

Report of	Meeting	Date
Deputy Chief Executive (Introduced by the Executive Member (Resources))	Executive Cabinet	12 th November 2020

PUBLIC SPACES PROTECTION ORDER - RENEWALS

PURPOSE OF REPORT

1. Chorley Council's current Public Spaces Protection Orders (PSPO's) will have been in place for three years and for them to continue to be used they need to be renewed every three years. This report outlines the process that will be followed by the Public Protection Team.

RECOMMENDATION(S)

2. The report recommends that Executive Cabinet support the extension of the current PSPO's and extends the Red Edged Map (original and proposed attached) on the Town Centre PSPO to include ASDA, Bolton St.
3. Also recommends that delegated power to Director of Governance to amend as appropriate the wording of the orders.

EXECUTIVE SUMMARY OF REPORT

4. Following the introduction of the Anti-Social Behaviour, Crime and Policing Act 2014, the Public Spaces Protection Order's were introduced to replace the Dog Control Orders (DCO's) and Designated Public Place Orders (DPPO's), Chorley Council replaced these orders with the PSPO's in November 2017.
5. PSPO's run for up to three years and prior to them ending, the Council can choose to extend them for up to a further three years. Chorley Council currently has six PSPO's and the report establishes the process that will be completed to extend five of the Orders and vary and extend one Order.
6. The report is to recommend the current PSPO's are extended. The conditions and requirements of the Orders have not been altered. The current wordings of the Orders are sufficient and appropriate for the purpose of the Orders.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To extend the current orders which gives Authorised Officers powers to use the PSPO's in the specific circumstances of the Orders and address the problematic behaviour efficiently and effectively.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. Not to extend the PSPO's, however due to the problematic behaviour that the PSPO's cover it is proportionate and appropriate to consider that problems would re-occur / occur if the PSPO's were not in place and Council Officers would have difficulty to address these behaviours without the Orders in place.
9. Not to vary the Town Centre Map to include ASDA, Bolton Street. Currently the Town Centre PSPO does not include ASDA, Bolton St. However, there has been ongoing problems with begging within the town centre and when individuals have been approached and removed from within the PSPO area, they have moved to the ASDA Store. We have worked with the Supermarket, however the onus has been on them to remove the individuals which they have had difficulty with. Therefore, if the PSPO covered the store there would be an additional enforcement option that could be used to address the problem.

CORPORATE PRIORITIES

10. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy homes and communities	x	An ambitious council that does more to meet the needs of residents and the local area	x

BACKGROUND

11. Following the introduction of the Anti-Social Behaviour, Crime and Policing Act 2014, the Public Spaces Protection Orders were introduced to replace the Dog Control Orders (DCO's) and Designated Public Place Orders (DPPO's). Chorley Council replaced these orders with the PSPO's in November 2017.
12. PSPO's run for up to three years and prior to them ending, the Council can choose to extend them for up to a further three years. Chorley Council currently has six PSPO's and the report establishes the process that will be completed to extend five of the Orders and vary one Order.

13. Extending the current Public Spaces Protection Orders:

Anti-Social Behaviour related PSPO:

- Coppull

Dog Control related PSPO's:

- Dogs on Lead
- Dogs on Lead by Direction
- Fouling of land by dogs & requirement to produce device or other suitable means for removing dog faeces
- Dogs Exclusion

14. To extend the current PSPO's the Council must be satisfied on reasonable grounds that doing so is necessary to prevent –
- (a) occurrence or recurrence after that time of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
15. The Coppull PSPO is in place to address anti-social behaviour within the designated area including the refusal to stop drinking or hand over any containers which are believed to contain alcohol and to stop shouting, swearing or acting in a manner to cause annoyance, harassment, alarm or distress. Within the specific area the concerns and behaviours have reduced whilst the PSPO has been in place and it is proportionate and appropriate to consider that the problems would reoccur if the PSPO was not extended.
16. It is proposed that each dog related PSPO is extended as they are all still appropriate and proportionate to be used within Chorley. Each PSPO allows Authorised Officers to enforce the Orders when necessary. The PSPO's where appropriate, allow for days of action to be undertaken in areas of concern, this allows awareness raising of the PSPO's and enforcement where necessary. It is appropriate to consider the problems with dog control would rise if the PSPO's were not to be extended.

Variation - Town Centre PSPO

17. The current Town Centre PSPO is in place with the same restrictions as the Coppull PSPO, however begging is also covered within this PSPO due to the problem with begging within the town centre. The current order covers a specific area, as highlighted in the attached map. It is proposed to extend the map to include the Asda Store on Bolton St. During the past 12 months there has been an increase in problems with beggars within the town centre and when these individuals have been approached and removed from within the PSPO area, they have moved to the Asda Store. We have worked with the Supermarket, however the onus has been on themselves to remove the individuals which they have had difficulty with. However, if the PSPO covered the store there would be an additional enforcement option that could be used to address the problem.

Consultation, Publication and Notification

18. For the Orders to be extended and varied it is necessary for consultation to be completed with Lancashire Constabulary, Lancashire Police and Crime Commissioner, community representatives the Council think appropriate to consult and owners of any specific land it relates to. Publicity of the proposed extension and variation is necessary and to notify Parish Council's and Lancashire County Council
19. Consultation took place and we received responses from Lancashire Constabulary, Lancashire's Police and Crime Commissioner, Parish Councils and The Kennel Club. Responses were positive of the extensions and variation.

Lancashire Constabulary – Gave full support of the PSPO's with no objections and in agreement with the variation on the Town Centre PSPO. Advised this will have an improvement in addressing recent problematic behaviour.

Police and Crime Commissioner – Gave full support of the extensions to contribute to managing anti-social behaviour and dog control within the area. Also, in support of the variation to the Town Centre PSPO.

Parish Councils – From the responses received agreement was given with the extensions and variation of the PSPO's. Suggestions were made that warnings are given and due to the current circumstances and the difficult times residents may be having that enforcement is a last resort.

The Kennel Club – In agreement to the extensions of the dog control PSPO's with some suggestions around proactive measures to be used alongside the PSPO's, some of which are already in place and others to be utilised during campaign periods.

- 20. Following Executive Cabinet on 12th November 2020, if all recommendations are agreed, there will be publication of the extended and varied PSPO's through communications and the Council website.
- 21. Signage is already established for each PSPO throughout Chorley and no changes would need to be made.

Future PSPO's

- 22. It should be noted that there is currently some work being completed with Blackburn with Darwen and Bolton Councils to look at introducing a cross boundary PSPO for the restrictions of BBQ's and Fire equipment within the Rivington Area. This is ongoing work and when progressed further will be taken to Coportate Leadership Team and Members for further consideration.

IMPLICATIONS OF REPORT

- 23. This report has implications in the following areas and the relevant Directors' comments are included:
- 24. The nature of the Orders poses some risks if the Orders were not in place. This could mean the Council would have difficulty to address the behaviours the Orders include. By extending the orders this reduces the risks and allows Authorised Officers to utilise the powers within the Orders when necessary.

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 25. Any changes will be made within existing budgets

COMMENTS OF THE MONITORING OFFICER

26. Many councils have PSPOs in place. They constitute an important enforcement tool and means to curb anti-social behaviour/dog control issues. Before extending any such issues it is important that an appropriate consultation exercise is carried out. In this instance this has happened. There are no legal concerns with what is proposed here.

Chris Sinnott
DEPUTY CHIEF EXECUTIVE

Report Author	Ext	Date
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