

Cabinet – 19 November 2016

Written response to Questioner 3 not present at the meeting during consideration of agenda item 4 'Public Questions'.

3.

Questioner: Jack Welby

Asked of: Councillor Graham Henson, Portfolio Holder for Environment, Crime and Community Safety

Question: "How is it that there was no proper consultation in respect of Bye Laws at Chandos Recreation Ground as there was proper consultation on the following grounds:

1. Only one notice was displayed on the car park gate which was open and was not visible to local residents
2. Only 1 notice displayed at the car park gate when they were 2 others which did have any notices displayed
3. The Camrose Avenue notice gave a final date of 16 January 2017 when the notice was displayed on the 13th of January 2017. The consultation is not valid in Law as no proper consultation took place
4. In the notice it mentioned the alcohol Law expires in March and is due for renewal. This has been lumped in on the proposed Bye Laws for Chandos Recreation Ground which is unlawful and as it is for 3 years it should not be part of the Bye Laws
5. The Park gates should be locked at night due to the recent visit of travellers and the security of my home due to the number of vehicle and suspected drug dealing in the car park."

Written Response: Thank you Mr Welby for your question.

The short answer would be that the council is not seeking to introduce a By-Law for Chandos Recreation Ground, but a Borough wide Public Spaces Protection Order (PSPO) covering a number of aspects including dog fouling, smoking in children play areas and an extension of the alcohol exclusion zone.

To give some detail, under the Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014, councils were given permission to introduce PSPOs.

These replaced four types of Order that were in place, or could be applied for, and were commonly known as Designated Public Place Orders (e.g. Alcohol Exclusion Zone), Dog Control Order (e.g. Dogs kept on leads), Gating Order (to gate a service road) and Dispersal Orders. It must be noted that these types of orders are only allowed to run until November 2017 before they either lapse or are replaced by a PSPO.

The changes are that a PSPO puts in place restrictions or requirements that are linked to anything that can cause a nuisance, annoyance or harassment, as defined by the Act. The failure to comply with the requirements of a PSPO is a criminal offence.

The notices displayed across the borough during the consultation for the PSPO clearly highlighted the changes due to the changes in legislation that meant, for example, the alcohol exclusion zone would end in November 2017. As it is Borough wide, it would not have been feasible to put on every entrance, exit and route of every park.

Consultation originally occurred May 2016 to July 2016, with further consultation taking place November 2016 to January 2017 – therefore the requirements of the ASB, Crime and Policing Act 2014 have therefore been met in terms of consultation.

With regards to ASB and crime in Harrow a number of areas, such as the car park in Chandos Recreation Ground, are monitored and inspected regularly by both the Police and the council teams, and any reports of ASB or crime are investigated by the council's community protection team.

Travellers were in situ in June 2016 and again recently and quickly addressed by the Police, but this is still not a common occurrence. No complaints of drugs or nuisance vehicles have been reported in the last 6 months, and only 1 in the last 12 months. I can confirm that all such incidents are investigated by the council or the police.

This Labour Administration said we would be tougher on crime and the causes of crime. The PSPO that we are looking to introduce in Harrow will allow us to take stronger and direct action to deal with; Alcohol Control Zone; Public urination, defecation and spitting; Dog fouling and the means to pick up; Smoking in Children's play areas; Driving over footways, footpaths and verges. Where we find them, we will fine them.