1. **PURPOSE OF REPORT**

To inform members of the results of the consultation of a Public Spaces Protection Order

1. **INFORMATION**

2.1 At its January meeting, the Executive committee agreed that consultation be carried out on the potential coverage of a Public Spaces Protection Order (PSPO) for the wards of William Knibb, Northfield and All Saints. The full consultation document can be found at **Appendix A.**

2.2 A PSPO is a new provision, created by the 2014 Anti-social Behaviour, Crime and Policing Act. It is intended to deal with a particular nuisance or problem in a defined area that is detrimental to the local community’s quality of life by imposing conditions on the use of that area which apply to everyone. The aim is to stop individuals or groups committing anti-social behaviour in public spaces.

2.3 With regards to enforcement, a PSPO would enable an authorised officer (a police officer or authorised Council warden) to issue a warning to any individual, and if that warning or resulting instruction was ignored, then a Fixed Penalty notice would be issuable which, if not paid, would go to court, and could result in a conviction. . However, any such conviction would be classed as low level, such as in the case of a parking fine, and would be spent after a period of 5 years, or less if the offender is a young person.

2.4 Restrictions and requirements can be placed on an area where activities have or are likely to have a detrimental effect on the quality of life of local people, is persistent or continuing in nature and is unreasonable. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. The Guidance is not specific on what can be included in a PSPO. The potential for their use appears to be very broad and flexible to allow a Council to cover individual circumstances in its area.

2.5 In Kettering the reasons for putting a PSPO in place are two fold:-

1. One of timing – existing orders which regulate dog fouling and on street alcohol consumption cease to have effect in 2017, and a PSPO will be the only way in which these restrictions can remain in place thereafter, it was felt helpful to have an early PSPO in place well ahead of it being the only tool available.
2. One of opportunity – PSPOs are framed very widely to allow localities to identify activities which are seen to be anti-social in their effect and to take action to regulate them. The Council has over the years had complaints about a variety of issues – most notably about skateboarding, (in the town centre, at Morrison’s car park and other locations), begging, aggressive charity collections, misuse of car parks (public and private) for disruptive social events. The police have also had complaints about various parking and highway obstruction issues, and they additionally have concerns about the welfare of unaccompanied young people under 18 in the town centre at night. The consultation was therefore carried out to see which of these activities should be regulated by a PSPO.
3. **CONSULTATION AND CUSTOMER IMPACT**

3.1 A consultation exercise was carried out between February and May 2015, which covered all of the affected wards. 1000 leaflets were distributed to town centre shops and businesses, residences and community groups. There were also copies available in the Museum, Art Gallery, Library and Customer Services Reception. The consultation was also available online and was publicised through the council’s Twitter feed and Facebook page as well as through an article in the Northants Telegraph.

* 1. A total of 626 responses were received with 446 people in favour of there being a PSPO in place, and 180 against.

3.3 Of the 446 people who were in favour, 286 did not want the PSPO to extend to skating, boarding or scootering. Further details of all of the consultation responses can be found at **Appendix C.**

3.4 In addition to this, an online petition was set up by an independent group who do not agree that skateboarding on the Market Place should be subject to the restriction in the PSPO. The petition, numbering 2940 signatures is in addition to the consultation which the council has carried out. Some of these respondents may be the same but it is difficult to cross reference as they did not submit full personal details.

3.5 Whilst the Council appreciates the views of this section of the public, there are other aspects which have to be taken into account, such as the safety of the people using the Market Place. There have been complaints from older people and mothers with young children about the unpredictability of the movements of skateboarders.

3.6 With regards to skateboarding in other areas of the town, there have been some responses from residents living in Fleet Street in the vicinity of Morrisons, who have stated that, ‘The noise is definitely a nuisance and I can hear it in every room of my house. In the summer with windows open, or trying to work or relax in my garden, the noise is intolerable’. This particular resident goes on to emphasise these points with examples and has made complaints to Morrisons and his local councillor.

3.7 As a lot of the skating, boarding or scootering is carried out at the Market Place, including on the Art Gallery steps, members must be aware that if the activity continues at its current rate, there will likely need to be a repair of damage to the street furniture and/or steps on the Market Place. Likely costings are detailed at paragraph 5.2

* 1. The PSPO contains a wide number of provisions in addition to skateboarding – these are detailed in the consultation leaflet but also in **Appendix B**, and members are asked to consider the appropriateness of continuing to include each of the provisions as set out.
1. **POLICY IMPLICATIONS**
2. To increase the ability of the Police and Local Authority to manage Anti-Social Behaviour in defined areas.

4.2 One of the Council’s three over-riding priorities is “better town centres” and the PSPO has the potential to contribute to a safer town centre

1. **FINANCIAL RESOURCE IMPLICATIONS**
2. Enforcement would be managed within existing resources of the Police and Local Authority.
3. Costs of raw materials and staff resource to repair damage from skating, boarding and scootering would have been estimated as follows:

1no. Granite Bench = £1145

3no. Large Granite Pavers = £2085

4no. Small Granite Pavers = £745

4m2 Block paving = £600

These costs include the supply, installation and disposal of materials and at the present time are estimated.

5.3 It is a possibility that these repairs (totalling in the region of £4575) would be needed on a 6 monthly/annual basis and officers would need to carry out regular inspections on the Market Place and Art Gallery steps to ascertain any damage.

* 1. This could also be replicated in other parts of the town centre where damage may occur. The use of high-grade materials not designed to withstand the impact of boarding and scooting in the new public realm on Sheep Street, Market Street and Horsemarket will mean a high cost of repairs, including staff resource and contractors time on site.
1. **HUMAN RESOURCE IMPLICATIONS**
2. None
3. **LEGAL IMPLICATIONS**
4. Consultation and implementation was done in accordance with legal requirements

1. **RECOMMENDATION**

The committee is requested to consider the consultation responses, and in the light of discussions at the meeting, make a recommendation to the Executive Committee about the preferred provisions for any PSPO”.

|  |  |
| --- | --- |
| Background Papers: PSPO consultation documents and responses; petition  |  |
| Previous Minutes/Reports: |  |
| Executive Committee Ref:A14/037 |  |
| Date:14th January 2015 |  |