

Appendix 2
Consultation Report
Public Space Protection Order
Proposed Renewal for Bastwell and Robinson Street

Overview:

The proposed renewal of the Bastwell and Robinson Street Public Space Protection Order was sent out to consultation on Monday 4th October 2021 requesting that any representation be made by Monday 18th October 2021. Consultees included members, stakeholders, partner agencies and residents. The proposal seeks to renew the existing Public Space Protection Order for a further 3 years from 30th October 2021.

Condition within the proposed order were:

1. The collection and/or lighting of combustible materials including bonfires is prohibited in any public space within the area marked red on the attached Plan 1 and/or Plan 2
2. No person may discharge light or discharge fireworks of any description on public land within the area marked red on the attached Plan 1 and/or Plan 2 without the express written permission of the owner.
3. No person may act or incite others to act in an anti-social manner likely to cause harassment, alarm or distress to any person in any public space within the area marked red on the attached Plan 1 and/or Plan 2 (see attached appendix 2 – current PSPO and maps).

The consultation period has now come to an end and a number of representation have been made.

Representations:

The Police Sergeant of the Local Neighbourhood Policing Team, confirmed that he supports the extension of the PSPO for Bastwell and Robinson Street stating that the PSPO will continue to 'enhance the lives of the community'.

The Police CCTV Liaison Officer noted, in respect of the supporting Brightspax operation, 22 Section 59 warnings being issued to vehicle owners and a penalty notice ticket being issued due to a Covid Breach following the incident on Robinson Street on Bonfire night 2020. She further noted that the additional CCTV enabled an abundance of intelligence to be collected. She further stated that police vehicles were targeted with fireworks during the incident.

The Service Delivery Manager from Lancashire Fire & Rescue Service provided his support for the proposed renewal of the PSPO, stating 'historically, LFRS has had significant ASB in the areas highlighted within the PSPO and whilst trying to serve and protect the community, LFRS staff have both been physically and verbally attacked. ASB is caused by the minority, it is my belief that extending the PSPO will protect law-abiding citizens within the area and reduce the risk of injury to both the public and my staff'

Further support was provided from the Neighbourhood Manager for the area who noted she would be 'happy for the extension to be approved to support reduction in ASB around bonfire night'.

Conclusion:

Local Authorities can use a PSPO under the Anti-social behaviour, Police and Crime Act 2014 to prohibit specified activities and/or require certain things to be done by people engaged in particular activities, within a defined public area.

Before making a Public Spaces Protection Order, the Council must be satisfied on reasonable grounds that two conditions are met.

The first condition is that-

- a) 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
- b) 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 second condition is that the effect, or the likely effect, of the activities-

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) justifies the restrictions imposed by the Order.

Based on the results of this consultation and the attached report, it is likely we can satisfy both conditions.