

## Gating Public Space Protection Order

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>25/10/2023</b>
<b>PORTFOLIO</b>	<b>Community Services</b>
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#### PURPOSE

1. To seek approval to extend the Borough-Wide Public Spaces Protection Order (PSPO) covering all alleygate schemes under s60 Anti-Social Behaviour, Crime and Policing Act 2014.

#### RECOMMENDATION

2. That authority is granted:
  - (1) To extend the PSPO to manage all current and future applicable alleygate schemes in the Borough for a further 3 years.

#### REASONS FOR RECOMMENDATION

3. To ensure that the 133 schemes covered by the Order continue to operate legally, the PSPO must be extended.
4. As the gating program approaches its twentieth year, gating remains popular amongst both existing and prospective scheme holders. The current consideration list stands at over 80 applications from across the borough, and each year new applications are received.

#### SUMMARY OF KEY POINTS

##### Background of Alleygating

5. There are currently 178 alleygate schemes in Burnley which have been established under differing forms of legislation. While there are 133 schemes managed under the PSPO,

45 are classed as 'old style' and were put in place using highway closure orders. These schemes do not come under the gating PSPO.

### **Streamlined approach to Gating**

6. In 2019, following work conducted by a pan-Lancashire officer group looking at best practice in managing the legal aspect of Gating under PSPO legislation, there was a consensus across districts that a single order to streamline the gating project the way forward.
7. Every scheme that had been established under the Clean Neighbourhoods and Environment Act 2005 or subsequently as a separate PSPO using the ASB, Crime and Police Act 2014 is incorporated under the proposed Order.
8. New schemes added to the order via the Council's annual gating program are still subject to the same crime and anti-social behaviour criteria, application and consultation processes, and requirements as before.

### **Continued management of Alleygating schemes**

9. This amendment has not affected the day to day management of alleygate schemes.
10. A review has also been undertaken in 2023 to improve community engagement at the ward level to assess good practice and compliance. It is also the intention of this work stream to identify failing schemes and to look to utilise this resource elsewhere.

### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

11. There are no additional budgetary implications associated with the proposed recommendations. Should approval be granted the changes will be met by existing operational budgets.

### **POLICY IMPLICATIONS**

12. The current Alleygate Policy will be amended to reflect the change in process.

### **DETAILS OF CONSULTATION**

13. Public notification through Council Website.
14. Police and Crime Commissioner for Lancashire

### **BACKGROUND PAPERS**

15. Proposed Order

16. Schedule of current schemes

**FURTHER INFORMATION**

**PLEASE CONTACT: Richard Brown Community Safety Officer**

**ALSO: Jonathan Jackson Streetscene Solicitor**