

**REPORT FROM: NEIGHBOURHOOD SERVICES MANAGER**

**TO: EXECUTIVE**

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## **PUBLIC SPACES PROTECTION ORDERS PROGRAMME 2016/17**

### **PURPOSE OF REPORT**

To update the Executive on proposals and options for Public Spaces Protection Orders (PSPOs) in relation to sports grounds; local nature reserves; Barnoldswick and Earby town centres and alley gating schemes in Pendle.

### **RECOMMENDATIONS**

- (1) That public consultation on the current options starts in October
- (2) That further reports with proposals for how the PSPOs can be worded and enforced be submitted to the Executive and area committees in December and January

### **REASON FOR RECOMMENDATIONS**

To enable the Council and its partners to respond to concerns regarding behaviour that is detrimental to the quality of life in public spaces in Pendle including enforcement action.

### **ISSUE**

1. At its 30 June 2016 meeting the Executive agreed a detailed timetable to develop Public Spaces Protection Orders for parks; sports pitches; local nature reserves; town centres and back streets with alley gates over the next two years.

2. Area Committees and key partners have been consulted informally on proposals to go forward to public consultation. It remains open to Members and partners to continue to comment on and make proposals during the public consultation period.
3. The outcome and options from this consultation for the PSPOs in 2016/17 relating to sports grounds; Earby and Barnoldswick Town Centres are set out in the table below:

<b>Year</b>	<b>Sports Grounds</b>	<b>Town Centres</b>	<b>Back Streets</b>
<b>2016-17</b>	<ul style="list-style-type: none"> <li>• Bullholme</li> <li>• Swinden</li> <li>• Holt House</li> <li>• John Bradley</li> <li>• Earby Rec</li> <li>• Trawden Rec</li> <li>• Springfield</li> <li>• Hodge House</li> <li>• Edge End</li> <li>• Emmott Lane Playing Fields</li> <li>• Reedley Sports Ground</li> </ul>	<ul style="list-style-type: none"> <li>• Barnoldswick</li> <li>• Earby</li> </ul>	<ul style="list-style-type: none"> <li>• Brierfield</li> <li>• Colne</li> <li>• Nelson</li> </ul>
<b>Options</b>	<ul style="list-style-type: none"> <li>• <b>Earby Recreation Ground</b> – no dogs permitted at any time other than in the designated dog exercise area</li> <li>• <b>Swinden Cycle Hub</b> – no dogs permitted at any time</li> <li>• <b>All other sports grounds including the areas surrounding designated pitches</b> – no more than two dogs per person and the dogs to be kept on a lead at all times</li> <li>• Incorporate appropriate and enforceable by-laws</li> </ul>	<ul style="list-style-type: none"> <li>• Alcohol Control – review current areas and terms</li> </ul>	<ul style="list-style-type: none"> <li>• Review current schemes with residents</li> <li>• Agree back streets to be included in PSPO</li> </ul>

4. The Executive is asked to consider these options and agreed which should go forward.

## **IMPLICATIONS**

**Policy:** The legislation reinforces the continuing role of the Council in responding to anti-social behaviour

**Financial:** The opportunity the legislation provides and public expectation imply that these powers will be used by the Council and cost will be incurred. It is anticipated that the implementation and the enforcement of the powers described above can be dealt with within existing staffing resources.

The cost of publicising the Orders (i.e. signage at all entrances of an area covered by an order per entrance) is estimated at £10,000 per annum over a 2 year period commencing from April 2016. The cost in 2016/17 will be funded within the approved revenue budget using the flexibility provided to officers under the Council's financial procedure rules relating to virement. The cost for 2017/18 will be addressed separately at the appropriate time.

**Legal:** The Council has the lead role on the use of PSPOs. Members of the public have a right of appeal on the basis the Council did not have the power to make the order or to include particular prohibitions or requirements or that one or more of the preliminaries has not been complied with (eg consultation). Appeals are heard in the High Court.

**Risk Management:** The legislation supports those elements of the Risk Management Plan relating to community safety; environmental crime and environmental protection.

**Health and Safety:** Direct intervention in the enforcement of breaches poses a risk for the staff involved which is mitigated through the Council's risk assessments, lone working policy, use of the Volcano database and working in partnership with other agencies.

**Sustainability:** The legislation supports those elements of the Sustainable Communities Strategy relating to community safety; environmental crime and environmental protection.

**Community Safety:** The legislation re-enforces the continuing role of the Community Safety Partnership; the Partnership Plan and local delivery on community safety within an area and county based strategic landscape.

**Equality and Diversity:** The legislation was subject to a detailed government impact assessment.