

## Officer Non Key Executive Decision

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| <b>Relevant Chief Officer (Decision Maker):</b>             | John Blackledge, Director of Community and Environmental Services                              |
| <b>Relevant Cabinet Member (for consultation purposes):</b> | Councillor Neal Brookes, Cabinet Member for Enforcement, Public Safety, Highways and Transport |
| <b>Report Author (Officer name and title):</b>              | Tim Coglan, Head of Public Protection and Enforcement  |
| <b>Implementation Date of Decision:</b>                     | 22 December 2021   |

### THE BLACKPOOL BOROUGH COUNCIL, MARTON WARD (RESTRICTED ACCESS) PUBLIC SPACE PROTECTION ORDER 2021

#### 1.0 Purpose of the report:

- 1.1 To agree the Blackpool Borough Council, Marton Ward (Restricted Access) Public Space Protection Order 2021 (PSPO) for a period of three years from 22 December 2021.

#### 2.0 Recommendation(s):

- 2.1 To approve the PSPO attached at Appendix 1a.
- 2.2 To delegate to the Head of Corporate Legal, authority to seal and advertise the order.

#### 3.0 Reasons for recommendation(s):

- 3.1 Historically, Gating Orders authorised the installation of alley gates. The Anti-social Behaviour, Crime and Policing Act 2014 repealed the alley gate legislation. Alley gates must now be authorised by a PSPO or removed.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

If no order is made, these alley gates must be removed.

#### **4.0 Council Priority:**

4.1 The relevant Council Priority is

- “Communities: Creating stronger communities and increasing resilience”

#### **5.0 Background Information**

5.1 Historically Alley Gate orders under the Highways Act 1980 permitted the installation of gates used to restrict public access to alleyways where anti-social behaviour and/or crime existed.

5.2 The Anti-social Behaviour Crime and Policing Act 2014 converted existing alley gate orders automatically into Public Space Protection Orders. These orders are now due for renewal.

5.3 Due to the number of alley gates installed within the Borough, rather than creating a PSPO for each alley gate installation, every Ward will have a PSPO listing all of the alley gates in that particular area. This will make it easier for residents to search for details of alley gates near to where they live.

5.4 Consultation with residents took place in December 2020. There were no objections to the proposed order. The majority of the responses were positive towards retaining the gates. Some comments requested a review of the gates, for example, considering a relocation of the gate, or the installation of additional gates to provide further security. Some residents did request removal of gates but this was a minority viewpoint.

5.5 There are no new alley gates. All of the alley gates listed in the schedule to the order attached were installed a number of years ago under the authority of a gating order.

5.6 If there is a need in the future to install/remove gates, the PSPO can be varied as necessary at that time.

Does the information submitted include any exempt information?

No

#### **List of Appendices:**

Appendix 1(a) Public Space Protection Order

Appendix 1(b) Consultation Report and responses

#### **6.0 Legal considerations:**

6.1 The legal considerations have been referred to above.

**7.0 Human Resources considerations:**

7.1 None.

**8.0 Equalities considerations:**

8.1 There are no equality issues.

**9.0 Financial considerations:**

9.1 Any costs of additional signage will be funded through the Community and Environmental Services budget.

**10.0 Risk management considerations:**

10.1 There are no risk management considerations.

**11.0 Ethical considerations:**

11.1 The proposed actions would support the Council's core values, morals and beliefs, as well as the Council's priorities.

**12.0 Internal/ External Consultation undertaken:**

12.1 Public Consultation took place in December 2020.

**13.0 Decision of Head of Legal Services**

13.1 The Blackpool Borough Council, Marton Ward (Restricted Access) Public Space Protection Order 2021 is approved and the Head of Corporate Legal Services is authorised to seal the order and advertise it as necessary.

**14.0 Reasons for the Decision of the Head of Legal Services**

14.1 This decision ensures that Blackpool's residents can continue to receive protection from crime and anti-social behaviour taking place by the restriction of public access to alleys at the rear of their properties.