

LEISURE AND ENVIRONMENT COMMITTEE

16 MARCH 2021

PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER – VICAR WATER COUNTRY PARK

1.0 Purpose of Report

To report the findings of the consultation with key partners and members of the public, on the proposed Public Space Protection Order (“PSPO”) at Vicar Water Country Park.

2.0 Background Information

2.1 In January 2021 the Committee considered a report on a Public Space Protection Order in relation to fire related controls at Vicar Water Country Park and recommended that formal consultation took place with the following:

Notts Fire and Rescue
Notts Police
Clipstone Parish Council
Park Users
Friends of Vicar Water
Clipstone Angling club
Notts Wildlife Trust

3.0 Introduction

3.1 The consultation has been carried out in accordance with Government guidance and has considered if the geographical area and specific controls enforced under the proposed PSPO are necessary and appropriate.

3.2 The consultation took varying forms; partnership agencies (Nottinghamshire Police, Nottinghamshire Fire & Rescue Service, Clipstone Parish Council, Clipstone Angling Club, and Nottinghamshire Wildlife Trust) were provided with questionnaires. Responses have been received by all 5 agencies and are set out in a summary document attached as Appendix One.

3.3 The public proposal took place by way of displaying the proposed PSPO on the Council’s website, on both the “Have Your Say” and Vicar Water webpages.

3.4 Responses were received from three members of the public. All three supporting the proposal for a PSPO.

3.5 Consideration has been given to the option of a specifically designated BBQ area. Consultation with other park providers as demonstrated that outside of the vary large areas such as Clumber Park this is not a feature normally provided due to the fire risk. The Parks team have confirmed that they would not support the designation of such an area.

4.0 Proposals

4.1 Due to the history of fires and anti-social behaviour at the site it is proposed that a Public Space Protection Order be considered at Vicar Water Country Park.

4.2 The terms of the PSPO being:

”a person or persons are prohibited from the following activities being: the lighting of fires; barbecues; Chinese lanterns, fireworks; or using any article/object which causes a naked flame and which poses a risk of fire”

4.3 A map showing the proposed area of the PSPO is attached as Appendix Two. It indicates that the extent of the proposed PSPO is the whole of vicar water Country Park, however there is a small exclusion area around the fishing lake to allow smoking by the angling club as their members are there for an extended amount of time.

4.4 Two further designated smoking areas have been identified as:

- (1) the area outside of the Visitors Centre, which hosts Rumbles Café, and would be restricted to the immediate area at the rear of the building, which includes the outdoor seating facility for Rumbles Café.
- (2) the car park area

A map showing these additional exclusions is attached as Appendix three

4.5 Failure to comply with the PSPO is an offence. It is proposed that the fixed penalty level or all Public Space Protection Orders is set at £100.00 reduced to £75.00 if made within 14 days. This aligns the penalty level with that of similar environmental and ASB offences.

4.6 It is proposed that the enforcement of PSPO's will be carried out by Authorised officers of the council and police.

5.0 Equalities Implications

5.1 The introduction of a PSPO should not have any impacts on any protected characteristic groups. The consultation has not raised any equality issues.

5.2 Any enforcement of the PSPO will be undertaken in line with the Councils Corporate Enforcement Policy.

6.0 Digital Implications

6.1 None from this report

7.0 Financial Implications (FIN20-21/7135)

7.1 There is sufficient current budget in the Environmental Health Service to cover the costs of advertising the PSPO.

- 7.2 The costs for signage can be met within current budgets. The signs, setting out the controls in place, will need to be distributed across the park.
- 7.3 PSPOs can be enforced by the use of fixed penalty notices. It is not anticipated that any significant income will be generated by this activity.

8.0 Community Plan – Alignment to Objectives

- 8.1 There are two objectives that this report is relevant to, they are:

Reduce crime and anti-social behaviour and increase feelings of safety in our communities

Enhance and protect the districts natural environment

- 8.2 The creation and enforcement of a PSPO as proposed will assist in the delivery of these elements of the Community Plan.

9.0 RECOMMENDATION

Members are asked to:

- (a) **agree the terms of the PSPO as being ‘a person or persons are prohibited from the following activities being: the lighting of fires; barbecues; Chinese lanterns, fireworks; or using any article/object which causes a naked flame and which poses a risk of fire’; and**
- (b) **agree the proposed designated smoking areas.**

Reason for Recommendation

To put appropriate controls in place to control fire starting and ASB at Vicar Water Country Park

Background Papers - Nil

For further information, please contact Alan Batty ext 5467.

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