

## Report for: **Cabinet**

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<b>Date of Meeting:</b>	21 January 2021
<b>Subject:</b>	Borough Wide Public Spaces Protection Order to address environmental issues
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Paul Walker, Corporate Director (Community)
<b>Portfolio Holder:</b>	Councillor Varsha Parmar, Portfolio Holder for Environment
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix A – Consultation Responses Appendix B – Consultation Comments Appendix C – Draft Order Appendix D - Police Statement re Alcohol Exclusion Zone Appendix E – Harrow BID website Appendix F – Proposed Public Notice Appendix G – Equality Impact Assessment (EQIA)

### **Section 1 – Summary and Recommendations**

This report proposes to renew the Borough wide Public Spaces Protection Order (PSPO), as created under the Anti-Social Behaviour, Crime and Policing Act 2014, to address specific matters of Anti-Social Behaviour (defined as anything that can cause harassment, nuisance and / or annoyance) that affect the Borough.

**Recommendations:**

Cabinet is requested to:

1. Consider and approve the Public Spaces Protection Order (Borough Wide) (Harrow Council) 2020 to take effect from 1<sup>st</sup> February 2021

**Reason: (for recommendations)**

The PSPO would allow direct action against low level anti-social behaviour, with the benefit of being able to issue fixed penalty notices for breaches, if appropriate.

**Section 2 – Report**

Harrow Council (“The Council”) is committed to maintaining a clean and safe environment for the benefit of everyone in the borough. The commitment recognises the Council’s responsibility to keep the streets and local environment clear of litter and obstructions and deal with other local environmental quality issues including anti-social behaviour.

In June 2017, a Borough Wide PSPO was approved and implemented (from 1<sup>st</sup> July 2017), and included controls around:

- Spitting, urination and defecation
- Smoking in Children’s Play Areas
- Consuming alcohol in public places
- Driving over the footways, verges and kerbs
- Dog owners having the means to pick up after their dogs

The maximum duration for a PSPO is 3 years unless extended before then. As a result of Covid 19 priorities, it was not possible to extend this PSPO earlier but the proposed PSPO in this report is effectively a renewal of that.

The proposal to re-adopt the borough-wide PSPO is in line with the council priorities referred to above. In particular, in tackling matters of crime and anti-social behaviour, which includes matters that cause harassment, annoyance and / or nuisance. The Council knows that the majority of those who live, work and visit the borough do keep the area clean; however, it wants to ensure where this is not the case that it uses the relevant legislation and approaches to maintain a clean and safe environment.

In March 2014, the Anti-Social Behaviour, Crime and Policing Act 2014 came into force, with commencement of various provisions staggered. One of the aims of the legislation is to enable intervention before something becomes a bigger problem.

Included within the legislation is the power to put in place a Public Spaces Protection Order, details of which are provided below. In November 2015, Cabinet granted the Corporate Director of Community authority to approve

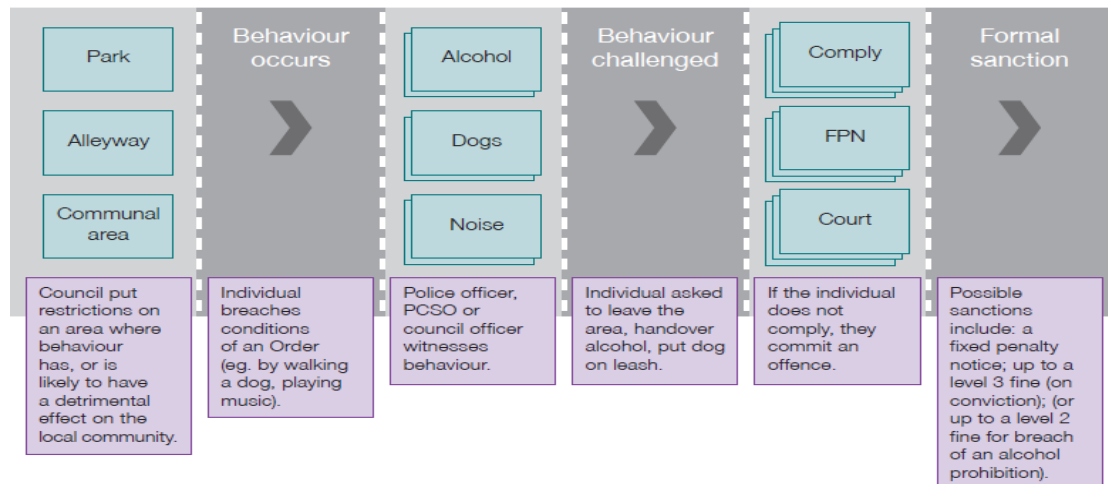
any PSPO affecting up to three bordering wards following consultation with the Portfolio Holder<sup>1</sup>. Proposed PSPOs falling outside of this limitation, such as the one subject of this report, need Cabinet approval.

## Public Spaces Protection Orders

Public Spaces Protection Orders provide a power to deal with particular nuisance or problems that directly affect an area.

An overview of the process is shown below, taken directly from the Official Guidance that accompanies the legislation.

Public spaces protection order



## Fixed Penalty Notice Levels for PSPO

In February 2015, Cabinet approved the use of Fixed Penalty Notices as an option in relation to Community Protection Notices and Public Spaces Protection Orders. These are set at £100 with no discount

## Proposed Borough Wide PSPO

### Alcohol Control Zone

The Council introduced a Borough Wide Designated Public Places Order (DPPO) in 23<sup>rd</sup> June 2008, making the Borough a controlled drinking zone. The effect of this was to make it an offence to continue to drink alcohol when asked not to do so by a Police Officer, or to refuse to surrender any alcohol to an Officer.

With the introduction of the Anti-Social Behaviour, Crime and Policing Act 2014, the pre-existing designated public place orders was replaced by the PSPO and the 2017 PSPO provision is proposed for reintroduction. The

<sup>1</sup> <http://modern.gov:8080/ieListDocuments.aspx?CIId=249&MIId=62618&Ver=4>

Police have also provided a statement in support of this in Appendix D for its continuation.

## **Spitting**

Spitting itself is an emotive issue and one that residents of Harrow support in terms of strong enforcement. With the current pandemic of covid-19, spitting is also seen as a public health risk and one that needs to be discouraged completely. Spitting would only be allowed in public space if there is “reasonable excuse” or if carried out into a handkerchief, tissue, bin or other suitable receptacle. Reasonable excuse would need to, for example, constitute a matter of medical or health related issue that could be evidenced through appropriate documentation that can be provided after the event and within the time frame of any appeal.

## **Urination and Defecation**

With regards urination and defecation, the Crown Prosecution Service (CPS) does not classify urinating in the street as a basic offence that would fall under Section 5 of the Public Order Act 1986<sup>2</sup>, enforced by the Police. However urination in the street can be part of a drunk and disorderly offence, but the offence must also include evidence of abusive language or disorderly behaviour. Urination alone is not enough for either offence<sup>3</sup>.

Harrow unfortunately suffers from incidents of urination and defecation both on the street but also in parks. There is limited action that can currently be taken to address this, hence the inclusion in the original and reintroduction of the PSPO of offences in respect of both urination and defecation. This would also allow Police greater powers to tackle such anti-social behaviour.

## **Dog Fouling**

It is an emotive subject, and while the majority of dog owners are responsible in their approach, unfortunately it still remains an issue. Keep Britain Tidy have shown that 4 out of 10 people surveyed nationally in 2016 believe dog fouling to be an issue in their area, and 1 in 5 recreational areas suffer from constant issues of dog fouling. This is supported in the consultation, with 43% of responders stating it is an issue they have seen, and 38% frequently.

Dog fouling is often seen as one of the most offensive types of nuisance anti-social behaviour, affecting parks and streets. Dog excrement is also a public health risk, with the potential to lead to blindness from an infection called Toxocara canis. No person using the streets or parks of Harrow should have to worry about this risk of infection.

The Council is therefore seeking to continue the double approach to this aspect using the proposed Public Spaces Protection Order, being the offence

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<sup>2</sup> <https://www.cps.gov.uk/legal-guidance/public-order-offences-incorporating-charging-standard>

<sup>3</sup> [https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/disclosure\\_2018/january\\_2018/information-rights-unit---guidance-issued-to-police-officers-for-dealing-with-offenders-who-are-engaging-in-public-urination](https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/disclosure_2018/january_2018/information-rights-unit---guidance-issued-to-police-officers-for-dealing-with-offenders-who-are-engaging-in-public-urination)

of allowing a dog to foul and not clearing it up, as well as not having the suitable means to pick it up. This is consistent with neighbouring Boroughs, who have adopted such provisions for a number of years (e.g. Hillingdon)

### **Smoking in Children's Play Areas**

The very nature of these areas is for children to play safely, enjoy exercise, have fun, without the risk of detriment to their health. The Council, as part of its priority of making a difference to families, communities and the vulnerable, needs to take steps to protect children from unnecessary risks to health. This is particularly true in areas provided by the Council in their green areas.

To this end, the Public Spaces Protection Order seeks to continue the ban on smoking in play areas, to remove the risk of second hand smoke as well as clearly having these areas as ones for enjoyment and health. This is in line with the Chief Medical Officer view on such spaces, Chartered Institute of Environmental Health and the Royal Society of Public Health report on smokefree communities<sup>4</sup>

### **Driving over footpaths, footways and verges on land owned or controlled by the Council**

Driving over a verge occurs throughout the Borough of Harrow, with limited action viable by the Council. It often damages the verge, which not only spoils the appearance of the street, but involves the Council in unnecessary additional expense in making good the damage. The Highways section of the Council has calculated that an average road in Harrow will have around 2.5% of footway being illegally used as vehicle cross overs so approximate cost to the borough could be up to £2,648,351.68 annually (as of 2017) including Officer time and repairs

The Council has a statutory obligation to maintain and keep the highway (including such verges and footpaths) in a basic safe and accessible condition.

Prior to the introduction of the Borough Wide PSPO in 2017, enforcement could only take place if it could be directly shown that a vehicle has caused damage to the verge / footpath. But the added difficulty at present is that Officers have to demonstrate that such damage is linked to a particular vehicle / premise before any action (e.g. cost recovery) is feasible. The mere presence of a car in a drive next to a damaged verge or on the highway next to it is not proof that this car caused the damage.

By continuing this element to the Public Spaces Protection Order, it provides officers with a far more straight forward approach to ensuring verges, footpaths and footways are not damaged and not causing nuisance or risk. While concentration will be placed on those areas where damage is being caused, where it is not feasible to attribute damage to any one person /

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vehicle, action might still be potentially feasible where it is shown a vehicle has gone over these areas (e.g. car in the drive where there is no dropped kerb).

### **What are the requirements for making a PSPO?**

The ASB, Crime and Policing Act 2014, Section 59 sets out the conditions that need to be met for a PSPO to be made.

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 the 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 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 notice

The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order:

- (a) To prevent the detrimental effect referred to in the first condition above
- (b) To reduce the detrimental effect or to reduce the risk of its continuance, occurrence or recurrence

### **How will the PSPO be enforced?**

Failure to comply with a PSPO is an offence and can lead to a summary conviction and fine not exceeding level 2 on the standard scale. In February 2015, the Council agreed that a Fixed Penalty (FPN) of £100 could be applied to any non-compliance with a PSPO if appropriate, rather than a prosecution. However, for repeat offenders or in cases where it is believed the issuing of a FPN would not deter future breaches, or if the offender fails to pay the FPN, a prosecution may be commenced. A person authorised by the Council, a Police Officer and / or a Police Community Support Officer (PCSO) if authorised can enforce the PSPO.

### **How will the PSPO be advertised?**

If the Order is put in place then information will go on the Council Website, be put on social media, signage will be erected in relevant areas and through use of other methods to maximise publicity of the Order. This will include working with partners including Police, Community Champions and Park Groups.

### **How long will the PSPO last?**

Any PSPO can last a maximum of 3 years, although it can be extended if necessary, and/or reviewed (and varied or discharged) during the course of its life. In this case, the proposed PSPO is sought for (a further) 3 years.

### **Will it work?**

The 2017 PSPO had been in place for 3 years and there have been changes to people's behaviour as a result, but issues still remain across the Borough that require continued work.

For example, Wealdstone Square saw a history of street drinking that caused nuisance and annoyance that the PSPO helped alleviate through alcohol control in public places. This was an important strand in this case, but controls must remain in place to ensure any return to this behaviour is controlled and removed but takes into account that other areas in the Borough are now also suffering from such activity. The reintroduction of the Borough Wide approach allows a broader approach and extra tool to tackle such matters by the Council and the Police.

Additionally, the feedback from the consultation shows that people are still witnessing matters that this PSPO seeks to address, showing that work must continue to tackle such matters.

## **Options considered**

In relation to the recommendation in this report, the main options include:

### **1. Cabinet approve the Public Spaces Protection Order (Borough Wide) (Harrow Council) 2020 (as drafted in Appendix C)**

This would result in all aspects of the proposed PSPO coming into force for a duration of (a further) 3 years.

This is the preferred option and is supported by the consultations carried out as set out in Appendix A and B to this report.

### **2. Cabinet approve some aspects of the Public Spaces Protection Order (Borough Wide) (Harrow Council) 2020 (as drafted in Appendix C)**

Where Cabinet does not agree with all the proposals, these can be removed or amended. Additionally, Cabinet can choose a shorter period for the PSPO.

### **3. Cabinet does not approve the Public Spaces Protection Order (as drafted in Appendix C)**

By choosing this option, the Council will rely have limited provisions, if any, to seek to achieve the same outcomes. However, for reasons noted in this report, it is felt that there are inadequate or no provisions for dealing with the other issues that the proposed PSPO reintroduction

seeks to tackle. For example, in the case of dog fouling, there is currently no real statutory provision or power to manage this apart from on an individual basis through potentially using a Community Protection Notice.

### **3. Community Consultation**

The Anti-Social Behaviour, Crime and Policing Act 2014 and “*Anti-social behaviour powers Statutory guidance for frontline professionals*”<sup>5</sup> sets out the requirements for consultation around a PSPO.

Before making a PSPO, the council must consult with the Chief Officer of Police, and the local police body, which was done in relation to the proposed PSPO. This occurred, with consultation being sent to the Borough Commander, Chief Inspector for the Area and Licensing Team.

The council must also consult whatever community representatives they think appropriate. In this case, a consultation took place on the Council website from May 2020 to June 2020, to seek maximum coverage and so that anyone could comment on the proposal. Communications took place around this to advertise the consultation, including in the Harrow People and articles in the Harrow Times, as well as on the Harrow BID website (See Appendix E). Public Notices were put in parks as well as outside schools, covering all aspects of the proposed PSPO but specifically targeting aspects of dog fouling and driving over verges.

Appendix A and B provides the feedback from the consultation, as well as a copy of the Public Notice used. As can be seen, there is wide support for all aspects of the proposed PSPO.

Home Office guidance state that where a local council is considering making a PSPO which will impose restrictions on the use of specific types of land such as registered common land, a registered town or village green, and open access land, or on public rights of way, it should consider discussing the proposal with relevant interested groups. This proposal does not identify any land requiring specific consideration.

We received 1093 responses of which 1074 (98%) live in various areas of Harrow and 19 (2%) live in Barnet, Brent, Ealing, Hillingdon, Watford or somewhere else.

858 completed the equality monitoring form; 390 (45%) were 45-64 years old 240(28%) were 65 plus, 223 (26%) 25-44.

269 (26%) work in Harrow, 26 (6%) own a business in Harrow, 889 (85%) own a car and 137(13%) are dog owners.

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There was overwhelming support for the reintroduction of all aspects of the Borough Wide Public Spaces Protection Order, in summary:

### **Anti-social public drinking**

920 (97%) think Harrow should continue the PSPO that requires persons to stop street (or other public place) drinking.

### **Urination in a public space**

812 (86%) agree that it should be an offence to urinate in a public place.

### **Defecation in a public space**

896 (95%) agree that it should be an offence to defecate in a public place

### **Spitting in a Public Place**

893 (94%) agree it should be an offence to be spitting in a public place.

### **Dog fouling**

930 (98%) agree it should be an offence not to clear up after a dog for which you're responsible.

839 (88%) agree it should be an offence not to have the means to clear up after a dog for which you're responsible.

### **Smoking in children's play area**

866 (91%) agree that it should be an offence to smoke in children's play areas (smoking of any tobacco, smokeless, or herbal product).

### **Driving on cycle lanes, footpaths, footways and grass verges**

667 (71%) agree it should be an offence to drive over cycle lanes unless authorised to do so.

12 (86%) agree that it should be an offence to drive over footpaths (path not next to a road) unless authorised to do so.

773 (82%) agree it should be an offence to drive over footways (pavement next to a road) unless authorised to do so.

781 (82%) agree it should be an offence to drive over grass verges unless authorised to do so.

A full summary of the consultation results can be found in Appendix A.

## **Implications of the Recommendation**

### **Resources**

The resourcing of a PSPO was an area of concern highlighted in the consultation feedback.

The management and enforcement of the PSPO will be through current staffing levels. Delegation to enforce under the ASB, Crime and Policing Act 2014 rests with all delegated officers within the Community and Public Protection Service.

In terms of dog fouling, spitting, urination, defecation, alcohol control and smoking in children's play areas, the primary resource will be the on street enforcement officers.

In terms of driving over verges, kerbs and footways, this will be monitored and enforced primarily through the highways and networks team

All warranted officers will be able to take action where an offence under the PSPO is witnessed. Additionally, Police are able to also enforce the requirements of the PSPO

Training on the Public Spaces Protection Order has been provided by the Community Safety Officers who lead on these corporately. Additional officers within the enforcement teams can then take on additional monitoring and enforcement.

## **Legal comments**

Chapter 2 of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 deals with Public Spaces Protection Orders (PSPO).

Sections 59 – 61 inclusive deal with the power to make such orders, their duration, and their variation and discharge.

In order to make a PSPO, a local authority has to be satisfied on reasonable grounds that two conditions are met:

*1. 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.*

*And*

*2. That the effect, or 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 notice.*

A PSPO prohibits, or requires, things to be done in an area or for both – i.e. prohibit and require, but these must be to prevent or reduce detrimental effect in the area. A PSPO can be limited to apply by time/circumstances etc but must be clear to understand what is required and/or prohibited. The legislation sets out the requirements for the content of a PSPO and publication requirements that must be followed.

Under Section 60 of the Act, a PSPO cannot have effect for longer than 3 years unless extended.

Sections 62 and 63 covers aspects relating to PSPOs prohibiting the consumption of alcohol.

Sections 64 and 65 deal with orders restricting public rights of way over the highway.

Section 66 specifically provides an interested party (as defined in the Act) the ability to challenge the validity of a PSPO, or its variation, by application to the High Court. The grounds for such a challenge are that the local authority did not have the power to make or vary the order or include certain prohibitions/requirements, or that a requirement under the relevant part of the Act was not complied with.

There is a 6-week time limit to make such an application from the date of the order or variation. Pending full determination, the High Court can suspend the operation of the order, or variation. Upon determining the application, the Court, if it finds that the authority did not have the power to do what it did/required under the order, or that the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement of the Act in relation to PSPOs, can quash or vary the order or any prohibitions or requirements under it.

When considering any proposed PSPOs, the authority must consider any equality issues pursuant to its duty under section 149 of the Equality Act 2010.

## **Financial Implications**

The enforcement shall be carried out within the Public Protection Service as well as the Police and the use of our current third-party enforcement contractor. The third-party enforcement contractor works on the basis of taking a proportion of Fixed Penalty Notices income successfully collected, so there is no cost to be Council.

There will be a small cost of advertising of the reintroduction, which will be funded from current budgets. Advertising will be undertaken using means of posters, signage, social media and partners communication methods.

The financial burden on the Council has been eased in terms of enforcing such an Order, with the new agreement in place with the 3<sup>rd</sup> Party

Enforcement Service that the Council is only responsible for paying the service for any FPN successfully paid. This removes any risk aspect. But work continues to maximise payment to maximise effect (consequence of actions) including prosecuting where necessary which will have cost implication but absorbed within the running of the scheme

Any income will be used to offset costs associated with managing the PSPO requirements and issuing fixed penalty notices which will be met from existing budgets, as well as environmental campaigns to increase education and compliance. To this end the scheme is based on cost recovery but should any income above and beyond this be received it shall be ring-fenced to the environmental compliance team for this purpose and a review of fees carried out as the purpose of the PSPO is not to raise income. These may also help to cover any additional legal (prosecution) costs incurred that are not recoverable from PSPO offenders

As with any enforcement, it is imperative that no income target is set as any enforcement should be based on the offence rather than the need to raise money.

## **Procurement Implications**

There are no procurement implications

## **Performance Issues**

Improving the environment and reducing matters of anti-social behaviour will have a positive impact on helping make a difference to families, businesses and communities.

The reintroduction of the Public Spaces Protection Order continues to put in place clear requirements across the Borough that are less bureaucratic and more efficient to enforce. This can be seen in the example of verges; the previous burden of proving beyond reasonable doubt that a person has caused damage to a verge which is required to make out the criminal offence, but instead members of the public will recognise driving over such areas will lead to their detriment.

If the scheme is not renewed, then it will limit the ability to enforce by the Council in these areas due to limited other legislation being in place to tackle them

## **Environmental Impact**

The aspects seeking approval are expected to have a hugely positive impact on the Environment, by putting in place a proactive scheme that addresses matters evidenced within the area.

By having clear requirements in place, backed up by the means of a timely penalty for non-compliance (Fixed Penalty Notices), it allows matters that affect the environment to be addressed in a more efficient and effective means and hopefully leading to longer term behavioural changes.

## Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks from the risk register are attached/summarised below. **N/A**

The following key risks should be taken onto account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Bad publicity due to level of fine issued	<ul style="list-style-type: none"> <li>▪ PSPO has been in place for the last 3 years without complaint or bad publicity</li> <li>▪ Consultation has taken place to understand any issues that may lead to bad publicity</li> <li>▪ Fines are standard for PSPO as agreed by Cabinet</li> <li>▪ Communication in place and will be continued to seek compliance prior to need for fines to be issued</li> </ul>	
Poor payment of fines, therefore limited impact	<ul style="list-style-type: none"> <li>▪ Work has taken place with legal about streamlining prosecution process for non-payment including standardising templates</li> <li>▪ More emphasis put on initial messaging to those receiving fines about consequences, as well as better follow up</li> </ul>	
Lack of resources to take these fines forward	<ul style="list-style-type: none"> <li>▪ 3<sup>rd</sup> Party on street enforcement team in place, working 7 days a week</li> <li>▪ Training of staff to incorporate into normal work (e.g. compliance visits for food hygiene will pick up shop front trade offences)</li> <li>▪ Re-investment of fines to increase capacity if needed</li> </ul>	
Lack of evidence to support follow up action	<ul style="list-style-type: none"> <li>▪ All Officers are required to provide statements to support offence as well as attend court</li> <li>▪ Use of bodyworn cameras by 3<sup>rd</sup> party enforcement officers</li> <li>▪ Quality assurance checks carried out by Management</li> <li>▪ Contract with 3<sup>rd</sup> party company results in payment only for each successfully paid fine</li> </ul>	
Inconsistent approach to	<ul style="list-style-type: none"> <li>▪ Operational policy in place around fixed</li> </ul>	

issuing, leading to loss of reputation	<ul style="list-style-type: none"> <li>penalty notices</li> <li>▪ Training of officers issuing tickets</li> <li>▪ Monthly performance checks to understand what has been issued by whom and why</li> </ul>	
Cost of administering the scheme outweighs the benefits	<ul style="list-style-type: none"> <li>▪ Contract with 3<sup>rd</sup> party company results in payment only for each successfully paid fine</li> <li>▪ Systems set up to minimise cost of the scheme, including online payment system</li> </ul>	
3 <sup>rd</sup> party officers fail to follow council policies and procedures, leading to loss of reputation	<ul style="list-style-type: none"> <li>▪ Clear contract in place with 3<sup>rd</sup> party</li> <li>▪ Monthly performance and monitoring meetings</li> <li>▪ Team leader conducts regular 1-2-1 meetings, team meetings and checks</li> </ul>	
Proposal not agreed leading to limitations of action by officers	<ul style="list-style-type: none"> <li>▪ Offences would have to be pursued through use of legal notices where feasible (e.g. Community Protection Notices) or prosecution</li> <li>▪ Those FPNs already in place could still be enforced at the levels already set</li> </ul>	

## **Equalities implications / Public Sector Equality Duty**

Pursuant to section 149 of the Equality Act 2010 (“the Act”), the council, in the exercise of its functions, has to have ‘due regard’ to (i) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (ii) advancing equality of opportunity between those with a relevant protected characteristic and those without; and (iii) fostering good relations between those who have a relevant protected characteristic and those without.

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

In line with this, an initial Equalities Impact Assessment (EqIA) was completed but did not find that a full EqIA was required as no potential adverse impacts in relation to the decision for this report were considered likely. This was reviewed post consultation and no changes required.

In line with this, the experience of the last 3 years has shown no adverse impacts on any characteristic mentioned. This is continually monitored including data breakdown of those issues Fixed Penalty Notices by the 3<sup>rd</sup> Party Enforcement Officers. This data include demographic breakdown to assist in this process.

### **Council Priorities**

The reintroduction of the Borough Wide PSPO clearly links in with the Council priority of:

1. Improving the environment and addressing climate change

### **Section 3 - Statutory Officer Clearance**

**Statutory Officer: Jessie Man**

Signed on behalf of the Chief Financial Officer

**Date: 30<sup>th</sup> November 2020**

**Statutory Officer: Paresh Mehta**

Signed on behalf of the Monitoring Officer

**Date: 8<sup>th</sup> January 2021**

**Chief Officer: Paul Walker**

Signed off by the Corporate Director

**Date: 8<sup>th</sup> January 2021**

**Head of Procurement: Nimesh Mehta**

Signed by the Head of Procurement

**Date: 26<sup>th</sup> November 2020**

**Head of Internal Audit: Susan Dixon**

Signed by the Head of Internal Audit

**Date: 7th January 2021**

### **Mandatory Checks**

**Ward Councillors notified: NO, as it impacts on all Wards**

**EqlA carried out: YES**

**EqlA cleared by: Dave Corby**

### **Section 4 - Contact Details and Background Papers**

**Contact:** Richard Le-Brun, Head of Community and Public Protection, 020 8424 6267, [Richard.lebrun@harrow.gov.uk](mailto:Richard.lebrun@harrow.gov.uk)

**Background Papers:** None

**Call-in waived by the Chair of Overview and Scrutiny  
Committee - NO**