

NORTH LINCOLNSHIRE COUNCIL

**SAFER, STRONGER COMMUNITIES –
ASHBY, BOTTESFORD & SCUNTHORPE
(‘URBAN’) CABINET MEMBER**

NORTH LINCOLNSHIRE PUBLIC SPACES PROTECTION ORDER 2020

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek Cabinet Member approval for the declaration of the North Lincolnshire Public Spaces Protection Order 2020 (PSPO).
- 1.2 An urgent decision is requested to enable continuation of current PSPO powers, which recently expired.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council is committed to ensuring that people who live, work and visit North Lincolnshire, enjoy good community wellbeing and prosperity.
- 2.2 The council declared its first Public Spaces Protection Order in October 2017 under the Anti-social Behaviour, Crime & Policing Act 2014. The powers within the PSPO 2017 enabled us to support the vulnerable and target those who continued to be a nuisance within our local communities.
- 2.3 The prohibitions included within the original PSPO 2017 will expire on 10th October 2020. The existing prohibitions are detailed below with relevant maps contained within Appendix 1.
 - a) Failing to stop drinking or to surrender alcohol after having been required to do so by a duly authorised person (authorised person being a Police Officer, Police Community Support Officer or a Council Officer) in the areas outlined in blue on Map A & B.
 - b) To prohibit a single person having more than four dogs in their sole charge.

- c) To exclude dogs within enclosed children's play areas and other designated sites such as schools.
- d) A person is required to immediately remove dog faeces left by any dog which at the time the person is in charge of or responsible for.
- e) A person is prohibited to loiter, lodge or beg in the street or ask persons whether known or not for any item including but not limited to money, cash, change or food, or sit directly outside or under any shop premise or cashpoint machine within the area outlined in blue on Map A.
- f) A person is prohibited from riding a motor bike, quad bike or mini moto in a manner deemed by an authorised person to be anti-social and they reasonably suspect that person is causing or is likely to cause nuisance, harassment, alarm or distress to any other person within North Lincolnshire.
- g) Any person is prohibited from peddling goods within the area outlined in blue on Map C.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1: To renew the PSPO with the existing conditions as set out in paragraph 2.3 for a period of 12 months.
- 3.2 Option 2: To not renew the existing PSPO

4. ANALYSIS OF OPTIONS

- 4.1 Option 1
This is the preferred option as it will enable the council to maintain the exiting prohibitions for a further period of 12 months to support community safety in North Lincolnshire.
- 4.2 If the current PSPO 2017 expires the existing powers will no longer be available to delegated officers.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There will be a small financial cost associated with updating the signage, but this will be met from existing budgets.
- 5.2 There are no other implications associated with this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The legal responsibility for implementing a PSPO rests with the council. A PSPO contributes to the reduction of Crime and Disorder, ASB and assists with meeting the Councils Section 17 requirements.

6.2 There are environmental benefits associated with the declaration of a PSPO including dog control, anti-social use of motorbikes, street drinking and beggars.

6.3 Dealing with enforcement issues appropriately and consistently reduces the risk to the council's reputation and conflict with members of the public. The proposed PSPO 2020 will demonstrate to the public that a fair and reasonable approach is being taken by the council and other agencies.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 A Stage one Integrated Impact Assessment (IIA) has been completed for this decision. However as no changes to the current PSPO are proposed a full IIA was not required.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 An online public consultation has been undertaken.

7.2 Humberside Police have been consulted and confirmed they are in support of the PSPO renewal.

7.3 Town & Parish councils were consulted, further consultation will take place during the extension period.

9. RECOMMENDATIONS

9.1 That the Cabinet Member approves the declaration of the North Lincolnshire Public Spaces Protection Order 2020 for a period of 12 months.

9.2 The PSPO 2020 contains the same provisions as those currently in force within the PSPO 2017 and set out in the draft PSPO 2020 at Appendix 2.

9.3 The Cabinet Member approves further consultation concerning a future PSPO for North Lincolnshire.

DIRECTOR OF CHILDREN AND COMMUNITY RESILIENCE
DEPUTY CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR COMMERCIAL

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SCUNTHORPE

North Lincolnshire

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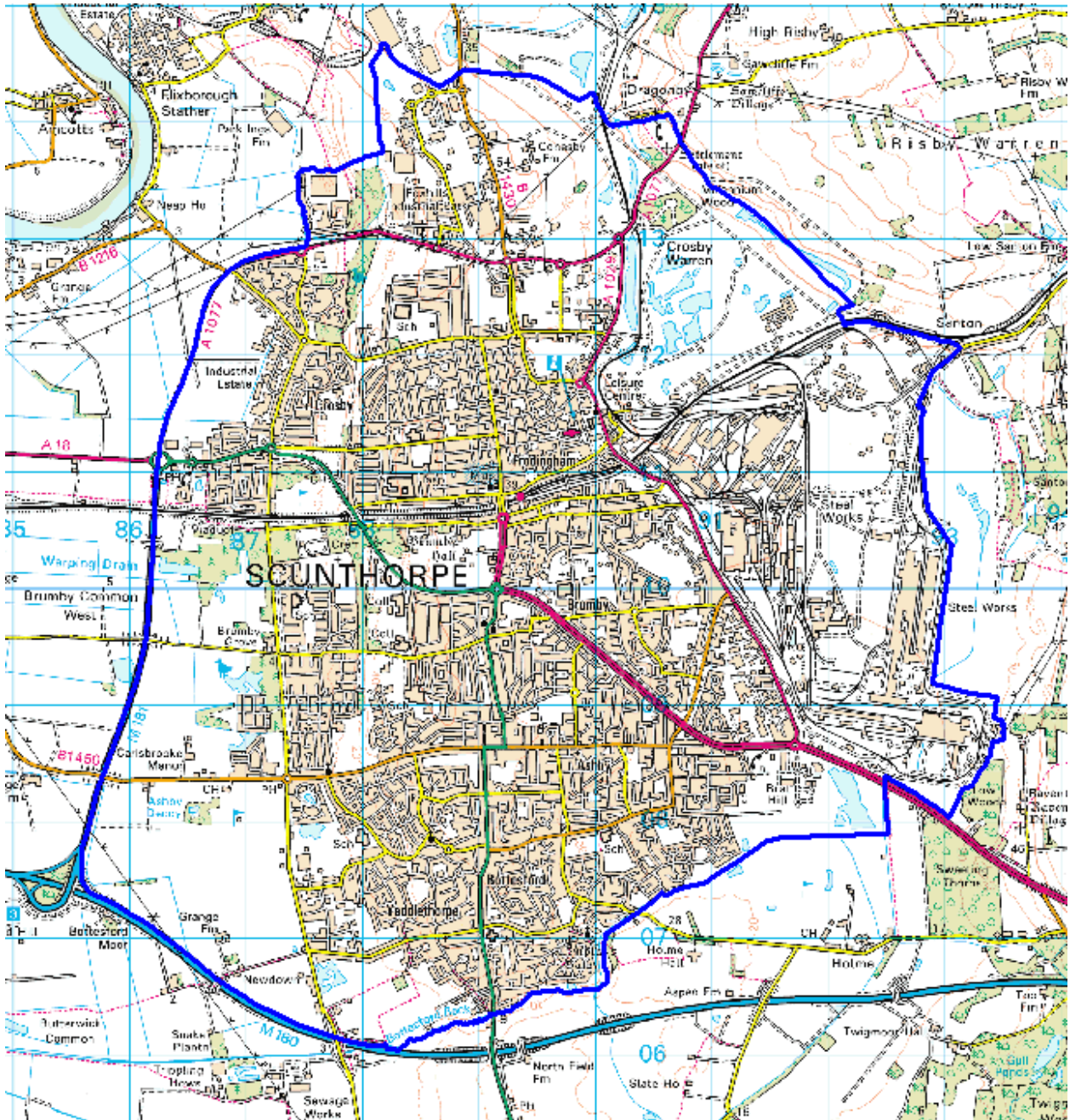
Date: 5 October 2020

Background Papers used in the preparation of this report – Nil

Appendix 1

Maps of prohibition areas attached below:

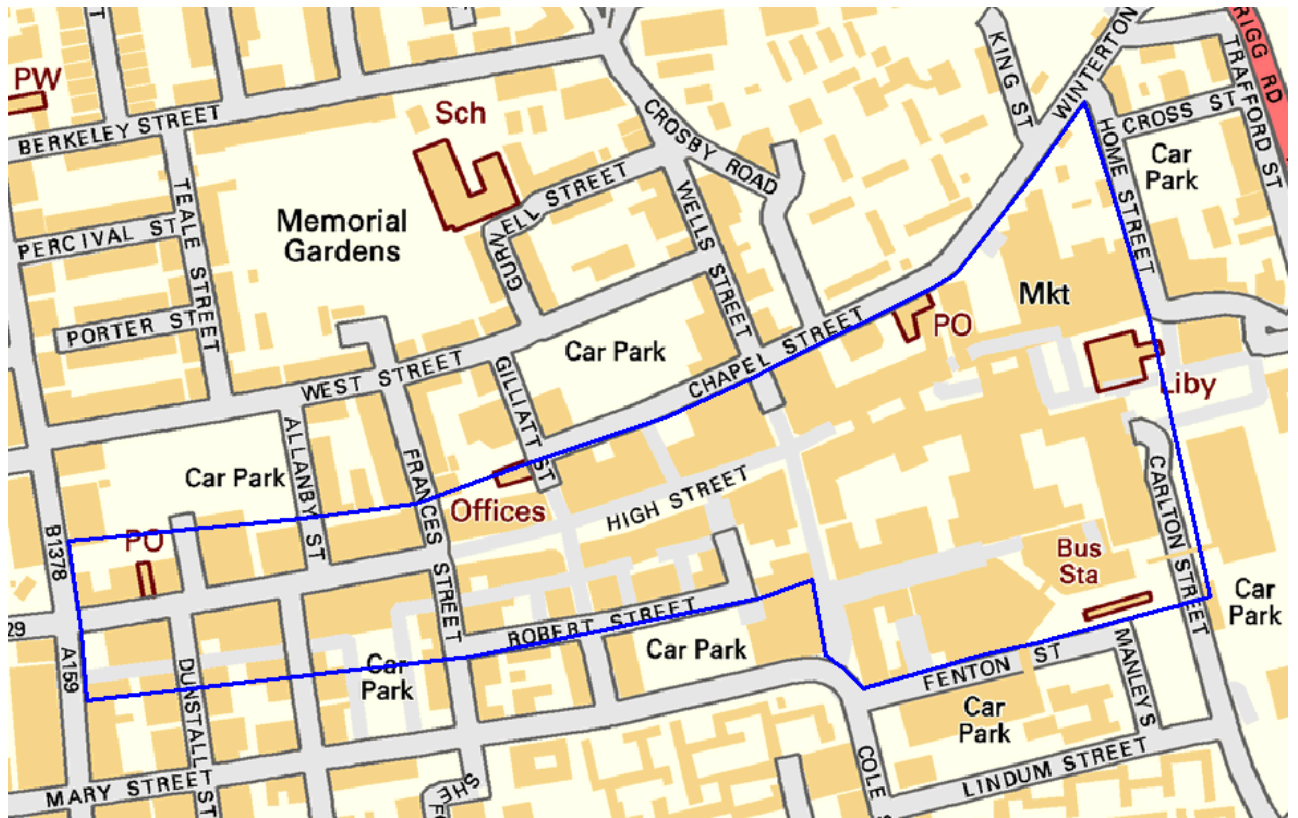
Map A - Scunthorpe



Map B - Barton



Map C - Scunthorpe High Street



Appendix 2

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

SECTION 59

DRAFT

NORTH LINCOLNSHIRE PUBLIC SPACES

PROTECTION ORDER 2020

NORTH LINCOLNSHIRE COUNCIL (the Council) in exercise of its powers under Section 59 of the Anti-social Behaviour Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in Section 59 of the Act have been met, including being satisfied that the anti-social behaviour arising in the restricted areas has had a detrimental effect on the quality of life of those in the locality makes the following order:

1. This Order applies to the public spaces delineated in blue annexed to this Order (Maps A, B & C)
 - a. Failing to stop drinking or to surrender alcohol after having been required to do so by a duly authorised person (authorised person being a Police Officer, Police Community Support Officer or a Council Officer) in the areas outlined in blue on Map A & B.
 - b. To prohibit a single person having more than four dogs in their sole charge.
 - c. To exclude dogs within enclosed children's play areas and other designated sites such as schools.
 - d. A person is required to immediately remove dog faeces left by any dog which at the time the person is in charge of or responsible for.
 - e. A person is prohibited to loiter, lodge or beg in the street or ask persons whether known or not for any item including but not limited to money, cash, change or food, or sit directly outside or under any shop premise or cashpoint machine within the area outlined in blue on Map A.

- f. A person is prohibited from riding a motor bike, quad bike or mini moto in a manner deemed by an authorised person to be anti-social and they reasonably suspect that person is causing or is likely to cause nuisance, harassment, alarm or distress to any other person within North Lincolnshire.
 - g. Any person is prohibited from peddling goods within the area outlined in blue on Map C.
 2. Any person who without reasonable excuse fails to comply with the requirements of the Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
 3. Where a constable or authorised person has reason to believe an offence in relation to this Order has been committed, the person committing the offence shall be issued with a Fixed Penalty Notice. The payment of a Fixed Penalty Notice provides the opportunity of discharging any liability to conviction for the offence.
 4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.
 5. The Order shall come into force on 11 October 2020 and expire on 10 October 2021.

Date of the Order XXXXXX

THE COMMON SEAL of
NORTH LINCOLNSHIRE COUNCIL
Was affixed hereto in the presence of:-

Authorised Signatory