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Cabinet Member for Policing and Equalities

27<sup>th</sup> February 2025

**Name of Cabinet Member:**

Councillor A S Khan

**Director Approving Submission of the report:**

Director of Law and Governance

**Ward(s) affected:**

Foleshill

**Title:** Extension of existing Public Spaces 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 Edgwick Park and bordering streets. The Order, that prohibits the congregation of groups of 2 or more persons in the designated areas, initially put in place 2019 and then extended for a further three years is due to expire in April 2025.

It is proposed to extend the PSPO with the same conditions for a further 3 years 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 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, patrol plans and 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 – Equality impact Assessment

**Background papers:**

None

**Useful documents:**

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 intended to be a community park where families with children will come to use the facilities. There is also a Family Hub on the edge of the park.
- 1.2 Historically, groups of males had congregated 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 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 The park and surrounding area are currently highlighted as a specific area in Operation Eternity, designed to address Anti Social Behaviour (ASB) in recognised problematic locations. This reflects existing concerns for the wider area as well as the park itself.
- 1.6 On the whole, the PSPO has operated successfully, however it has not eradicated issues within the park entirely, 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 PSPO.

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

- 2.1 Do nothing (not recommended). The potential seriousness of the situation should it revert back to historical matters is such that the Council and its partners should look to utilise all available tools to address known issues.
- 2.2 Removing the powers currently available to officers would mean that they would lose the ability to be proactive should groups be causing issues in the park. Officers would have to wait for matters to escalate to a criminal threshold rather than simply move people on. It is also a more efficient use of limited resources.
- 2.3 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. There is nothing to suggest this PSPO is unpopular with local residents.
- 2.4 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.

- 2.5 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 other PSPO's in force in the city. Where fixed penalties are not paid, the Council would have the option of prosecuting offenders. A person who breaches the Order shall on summary conviction be liable to a fine not exceeding level 2 on the standard scale.

### **3 Results of consultation undertaken**

- 3.1 A public consultation was conducted for the creation of this PSPO. A full public consultation is not required for a renewal; however, impact statements were obtained from key partners in relation to the park and activities and concerns. These statements can be found in Appendix 2. The Police and Crime Commissioner was consulted, no comments received at time of completing this report.

### **4 Timetable for implementing this decision**

- 4.1 Should the Cabinet Member decide to renew the existing PSPO, it will be published on the Council's website, and it will come into force in line with expiry of the existing PSPO to ensure continuity of the powers. 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 PSPO 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 2.
- 5.4 It is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a public spaces protection order, or to fail to comply with a requirement to which the person is subject under a public spaces protection order. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order. A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice. A person guilty of an offence under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## 6 Other implications

### 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 Partnership and Strategic Assessment.

### 6.2 How is risk being managed?

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

### 6.3 What is the impact on the organisation?

None

### 6.4 Equalities / EIA

EIA in appendices

### 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.

### 6.6 Implications for partner organisations?

The existence of powers to address ASB can only benefit all partner organisations with an interest in the park and the wider area. It should promote park usage and positive activities within the park. There are no anticipated negative implications.

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