
Cabinet Member for Culture, Leisure, Sports and Parks

21 April 2016

Name of Cabinet Member:

Councillor Abdul Khan

Director Approving Submission of the report:

Executive Director of Place

Ward(s) affected:

Foleshill

Title: Proposed Public Space Protection Order for Edgwick Park

Is this a key decision?

No

Executive Summary:

Agencies have raised concerns, echoed by the local community regarding congregations of people, mostly male in the park at various times of the day. Often there is alcohol being consumed and this makes local people reluctant to use the park and there is the risk of child sexual exploitation.

The Council has consulted on the introduction of a Public Space Protection Order (PSPO) for Edgwick Park to assist the Police with their duties.

The responses from the consultation demonstrated significant support for these additional controls and this report, seeks permission to create a Public Space Protection Order, under the Anti-Social Behaviour, Crime and Policing Act 2014.

Recommendations:

The Cabinet Member is recommended to:-

- (1) Note the attached results of a recent public consultation along with supporting witness impact statements and agree with the rationale for creating the order.
- (2) Approve that the order should be created and effective at the earliest practical date.
- (3) Request that all partner agencies continue their current actions and patrol plans and also monitor the surrounding areas for any potential displacement of the issue.

List of Appendices included:

Appendix 1 – Proposed draft order for Edgwick Park

Appendix 2 – Impact statements

Appendix 3 – Report outlining the consultation process and findings

Background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Proposed Public Space Protection Order for Edgwick Park

1. Context (or background)

- 1.1 Edgwick Park is a relatively small park located in the Foleshill ward. It is bounded by the Foleshill Rd, Eld Road and Cross Road. There is also a primary school, Edgwick Community Primary School located within the park. The park has a children's play area and the park itself is particularly intended to be a community park where families with children will come to use the facilities.
- 1.2 For some time it has been noted that groups of males have been congregating in the park, drinking alcohol and socialising. Partnership intelligence reports identified that there were groups of young people, particularly girls that were attracted to the park to access alcohol from these same groups of males. There were concerns that this was resulting in sexual exploitation. An alleged serious sexual assault occurred in the Summer of 2015, which whilst related to the park, did not actually occur in the park.
- 1.3 Community safety partnership resources have subsequently been focused on this area. Police patrols in the park were increased along with dedicated youth workers. In addition, considerable landscaping works have been made to the park to improve visibility for patrolling officers.
- 1.4 The Council has consulted on the introduction of a Public Space Protection Order (PSPO) under the Anti-Social Behaviour, Crime and Policing Act 2014 to prohibit congregations, or specific behaviours within the park. The wording of the proposed PSPO is attached at Appendix One. The consultation was supported by impact statements from partners and members of the public as attached at Appendix Two. Breach of such an Order can result in a person being issued with a Fixed Penalty Notice (FPN) up to the value of £100. Should someone continually breach the PSPO, or if the breach is felt to be serious enough, then the matter could be referred to court where an increased fine of up to £1000, or custodial sentence could be imposed.

2 Options considered and recommended proposal

- 2.1 Do nothing (not recommended). The seriousness of the situation is such that the Council and its partners should look to utilise all available tools.
- 2.2 Introduce a PSPO for Edgwick Park (recommended). Whilst the Police already have powers to deal with anti-social behaviour, the introduction of a PSPO would be a useful additional tool, in managing situations that could potentially escalate. The Council has consulted on the introduction of this power and a summary of the responses can be found at Appendix Three. Further details can be found in section 3 of this report.
- 2.3 A PSPO allows for byelaw type restrictions to be placed with a defined area, it can prohibit certain activities or gatherings of groups if they can be shown to be problematic and the PSPO is believed to be proportionate to address the problematic behaviour. An offence committed under a PSPO is when someone fails to comply with an instruction from a Police or Council officer. In this example that instruction would be for a group of individuals to leave the park if their behaviour was felt to be, or potentially to be, inappropriate.
- 2.4 The amount of the FPN for non-compliance with a PSPO will be set at £100 and reduced to £60 if paid within 14 days; this would be in line with the other PSPO in force in the City for controlling dogs. Where fixed penalties are not paid, the Police would have the option of prosecuting offenders.

2.2 Recommendations. Cabinet Member is recommended to:

- (1) Note the attached results of a recent public consultation along with supporting witness impact statements and agree with the rationale for creating the order.
- (2) Approve that the order should be created and effective at the earliest practical date
- (3) Request that all partner agencies continue their current actions and patrol plans and also monitor the surrounding areas for any potential displacement of the issue.

3 Results of consultation undertaken

- 3.1 A public consultation was conducted between the 29th February 2016 and the 29th March 2016. A report in relation to the findings of this consultation can be found in appendix 3.
- 3.2 Impact statements were also obtained from key partners in relation to the park and activities and concerns and published with the consultation document. Statements were received from West Midlands Police (Neighbourhood and Public Protection teams), Edgwick Community Primary School and Horizon Child Sexual Exploitation team. These statements can be found in appendix 2.
- 3.3 Significant publicity for the proposed order was generated when the consultation process was started. There were several articles in the Coventry Telegraph as well as interviews with BBC television and local radio stations. Signage advertising the consultation was placed throughout the park and around the surrounding area and key community groups were contacted via e mail to advise them of the consultation.

3.4 Results of the Consultation

120 people responded to the consultation that was operational between 29th February and 29th March 2016. Of the 120 respondents only 112 answered the question, 8 skipping through it.

Of the 112 that answered the question as to whether the wording of the order was appropriate, 111 agreed with the wording of the order, the one objection felt that defining a group as only two people was unfair.

With an approval level of over 99% we feel the order clearly has the support of the local community.

Further details can be found in appendix 3 of the report.

4 Timetable for implementing this decision

- 4.1 If the Cabinet Member decides to proceed with a PSPO, the Order will be published on the Council's website and it will come into force immediately. Suitable signage will simultaneously be erected in the park following the implementation of the PSPO.
- 4.2 Patrols and patrol plans are already in place for the location and will be continuing. The order will be valid for a period of three years and can be extended or amended, providing due process is followed.

5 Comments from Executive Director of Resources

- 5.1 **Financial implications.** No additional resource will be required to implement the proposed PSPO. Any additional income generated by the introduction of a PSPO will contribute towards Council resources.
- 5.2 **Legal implications.** Under sections 59-75 of the Anti-social Behaviour, Crime and Policing Act 2014, Local Authorities have powers to make PSPOs. PSPOs can only apply to public places.
- 5.3 This means any place to which the public, or and sections of the public, on payment or otherwise, have access to as of right or by virtue of express or implied permission. Enforcement Officers can issue a Fixed Penalty Notice in respect of a breach of a PSPO. It is a criminal offence to do anything without reasonable excuse which is prohibited under a PSPO or failure to comply with a requirement of a PSPO. Such an offence is punishable by a fine of up to £1000 on prosecution.

6 Other implications

None

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Crime and Disorder

Tackling crime and anti-social behaviour through partnership working is central to the delivery of the Community Safety Plan and Strategic Assessment 2015/16.

6.2 How is risk being managed?

Officers from several agencies continue to monitor the area. The introduction of a PSPO will assist the Police in controlling anti-social behaviour.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA N/A 6.5 Implications for (or impact on) the environment

The purpose of taking action to address behaviours in the park should increase usage of the park for legitimate purposes, in an attempt to improve the environment and wellbeing of the community.

6.5 Implications for partner organisations?

The multi-agency action plan outlines the individual and collective commitments from agencies to respond to the issues raised.

Report author(s):

Liam Nagle

Name and job title:

Liam Nagle – Strategic Lead for Offender Management.

Directorate:

People Directorate

Tel and email contact:

02476 832063

Liam.Nagle@coventry.gov.uk

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Craig Hickin	Head of Environmental Services	Place	06.04.2016	06.04.2016
Usha Patel	Governance Services Officer	Resources	06.04.2016	07.04.2016
Names of approvers for submission: (officers and members)				
Finance: Cath Crosby	Lead Accountant	Resources	06.04.2016	06.04.2016
Legal: Gill Carter	Senior Solicitor	Resources	06.04.2016	06.04.2016
HR: Jas Bilen	Business Partner (Service Support)	Resources	06.04.2016	06.04.2016
Andrew Walster	Assistant Director	Place	06.04.2016	07.04.2016
Martin Yardley	Executive Director	Place		
Members: Name				
Cllr A. Khan	Cabinet Member Culture, Leisure, Sports and Parks		05.04.2016	05.04.2016

This report is published on the Council's website:
www.coventry.gov.uk/councilmeetings