



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Rural and Communities Overview and Scrutiny Committee

5th July 2023

Report of Councillor Rhea Rayside
Cabinet Member for People and
Communities

Review of Public Space Protection Orders

Report Author

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Purpose of Report

The Council is required to review the Public Space Protection Orders (PSPO's) which apply in the district every three years. This report considers whether the existing Orders should be extended and an additional Order implemented.

Recommendations

That the Committee:

- 1. Considers the continuation of the existing Spaces Protection Orders**
- 2. Considers the proposed amendment to the existing Public Space Protection Order (Dog Exclusion) to include additional areas at the Recreation Ground, Stamford.**
- 3. Considers the request for a new Public Space Protection Order for vehicle related nuisance and anti-social behaviour covering the following areas within Stamford: the Station Road car park (also known as Cattle market), The Meadows and Bath Row car park.**

4. Recommends to the Cabinet Member for People and Safer Communities Commercial and Operations that statutory consultation is undertaken in respect of the above.

Decision Information	
Is this a Key Decision?	Yes
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Healthy and Strong communities Clean and sustainable environment
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no budget implications related to the proposed consultation. This will be identified from existing budgets and therefore does not require additional financing being sought.

Richard Wyles, Chief Finance Officer

Legal and Governance

- 1.2 The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the requirements for consultation. A PSPO can be made if, on reasonable grounds, the local authority is satisfied that the required conditions are met. As stated in the report, the PSPOs

can last for up to three years once approved and can be varied or extended more than once.

- 1.3 An equality impact assessment has been completed for the consultation process and is at **Appendix A**.

2. Background to the Report

- 2.1 Public Space Protection Orders (PSPO's) were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 to deal with nuisance or problems in specific areas that are 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. They can apply to any public space. The definition of public space is wide and includes any place to which the public or any section of the public has access
- 2.2 A PSPO can be made by the Council if it is satisfied, on reasonable grounds, that the activity or behaviour concerned, carried out, or likely to be carried out in a public space:
- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions imposed.

Existing Orders

- 2.3 Orders must be reviewed every three years and can be extended up to a further three years if it is considered that they are necessary to prevent the original behaviour from occurring or recurring. The existing Orders can be found within the background papers.
- 2.4 Table 1 shows the current Orders that are in place which expire on the 20th October 2023:

Table 1: Existing Orders

Alcohol Control
Anti-social behaviour caused by drinking alcohol in a designated public space (specified areas): Grantham

Stamford
Bourne
The Deepings
Dog Exclusion
Excludes dogs from specified enclosed children's play areas.
Dog Fouling
It is an offence to fail to pick up dog faeces if a dog, which an individual is in charge of, defecates (district wide)
Dogs on Leads by Order
An authorised officer can request an individual in charge of a dog to put (and keep) a dog on a lead, if such restraint is considered reasonably necessary (district wide). In addition, dogs must be kept on leads at all times whilst in The Spinney, Market Deeping.

- 2.5 Evidence to support the continuation of the existing Orders has been gathered and reviewed and is provided within this report.
- 2.6 Table 2 shows data from Lincolnshire Police of the numbers of reported alcohol related anti-social behaviour incidents broken down by year from 2020 to date.

Table 2: Lincolnshire Police Data

	2020 (Oct-Dec)	2021	2022	2023 until May	(up 31st)	Grand Total
Grantham Rural North	1	3	6	1		11
Grantham Rural South	1	8	3	5		17
Grantham Town West	4	27	15	5		51
Grantham Town East	1	19	18	6		44
Grantham Town Centre	13	48	53	10		124

Bourne & Billingborough	2	20	16	6	44
Market Deeping	3	19	10	6	38
Stamford Town	4	42	44	8	98
	29	188	170	47	434

- 2.7 In respect of dog fouling, this continues to be a matter of priority for the Neighbourhoods team due to the number of complaints received. Neighbourhoods Officers carry out proactive patrols in hotspot areas and signage is in place in key areas across the district which does act as a deterrent and as such no breaches of the dog fouling PSPO have been identified to date. The numbers of dog fouling complaints received by SKDC is outlined in Table 3 below which demonstrates that numbers of complaints are dropping which may be attributable to the existence of the PSPO and ongoing activity.

Table 3: SKDC Dog Fouling Complaints

Year	Number of Dog Fouling Complaints
2019	211
2020	207
2021	150
2022	128

- 2.8 The report recommends that the PSPO requiring dogs to be kept on a lead in the enclosed area of The Spinney, Market Deeping continues unchanged. Correspondence with the Market Deeping Town Council supports the continuation of the PSPO (unchanged) and whilst they are unable to provide any supportive data, they have provided the following statement:

“The Council are keen to continue with the licence. The Spinney is an area for the scattering of cremated remains; a peaceful, respectful area, and dogs on leads is something the Council supports. Park Keepers have had on occasion to ask dog owners to put their dogs on leads, and the clerks in the office here have informed me that they have had complaints about dogs being off-lead. As this is an area of quiet reflection the Council very much supports having the PSPO”.

- 2.9 It is proposed that the existing Orders continue, these can be found within **Appendix B**. Within **Appendix B** the Dog Exclusion Zone, Plan 16, has been amended as referred to below.

Amended Order

- 2.10 It is proposed the Dog Exclusion Zone Order, Plan 16, is amended to include additional enclosed areas on the Recreation Ground, Stamford. These are the bowling green, tennis court and the skatepark. The associated map and indicated areas are attached in **Appendix B**.

Proposed New Order

- 2.11 Following complaints of vehicle related anti-social behaviour and subsequent partnership working with the Police. It is proposed a new PSPO is considered to tackle vehicle related nuisance and anti-social behaviour. This would include the area of the Station Road car park (also known as Cattle Market), The Meadows and Bath Row car park, Stamford. The draft Order and associated map are included within **Appendix C**. Details of the supporting evidence are included within **Appendix D**. It is proposed that this Order be in effect for a period of three years.

3. Key Considerations

- 3.1 PSPO's are a useful tool in local authorities, working in partnership with the Police, being proactively able to tackle specific issues occurring in particular public spaces. The prohibition of certain activities acts as a deterrent and gives authorised officers the tools in which to tackle the behaviours which are affecting the wider community.
- 3.2 If the existing PSPO's are not renewed, and the proposed PSPO is not approved, South Kesteven District Council and Lincolnshire Police will have a more limited ability in which to tackle these behaviours.

4. Other Options Considered

- 4.1 That consultation is undertaken and following analysis of the responses, the continuation of the existing Orders and necessity to implement a further Order be considered.
- 4.2 The existing Orders could be allowed to expire. This would remove the ability to enforce against the matters covered by the Orders.
- 4.3 The new Order is not put in place, this would prevent ability to enforce against the matters covered by the proposed Order.

5. Reasons for the Recommendations

- 5.1 The existing Public Space Protection Orders are due to expire, and a request has been received to consider an additional new Order. Proceeding to consultation will help inform whether there is a need to extend the existing Orders and introduce an additional Order.

6. Consultation

- 6.1 Under s72 of the Anti-social Behaviour, Crime and Policing Act 2014, a local authority must carry out the necessary consultation before extending, varying or making a PSPO. Necessary consultation means consulting with the Chief Officer of Police, the local policing body whatever community representatives the authority deems appropriate and the owner or occupier of land within any of the restricted area.
- 6.2 There is no statutory consultation period, however, a period of 4 weeks is proposed.
- 6.3 When the consultation is complete the results will be analysed and presented to Cabinet.

7. Background Papers

- 7.1 [Cabinet Report Tuesday 13 October 2020](#)
- 7.2 [SKDC Public Space Protection Orders Existing](#)

8. Appendices

- 8.1 Appendix A: Equality Impact Assessment;
Appendix B: Draft proposed Orders and associated maps;
Appendix C: Draft Order for vehicle related ASB at Meadows area, Stamford;
Appendix D: Supporting evidence for proposed new PSPO