



Football and Ball Games Complaints

Especially in spring and summer, Warwick District Council and Warwickshire Police receive complaints about children playing ball games in the street or in public places. This statement explains our position and offers advice as to how this issue may be addressed in your area.

Are ball games a problem?

Football and other ball games are **not** anti-social behaviour. Ball games are fun for the people playing them, but can be a disturbance for others and so cause friction in neighbourhoods that would otherwise be peaceful. Most complaints relate not to the playing of ball games, but to the way in which they are played.

Play is crucial to a child's development as a social, confident member of society and should be encouraged. However, people also have a right to enjoy their home and know that their property is safe, and to be treated respectfully.

Green spaces may seem ideal for ball games, but some are in residential areas often only a small distance away from residents' gardens, walls and garages. This is why complaints can arise.

Section 161 of The Highway Act does make it an offense to play ball games on adopted highway.

Ball games in the street can cause other problems, and not just to residents who want to enjoy a peaceful environment. Even quiet residential roads are used by cars: if a moving vehicle has to swerve to avoid either a ball or a child the results could be serious or fatal.

Games played with a soft air-filled plastic ball don't tend to cause damage and are less likely to disturb residents. On the other hand, a hard leather football, cricket ball or tennis ball repeatedly hitting a house wall, window or a car does present a risk of damage and severe annoyance.

The children playing ball games in the streets are almost certainly the children of neighbours in your community, and some parents who are concerned for their children's safety might want them to play close to their houses.

We need to reach a compromise that satisfies most people. It is difficult to satisfy everybody.

Action that Residents can take

Residents who see ball games being played near their property and are worried about damage to their property or possessions, or who want a quieter environment, may wish to encourage older children to take their games to larger, more appropriate green areas or playing fields, where they can play without upsetting others. It is reasonable to expect that games using hard balls such as cricket balls or golf balls should not take place in residential areas or where there is a risk of causing damage to property such as windows and vehicles.

Sometimes it is uncomfortable or difficult for residents to engage with children playing in the street, and we don't want anyone taking a stand to become a target for vandalism. If there are children around, their parents will tend to live nearby, and it may be more productive to approach the parents rather than the children.

Where parents worry that their children are not safe when away from the immediate area of their home unsupervised, one solution might be to set up a rota so that parents take it in turns to go to a nearby park or playing field with their children.

Advice for maintaining a good environment

Players and Parents -please remember:

- Open spaces are for the use of everyone.
- Respect residents' right to a peaceful and safe environment. Not *everyone* will enjoy your game as much as you.
- Older youths, if you're having a match go to the park.
- If you have to play in the street, use a soft ball to prevent damage to your neighbours' fences, gardens and cars.
- Where possible play outside your house, not anybody else's.
- Ask politely before retrieving the ball: don't trespass.
- Keep the noise down and do not let your game become anti-social.
- Don't use offensive language.
- Beware of your own safety and the safety of other road users.
- Respect signs such as "No Ball Games" signs.
- Parents: know where your children are playing and make sure residents are not disturbed.
- Talk to your neighbours - be prepared to compromise, and agree on a time and a place for games.

Residents -please remember:

- Open spaces are for the use of everyone.
- Playing ball games is not anti-social behaviour.
- Respect people's right to play in their own neighbourhood.
- Remember parents may wish their young children to play nearby.
- Expect, within reason, the noise of children playing after school, at weekends and in the evening.
- "No ball games" signs are a request -not a bylaw.
- It is not illegal to play football on a grassed open space unless it is an area

- of adopted highway such as a verge or road island.
- There may be only one grassed area for children to play safely in their own neighbourhood.
- It is generally better for young people to divert their energies into playing sport rather than doing other things.
- Open spaces are for the use of everyone.
- Talk to your neighbours - be prepared to compromise, and agree on a time and a place for games.

Action that the Council can take

The playing of ball games on open spaces is not against local bylaws it is however against the law to play ball games on adopted highways and this can include the verge and road islands.

Landowners have the right to dictate what activities take place on their property although the Council no longer install "No Ball Games" signs on open spaces, as these are not enforceable. Ball games deliberately and persistently played recklessly and leading to property damage can be classed as anti-social behaviour, something Warwick District Council and Warwickshire Police takes very seriously.

We take a neutral, balanced view on the issue of ball games and expect residents to take responsibility within their own neighbourhood and work together to reach a compromise. However, in cases of **deliberate** nuisance, we may use our powers to intervene.

The Council may respond to complaints from individuals by initiating a survey in the neighbourhood to determine the feelings of the wider community, and this may affect whether action is considered appropriate.

For further information please contact the Warwick District Anti-Social Behaviour Officer on 01926 456010, or Warwickshire Police on 101.