

Report to:

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE

Relevant Officer:

Lisa Arnold Assistant Director of Community and Environmental Services

Jennifer Clayton, Head of Public Protection and Enforcement.

Date of meeting:

15 November 2023

PUBLIC SPACE PROTECTION ORDER FOR PARKS, GREEN SPACES AND CEMETERIES

1.0 Purpose of the report

To provide a summary of the results of the recent consultation regarding a new Public Space Protection Order (PSPO) for parks, green spaces and cemeteries.

To provide an overview of the contents of the proposed PSPO aimed at ensuring our Parks, greens spaces and cemeteries are a welcoming and safe place for residents and visitors to enjoy.

2.0 Recommendation(s)

That the committee consider the contents of the proposed PSPO.

That the committee support the proposed PSPO.

3.0 Reason for recommendation(s)

To give increased enforcement options to officers of the local authority to deal with nuisance and anti-social behaviour in parks, green spaces and cemeteries across Blackpool.

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

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

4.0 Other alternative options to be considered

To not support the content of the proposed PSPO, reducing the enforcement options available to both Lancashire Police and local authority officers in dealing with nuisance and antisocial behaviour.

5.0 Council priority

The relevant Council priority is:

- 'Communities: Creating stronger communities and increasing resilience'

6.0 Background and key information

- 6.1 Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in a specific 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. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 6.2 Local councils are responsible for making PSPOs. Given that these orders can restrict what people can do and how they behave in public spaces, it is important that the restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.
- 6.3 Across Blackpool, a number of different PSPOs are in operation to tackle anti-social behaviour locally.
- 6.4 Public consultation regarding the proposed PSPO was undertaken by Infusion Research from the 19th June 2023 – 28th August 2023 running for a total of 10 weeks.
- 6.5 This consultation offered an opportunity for visitors to Blackpools' parks, green spaces and cemeteries to tell the council about their experiences and concerns whilst visiting these areas allowing the council to review the current controls in place and to determine whether or not a PSPO should be considered.
- 6.6 A total of 1,483 responses were received to this consultation. 1,440 responses were collected through an open access online survey, 41 responses collated from face-to-face engagement work in Stanley Park and 2 email responses were sent into Blackpool Council. Furthermore, initial consultation has taken place with the Police, via the Chief Inspector for the Blackpool area and formal consultation with Lancashire Constabulary and other statutory consultees, including but not limited to, National Probation Service (NPS), Lancashire Fire and Rescue, Integrated Care Board (ICB) and the Office of the Police Crime Commissioner will take place with the final proposed draft, prior to implementation. A copy of the full public consultation report can be found at Appendix 7(a). A summary of the findings are outlined below.
- 6.7 The consultation found the following proportions of respondents in agreement with the proposed introduction of the protection orders. The table below includes those

respondents who said they ‘strongly agreed’ and ‘tended to agree’ with each proposal:

Parks and green spaces	% of agreement
To give police and council officers powers to deal with anti-social behaviour, including alcohol-related anti-social behaviour	97.8%
To give police and council officers powers to deal with substance misuse, including use of cannabis	95.8%
To give police and council officers powers to deal with unauthorised vehicles driving within the area	94.3%
Commercial activities such as group fitness training; commercial dog walking and training or exercising of horses/ponies to be regulated by the local authority	65.8%
The use of remote controlled water, air or land based vehicles to be banned	58.6%
Illegal or unauthorised camping including the use of tents/caravans and other vehicles to be banned	83%
Dogs on leads near council owned water bodies in Blackpool	82.8%
Cemeteries	% of agreement
To give police and council officers powers to deal with anti-social behaviour, including alcohol-related anti-social behaviour	97.7%
To give police and council officers powers to deal with substance misuse, including use of cannabis	96.5%
To give police and council officers powers to deal with unauthorised vehicles driving within the area	94.8%

* responses from those who chose the ‘don’t know/no opinion’ were omitted from the calculations

- 6.8 Almost 1,000 people who responded to the consultation, stated that they had personal experience of the issues they had highlighted. Another 300 said they had heard about the issues that they were highlighting from neighbours, friends, family and the media.
- 6.9 The problem of most concern which was reported by respondents was ‘dogs off-lead focusing on the impact to wildlife’. Comments from a significant proportion of respondents have asked for better enforcement including CCTV, more park wardens and a better police presence.
- 6.10 Following results of the public consultation, the proposals are to include additional powers to deal with the following via one PSPO that covers all areas:
- Dogs off leads near council owned water bodies of Blackpool

- Illegal or unauthorised camping including the use of tents/caravans and other vehicles
- People causing harassment, alarm, distress or vandalism
- People causing anti-social behaviour
- Substance and alcohol misuse
- Unauthorised vehicles driving within the area

6.11 The proposals will not include regulation or enforcement regarding the use of remote controlled vehicles or commercial activities due to the lack of support for this, as outlined within the public consultation.

6.12 The proposals will cover the parks, green spaces and cemeteries outlined at Appendix 7(c). Signage will be erected in these locations to inform the public of the PSPO relevant to that area. Additional signage will be placed at key points along the waterbody perimeters outlined in Appendix 7(b), to ensure dog walkers are aware of the 'dogs on leads' restriction within these areas.

6.13 Following consideration of the report by the Climate Change and Environment Scrutiny Committee, the PSPO will be drafted by Blackpool Councils' Legal Department and shared with partners for comment prior to being presented at a future meeting of the Executive and submitted to the courts for approval, before implementation in early 2024.

7.0 Does the information submitted include any exempt information? No

8.0 List of appendices

8.1 Appendix 7(a) – PSPO Consultation Report;

8.2 Appendix 7(b) – Proposed 'dogs on lead' parameters around water bodies within parks and green spaces;

8.3 Appendix 7(c) – List of Parks, green spaces and cemeteries that the PSPO will apply to.

9.0 Financial considerations

9.1 Finance is available within existing budgets for the installation of appropriate signage. No additional resources are available to carry out additional enforcement, however frontline officers across the council and police be given these additional powers as part of their existing roles.

10.0 Legal considerations

10.1 The Anti-social Behaviour, Crime and Policing Act 2014 provides a broad legal framework within which PSPOs can be implemented. Orders can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that

certain conditions have been met.

11.0 Risk management considerations

Not Applicable

12.0 Equalities considerations and the impact of this decision for our children and young people

12.1 A separate process is in place whereby any proposed enforcement action against a Blackpool child or young person is reviewed by a multi-agency panel chaired by the Assistant Director of Childrens Services to ensure a proportionate response is taken.

13.0 Sustainability, climate change and environmental considerations

13.1 Not applicable

14.0 Internal/external consultation undertaken

14.1 Significant consultation has been undertaken with members of the public as outlined within the report. Furthermore, consultation will take place with our partners including Lancashire Constabulary, Lancashire Fire and Rescue, Integrated care board and probation before implementation.

15.0 Background papers

15.1 None