

# Communities Scrutiny Panel

<b>DATE</b>	08/09/2022
<b>REPORT OF</b>	Sharon Wroot, Executive Director, Environment, Economy, and Resources
<b>SUBJECT</b>	Renewal of the ASB and the Dog Control Public Space Protection Order
<b>STATUS</b>	Open

## CONTRIBUTION TO OUR AIMS

Delivering outcome focused Enforcement through targeted Public Space Protection Orders contributes to the Councils key outcomes of enjoying good health and wellbeing, benefit from a strong local economy and live in a safe environment by tackling anti-social behaviour and environmental crime.

## EXECUTIVE SUMMARY

This report gives an overview of the renewal of the Public Space Protection Order for Anti-social behaviour (ASB) and Dog Control matters undertaken in July 2022. Further detail around Issuance under the PSPO is provided in Appendix 1 to this report.

## MATTERS FOR CONSIDERATION

This report aims to update the panel on the enforcement outputs undertaken and seeks to highlight any further areas of concern for further scrutiny.

### 1. BACKGROUND AND ISSUES

#### What is a PSPO?

- 1.1 Public Spaces Protection Orders (PSPOs) are intended to deal with nuisance or problems in an area that cause harm to the quality of life of the local community. The power to make a Public Spaces Protection Order was given to Councils by the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.2 Environment and Children's Services Enforcement teams currently use two PSPO's. These are for Anti-Social Behaviour and Dog Control matters. Both were initially put in place in July 2019 and ran for 3 years until July 2022.

#### ASB PSPO

- 1.3 The Anti-social behaviour PSPO is split into seven locations. These locations were selected because of recorded anti-social behaviour within those areas and after consultation with Humberside Police.

1.4 The locations are:

1. Grimsby Town Centre
2. Peoples Park
3. Cleethorpes Town Centre and Sea Front (from Wonderland to the Leisure Centre)
4. Cleethorpes Sea front from the Leisure Centre to North Sea Lane Roundabout
5. Cleethorpes Country Park
6. Sidney Sussex Recreation Ground
7. Haverstoe Park

1.5 It is felt this PSPO has assisted and continues to assist with the improvement of areas and amenities for the benefit of the community in conjunction with the town improvement plans. The PSPO also includes dispersal conditions (issued by the Police) and allows warnings to be given to deter behaviours and provide community reassurance.

### **Dog Control PSPO**

1.6 A summary of the Dog Control provisions in the renewed PSPO are shown below:

1.7 Borough wide prohibitions when in charge of a dog:

- Failure to pick up dog mess
- Failure to carry the means to pick up dog mess
- Leads by order - Where an authorised officer has directed that a dog should be kept on a lead.

1.8 Restrictions in a certain area when in charge of a dog:

- Dogs on leads in certain areas with clear signage:
- Cemeteries and burial areas during opening hours
- Sports grounds, fields, and open spaces, play areas and pitches during organised and authorised events.

1.9 Exclusions when in charge of a dog:

- Excluded from certain areas with clear signage:
- Children's play areas
- Cleethorpes beach between Good Friday and 30 Sept each year. (Wonderland Rock Groyne to Cleethorpes Leisure Centre)
- Bowling greens
- Cemeteries and burial areas outside of opening hours

### **Impact of the PSPO's**

1.10 The ASB and Dog Control PSPOs were introduced in July 2019 (for 3 years) to curb a range of anti-social behaviour within the borough. Since that time, in excess of 1200 fixed penalty notices have been issued for breaches of PSPO's, the majority being for dog owners breaching the restrictions on the Cleethorpes beach and for cycling failing to comply with the No cycling conditions around the town centre. Further details of Issuance are shown in Appendix 1 to this report.

1.11 This evidence demonstrates the continued localised problems that exist and therefore the need for continued provisions designed to tackle these issues to ensure a safe and clean place for all.

### **Renewal of the PSPO's – July 2022**

1.12 As part of the renewal process, once satisfied of the continued need for the provisions, further public consultation was done in order to assess whether there was public support for the continuation of these PSPO's.

1.13 This consultation commenced on the 23<sup>rd</sup> May 2022 and was concluded on 10<sup>th</sup> June 2022.

1.14 The public was asked whether they felt both existing PSPO's had helped reduce ASB and dog fouling and dog related incidents. In addition, the public were asked whether they supported the renewals of the prohibitions in both orders and if they had any further comments to make of the subject matter.

1.15 In answer to the question "Do you feel that the PSPO has helped to reduce ASB in the following places the results were:

- Cleethorpes town centre and seafront: 51.85% agreed
- Cleethorpes Country Park: 53.62% agreed
- Grimsby town centre: 34.59% agreed
- Peoples Park: 32.68% agreed.
- Haverstoe Park: 32.5% agreed
- Sussex Recreation Ground: 37.11% agreed

1.16 The public were also asked whether they supported the renewal of the PSPO's, the replies show overwhelming support for the renewal, the results were:

- Cleethorpes Town Centre and Seafront: 91.95% agreed
- Cleethorpes Country Park: 92.18% agreed
- Grimsby Town Centre: 91.60% agreed
- Peoples Park: 92.58% agreed.
- Haverstoe Park: 90.95% agreed
- Sussex Recreation Ground: 92.5% agreed

1.17 Overall, the results show that the vast majority of the public who responded support the renewal of these PSPO's.

1.18 The same consultation sought the views of the public with regard to the Dog Control PSPO, a summary of the results is shown below:

- The public were asked whether they felt the PSPO has helped to reduce dog fouling, 32.52 % of residents agreed.
- The public were also asked whether the PSPO had helped to reduce dog related incidents in public places, 35.8% agreed.

1.19 The public support for renewal of the Dog Control prohibition and restrictions was significant, the results were:

- Failure to carry the means to pick up dog mess: 89.58% agreed
- Keeping dogs on lead: 91.14%
- Keeping dogs on leads in cemeteries and burial areas during opening hours: 87.76%
- Keeping dogs on leads in sports grounds, fields, parks, play areas and pitches during organised, authorised events: 89.54%
- Dogs to be excluded from play areas: 85.04%
- Dogs to be excluded from Cleethorpes beach during specified periods: 75%
- Dogs to be excluded from bowling greens: 90.52%
- Dogs to be excluded from cemeteries and burial areas outside opening hours: 75.88%

1.20 Certain churchyards were removed from the renewed PSPO. This is due to their being no reported incidents relating to dog control issue in those areas and therefore no evidence to demonstrate the need for this condition to remain.

## **2. RISKS AND OPPORTUNITIES**

2.1 These anti-social activities continue to have a negative and detrimental effect on locations within the borough and businesses affecting shoppers, residents and visitors/tourists to the area who are engaging in normal or leisure activities. These PSPO's will enable the council and Police to deal more effectively with both anti-social behaviour and environmental anti-social behaviour in the defined locations.

2.2 The renewed Dog Control PSPO will mirror the former PSPO (in place July 2019 – July 2022) with the exception of removing churchyards from specific prohibitions. The anti-social behaviour PSPO will remain unchanged.

2.3 Enforcement of these PSPO's are split between LA Support delivered through the contracted Doncaster Framework Agreement and Humberside Police with the council's Community Safety team able to process any fixed penalty notices issued by Humberside Police.

### **Challenges**

2.4 The Town Centre is regularly patrolled by LA Support Officers at part of their normal work, during these patrols those failing to comply with the PSPO restrictions including cycling or littering are approached to obtain details to issue a fixed penalty notice, however, obtaining the required information from a proportion of these adult offenders can be difficult.

2.5 Anecdotally, 25% of offenders refuse to provide details. This can rise to 50% on busier days. These are often the most persistent offenders who act in an anti-social way or by causing alarm, harassment or distress intimidating other

pedestrians in the locality. Under the legislation used to implement the PSPO, LA Support officers have no additional powers.

- 2.6 In addition, persistent juvenile offenders who choose to ignore the No cycling requirement that cannot be dealt with through the PSPO or by other criminal sanctions do present a challenge.
- 2.7 As a consequence, days of action with Policing colleagues are very useful as Police Constables do have additional to stop individuals acting anti socially.

### **3. REPUTATION AND COMMUNICATIONS CONSIDERATION**

- 3.1 Enforcement action against offenders overall is largely viewed as positive action and received favourably by the community. However, there will always be potential for both positive and negative reputational implications for the council in matters of enforcement.

### **4. FINANCIAL CONSIDERATIONS**

- 4.1 There are no direct introduction costs, however ongoing costs to maintain existing PSPO signage are to be met from within the services existing revenue budget envelope.

### **5 CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 5.1 This report outlines action taken against adult offenders only. Juveniles will not be subjected to criminal sanctions.
- 5.2 However, work will continue between Children Services, Youth Service Team, and Enforcement teams to ensure that persistent juvenile offenders can be dealt with through appropriate means.

### **6 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 6.1 Ultimately all resourcing decisions taken by the Council impact upon the environment. For this reason, the Council must take climate change and environmental issues into account in the establishment of its financial plans.
- 6.2 The Council's financial strategy looks towards consuming resources more efficiently, eliminating waste and supporting and developing the green economy and infrastructure. This includes recognising and realising the economic and social benefits of a high-quality environment.

### **7 FINANCIAL IMPLICATIONS**

- 7.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance, or physical assets). As a result, no monitoring comments have been sought from the Council's Section 151 Officer.

## **8 LEGAL IMPLICATIONS**

- 8.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance, or physical assets). As a result, no monitoring comments have been sought from the Council's Monitoring Officer (Chief Legal Officer).

## **9 HUMAN RESOURCES IMPLICATIONS**

- 9.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance, or physical assets). As a result, no monitoring comments have been sought from the Council's Strategic Workforce Lead.

## **10 WARD IMPLICATIONS**

- 10.1 These Multi action days of action will be conducted across the borough so affecting all wards.

## **11 BACKGROUND PAPERS**

- 11.1 None

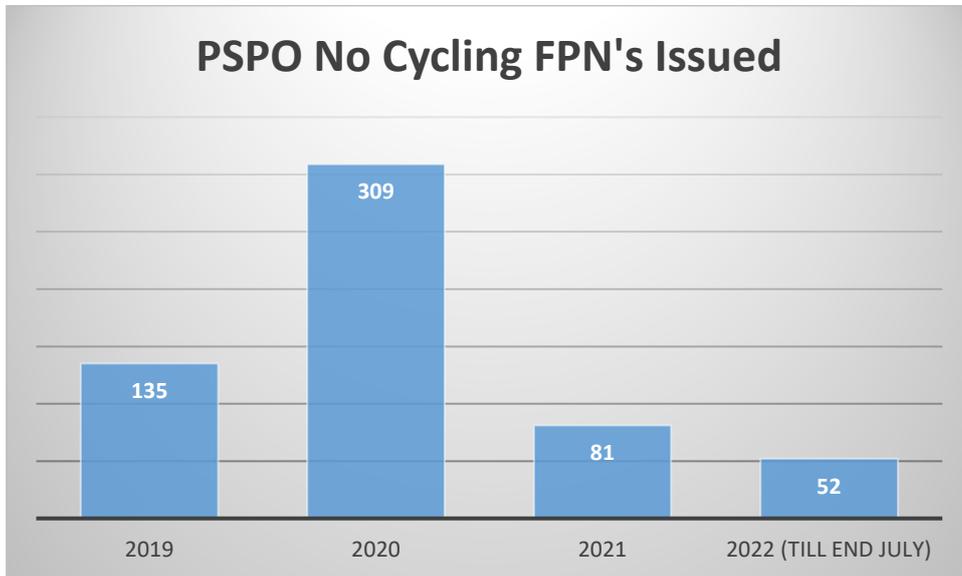
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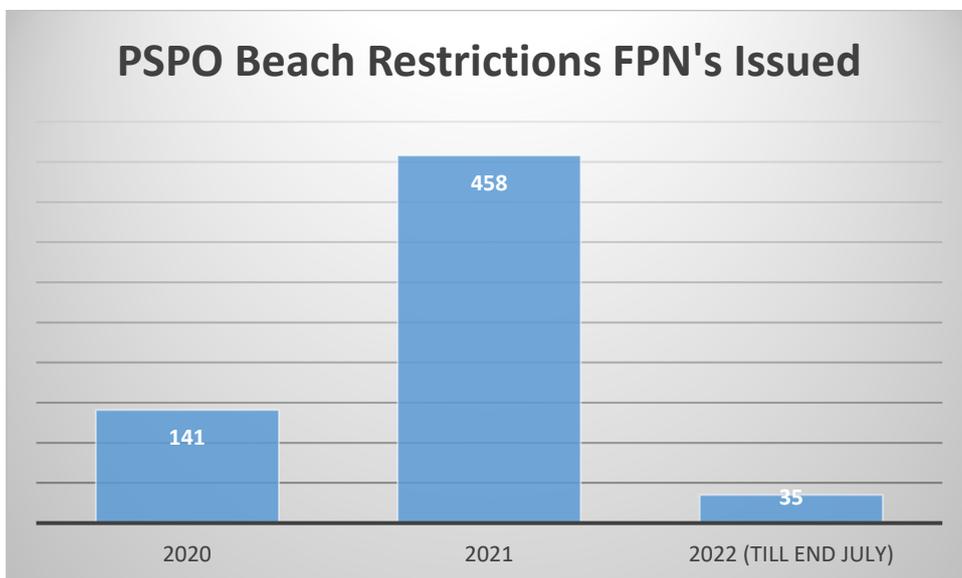
**Sharon Wroot,**  
**Executive Director,**  
**Environment, Economy, and Resources**

## **Appendix 1**

Details of issuance by LA Support through the Doncaster Framework for each of the main areas of the PSPO.



Note the PSPO restrictions around dogs on the beach were not enforced in 2019 due to contract with Doncaster not being implemented until after the end of September 2019.



The below figures include both Dog Fouling / No means to Pick up FPN's Issued.

