

HOMES & COMMUNITIES COMMITTEE

7 JUNE 2021

PROPOSAL FOR PUBLIC SPACE PROTECTION ORDERS – NEWARK TOWN CENTRE AND SITES IN BALDERTON

1.0 Purpose of Report

- 1.1 To report the findings of the consultation with key partners and members of the public, on the proposed Public Space Protection Order (“PSPO”) in the following areas:
- a. Newark town centre
 - b. Coronation Park, Balderton
 - c. Balderton Lakes
 - d. Lakeside Shopping centre, Balderton

and to seek approval for the making of the formal making of the Public Space Protection Orders.

2.0 Background Information

- 2.1 In March 2021 the Committee considered a report on a Public Space Protection Order in relation to controls to combat anti-social behaviour in Newark town centre, Coronation Park, Balderton Lakes, and Lakeside shopping centre and recommended that formal consultation took place with the following:

Newark Town Centre:

Newark Town Council
Nottinghamshire Police
Nottinghamshire Fire and Rescue
Nottinghamshire County Council Youth Outreach teams
Members of the Public
Licensed premises via Pub Watch
Retail premises via Shop Watch
Public Consultation via NSDC Website & Nottinghamshire Police Website
Change, Grow, Life

Coronation Park, Balderton Lakes, Lakeside Shopping Area:

Balderton Parish Council
Nottinghamshire Police
Nottinghamshire Fire and Rescue
Nottinghamshire County Council Youth Outreach teams
Members of the Public
Banks, Long & Co Management Company for Lakeside Shopping Centre
Lakeside Shopping Centre shops
Public Consultation via NSDC Website & Nottinghamshire Police Website
Change, Grow, Life

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 PSPOs are necessary and appropriate.
- 3.2 The consultation took varying forms; partnership agencies (Nottinghamshire Police, Nottinghamshire Fire & Rescue Service, Newark Town Council, Balderton Parish Council, Nottinghamshire County Council youth outreach teams, and Change, Grow, Live) were provided with questionnaires.
- 3.3 The public proposal took place by way of displaying the proposed PSPO on the council's website, on the "Have Your Say" webpage.
- 3.4 Retail premises in the town centre and Lakeside shopping centre were visited by council officers and provided with questionnaires.
- 3.5 Internal teams have been consulted, i.e. Environmental Services, along with Ward Members for each of the four proposed areas. Consultation has also taken place via Pub Watch and Shop Watch (retail premises) members.
- 3.6 Responses have been received and are set out in a summary document attached as Appendix One.
- 3.7 All the respondents are supportive if the proposals to introduce a PSPO at the locations set out. IN relation to all the proposed areas the police make the comment that 'This dispersal power will allow officers to disperse those who are likely to engage in ASB and prevent issues before they take place'.
- 3.8 There have been some suggested amendments to the boundary of the Newark town centre area. Both of the areas suggested have not been subject to ASB and it would be difficult to justify their inclusion. In addition to this the proposed PSPO are currently matches that of the alcohol PSPO and changes to the boundary could lead to confusion.

4.0 **Proposals**

- 4.1 Due to the history of anti-social behaviour in Newark town centre and specific areas of Balderton, it is proposed that Public Space Protection Orders be considered for Newark town centre, Coronation Park, Balderton Lakes, and Lakeside Shopping Centre.
- 4.2 The terms of the PSPO being:

If a police officer, police community support officer, or authorised officer of the council has reasonable grounds to suspect that the behaviour of the person in the location has contributed or is likely to contribute to members of the public in the area being alarmed, harassed or distressed, they can direct the person to,

(a) Leave the location, or part of the location, and

(b) Not to return to the location, or part of the location, for the period specified in the direction ("the exclusion period")

The exclusion period must not exceed 48 hours and must

a) Be given in writing, unless that is not reasonably practicable

b) Must specify the area to which it relates

c) May impose requirements as to the time by which the person must leave the area and the manner in which the person must do so (including the routes)

- 4.3 Maps showing the proposed areas of the PSPOs are attached; the area defined as Newark town centre is outlined in red in Appendix Two, Balderton Lakes, Coronation Park and Lakeside shopping centre are outlined in red in Appendix Three. These indicate the extent of the proposed PSPO areas.
- 4.4 It is proposed that the areas of the PSPO for Newark Town centre matches exactly that which is already included within the PSPO for alcohol controls.
- 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.

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 (FIN21-22/5874)

- 7.1 The PSPO will be required to be advertised once it is made. The existing budget will be used for this purpose.
- 7.2 Signage setting out the controls in place will need to be distributed across each area. Existing budgets will be used for this.
- 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 The objectives that this report is relevant to, they are:

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

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. *Leave the location, or part of the location, and*
- b. *Not to return to the location, or part of the location, for the period specified in the direction (“the exclusion period”)*

The exclusion period must not exceed 48 hours and must

- I. Be given in writing, unless that is not reasonably practicable*
- II. Must specify the area to which it relates*
- III. May impose requirements as to the time by which the person must leave the area and the manner in which the person must do so (including the routes)*

(B) Agree the areas as set out below and defined in the maps in Appendix Two and Appendix Three,

- a. Newark town centre
- b. Coronation Park, Balderton
- c. Balderton Lakes
- d. Lakeside Shopping centre, Balderton

Reason for Recommendation

To put appropriate controls in place to combat anti-social behaviour in Newark town centre, Coronation Park, Balderton Lakes, and Lakeside shopping centre.

Background Papers - Nil

For further information, please contact Alan Batty ext. 5467.

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