

REPORT FROM: NEIGHBOURHOOD SERVICES MANAGER

TO: COLNE AND DISTRICT COMMITTEE

DATE: 4th AUGUST, 2016

Report Author: Tim Horsley
Tel. No: 661280
E-mail: tim.horsley@pendle.gov.uk

PUBLIC SPACES PROTECTION ORDERS PROGRAMME 2016/18

PURPOSE OF REPORT

To update and obtain the views of the Committee on proposals and options for Public Spaces Protection Orders (PSPOs) in relation to parks; sports grounds; local nature reserves; town centres and alley ways in Pendle.

RECOMMENDATION

That the Committee considers and recommends options to include in the public consultation on PSPOs for 2016-18

REASON FOR RECOMMENDATION

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 timetable to develop Public Spaces Protection Orders for parks; sports pitches; local nature reserves; town centres and back streets with alleyways over the next two years.
2. The table in Appendix 1 below sets out in more detail the how the programme will be delivered over the two years; some of the options for initial consultation with key partners and some of the key partners to be consulted.
3. The table below sets out the timetable for delivery of the programme in year one.

Action	By
Report to Exec to confirm	30 June 2016

programme	
Alert Partners including each of the Council's area Committees	August/September 2016
Report to Exec to confirm 2016-17 programme; agree outline content and agree to public consultation	September 2016
Surveys and public consultation	November 2016
Report to Area Committees to agree PSPOs	December 2016
Sealed PSPOs	February 2017
Signage	March 2017
PSPOs go live	April 2017

4. Members are asked to consider the Options for inclusion in the PSPOs in the table below and propose any alterations or additions to be included in the public consultation in the autumn.
5. Committees will appreciate that the Options are wide ranging. There is a cost to introducing them and questions as to how practicable they are to enforce them with the limited resources available. The extent to which they deal with significant concerns to the public and the measure of general public support for them are important considerations. Some may well be quite controversial and prompt widely differing public views.
6. Based on the range and level of complaints we receive from the public and the problems they present in practice, we have indicated in bold those which we as officers feel merit most attention and should be put forward for public consultation.

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.

APPENDIX 1

Year	Parks	Sports Grounds	Local Nature Reserves	Town Centres	Back Streets
2016-17		<ul style="list-style-type: none"> • Bullholme • Swinden • Holt House • John Bradley • Earby Rec • Trawden Rec • Springfield • Hodge House • Edge End 		<ul style="list-style-type: none"> • Barnoldswick • Earby 	<ul style="list-style-type: none"> • Brierfield • Colne • Nelson
2017-18	<ul style="list-style-type: none"> • Barrowford • Heyhead • King George V • Alkincoates • Ball Grove • Marsden • Walverden • Hard Platts • Victoria • Valley Gardens • Letcliffe • Sough • Victory 		<ul style="list-style-type: none"> • Alkincoates • Ball Grove • Greenfield • Lomeshaye • Quarry Hill (LCC) • Gib Hill 	<ul style="list-style-type: none"> • Barrowford • Brierfield • Colne • Nelson 	

Year	Parks	Sports Grounds	Local Nature Reserves	Town Centres	Back Streets
Options	<ul style="list-style-type: none"> • Play areas; MUGAs; tennis courts; cycle tracks; skate parks and bowling greens – no dogs allowed and no smoking at any time • Areas designated as dogs on lead • Incorporate appropriate and enforceable by-laws • No smoking generally with designated smoking areas • Areas designated as no dogs • Areas designated where dogs are free to roam • Dog specific zones 	<ul style="list-style-type: none"> • Dogs must be on leads on pitches or the entire space • Incorporate appropriate and enforceable by-laws • Exclude corporate bodies (professional/self-employed dog walkers) • Limit the number of dogs per dog walker • No dogs allowed on pitches at any time • No dogs allowed on the entire space at any time • Areas designated where dogs are free to roam • Dog specific zones 	<ul style="list-style-type: none"> • Areas designated as dogs on lead • Incorporate appropriate and enforceable by-laws • Areas designated as no dogs • Areas designated where dogs are free to roam 	<ul style="list-style-type: none"> • Alcohol Control – review areas and terms • Areas designated as dogs on lead • No begging • No street entertainment likely to cause a nuisance or annoyance 	<ul style="list-style-type: none"> • Review current schemes with residents • Agree back streets to be included in PSPO

Year	Parks	Sports Grounds	Local Nature Reserves	Town Centres	Back Streets
Alert Partners	<ul style="list-style-type: none"> • Friends Groups • Sports clubs and other service users • Town and Parish Councils • Pendle Dogs in Need • Police • Bowls clubs • Café providers • Heritage Centre 	<ul style="list-style-type: none"> • Sports clubs and other service users • Town and Parish Councils • Pendle Dogs in Need • Police 	<ul style="list-style-type: none"> • Friends Groups • Town and Parish Councils • Pendle Dogs in Need • Police 	<ul style="list-style-type: none"> • Pubwatch • Police • LCC • Town and Parish Councils 	<ul style="list-style-type: none"> • Police • LCC • Town and Parish Councils