




Record of Delegated Decision

Decision made by	Iain Smith – Assistant Director of Regulatory Services
Decision Title	Extending a Public Spaces Protection Order (Public Alleygating): Finedon Ward Wellingborough (formally Borough Council of Wellingborough Ise and Victoria Wards).
Date of decision (same as date form signed)	8 November 2023
Key Decision	No
Decision	Approval under the NNC Scheme of Delegation, for extending a Public Spaces Protection Act (PSPO) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, for gating arrangements for 2023 to 2026, as set out in the draft order attached.
Reason/s for Decision	To ensure anti-social behaviour continues to be tackled and reduced in the restricted alleyways in the Finedon Ward of Wellingborough.
Alternative options considered and rejected	Not to extend the PSPO – this would have a negative impact on our arrangements already in place to take steps to reduce and prevent behaviour that causes nuisance, crime and anti-social behaviour. The public consultation indicated strong support for the alleygates to remain and therefore the PSPO being extended. Not proceeding with that extension could impact negatively on NNC's reputation, as the gates would have to be removed and disposed of, and we may be under an obligation to return all or some of the project funding allocated from the Home Office Safer Streets programme.
Legal implications	<p>PSPOs are made in accordance with sections 59 to 75 of the Anti-Social Behaviour, Crime and Policing Act 2014.</p> <p>In making a PSPO, NNC must be satisfied that the requirements of the above act are met. These are set out below:-</p>

	Section of the act	Act requirement	Conclusion and details
	59 (2)	<p>(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</p> <p>(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</p>	<p>The alleygates were installed as part of the Safer Streets programme, which the successful funding bid for the project identified a significant problem with residential burglary, ASB, littering and misuse of drugs in the area. The residents overwhelmingly supported the alleygating at the time of making the PSPO.</p> <p>The public consultation exercises had an overwhelming response from residents indicating a desire for alleygates to continue.</p>
	59 (3)	<p>(a) is, or is likely to be, of a persistent or continuing nature</p> <p>(b) is, or is likely to be, such as to make the activities unreasonable, and</p> <p>(c) justifies the restrictions imposed by the order.</p>	
	64 (1)	<p>A local authority may not make a public spaces protection order that restricts the public right of way over a highway without considering: -</p> <p>(a) the likely effect of making the order on the occupiers of premises adjoining or</p>	<p>The Equalities Impact Assessment identifies there could be potential negative impacts for people with disabilities. No resident affected by the current PSPO</p>

		<p>adjacent to the highway;</p> <p>(a) the likely effect of making the order on other persons in the locality;</p> <p>(b) in a case where the highway constitutes a through route, the availability of a reasonably convenient alternative route</p>	<p>has raised any issues; however, if a property ownership or tenancy changes, there could be issues with locking and unlocking the gates. NNC will work with residents to see if appropriate adjustments can be made.</p>
	64 (2)	<p>Before making such an order a local authority must:</p> <p>(a) notify potentially affected persons of the proposed order,</p> <p>(b) inform those persons how they can see a copy of the proposed order,</p> <p>(c) notify those persons of the period within which they may make representations about the proposed order, and</p> <p>(d) consider any representations made.</p>	<p>The consultation included affected residents, Northants Police, the OPFCC and ward Members.</p>
	<p>The original agreements with the residents exempt from the order i.e. those with authorised access and keys, was put in place by former BCW. A new agreement will be produced under NNC and signed with each resident.</p>		
<p>Financial implications</p>	<p>NNC will continue to maintain the alleygates and provision exists within our revenue budgets. Residents will continue to be responsible for meeting the costs of replacing lost keys through an arrangement with the appointed supplier.</p>		

Other implications	<p>An Equalities Screening Assessment has been completed for the PSPO. This has identified potential negative impacts for people with disabilities as described above.</p> <p>A full Equalities Impact Assessment has been carried out and forms part of this decision record.</p>
Background papers considered	<ul style="list-style-type: none"> • Anti-social Behaviour, Crime and Policing Act 2014 • Police and Criminal Evidence Act • Crime and Disorder Act 1998
Declarations/conflict of interest?	None
Consultation	<p>A comprehensive consultation process has been undertaken with residents, businesses and other stakeholders affected by the alleygates.</p> <p>The consultation has taken the form of:-</p> <ul style="list-style-type: none"> • Questionnaires to the residents affected by the alleygates. • An online survey for residents and businesses via our NNC website. <p>The questionnaires asked residents to state their postcode to verify their location to the PSPO area. Two questions were asked: whether they agreed or disagreed with the presence of alleygates helps to reduce crime and ASB; and, whether they agreed or disagreed with extending the PSPO for a further 3 years. Nineteen responses were received, 18 of which agreed to both questions.</p> <p>Formal consultations with ward Members, the Police, Fire and Crime Commissioner (OPFCC) and Northants Police took place. No ward Member responded. The OPFCC Director of Delivery stated that he felt strongly the gates should continue. No formal response was received from Northants Police.</p>
Exempt Decision?	No
Officer/ Executive member	<p>Assistant Director for Regulatory Services</p> <p>Executive Member for Housing, Communities and</p>

	Levelling Up.
Supporting documents	<ul style="list-style-type: none">• PSPO Extension Wellingborough No.3 of 2023• PSPO (Public Gating) Ise and Victoria Wards (original order)• PSPO maps• Consultation data• Consultation questionnaire• Equalities Screening Assessment• Equalities Impact Assessment
 Iain Smith – Assistant Director of Regulatory Services Dated: 08.11.23	