



**Barham Park Trust Committee
11 October 2017**

**Report from Operational Director,
Environmental Services**

Proposals to Address Anti-Social Behaviour in Brent's Parks

1.0 Summary

- 1.1 This report presents a briefing on wider proposals to introduce Public Space Protection Orders (PSPOs) across Brent's parks (including Barham Park) to curb anti-social behaviour.

2.0 Recommendations

- 2.1 That the committee notes the legislative scope to enact Public Spaces Protection Orders in parks and public spaces.
- 2.2 That the committee notes that making a Public Space Protection Order will be an effective measure to address anti-social behaviour and environmental concerns, particularly littering, drinking, urinating, graffiti, vandalism, illegal encampments, dog fouling, bird feeding, using powered vehicles without express consent, threatening or behaving in way likely to cause harassment, alarm and distress.

3.0 Detail

- 3.1 Brent's current byelaws were enacted in 1977 and are quite outdated. A renewal exercise was conducted by the Parks Team in 2016 to ensure prohibited activities were relative to Brent's problem profile in parks, which has evolved over the years. An exercise to renew the Park byelaws was discontinued in March 2017.
- 3.2 Public Spaces Protection Orders work by imposing conditions on the use of the area so that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 3.3 Section 59 of the ASB Crime and Policing Act 2014 ("the Act"), gives a Local Authority the authority to restrict activity in a Public Place.
- 3.4 The PSPO is intended to specifically counter littering, drinking, urinating, graffiti, vandalism, illegal encampments, dog fouling, bird feeding, using powered vehicles without express consent, threatening or behaving in way likely to cause harassment, alarm and distress.

- 3.5 S.70 of the Act allows for a PSPO to supersede any byelaw once in operation.
- 3.6 A maximum fine for breach of Brent's current park byelaws is £20 and there has been no enforcement undertaken since it was enacted.
- 3.7 A maximum fine for breach of a PSPO is £100 and there is flexibility under the legislation to prosecute persistent offenders at court where they could be fined a maximum of £1000.
- 3.8 The final decision on making any PSPO will be made by the Strategic Director for Regeneration and Environment in consultation with the Lead Member for Environment. This procedure was decided by the Cabinet in April 2014.
- 3.9 If members of the public do not have access over privately owned land, then the PSPO cannot be enforced. Section 74(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 defines "public place" as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 3.10 There is no time limit to implementing the PSPO order in the parks but existing Dog Control Orders will automatically transfer into a PSPO in October 2017, with no requirement to do anything other than changing the signage. It is good practice to publicise the automatic replacement of a dog control order into a PSPO to raise public awareness.
- 3.11 There is some consensus to implement this new approach subject to stakeholder acceptance in October / November 2017.

4.0 Way Forward

- 4.1 Brent's Parks Service are supportive of the implementation of a PSPO in all Parks in Brent and will undertake a problem profile analysis to identify what issues are prevalent to Brent's parks. This will shape the prohibitions.
- 4.2 There is also appetite to extend this to cemeteries and allotment sites and engage with relevant trusts and stakeholders who own or have a direct interest in parks and public spaces in Brent.
- 4.3 The Brent Community Protection Service (ASB Team) will conduct a consultation exercise with community groups, relevant stakeholders and the Police. The timeline for consultation is 4-6 weeks.
- 4.4 Further discussion with the Police on developing a policing plan if and when the orders are implemented is required. The Sudbury SNT endorse the approach and welcome the proposal and pledge to work with the council in implementing and applying the PSPO.
- 4.5 The Brent Community Protection Service (ASB Team) will engage neighbouring Boroughs who currently have PSPOs in the parks, to share best practice.

5.0 Financial Implications

- 5.1 There are no financial implications.

6.0 Legal Implications

6.1 There are no other legal implications other than those already set out in this report.

Contact Officers

Chris Whyte
Operational Director
Environmental Services
chris.whyte@brent.gov.uk
020 8937 5342

Simon Egbor
ASB and Crime Manager
Community Protection
Simon.egbor@brent.gov.uk
020 8937 5853