

RECORD OF EXECUTIVE DECISION

Tuesday, 27 August 2024

Decision No: (CAB 24/25 45450)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Leader of the Council
SUBJECT:	Mount Pleasant & Northumberland Rd Public Space Protection Orders (PSPO)
AUTHOR:	Luke Farren

THE DECISION

- (i) Following consultation and consideration of the representations made, to proceed with the implementation of the proposed Public Spaces Protection order for the Mount Pleasant footpath (between Mount Pleasant Road and Imperial Road - S014 0EB - Unique Street Reference Number: (USRN) 37012003)
- (ii) Following consultation and consideration of the representations made, to not proceed with the implementation of the proposed Public Space Protection order for Northumberland Road footpath and the Veny play-area (land at Northumberland Road, side of Maytree Infant and Nursery School, Northam - SO14 0EL - Northumberland Road footpath. Unique Street Ref No: 37011868)

REASONS FOR THE DECISION

The implementation of a PSPO for the Mount Pleasant footpath will have the effect of closing the area shown in Appendix 1 to the public, making it a criminal offence for anyone not authorised to enter. To prevent access, the footpath will be fenced off following the PSPO approval with locked gated access to allow for ongoing maintenance obligations. The PSPO can be in effect for up to 3 years and will have the effect of denying access to a space to prevent criminal offences and safeguard the public and the adjacent school children, families and staff.

An online public consultation on the draft PSPO took place alongside a letter drop to neighbouring businesses and stakeholders in compliance with the legal requirements for such consultation as set out in the 'Legal Implications' section of this report. The result of the consultation concluded that 65% of the respondents positively supported the Mount Pleasant PSPO. This supports the Police Witness Statement (included as Appendix 4) which concluded 'closing the alleyway would be beneficial to the local area'.

The proposed PSPO for the Northumberland Road footpath and play-area received little public support (71% negative). From the consultation feedback there is a strong public interest in keeping this green space open to the community. Options such as a focus on improving the condition of the area and exploring 'friends of' groups to support have been suggested as approaches for this area.

DETAILS OF ANY ALTERNATIVE OPTIONS

Option 1 – Do Nothing – By not implementing the Public Spaces Protection Order for Mount Pleasant footpath and leaving the footpath open for use, this allows the continuation of the ongoing risks to the public (and particularly the neighbouring school) of being victims of serious criminal offences and risks to public health through anti-social behaviours together with the costs associated with dealing with the result of this behaviour.

Option 2 - CCTV . The installation of CCTV was considered for both footpaths. However, upon further investigation due to the length of the Mount Pleasant footpath and the tree coverage the CCTV view was very restricted. There was also a concern identified that CCTV had not proved to be a deterrent to crime and that there is also the risk that a stand-alone CCTV system could be the subject of vandalism.

Option 3 Relocate the Northumberland Road Play Area – The previous consultation that focused on the Northumberland Road play-area (the Veny) in 2020 consultation considered the possibility of relocating the play-area to Maytree Infant and Nursery School. Without being able to close the public footpath that separates the school and the Veny this option is not possible as there is insufficient space on the site. The 2020 consultation also explored numerous ways of keeping the Veny play-area open with different organisations maintaining and managing access, but the inherent risks of open/closing the area was considered a significant risk given the criminal activities that had been reported (please see the Alleyway Offences List at Appendix 5 for the nature and seriousness of these crimes).

Option 4 – Section 116 and 118 of the Highways Act 1980. Other legal processes explored included the orders under section 116 or section 118 of the Highways Act 1980. After external legal advice and footfall surveys, neither of the options under the Highways Act were deemed appropriate and a Public Space Protection Order (PSPO) was then considered.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

Cabinet received representations at the meeting from Emma Kerrigan-Draper, Mount Pleasant Schools Federation.

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 27 August 2024

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*