

EXECUTIVE DECISION SHEET

Name of decision maker: Neil Harden

Portfolio: Community and Regulatory Services

Date of Portfolio Holder Decision:

Decision made and reasons:

Decision:

To introduce a Public Spaces Protection Order in accordance with the order and plans annexed at Appendix A, to include the following prohibitions:

(a) Not to Spit (including discharge of chewing gum), urinate or defecate in a public place within the area coloured blue on order plan 1

(b) Not to cycle or skateboard within the area coloured blue on order plan 2.

Reasons: Cabinet considered the reasons for the PSPO at its meeting on 24th April 2018 and delegated authority to the Portfolio Holder for Environmental, Sustainability and Regulatory Services in consultation with the Assistant Director (Neighbourhood Delivery) to consider representations made pursuant to the statutory consultation and confirm or amend the PSPO as appropriate.

The requirements of the statutory consultation are to:

- Consult the chief officer of police and the Policing and Crime Commissioner for the applicable area; any community representatives that it is thought appropriate to consult; and the owners/occupiers of land included within the restricted area;
- Publish the draft Order (or details of variation/discharge proposal);

The following persons/groups were consulted, Chief of Police, Police and Crime Commissioner, Hertfordshire County Council, Sir Mike Penning MP, Riverside/Marlowes shopping, Friends of Jellicoe Water Gardens, Dacorum/Watford Cycle Hub, Breeze Ladies (Cycling Group), DBC Councillors.

A copy of the order was also published on the Council's web-site.

There were no responses to the statutory consultation, although it is of note that there was a significant response to the initial public consultation with 870 responses received.

It is proposed that the Order will come into force on 1st October 2018 and will continue in force for a period of three years.

The Public Spaces Protection Order is therefore recommended for approval with no amendments to the Order which Cabinet approved on 24th April.

Reports considered: (here reference can be made to specific documents)

Cabinet Report 24th April 2018.

Strategic Planning and Environment Overview and Scrutiny Committee 20th March 2018

Housing and Community Overview and Scrutiny Committee 21st March 2018

Has budget been approved? (provide budget codes):

Costs for signage will be met from approved budgets. Enforcement of the PSPO will be carried out by Council Enforcement Officers with assistance from the Police where appropriate.

Officers/Councillors/Ward Councillors/Stakeholders Consulted:

Chief of Police, Police and Crime Commissioner, Hertfordshire County Council, Sir Mike Penning MP, Riverside/Marlowes shopping, Friends of Jellicoe Water Gardens, Dacorum Cycle Hub, Breeze Ladies (Cycling Group) DBC Councillors.

Dacorum Corporate Management Team

Monitoring Officer comments:

The PSPO will assist with the prevention of anti-social behaviour in the town centre. There will need to be a proportionate approach to enforcement particularly where the order is being breached by young and vulnerable persons.

At Annual Council in May 2018 the Leader of the Council made some changes to the remit of portfolios and moved Anti-Social Behaviour from the Portfolio Holder for Environmental, Sustainability and Regulatory Services to a new Portfolio of Community and Regulatory Services. This decision is therefore being made by the Portfolio Holder for Community and Regulatory Services

Section 151 Officer comments:

The enforcement of this policy can be delivered from within existing services and budgets.

Risks: There will be risks associated with Council enforcement officers who will be tasked with enforcing the PSPO and appropriate training will need to be given. Individual risk assessments will be completed for the enforcement activity and all reasonable precautions taken to minimise any risk.

There are also reputational risks in terms of the council being perceived as enforcing against vulnerable persons and seeking to criminalise certain behaviours which wouldn't normally attract fixed penalty notices or prosecution for non-payment.

There are also limited resources for enforcement and therefore enforcement will have to be targeted at certain periods. The PSPO will raise expectations that prohibited behaviours will be eliminated entirely; however due to difficulties in identifying some of the contraventions and taking a proportionate approach to enforcement there will not always be immediate results which will be noticeable to the public.

Options Considered and reasons for rejection:

The options for the prohibitions to be included in the PSPO are considered in the Cabinet Report (24th April 2018)

Portfolio Holders Signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

For Member Support Officer use only

Date Decision Record Sheet received from portfolio holder: Cllr Harden

Date Decision Published: 20/09/2018

Decision No: PH-020-18

Date of Expiry of Call-In Period: 27/09/2018

Date any Call-In received or decision implemented: