

## **Appendix 1**

### **Evidence Report 2021**

#### **Proposed extension of Bastwell & Robinson Street PSPO**

For a number of years, the Bastwell Ward has persistently seen increases in anti-social behaviour related to the use of fireworks and the setting of fires around the summer months and October/November months in and around bonfire night, more notably around the Robinson Street area of the ward.

As a result of this, following consultations and supported by data statistics, a Public Space Protection Order (PSPO) was implemented in 2015 that prohibited the following activities:

- The collection and/or lighting of combustible materials including bonfire.
- The discharge of light or fireworks of any description without express permission from the owner.
- Acting or inciting others to act in an anti-social manner likely to cause harassment, alarm or distress to any persons in a public space

Further to the implementation of the PSPO, a multi-agency operation called 'Brightsparx' was set up in line with the PSPO to help tackle the issues around unsupervised bonfires and irresponsible firework use prior to and on Bonfire night. This front line operation assisted Council officers and emergency services to work together gathering intelligence and taking appropriate action to safeguard residents and enforce restrictions on bonfire night.

In 2018, an application to extend the PSPO was made on the basis that the PSPO had worked positively in the previous 3 years as it provided additional powers to allow the emergency services to provide a targeted response. In addition, it gave the residents the confidence to report problems knowing that the local authority can respond with suitable powers.

The 'Brightsparx' operation had become established in this time and was fully supported by the PSPO, as one of the conditions enabled the confiscation of combustible materials which provided a proactive approach in responding to the local concerns.

It was therefore felt that if the PSPO was not extended, the Brightsparx operation would not be as effective and there would be a recurrence in the anti-social behaviour meaning the situation could revert back to how it was pre 2015 leaving the residents feeling vulnerable.

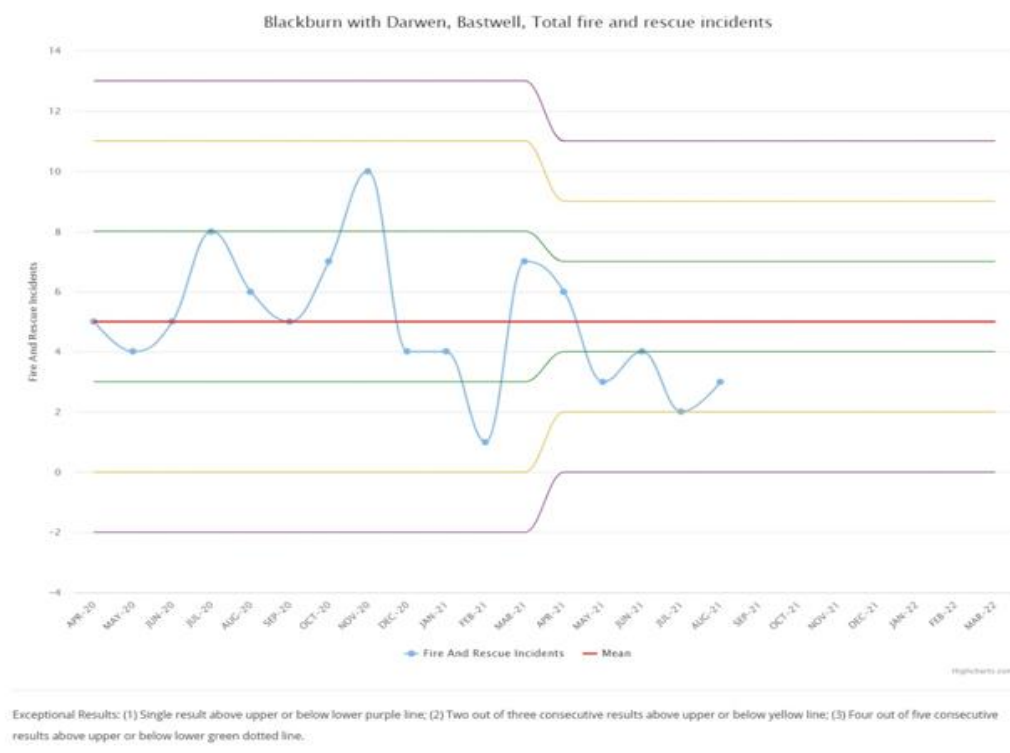
The extension of the PSPO was granted and became enforceable from October 2018 for a 3 year period. This order expires on 30<sup>th</sup> October 2021.

Data abstracted from MADE shows that following implementation of the original PSPO in October 2015, there have been 72 deliberate fires set in the Bastwell Ward between November 2015 and November 2020. Further analysis of that data shows that over those 5 years, 28 of those deliberate fires occurred between the months of October and November. That equates to 39% of all fires occurring over the bonfire night period.

Further data shows that between April 2020 and April 2021 there were 76 fire related incidents recorded in the Bastwell ward, 39 of which were recorded as 'false alarms'\*

\*False alarms relate to malicious or good intent reports.

28 of these fire related incidents took place between August 2020 and November 2020. Data shows that fire related incidents peak around bonfire night with 17 incidents recorded in October and November 2020 in comparison to an average of 3.5 per month.



On 5<sup>th</sup> November 2020 a large incident occurred in the Bastwell ward in which a deliberate fire was lit and, upon attendance to extinguish the fire, emergency service personnel were targeted with fireworks by a large group of youths and residents. Extensive CCTV footage

was gathered and, as a result of this, 15 Community Protection Warnings were issued by the local authority to individuals. In addition, the Police issued 22 Section 59 warnings to individuals identified with the assistance of the CCTV hub. These types of incidences are common in this area each year around bonfire time.

Although the 'Brightsparx' operation is imperative in educating residents around the unauthorised and dangerous use of fireworks, as well as the setting of dangerous fires, it would not be as effective without the supporting powers offered by the PSPO which allows authorised officers to seize fireworks and issue FPN's to persons found to be in breach of the PSPO.

To enable positive enforcement to continue past the expiration of the current PSPO on 31<sup>st</sup> October 2021, we therefore propose to further extend the existing PSPO for a further 3 years.

A PSPO can only come be implemented if there is evidence of the following two matters so that the local authority can be satisfied on reasonable grounds that they have reached the correct threshold:

- activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- the effect, or likely effect, of the activities— is, or is likely to be, of a persistent or continuing nature and is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

The provision relating to extension states:

*Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent:*

- (a) occurrence or recurrence after that time of the activities identified in the order, or*
- (b) an increase in the frequency or seriousness of those activities after that time.*

Data from MADE shows that over the period of the original and extended PSPO and corresponding 'Brightsparx' operation, there has been a decrease in deliberate fires in the Bastwell Ward around bonfire night

<b>Year: Oct and Nov</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Number of Deliberate Fires</b>	4	10	9	2	2	1

This data demonstrates the success of the PSPO and 'Brightsparx' operation and shows that the publication of the PSPO continues to have a deterrent effect.

Information gathered from the police relating to logs recorded using the word 'FIREWORKS' were also gathered. The data is taken from the police national computer and shows incidents reported from October 2018 to November 2020, for the October and November months respectively. This data relates to firework nuisance occurring within the boundaries of existing PSPO. The data shows the following reports were received over this period:

#### **Robinson Street Area**

<b>Period</b>	<b>Number of reports relating to fireworks</b>
01/10/2018 – 10/11/2018	8
01/10/2019 – 10/11/2019	4
01/10/2020 – 10/11/2020	15

#### **Cedar Street / Bastwell area**

<b>Period</b>	<b>Number of reports relating to fireworks</b>
01/10/2018 – 10/11/2018	10
01/10/2019 – 10/11/2019	21
01/10/2020 – 10/11/2020	4

Prior to the implementation of the PSPO in 2015, data shows that between the same period October and November for both 2013 and 2014, the police were receiving reports in excess of 100 incidents relating to fireworks.

This shows that there has been a significant decrease in logs of ASB relating to fireworks since the implementation of the PSPO. However, there are still issues that need to be taken account of.

The CCTV Hub Supervisor gathered evidence from the CCTV logs in relation to fires/fireworks around Robinson St in 2020. This data shows

#### **Incidents for Robinson St.**

05/Nov/20	18:20	Crowds with fireworks gathering around Robinson St, Blackburn large group
05/Nov/20	19:20	Group on Robinson St with fireworks start fighting between themselves
05/Nov/20	20:44	group on Robinson set fire to bin near Phillips Rd connected to fireworks
06/Nov/20	22:25	Patrol taking details of vehicles on Robinson St, after one vehicle made off over grassed area.
07/Nov/20	0:30	Obs on small group of asian males, start bonfire again on Robinson St. Ran off when patrols arrived.

Public awareness of the order and operation means that residents and visitors to the Bastwell Ward understand that should anti-social behaviour activities be conducted at any time, but more so, during the period of the operation, robust and decisive action can and will be taken.

Should the PSPO not be extended, the 'Brightspax' operation would not carry the weight that the powers within the order afford the local authority and policing teams. Concerns are that, this could lead to an increase in the behaviours witnessed in previous years relating to fireworks and the deliberate setting of fires, which would put the public and emergency services at greater risk.

It is therefore proposed that the existing PSPO be extended for a further 3 years period to prevent occurrence or reoccurrence of the activities identified in the existing order and to prevent an increase in frequency or seriousness of those activities after the expiration of the current order.

Statutory consultation have taken place and Public Consultation ended on the 19<sup>th</sup> October 2021.

There were no objections from the Public Consultation. The results from the consultation with partners were favourable, with evidence of support for the extension of the PSPO provided from CCTV Services, Police and LFRS (see consultation report).

To conclude, the PSPO has worked positively over the last 6 years and has provided additional powers to allow the emergency services to provide a targeted response and deploy staff to the sites, as well as giving the residents the confidence to report problems knowing that we can respond. It would appear that the decision to extend the current PSPO is favoured and the evidence available demonstrates a reduction in ASB since the introduction of the initial PSPO in 2015.