Cabinet

St Edmundsbury
BOROUGH COUNCIL

Title of Report:	**Recommendations of the Overview and Scrutiny Committee: 11 January 2017 - Public Space Protection Orders (PSPOs) – Changes to Anti-Social Behaviour Legislation**	
Report No:	**CAB/SE/17/003**	
Report to and date:	**Cabinet**	7 February 2017
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Purpose of report:	On 11 January 2017, the Overview and Scrutiny Committee considered Report No: OAS/SE/17/002, which provided an update on legislation relating to Public Space Protection Orders (PSPOs) and proposed changes prior to public consultation.
Recommendation:	**It is <u>RECOMMENDED</u> that, as detailed in Report No: OAS/SE/17/002:** **(1) the inclusion of street begging in the Bury St Edmunds alcohol-related Public Space Protection Orders, be approved, subject to public consultation; and** **(2) the Public Space Protection Orders relating to dog control across St Edmundsbury, be approved, subject to public consultation.**
Key Decision: *(Check the appropriate box and delete all those that **<u>do not</u>** apply.)*	*Is this a Key Decision and, if so, under which definition?* Yes, it is a Key Decision - ☐ No, it is not a Key Decision - ☒

Consultation:	• See Report No: OAS/SE/17/002
Alternative option(s):	• See Report No: OAS/SE/17/002

Implications:

*Are there any **financial** implications? If yes, please give details*	Yes ☐ No ☐ • See Report No: OAS/SE/17/002
*Are there any **staffing** implications? If yes, please give details*	Yes ☐ No ☐ • See Report No: OAS/SE/17/002
*Are there any **ICT** implications? If yes, please give details*	Yes ☐ No ☐ • See Report No: OAS/SE/17/002
*Are there any **legal and/or policy** implications? If yes, please give details*	Yes ☐ No ☐ • See Report No: OAS/SE/17/002
*Are there any **equality** implications? If yes, please give details*	Yes ☐ No ☐ • See Report No: OAS/SE/17/002
Risk/opportunity assessment:	*(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	**Inherent level of risk** (before controls)	**Controls**	**Residual risk** (after controls)
See Report No: OAS/SE/17/002			

Ward(s) affected:	**Alcohol-related PSPO Haverhill:** Haverhill East, Haverhill South, Haverhill West and Haverhill North. **Alcohol/street begging PSPO – Bury St Edmunds:** Risbygate, Abbeygate, Eastgate and Westgate. **Dog control PSPO:** Dog fouling condition – all wards in St Edmundsbury. **Dog exclusion condition** – those wards detailed in the proposed order.
Background papers: *(all background papers are to be published on the website and a link included)*	Dog Fouling report July 2015 Ref no OAS/SE/15/011 Dog Fouling report July 2016 Ref no OAS/SE/16/018 Report No: OAS/SE/17/002
Documents attached:	None

1. Key issues and reasons for recommendations

1.1 **Key Issues**

1.1.1 The Committee received Report No: OAS/SE/17/002, which updated Councillors on legislation relating to Public Space Protection Orders (PSPOs) and proposed changes prior to public consultation.

1.1.2 The report set out the transition arrangements from Designated Public Place Orders (DPPOs) to PSPOs; existing DPPO for Haverhill which had been in place since 2008; existing DPPO for Bury St Edmunds which had been in place since 2006; transition from Dogs Fouling of Land Act 1996 to PSPO Dog Control Orders; consultation requirements; publication of signage; enforcement; and reviews of PSPOs.

1.1.3 The Committee considered the report in detail and asked a number of questions of the Portfolio Holders and officers, to which comprehensive responses were provided. In particular, discussions were held on the inclusion of "street begging" within the Order as some Members had concerns about distinguishing between "passive begging" and "aggressive begging". It was felt that people who were on the streets needed help with signposting and not being moved on; it would stop acts of charity; it would be giving out the right message; and felt it should not just include Bury St Edmunds as the issues might simply be moved elsewhere.

1.1.4 The Committee also discussed in detail the dog orders. Members were in support of the dog order, but felt that there needed to be more emphasis on enforcement; dog wardens; the provision of dog bags at strategic locations; and whether anyone had been prosecuted.

1.1.5 Members were informed that the Council had dog bags which could be extended across other areas; five fixed penalty notices had been issued in St Edmundsbury over the last year, which had all resulted from information being reported by the public; signage would be increased as it was a requirement of the new PSPO; and the Council was committed to carrying out pilots with parish councils in order to reduce dog incidences of inconsiderate dog owners who don't pick up after their dog(s). However, the Council and the community needed to work together in partnership to reduce the emotive subject of dog fouling.

1.1.6 The Committee noted that the Haverhill alcohol-related PSPO remained in place, with no changes to the conditions or the area covered.

1.1.7 The Overview and Scrutiny Committee considered the report and has put forward a recommendation as set out on page two of this report.