

**REPORT OF:** CORPORATE DIRECTOR  
**TO:** POLICY AND RESOURCES COMMITTEE  
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## **PUBLIC SPACES PROTECTION ORDERS: ALLEY GATES**

### **PURPOSE OF REPORT**

To extend the current Public Spaces Protection Orders for Restricted Areas and Restricted Access for a further three years.

### **RECOMMENDATIONS**

- (1) That the Committee extends the current Public Spaces Protection Orders allowing for alley gate schemes with a restricted area and single gate schemes with restricted access for a further three years from 23 October 2021
- (2) During the life of the two PSPOs, carry out a full review of the use, condition and public support for the schemes in anticipation of the next extension in 2024

### **REASON FOR RECOMMENDATIONS**

To address the concerns of local residents that without the alley gates in place, their back streets would attract crime and anti-social behaviour

### **ISSUE**

1. Two Public Spaces Protection Orders (attached) were signed and sealed in 2018 following consultation with the residents who benefit from the schemes included in the schedule. One PSPO includes schemes with two alley gates creating a restricted area. The other PSPO includes schemes with a single gate restricting access.
2. A variation for an alley gate scheme at Bradley View in Nelson was agreed, and has now been implemented, in 2021.
3. An extension is now required in order to retain the schemes.

4. No objections to the current schemes have been received during the life of the current PSPOs. Consultation for this type of PSPO is property specific and tends to be door to door. Something which, on this scale, has been precluded during the Covid Pandemic based both on doing home visits and staff resources.
5. Future resources permitting, the intention is to assess the condition, maintenance requirements, use and public support for each scheme in Pendle and report back to local Committees by summer 2024 ahead of any consideration of a further extension.
6. Officers are currently reviewing and consulting on requests for variations in Brierfield, Nelson and Colne.

## **IMPLICATIONS**

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

**Financial:** Lack of a budget to maintain schemes will be part of the feedback to Committees in 2024.

**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.

## **Appendices**

Appendix 1 PSPO Restricted Access

Appendix 2 PSPO Alley Gates

Appendix 3 Variation