

MINUTES OF PUBLIC SPACES PROTECTION ORDER SCRUTINY SUB-GROUP

15 MARCH 2018

PRESENT:

Members of the Task Group:

Councillors Sandison (Chair), Douglas, Lowe, Mrs New and Mrs O'Rourke

Also in attendance:

Sergeant Allison Wiggin (Warwickshire Police)
PC Stuart Baker (Safer Neighbourhoods Team, Warwickshire Police)
Sam Leighton (BID Supervisor, Rugby First Limited)

Councillor Lewis

Officers:

David Burrows (Regulatory Services Manager), Verna Zinclair (Principal Environmental Health Officer), Claire Baldwin (Warden Supervisor), Colin Horton (Green Spaces Officer) and Linn Ashmore (Democratic Services Officer)

16. MINUTES

The minutes of the meeting held on 7 February 2018 were approved and signed by the chair.

17. REVIEW OF PRESENT PUBLIC SPACES PROTECTION ORDERS AND CONSIDERATION OF RESTRICTIONS

At its last meeting, the group agreed a short list of topics for Public Spaces Protection Orders. During further consideration the following points were made:

1. *Review of the current PSPO Dog Control Orders to include:*

- *Clarity around what constitutes an enclosed play area*
- *Analysis of parks on a site-by-site basis*
- *Consider whether designated areas for dogs should be introduced*
- *Consider signage at park entrances, and the type of wording*
- *Dog fouling which was the issue of most concern*

There were four separate orders which would be modified as part of the review:

1. The Fouling of Land by Dogs (Borough of Rugby) Order
2. The Dogs on Leads (Borough of Rugby) Order
3. The Dogs on Leads by Direction (Borough of Rugby) Order
4. The Dogs Exclusion (Borough of Rugby) Order

Issues relating to dogs off leads and dog fouling in cemeteries and at Rainsbrook Crematorium should be included. It was proposed that to resolve the issue and make enforcement less complex that all dogs are banned from cemeteries.

Work would be carried by officers to review each park and play area on a site-by-site basis. For clarity, designated areas for dogs off leads could be outlined on plans.

There had been a number of issues in Caldecott Park involving dog owners encouraging their dogs to damage play equipment whilst training them as weapons.

It was suggested that the mounds at the GEC Recreation Ground acted as a natural play area and dog-free zones could be created around the gym equipment.

The detail of the PSPO would be kept generic and the detailed work would be developed alongside the order.

Copies of the final maps and plans with full details of what behaviour was permitted would be published on the council website once any proposed PSPO's had been approved by council.

2. *Extend the current PSPO issued to tackle anti-social drinking in the town centre to include other substance abuse and consider whether to extend this to cover a wider area, or other town centre locations.*

The police proposed that the PSPO area should be extended as follows:

- More of the Benn Ward area should be included because there had been a significant increase in anti-social behaviour which had moved from the immediate town centre area. Eastern Europeans do not like visiting pubs and gather outside to drink, particularly in the area around Craven Road.
- The proposed boundary also included Rounds Gardens and Hill Street to address issues relating to the youth club through substance abuse.

Copies of a map outlining the suggested area were circulated to members and the police confirmed there was evidence available to support the request to extend the PSPO area.

Members considered the proposed area and agreed this should be extended further to contain the area bound by Oxford Street and Abbey Street. This would include the Millennium Green park which was also an area where anti-social behaviour was prevalent.

The town centre was well covered by CCTV cameras but this was not the case in the Benn Ward area. Police do wear body cameras, which help to provide evidence for breaches of PSPOs.

A suggestion was made that Clifton Road Cemetery was also included if there was evidence to support this.

3. *Newbold Quarry*

There was a lot of support from the local community for action to be taken.

Appropriate wording would be needed to cover all of the nuisance behaviours previously identified and outlined in the briefing paper.

An order relating to not removing fish rather than no fishing might be more appropriate. However, this would make enforcement more complex. Wording for legitimate fishing could be included e.g. fishing without a permit.

4. *Cycling in the town centre pedestrianised areas*

The police raised concerns about enforcement. It would be difficult to identify individuals and this would limit what action could be taken.

Cycling on pavements was already an offence, which was a police matter, but the aim of the PSPO would be to target the pedestrianised areas within the town centre. There was conflicting signage in place and clarity was needed as to whether parts were designated highways.

There were signs in place on Market Square and Castle Street quoting access times.

Wardens were already involved in patrols in the area and have bodycams which could be used to gather evidence.

5. *Mobile/vehicle trespass*

The police representatives commented as follows:

- There was a risk of double jeopardy. The police had powers under Section 61 of the Criminal Justice and Public Order Act to remove trespassers if they have not responded to a request to leave by the landowner.
- The council could use civil powers to evict trespassers through the courts, but PSPOs would have little impact.
- It would not be easy to impose fines on travellers and identifying the driver of a vehicle taken onto public land would be very difficult.
- Resources should be target at preventing access to land, such as barriers.
- A consistent approach was needed. Repeated action would send a message that would deter travellers from returning.
- Gathering evidence was important and would support the issue of injunctions to families and have a more widespread result by stopping them entering the county.

The use of mopeds, quad bikes and mini motorbikes was a problem on open spaces. They cause nuisance on Burnside and the Great Central Way and had been used to cause damage to sports pitches.

Officers would look at this topic again in more detail and review what could realistically be enforced, but the general view was that this would not be a PSPO.

During further discussion the following points were made:

The orders needed to reflect the correct legal terminology and appropriate robust language was required. The use of the word 'aggressive' should be avoided as it was too subjective.

There was not enough evidence available to justify an order for smoking in play areas.

Work had been carried out with other authorities on the issue of begging. It was noted that plans by Poole Borough Council to introduce fines for begging were put on hold following criticism from the Bishop of Sherbourne, but a public petition showed that there was support for the council to put powers in place.

The actions recently taken by police and other partners to deal with problems of aggressive begging in the town centre were seen as being a positive response.

Council officers were involved in clearing and storing belongings and evidence had been kept on file.

Rugby First BID Rangers and the police carry out a lot of work to deal with troublesome begging in the town centre. The problems had significantly improved but were now beginning to drift back.

The police commented that it was more appropriate to take action where there was evidence to show that individuals were not homeless but were begging for money for other uses.

Genuine homeless individuals were approached and offered appropriate support.

There were other powers available to deal with unwelcome begging such as warning notices, Community Protection Notices and other forms of legislation. It was important to target individual offenders only, rather than introducing a blanket ban.

It was noted that the number of needles being left in the town centre had decreased.

There were reports of people urinating and defecating in alleyways and on pavements and roads in the town centre during the day and night. Members commented there were limited toilet facilities available at night.

It was important to look at the bigger picture and put controls in place to deter nuisance behaviour while targeting resources at particular problem areas. The main aim was to change behaviour.

Officers would look at each shortlisted topic in more depth to ensure the right tone and terminology was used. A final draft version of the orders would then be subject to review by the legal team to ensure the wording was correct.

The signage in parks and open spaces was subject to review by the Green Spaces team.

It was acknowledged that many partners had engaged and the group appreciated their contribution to the review and the collaborative approach taken.

18. PROGRAMME OF WORK AND DATES OF FUTURE MEETINGS

The group had completed its work gathering evidence for the review. Members requested that plans for implementation and consultation/communication be shared.

The draft review report, draft PSPO documents and background detail would be circulated to group members once work was completed.

CHAIR