

REPORT FROM: CORPORATE DIRECTOR

TO: POLICY AND RESOURCES COMMITTEE

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ENFORCEMENT OF PUBLIC SPACE PROTECTION ORDERS

PURPOSE OF REPORT:

To inform the Committee of the Council resolution and of the petition submitted at the Council meeting on 24th February.

The report is submitted for information only. Decisions on the review of the signage and of the future of the District Enforcement contract will need to be taken in the light of full information to be presented at the May meeting of the Committee.

1. At the Council meeting on 24th February a notice of motion on Public Space Protection Order Enforcement was considered.
2. In the course of the discussion a petition was handed to the Mayor about various matters relating to the enforcement of public space enforcement orders in Victory Park Barnoldswick. It is signed by 182 people.
3. It reads "Petition for Pendle Borough Council about the PSPOs in Barnoldswick (Victory Park) and the compromise of enforcement over weekends when the park is being used by children for sporting events.
4. The specific complaints as stated in the petition are as follows:
 - Lack of transparent and meaningful consultation with dog walkers of Barnoldswick
 - Lack of designated space, ring-fences off for off lead walking
 - Inadequate signage
 - Failure to provide information from requests regarding dog attacks in Barnoldswick by off lead dogs
 - Conduct of external enforcement agents who treat members of the public in an aggressive manner and the asking of personal information
 - Providing personal information being made lawful yet no information about how this data will be used and stored in line with GDPR.

5. The resolution of the Council on the notice of motion is:

The Council notes:

That in some locations and from certain entrances, the signage for Public Space Protection Orders is inadequate. The mechanism already exists for the public to challenge where signage is deemed inadequate and, as a result, one location has already been highlighted.

Council resolves to urgently ask the Environmental Services Officer to carry out a comprehensive review of all signage where PSPOs are in place.

The District Enforcement contract and their terms of operation are subject to periodic review and this will take place in due course.

6. The Environmental Services Officer has commenced the review of signage. It is apparent that some signage is repeatedly vandalised. The provision of increased, more visible and vandal proof signage will be reported to the next meeting in May.
7. A full review of the contract with District Enforcement is also underway and again will be reported to the next meeting in May.
8. Finally, at the Council meeting some questions were raised on the validity of the agreement with District Enforcement.
9. The Council first engaged District Enforcement in February 2019. When the agreement came up for review it was envisaged that it would be extended for 12 months from February 2020 and then be the subject of further review. This proved not to be possible due to coronavirus, furlough of staff and resulting lengthy interruption to the service.
10. In the circumstances officers considered it reasonable to put in place an agreement from the time District Enforcement were able to resume regular patrolling to run for a full 12 months until July 2022. As indicated above further extension will be the subject of a report to the next meeting.
11. The current agreement is legally valid as are the actions taken under it by District Enforcement including the issue of fixed penalty notices.

IMPLICATIONS

Policy: The Council's policy is to improve the environment and safety of users of public spaces by means of protection orders which are reviewed every three years.

Financial: The provision of improved signage is likely to lead to additional cost which will be reported at the next meeting.

Legal: As indicated above the contract with District Enforcement is under review and the outcome will be reported to the next meeting.

Risk Management: None rising directly from the report.

Health and Safety: None rising directly from the report.

Sustainability: None rising directly from the report.

Community Safety: Public Space Protection Orders are important tools for ensuring the safety of local communities.

Equality and Diversity: None rising directly from the report.

APPENDICES –none

LIST OF BACKGROUND PAPERS - none