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Cabinet Member for Policing and Equalities

10<sup>th</sup> February 2022

**Name of Cabinet Member:**

Councillor Abdul Khan

**Director Approving Submission of the report:**

Director Streetscene and Regulatory Services

**Ward(s) affected:**

Foleshill

**Title:** Extension of existing Public Space Protection Order for Edgwick Park

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**Is this a key decision?**

No

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**Executive Summary:**

There is currently a Public Spaces Protection Order (PSPO) in place for the environs of Edgwick Park that is due to expire in April 2022. This was introduced to address anti-social behaviour and crime concerns at the location.

It is requested that this order be continued for a further three years to 2025, to allow park users and the local community to benefit from the facilities of the park, without suffering the issues that blighted the park previously.

Contained within this report are impact statements from key partner agencies supporting the extension of the existing PSPO, under the Anti-Social Behaviour, Crime and Policing Act 2014.

**Recommendations:**

The Cabinet Member is recommended to:-

- (1) Note the attached impact statements from key agencies and their rationale for extending the existing order.
- (2) Approve that the order should be extended for a period of three years from the date the current order is due to expire.
- (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

**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 Historically, 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
- 1.3 As a result of these concerns a Public Spaces Protection Order (PSPO) was created in 2019 to address these concerning behaviours and to try to give ownership and usage of the park back to the local community.
- 1.4 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.
- 1.5 On the whole, the order has operated successfully. It has not eradicated issues within the park, but what it has meant is that when officers attend the park, they can disrupt groups quickly and easily, which was not the case prior to the order.
- 1.6 In recent times, Edgwick Park was identified by Police officers specialising in gang concerns as allocation where known gang nominals were congregating. Concerns were such that Edgwick Park was one of a limited number of named locations within injunctions served on a significant number of individuals. We believe this is a significant recent development that lends weight to the need to extend the existing PSPO

### **2 Options considered and recommended proposal**

- 2.1 Do nothing (not recommended). The potential seriousness of the situation is such that the Council and its partners should look to utilise all available tools to address known issues.
- 2.2 Renew the PSPO for Edgwick Park (recommended) for a period of three years. Whilst the Police already have powers to deal with anti-social behaviour, the renewal of the PSPO would be useful to Police officers in managing situations that could potentially escalate. The Council consulted on the introduction of this power previously upon its initial introduction and it was universally supported.
- 2.3 A PSPO allows for 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 Fixed Penalty Notice (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 supporting witness impact statements and their rationale for extending the existing order.
- (2) Approve that the order should be extended for a period of three years upon expiry of the existing order
- (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 in 2016 for the creation of this order. A full public consultation is not required for a renewal.

3.2 Impact statements were also obtained from key partners in relation to the park and activities and concerns. These statements can be found in appendix 2.

### 4 Timetable for implementing this decision

4.1 If the Cabinet Member decides to renew the existing PSPO, the Order will be published on the Council's website and it will come into force just prior to expiry of the existing order. Existing signage is already present in the park.

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 the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

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 The Council is entitled to extend the existing 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 extension is supported by impact statements from key partners as attached at Appendix Two. Breach of such an Order can result in a person being issued with a 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

- 5.4** 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/](http://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) climate change and 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.

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