

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO COUNCIL**

20 November 2019

Report Title: Clough Hall Park Petition

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Portfolios: Community Safety and Wellbeing

Ward(s) affected: Talke and Butt Lane

Purpose of the Report

To report back to Members, Officers' feedback to the recent Clough Hall Park Petition requests.

Recommendation

. To refer the petition to the Health and Well Being and Partnerships Scrutiny Committee for consideration

Reasons

The report has been written in response to a recent Public Petition to Full Council regarding perceived anti-social behaviour in Clough Hall Park.

1. **Background**

1.1 Over the summer period, a number of incidents involving young people and anti-social behaviour were reported to the Council and partners for further action at Clough Hall Park. These incidents ranged from low level anti-social behaviour, an assault, motorbike nuisance, arson and damage to a bin and other perceived nuisance behaviour. Unfortunately the majority of these incidents have not resulted in those involved being formally identified, making it very difficult for the Council and partners to take further enforcement action.

Local Councillors and community champions have been informed of the limitations to the Council's (and partners) use of powers and have been encouraged to report any further incidents or information and intelligence regarding those involved. The area has been added to the Police's patrol strategy, a portable CCTV camera has been installed as a temporary measure to try to capture some of the issues and a number of interventions have taken place with some young people being identified, where partners are working with the local High School to prevent and deter further incidents.

In the period April – September 2019 the Council received a total of 10 complaints regarding anti-social behaviour, 3 of these complaints were regarding a single incident.

In the period June – September 2019, Newcastle Neighbourhood Policing Team received 14 complaints regarding anti-social behaviour, which was reported to be a considerable increase to the previous quarter. On further investigation the increase was determined to be as a result of an incident connected to pupils at the school in June. At the time of writing the Council, Staffordshire Police and Staffordshire Fire and Rescue have received 1 complaint of anti-social behaviour in the location since 08/09/19, involving a motorbike.

2. **Issues**

2.1 **Overview of the Petition to Full Council**

A petition of 518 signatories was presented to Full Council in September by Cllr Robinson in respect of resident's concerns regarding anti-social behaviour at Clough Hall Park.

It makes requests to the Council in respect of:

1. Introduction of a Public Spaces Protection Order (PSPO) in the park
2. Installation of CCTV at the location
3. Improvement to boundary fencing at the location
4. Regular locking/unlocking of the park at night and after dark.

3. **Consideration of Petition requests**

3.1. **Introduction of Public Spaces Protection Order (PSPO)**

Public Spaces Protection Orders (PSPO) propose to deal with a particular nuisance in a particular area that is having a detrimental effect on the quality of life of the local community. It can prohibit certain things or require specific things to be done. An example of when a PSPO may be issued could be to help keep dogs under control within a public place such as a park. It may require that the dog is kept on a lead at all times and/or the dog is only allowed in certain areas. Alternatively, it may prohibit the consumption of alcohol in a specific place.

When deciding whether a PSPO should be issued at a location, the local authority must consider two things: firstly whether the behaviour is having a detrimental effect, or is likely to have this effect and secondly, whether the effect/likely effect of the activities is of a persistent nature making the behaviour unreasonable and rendering the order justified. This is decided by taking into account all available information including complaints received and the numbers of incidents over a period. If a PSPO is considered appropriate, a minimum 12 week consultation period is required before it can be authorised.

A PSPO can be made to apply to all people, or limited only to certain people aged 18 and over, and can be restricted to specific times in a specific location. Failure to comply with the order can result in a fine or a fixed penalty notice, which in the Borough is generally issued on the Council's behalf by a Police Officer.

Officers have considered the use of PSPOs in a number of locations, where there has been anti-social behaviour, involving young people and they are considered to be unfavourable because the penalty for a breach is financial, which in itself has not previously been a suitable or effective deterrent for young people aged under 18.

It is acknowledged that there are far more effective anti-social behaviour powers available for use by the Council, such as Community Protection Notices, which are used to ensure that parents of young people identified as being involved in anti-social behaviour, control their children's behaviour and therefore enforces the parental responsibility. The benefit of this power is that they can be used retrospectively and in conjunction with other sanctions, such as tenancy enforcement with a landlord and if not adhered to can progress to criminal sanctions and injunctions (as appropriate). Officers recommend that this is the preferred enforcement tool to use at the location because it is more efficient and effective with the cohort and issues identified at the location.

3.2. **Installation of CCTV**

Installation of CCTV at the location to increase surveillance could be considered but would not be a quick fix to any of the issues in the park at the current time. Officers have liaised with partners to fund portable cameras for use in hotspots areas, which are installed for a temporary period to monitor reported issues involving crime and disorder.

Officers are currently working closely with partners to progress an upgrade to the existing CCTV system in Newcastle town centre. This process has proved to be time consuming and costly to date. Partners have facilitated funding for the capital costs and Officers have explored options for future monitoring as a partnership arrangement with Stoke-on-Trent City Council, who have a purpose built CCTV centre set up.

Similarly, in order to seek to install permanent CCTV at the Clough Hall location, there would need to be considerable further investigation to explore the feasibility and suitability at the park, including;

- a survey by the colleagues from the Crime Prevention Team at Staffordshire Police to advise on most suitable options for surveillance and lighting at the location;
- establish if the required technical infrastructure is in place at the location to facilitate installation and whether appropriate electrics and media links are available (if not these would also need to be sourced and installed to enable the project to go ahead);
- if external funding can be identified to pay for the capital costs of the infrastructure and equipment installation;
- if revenue funding can be identified by the Council and/or its partners to cover the additional costs associated with monitoring and maintaining the equipment.

3.3. Improvement to boundary fencing

Enhancing the fencing from standard 6 foot park fencing to say 10 foot high fencing would have significant costs which are not currently included in the corporate capital programme. The benefits of increasing the fencing would have limited benefits as some of the incidents have occurred in the day time when the park is open. For the fencing to be effective in the evenings then the park would need to be locked and adequate surveillance in place.

The Assets Team at the Council have walked the full boundary of the park and could not see any fences down or broken. The only area that may appear a little damaged is to the rear of a small number of private houses, which is understood to be the responsibility of the owners / residents.

3.4. Regular locking/unlocking of the park

Locking and unlocking of parks and open spaces, including Clough Hall Park, used to be undertaken on a daily basis by the Park Attendant Service, alongside a number of other cleansing, maintenance and security duties. The locking and unlocking rota comprised around 30 sites across the Borough, with around 80 different gates and doors, and required a significant staff resource to complete it 7 days per week, 364 days per year.

The security benefits of locking parks at night are not considered to be particularly effective, as access can still be gained by those determined to do so, and Police colleagues have indicated concerns regarding gaining access for their officers when called to an incident, if the gates are locked.

The Park Attendant Service has been reviewed and restructured on 3 occasions since 2011, with the aim of making efficiency savings and refocusing it's work into high priority tasks. The locking and unlocking rota was reviewed in 2012 and ceased at this time, as it was considered to be non-productive and resource intensive. However, there was a proviso that short term locking and unlocking of identified sites could be accommodated if particular issues arose in response to community concerns.

When the subsequent 2 restructures took place, culminating in the 2017 review, the Park Attendant Service was reduced down to two attendants and therefore any capacity to carry out locking and unlocking was lost. No locking or unlocking has been carried out since this time with the remaining limited park attendant capacity being directed into inspection, cleansing and maintenance tasks. It is considered that the cost of reinstating capacity to lock and unlock parks would be prohibitive, with limited security benefit.

4. Recommendations

- 4.1 To refer the petition to the Health and Well Being and Partnerships Scrutiny Committee for consideration

5. Legal and Statutory Implications

- 5.1 The Council has a statutory duty to work in partnership to prevent crime and disorder in the Borough.
- 5.2 The Council owns and maintains the Clough Hall park facility and the Pavillion at the location.

6. Equality Impact Assessment

- 6.1 An Equality Impact Assessment has not been developed for this area of work.

7. Financial and Resource Implications

- 7.1 There are no specific additional financial implications or commitments required from the recommendations of this report.

8. Major Risks

- 8.1 There is a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.

9. Sustainability and Climate Change Implications

- 9.1 N/A

10. Key Decision Information

- 10.1 N/A

11. Earlier Cabinet/Committee Resolutions

- 11.1 N/A

12. List of Appendices

- 12.1 N/A

13. Background Papers

- 13.1 N/A