



Highbury Fields BBQ byelaw – Frequently Asked Questions

What is a byelaw?

A byelaw is a local law which is made by a statutory body, such as a local authority, under an enabling power established by an Act of Parliament.

Why is the council proposing new a new byelaw for Highbury Fields?

The council is now consulting on a proposal to introduce a byelaw on the use of barbecues in Highbury Fields, in a move that both protects the freedom of people who want to barbecue, and takes into account local concerns.

The proposal means that barbecues will continue to be allowed in Highbury Fields, in a marked barbecue area on the west side of the field closest to Highbury & Islington station. In order to better manage the situation, barbecues will also need to be extinguished by 9pm.

The introduction of the byelaw, allows authorised officers of the council to take formal action to deal with any person or persons that do not comply with the byelaw.

Why do we need a designated barbecue area?

We are proposing a designated barbecue area to address the concerns of some local residents who live around the fields and those who use the fields for other recreational activities.

We have chosen this area shown in the map because we think it best suits the needs of people who want to barbecue while keeping disruption to local residents to a minimum. It also provides other areas of the fields for people to use for other recreational activities.

Why do we need to stop BBQ's by 9pm?

Since 2011 when the council allowed barbecues to be used in parks, we have experienced some nuisance issues related to groups of people having barbeques late into the evening at Highbury Fields. By asking those having barbeques to ensure they finish barbequing by 9pm, we hope to minimise the frequency of these issues and reduce the impact on both the park (in terms of litter) and local residents.

Aren't byelaws unenforceable?

As part of the introduction to the proposed byelaw, authorised officers will work alongside council officers taking a supportive, informative approach to encourage people to adhere to the new rules. We expect that in a large majority of cases people will observe byelaws but authorised officers and council officers will be able to take action immediately against people who deliberately and persistently ignore the byelaw.

What happens if someone breaches a byelaw?

In the first instance they may be asked to stop the behaviour by an authorised officer and given an opportunity to refrain from the activity. If they persist they risk being prosecuted and would appear in the magistrate's court. They can be fined up to a level 2 fine which is up to £500. They can also be removed from the park.

How do you report the breach of a byelaw?

At the current time, individuals can report any breaches by calling the police on 101 or contacting the Council ASB Reporting Line on 020 7527 7272 or online at <https://www.islington.gov.uk/community-safety/anti-social-behaviour/antisocialbehaviourreporting>

Why aren't you using alternative legal approaches to manage this?

The council has reviewed other options such as community protection notices, dispersal powers and public space protection orders as possible alternative means of managing behaviours in our parks. Byelaws will allow nuisance behaviour to be addressed immediately while other approaches can take time to come into effect.

Won't this byelaw stop people having a barbecue?

The aim of the byelaws is to ensure that everyone is able to enjoy parks by managing the use of the Fields. It will not stop people having a barbecue, it will just mean they will have to do it in the designated area and ensure that is extinguished by 9pm.

Which parks are being considered for these new byelaws?

We are only considering the byelaw for Highbury Fields. No other parks are being considered.

What about people drinking alcohol in parks and green spaces and causing nuisance?

This issue will not be covered by this byelaw but the police already have powers to deal with public disorder related to alcohol.

In light of the current financial situation why are you going ahead with the introduction of a byelaw?

It is not considered that the introduction of a byelaw is a significant financial burden. The main strength is that it will allow us to better manage the use of the Fields and allow different activities to take place. Existing authorised officers will be able to advise park users of the byelaw as and when required and take enforcement action if necessary. There will be an initial need to alert park users to the byelaw being in place using park noticeboards and a need to produce a small number of specific signs where it is thought beneficial to do so.

What happens next?

Once the consultation closes and we have analysed the results, if it is decided to proceed with the byelaw, an application will be submitted to The Secretary of State for the Department of Communities and Local Government to give the Council leave to make new byelaw. Subject to getting this approval, the Council will look to implement the byelaw as quickly as legally possible. Full details of the Guidance for councils on making, amending and revoking byelaws can be viewed at www.gov.uk/guidance/local-government-legislation-byelaws

What will the council do to manage barbecues in Highbury Fields before the byelaw is in place?

From the start of the barbecue season (April), the new proposed barbecue area will be marked out in Highbury Fields, and people will be asked to only barbecue here. In order to better manage the situation, we will also ask that barbecues will also have to be extinguished by 9pm

Patrols by council officers and the Parks Patrol service will continue as normal.

