

BOROUGH OF KETTERING

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Report Originator	Shirley Plenderleith Head of Public services	<i>Fwd Plan Ref No:</i> A17/011	
Wards Affected	Rothwell, Burton Latimer, Avondale Grange, Desborough	18 th October 2017	
Title	NEW AND REPLACEMENT PUBLIC SPACE PROTECTION ORDERS		

Portfolio Holder: Cllr Lloyd Bunday

1. PURPOSE OF REPORT

- i. To ask Members to agree proposals to replace the existing Designated Public Places Order (DPPOs) with Public Space Protection Orders (PSPOs) as required by the Anti-social Behaviour, Crime and Policing Act 2014; and
- ii. To agree new PSPOs for Rothwell and Mill Road Park

2. INFORMATION

- 2.1 Kettering Borough Council currently has three separate surviving DPPOs. They cover the town Centre's of Desborough and Burton Latimer, and the area of the Grange shops in Kettering. The orders ban alcohol consumption in the public areas identified. They allow the police to confiscate or dispose of alcohol which is being consumed in the street. This provision, unless changed or altered, will transfer over to a PSPO automatically.
- 2.2 There are currently no alcohol restrictions in place in Rothwell. The introduction of a PSPO to restrict alcohol consumption in public would bring the area in line with the other A6 towns in the Borough.
- 2.3 Following the introduction of the Town Centre PSPO in July 2016, a number of issues, including drinking in public places, were pushed further out of the town. Mill Road Park have experienced an increased level of activity and associated complaints, with police resources being diverted to managing the issues.
- 2.4 The Anti-social Behaviour, Crime and Policing Act 2014 provides local authorities with powers to create a PSPO where they are satisfied that activities carried on in a public place;
 - have had, or are 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.

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- 2.5 PSPO's may also contain additional provisions depending on the issues in each location, and are likely to differ from area to area.
- 2.6 Members are reminded that any provisions within the PSPO must meet the requirements of the legalisation, as set out in section 2.4.
- 2.7 Any PSPO will cease to have an effect after three years; however, that period can be extended for a further three years if it is deemed to be necessary.
- 2.8 Offences are dealt with by the issue of a fixed penalty notice (FPN). Alternatively, and in cases of non-payment, the matter is taken to court where a fine of up to £500 may be imposed on summary conviction.

3. PROPOSALS GOING FORWARD

- 3.1. The DPPO's in the existing areas of the Grange Shops, Burton Latimer and Desborough work well and do not require alteration, therefore can automatically transfer to a PSPO, which provides similar provisions for enforcement. Copies are attached at **Appendix 1**.
- 3.2 In terms of the PSPO for Rothwell, **Appendix 2** provides evidence of the nature of the complaints and incidences which have been reported.
- 3.3 The proposed PSPO for Rothwell has gone through a full consultation process. Guidance on proposed restrictions and inclusions in all Orders has been taken from the Community Safety Partnership. A draft of the PSPO is attached at **Appendix 3** (a and b).

4. MILL ROAD PARK

- 4.1 Mill Road Park has experienced persistent ASB issues over many years; a sample of these issues are detailed in **Appendix 4**. Residents are constantly complaining that the behaviour of some users is unreasonable which is having a detrimental effect on the quality of their lives. In addition, it has been reported that the grounds maintenance team checks this area daily, and on average removes approximately 10-15 needles, along with drug paraphernalia, from one particular area of the park two to three times per week. A draft of the PSPO is attached at **Appendix 5** (a and b).

5. CONSULTATION AND CUSTOMER IMPACT

ROTHWELL

- 5.1 Following internal consultations (legal officers, senior management team and councillors) external consultations and appropriate publicity were carried out in line with the requirements of the legislation. The purpose of the exercise was to

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establish whether those affected are generally in favour of the proposals put forward, in addition to inviting potential suggestions that may be included in the order, if considered appropriate.

- 5.2 Consultation was carried out between Monday 7th August and Friday 15th September 2017. Over 200 houses (including Clicker Close, Plough Close, Bridge Street, Well Lane, Ponder Street, Coronation Avenue, Columbus Crescent and Hawkins Close) in the area affected received a consultation document that explained the proposals. These letters were hand delivered and included information on how to submit their Responses. Copies of the documents and questionnaires were also left in the Library. In addition, social media was also used to raise awareness of an event held on 14th September.
- 5.3 An open consultation event was held in Rothwell Community Centre on Thursday 14th September from 2pm – 4pm and 7pm – 8pm, to ensure that any concerned members of the community could make their views known.
- 5.4 47 responses were received, 85% were in favour of the proposed PSPO and supported the issues proposed to be included. A number of other restrictions were suggested to be included, including littering and the use of motorised scooters. However, these issues can be dealt with using existing legislation (Environmental Protection Act 1990 and the Road Traffic Act 1988 Section 33).
- 5.5 A copy of the questionnaire and a summary of the consultation responses can be found at **Appendix 6a**.

MILL ROAD PARK

- 5.6 As the proposed PSPO for Mill Road Park is new, a full consultation process was undertaken. The PSPO includes restrictions on drinking in public, taking drugs (including 'legal highs'), and restrictions on foul and abusive language.
- 5.7 Letters were hand delivered to all of the houses in Mill Road and adjacent streets, explaining the proposals and asking for comments. Adjacent streets included Gladstone Street, Wyatt Street, Edgell Street, Granville Street, Gordon Street, Channing Street, Harcourt Street, Rosebury Street, Ford Street, Fuller Street and relevant houses in Thorngate Street.
- 5.8 Officers also door knocked the streets a second time, jointly with the Police, in order to collect as many responses from residents as possible.
- 5.9 A consultation event was also held in Mill Road Park on 11th August between 1pm - 3.30pm. This was well attended as residents were concerned about the issues.
- 5.10 In addition, every child in the local school (St Marys Primary School) was given a letter to take home to explain the PSPO, asking for any comments from parents.

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5.12 208 responses were received with 99.5% in favour of the proposed PSPO; the general consensus is that this will improve the area. The residents were very positive and supportive of the potential improvements to the area.

5.13 A copy of the questionnaire and a summary of the consultation responses can be found at **Appendix 6b**.

6. POLICY IMPLICATIONS

6.1 The purpose of a PSPO is to provide tools to help deal with anti-social behaviour and ensure that residents feel safer and more confident in the enjoyment of their area, which is one of the Council's principal objectives.

7. USE OF RESOURCES

7.1 Appropriate signage will be erected advising of the new measures. This is likely to cost in the region of £2,000 – £3,000.

7.2 Council Wardens, Police Community Support Officers and Police Officers will carry out the enforcement of these Orders, while carrying out their existing duties.

8. LEGAL IMPLICATIONS

8.1 Consultation and drafting of the Orders has been carried out in line with legal requirements.

8.2 The orders have been reviewed by a barrister specialising in anti-social behaviour legislation.

9. RECOMMENDATIONS

- i. That Members agree the transfer of existing DPPOs in Desborough, Burton Latimer and The Grange to Public Space Protection Orders.
- ii. That Members agree the proposed new Public Space Protection Orders for Rothwell and Mill Road Park as set out at Appendix 3 (a and b) and 5 (a and b)

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Background Papers:

CSP minutes September 2016
Anti-social Behaviour, Crime and Policing Act 2014

Previous Reports/Minutes:

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