continue to allow barbecues would require the refurbishment or replacement of a number of these bins. Additional bins are also expected to be needed to as it is likely that additional people will use our parks to barbecue as we would be one of two boroughs in London to allow them.

3.18. Increase in Anti-Social Behaviour Reports (ASB) and costs to manage ASB.

While most people have barbecued responsibly, we have experienced ASB complaints in relation to those barbecuing. Those complaints include:

- Public urination
- Barbecuing in inappropriate locations
- Complaints about the impact of barbecue smoke on users of the park local homes close to the parks.
- Noise disturbances (out of hours and during the day)
- Incorrectly disposed barbecues leading to bin fires.

While not limited to Highbury Fields, this site was the main source of the complaints due to the large numbers of people visiting the park to barbecue. This led to large numbers of barbecues held on warm days. To minimise the impact on the park and those using it/living around it, the Council funded 4+ staff security staff present at Highbury Fields (during warm weather) to ensure people barbecue in the correct area, to minimise ASB and dispose of the barbecues safely. Should a ban be implemented there the potential for a £50K per year saving in security services.

3.19. Officer time managing enquires and complaints about the policy and the issues caused as a result (listed above). Significant officer time has been taken up managing complaints and issues generated as a direct result of the barbecue policy. The volume of officer time spent responding to complaints about the policy and the issues generated as a result (ASB, litter, smoke, and noise) has had an impact on the officer capacity across various council services. This is likely to continue should the policy continue as it is.

3.20. Air quality. The main objection to barbecue use has been on the impact they have on air quality. Air pollution poses the biggest environmental risk to public health in the borough and is a particular risk to vulnerable groups, including the elderly, the very young, and those with existing health conditions. It can also impact the natural environment, damaging habitats, impeding the ecosystem services we rely on, and contributing to climate change. Although air pollution has reduced significantly in recent decades, there is more to do to deliver clean air.

3.21. The contribution from barbecues is relatively low and in terms of PM2.5, the main pollutant from barbecues, the Council is meeting the current guideline standards. Equally, the nature of barbecues is that they are held outdoors which increases the dispersion of pollutants and so means that exposure, to the general population, is again relatively low unless you are in the immediate vicinity of a barbecues. As such the Council were of the view that the detrimental impact of the air pollution caused by BBQs was not sufficient to outweigh the benefits.

3.22. The Government are looking to change the guideline standards on PM2.5 meaning that the whole of Islington will not meet the new standards. All actions to reduce PM2.5 in the borough will need to be investigated and where possible taken.

- 3.23. Restricting barbecues use in parks and green spaces, supports Islington's commitment to tackling air pollution. Further, allowing resumption would send a very mixed message to local people, in particular about the burning of fossil fuel and its impacts. More information on the air quality impact from barbecues can be viewed in Appendix 1.
- 3.24. Charcoal barbecues produce carbon and so it could argue that a policy of supporting barbecues is not aligned to the Council's net zero carbon ambitions. However, it is not possible to accurately quantify the impact of the current policy in the Borough's annual carbon levels.

Public Health

- 3.25. The impact of air pollution is becoming better known and as a result more local people are worried about pollution sources. Barbecues are one very visible source. This is likely to cause anxiety among parents and other people with certain health concerns.
- 3.26. There is no safe level of exposure of small particulate matter (PM_{2.5}) nor a threshold below which no adverse health effects occur. Therefore, any activity that contributes to air pollution is detrimental to health.
- 3.27. Most studies have investigated the long-term effects of exposure to PM_{2.5} and suggest that for every 10 µg/m³ increase in annual mean PM_{2.5} concentration, there is a 6%-13% increase in annual all-cause death rates. Studies on the short-term impacts are less robust but there is consensus that PM_{2.5} can lead to increased respiratory symptoms.
- 3.28. Short-term exposure to air pollutants emitted from barbecuing has been associated with a mild respiratory response in healthy young adults without a change in lung function, but there is little direct evidence of the impact of air pollution specifically in the context of barbecues on other groups. More widely, susceptible groups with pre-existing lung or heart disease, as well as elderly people and children, are particularly vulnerable to adverse health impacts from particulate air pollution.
- 3.29. The Government is looking to change the UK national air quality objectives for PM_{2.5}. When these are likely adopted, the whole of Islington will not meet the new standards. The new proposed UK standards, for PM_{2.5}, are equivalent to interim target 4 of the new World Health Organisation (WHO) guideline levels for PM_{2.5}. Even if/when Islington meets the new proposed UK guideline levels, Islington will still not meet the WHO 2021 guideline targets. All actions to reduce PM_{2.5} in the borough will need to be investigated and where possible taken to meet the proposed UK guideline targets. Restricting BBQ use in parks etc. would be an easy and visible measure to take that will demonstrate the Council is serious about tackling air pollution.

Alternatives to coal barbecues

- 3.30. An alternative to barbecues is electric hot plate which use a heating element to provide a hot cooking surface. These units have been used extensively in other countries, such as Australia and provide a more environmentally friendly alternative to solid fuel barbecues. They also significantly reduce the fire risk posed by barbecues.
- 3.31. The Council is currently working with an externally provider of these units to trial them in the borough. The two-cooking plate unit is bookable via an online App which will allow users to check when the electric hot plate is available and pay online.
- 3.32. The first unit is currently being trialled in Paradise Park. Should the trial be successful electric hot plate could be an alternative and more environmentally friendly way of allowing people to enjoy cooking food n an outdoor setting.
- 3.33. People are still able to enjoy the social benefits of enjoying a meal with friends and family thorough picnicking in our parks and green spaces.

Enforcing a potential ban

- 3.34. If a ban were to be reinstated, the most practical method to provide the Council with the powers to ban and enforce against those breaching the ban, would be put in place a Public Space Protection Order (PSPO).
- 3.35. This PSPO would give Council Enforcement Officers and Contractors with delegated authority the power to enforce the ban and issue Fixed Penalty notices where breaches occur.

4. Implications

4.1. Financial Implications

- 4.1.1. The enforcement of the barbecue ban and electric hot plate trial will be met from existing resources within the Greenspace service with resources diverted from existing activities that supervised barbecue use.
- 4.1.2. Should there be a barbecue ban, the Council will no longer require security staff employed via the Council's contract with Parkguard. Therefore, this will be taken into consideration in the forthcoming procurement of the contract of security and patrolling services.

4.2. Legal Implications

- 4.2.1. The Council has legal obligations with respect to air quality pursuant to Part 4 of the Environment Act 1995 and the Air Quality Standards Regulations 2010. The Council also has a broad General Power of Competence under the Localism Act 2011; and a specific power to make a Public Space Protection Order, under the Anti-Social Behaviour Crime and Policing Act 2014, upon which there is valuable Guidance from the Local Government Association.

4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 4.3.1. Since December 1997 Islington Council has been periodically carrying out reviews and assessments of air quality in the borough. This involves measuring air pollution and trying to predict how it will change in the next few years. The aim of the review is to make sure that the borough is at least in line with the national air quality objectives (PDF). These objectives are designed to protect people's health and the environment.
- 4.3.2. Over time these national indicators are changed or adapted in line with current science etc. In Islington, an Air Quality Management Area (AQMA) was declared in 2001 and in 2003 it was expanded to cover the whole borough. Whilst Islington has technically met the national air quality objectives for Nitrogen Dioxide (NO₂) for the past few years, there is no safe limit for air pollution. Therefore, we continue to address areas of high pollution and in particular the main areas of concern are the A1 Holloway Road from Highbury to Archway, Angel Town Centre, Seven Sisters Road at Finsbury Park, Old Street, and surrounding areas in the south of the borough and King's Cross/ Caledonian Road area. Where we find areas that have high levels of pollution, we are committed to taking action to make the borough cleaner, greener and healthier. These objectives are designed to protect people's health and the environment and are aligned with the ambitions of the [Net Zero Carbon 2030 Strategy](#).
- 4.3.3. Islington is not breaching current the national air quality objectives for Particulate matter (PM), however, World Health Organisation (WHO) guideline levels were lowered in 2021, due to the Environment Act 2021 the government are consulting on new PM levels and there is no safe limit in regard to health.

4.4. **Equalities Impact Assessment**

- 4.4.1. The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment checklist was completed on the 26th of May 2022. The main findings are:
- 4.4.3. The presence of barbecues and associated smoke may deter a broad range of users from all backgrounds from visiting and enjoying Islington's parks, particularly those who are more vulnerable to the impacts of air pollution. By banning barbecues, this barrier to using the parks will be removed.

- 4.4.4. Barbecues provide an opportunity for residents who have no private garden space for barbecuing. To mitigate the impact the impact of the loss of the facility, it is recommended to continue the trial of the electric barbecues.
- 4.4.5. Overall, by banning barbecues it will support the Council to improve air quality and which will be a benefit to all residents of the borough.
- 4.4.6. The full Equalities Impact Assessment Checklist is appended.

5. Conclusion and reasons for recommendations

- 5.1. While the Council sees the benefits to providing all residents with the opportunity to barbecue outdoors, due to the increased understanding about the impacts of air quality and changing Air Quality Guidelines and targets, it is vital that we do all we can to ensure the Council is meeting these targets.
- 5.2. The Council is also facing increasing financial strain and given the additional pressure and cost the policy places on services, we do believe the benefits of the policy no longer outweigh the benefits.
- 5.3. As a result, we are recommending refreshing the current barbecue policy which will ban the public use of coal/wood barbecues in all public parks and open spaces unless part of a formally approved community or commercial event.
- 5.4. The ban on gas barbecues on safety grounds will continue unless part unless part of the formal event.
- 5.5. To mitigate the impact the impact of the loss of the facility, we recommend continuing to trial the electric barbecues as a more environmentally friendly alternative to solid fuel barbecues. We will also continue to encourage people to have a picnic as an alternative to barbecuing.
- 5.6. We also recommend implementing a borough wide Public Space Protection Order which bans the use of solid fuel barbecues in Council managed parks and green spaces. This will ensure that the Council has the necessary powers to enforce the ban.

Appendices:

- Appendix 1- Air Quality Team Review on Barbecue use.
- Appendix 2- Equalities Impact Assessment

Final report clearance:

Authorised by:

Executive Member for Environment, Air Quality and Transport

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