

Meeting Date: 8th February 2021
 Portfolio: Communities, Health and Wellbeing
 Key Decision: KD 27/20
 Within Policy and Budget Framework Yes
 Public / Private Public

Title: REVIEW OF PUBLIC SPACE PROTECTION ORDERS
 Report of: The Deputy Chief Executive
 Report Number: CS 08/21

Purpose / Summary:

This report provides an update on the outcome of the formal consultation on the revised Public Space Protection Orders for Carlisle

Recommendations:

Executive is recommended to approve the Public Space Protection Orders for Carlisle.

Tracking

Executive:	14 December 2020 & 8 February 2021
Overview and Scrutiny:	Health and Wellbeing Scrutiny Panel 14 January 2021
Council:	N/A

1.0 BACKGROUND

- 1.1 At its meeting on 14 December 2020, Executive agreed to public consultation on the revised Public Space Protection Orders (PSPO) for Carlisle. Following this period, it is recommended that Executive approve the revisions to the PSPO that will go live from Monday 22 March 2021 for three years.
- 1.2 Further detail on the background to the PSPO and on the revisions and supporting reasons was provided in the report to Executive in December 2020 and they are not repeated here. Additional information is provided in the appendices attached:
 - Appendix 01: Proposed content for the revised PSPO
 - Appendix 02: Consolidated PSPO covering alley-gates
 - Appendix 03: Summary of the response to consultation

2.0 CONSULTATION ON THE PUBLIC SPACE PROTECTION ORDER (PSPO)

- 2.1 Formal public consultation ran from 18 December 2020 to 22 January 2021 through local media, website, Facebook and Twitter, and through direct correspondence and communication with elected members, staff and key partners. Appendix 03 provides a summary of the responses to the consultation.
- 2.2 Members of the Health and Wellbeing Scrutiny Panel discussed the revisions to the PSPO at its meeting on 14 January 2021. This discussion was informed with input from Cumbria Constabulary, clarifying the measured approach police officers would take when considering any action under the PSPO, providing firm reassurance to members that the support and welfare of individuals, such as those presenting as genuinely homeless or with alcohol / drug dependency issues, are already and would continue to be referred to the relevant agencies for support and advice. Safeguarding of vulnerable children, young people and adults was always the priority. With this reassurance, members of Scrutiny Panel were supportive of the revisions proposed to clarify messages to the public about acceptable standards and would give the tools to our partners to respond effectively to anti-social behaviour in a swift and decisive way.

3.0 LOCAL ENVIRONMENTAL CRIME, ACTION AND ENFORCEMENT STRATEGY

- 3.1 With the agreement of the Portfolio Holder and Health and Wellbeing Scrutiny Panel, the draft 'Enforcement Strategy' was also considered at the meeting of Scrutiny on 14 January 2021. Executive have previously received an overview of this strategy which brings together in a single document, the Council's approach to maintaining clean streets and neighbourhoods and outlines the wide range of activities undertaken by the Parking and Enforcement Team. This includes how the team works to raise

awareness of enviro-crimes to encourage positive behaviour change in relation to such things as littering, fly-tipping and irresponsible dog ownership. It also provides a clear statement to reinforce the Council's commitment to pursuing robust enforcement action against those responsible through the issue of fines or prosecution through the courts.

3.2 Executive will receive the final draft of this strategy at a future meeting for consideration and approval.

4.0 COMMUNICATION / AWARENESS RAISING

4.1 Key messages and media releases, coordinated with partners, will focus on the Council's commitment to work with partners to robustly target negative behaviour but reinforcing our commitment to support those who are vulnerable. This will focus on addressing the anti-social behaviour not labelling any groups or individuals.

4.2 Civil Enforcement Officers and our partners such as the police will carry out high profile patrols in key areas and will be able to further raise awareness of the new PSPO as necessary in the course of their duties. Replacement and additional signage will be displayed in key locations as required.

5.0 RECOMMENDATION

5.1 Executive is recommended to approve the:

- revisions to the PSPO
- consolidated PSPO for alley gates.

6.0 EQUALITY AND DIVERSITY

6.1 As PSPOs are about targeting negative behaviour there is no specific protected group impacted. There are circumstances where exceptions may be made for example for owners of assistance dogs to ensure that they are not adversely affected by an order covering the control of dogs.

7.0 TIMESCALE AND NEXT STEPS

7.1 The PSPO will run from 22 March 2021 for three years. Extension beyond this period is subject to review.

8.0 CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

8.1 Maintaining clean, safe and attractive streets, neighbourhoods, villages and towns, cuts across a number of the priorities, as outlined in the strategy

Contact Officer: Darren Crossley
Deputy Chief Executive

Ext: 7120

Appendices

attached to report:

- Appendix 01: Proposed content for the revised PSPO
- Appendix 02: Consolidated PSPO covering alley-gates
- Appendix 03: Summary of the response to consultation

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS:

LEGAL - The Orders will be made under the powers conferred on the Council pursuant to sections 59-68 of the Anti-Social Behaviour, Crime and Policing Act 2014 and published in accordance with The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014.

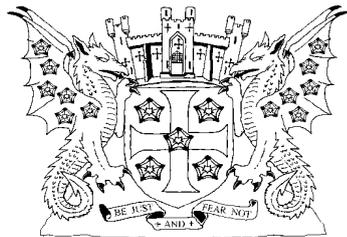
FINANCE - Any financial implications of implementing the new PSPO's can be met from within the existing base budgets under the control of the Community Services Directorate.

EQUALITY - This report raises no explicit issues relating to the Public Sector Equality Duty.

INFORMATION GOVERNANCE

PROPERTY SERVICES

APPENDIX 01: Revised PSPO



THE CITY COUNCIL OF CARLISLE

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 59 - 68 THE CITY COUNCIL OF CARLISLE PUBLIC SPACES PROTECTION ORDER - (NO. 1) 2021

The City Council of Carlisle ("the Council") hereby makes the following Order under the Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 ("the Act").

1. This Order applies to the public areas shown on the plans annexed to this Order IN Schedule 1 and Schedule 2 (the Restricted Areas):

- a) Challenging anti-social behaviour by groups or individuals in the City Centre, open and Public Spaces and Car Parks in the district.
- b) No person shall beg.
- c) No person shall camp or sleep overnight with or without a tent, where their behaviour, and the behaviour of their visitors or associates, causes or attracts anti-social behaviour and/or has a detrimental effect on the quality of life of those in the locality.
- d) A code of conduct for Buskers is currently in place, therefore, no person shall breach this by causing a nuisance to nearby premises or members of the public. This includes obstructing the highway, pavement or shop entrances, or using street furniture including public seats, lamp posts and railings.
- e) No selling of goods, no canvassing of services or charities (without prior written consent from the Council, this must be presented to the authorised officer upon request, failure to do so will result in a breach of the PSPO).
- f) No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer in order to prevent public nuisance or disorder.

Where a Police Officer, Police Community Support Officer or a person duly authorised by the Council reasonably believes that a person has been consuming alcohol, or that a person intends to consume alcohol in circumstances in which doing so would be a breach of that prohibition, the person may be required:

- Not to consume alcohol or anything reasonably believed to be alcohol
- To surrender anything in that person's possession which is, or which may reasonably believe to be alcohol or a container for alcohol.

Anything surrendered to him or her as a result of a requirement imposed may be disposed of by the authorised officer in whatever way he or she thinks appropriate. A Police Officer or an authorised person who imposes such a requirement must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

g) Cyclists must dismount and push their bikes during the restricted period in the City Centre. At all other times, cyclists must ride responsibly giving consideration and priority to pedestrians.

h) The above restriction (g) applies to riders of scooters / E-Scooters, Skateboards and Motor Propelled vehicles (mobility scooters are exempt) being used on footpaths so as to cause nuisance and annoyance.

i) A person shall be guilty of an offence if, at any time on any open space, park, pedestrianised area, car park within the District to which this Order applies if they are carrying out any of the following activities:

- driving or permitting a vehicle to be used in a manner that causes or is likely to cause harassment, alarm, risk or distress to any person;
- Running or revving of engines in such a manner as to cause a nuisance;
- Racing or driving around the location at speed;
- sounding the horn;
- playing loud music;
- congregating in a car park for the purposes of socialisation without permission; and or
- any variation of the above unless:
 - (i) they have a reasonable excuse for doing so; or
 - (ii) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their doing so

j) Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she:

- fails to keep the dog on a lead and under physical control at all time on any land which has been designated as a dog on lead area,
- fails to put a dog on lead by direction

- allows the dog to foul in a public place and then fails to remove the waste and dispose of it in an appropriate receptacle.
- takes a dog onto, or permits the dog to enter or remain on, any land which has been designated as an enclosed play area (“enclosed play area”)

The provisions of this order relating to the control of dogs shall not apply to any person who is registered blind in accordance with section 29 of The National Assistance Act 1948, to any person and to any person suffering a disability and in sole charge of a dog trained to assist with his/her mobility, manual dexterity, physical coordination or ability to

lift and carry everyday objects and the said dog has been trained by a prescribed charity.

Appeals

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who visits the restricted area. This means that only those who are directly affected by the restrictions have the right to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds; 1) that the Council did not have the power to make the order or to include particular prohibitions or requirements or that 2) one of the requirements of the legislation has not been complied with.

When an application is made the High Court can decide to suspend the operation of the order pending the Court's decision, in part or totality. The High Court has the ability to uphold the order, quash it, or vary it.

A person who is guilty of an offence under the Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

This Order will come into force on day 22 March 2021 and may be cited as The City Council of Carlisle (Public Spaces Protection Order (No. 1) 2021).

This Order shall remain in force until 21 March 2024

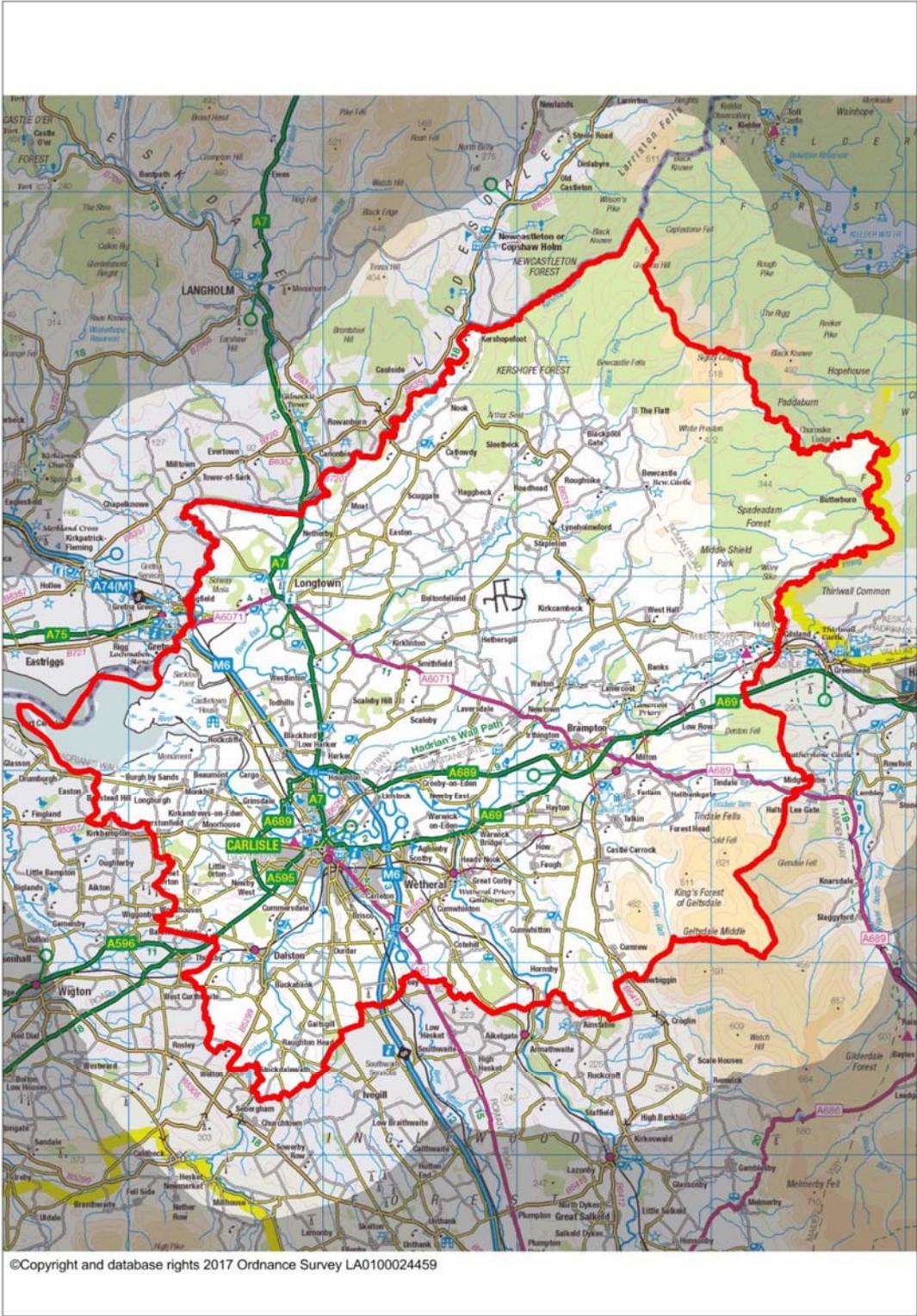
GIVEN under the Common Seal of the Council of the City of Carlisle

EXECUTED AS A DEED by)
affixing the Common Seal of THE)
COUNCIL OF THE CITY OF CARLISLE)
in the presence of:)

Corporate Director of Governance &
Regulatory Services/Legal Services Manager

SCHEDULE 1

THE DISTRICT



SCHEDULE 2

DESIGNATED DOG ON LEAD

1. All that part of the land and buildings at Talkin Tarn County Park, Brampton shown edged red on the plan annexed hereto and marked "Talkin Tarn Country Park".

Talkin Tarn Country Park



2. All those Cemeteries in the District known as:

- Carlisle Cemetery and Crematorium shown edged red on the plan attached hereto and marked "Carlisle Cemetery".
- Stanwix Cemetery shown edged red on the plan annexed hereto and marked "Stanwix Cemetery".
- Upperby Cemetery, Manor Park Road shown edged red on the plan annexed hereto and marked "Upperby Cemetery".

Carlisle Cemetery



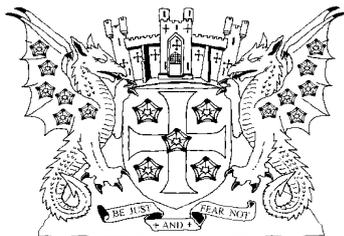
Stanwix Cemetery



Upperby Cemetery



APPENDIX 02: Consolidated PSPO covering alley gates



THE CITY COUNCIL OF CARLISLE

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 59 - 68 THE CITY COUNCIL OF CARLISLE PUBLIC SPACES PROTECTION ORDER - (NO. 2) 2021

1. The City Council of Carlisle (“the Council”) makes this Order under sections 59 to 68 of the Anti-Social Behaviour, Crime and Policing Act 2014 because the Council is satisfied on reasonable grounds that anti-social activities carried out or likely to be carried out in the public spaces described in the Schedule and shown shaded red on the plans attached to the Order (“the Restricted Areas”):
 - have or are likely to have a detrimental effect on the quality of life of those in the locality
 - are or are likely to be unreasonable and
 - justify the restrictions imposed
2. The Council is satisfied that to prevent the detrimental effect on the quality of life of those in the locality and reduce crime and anti-social behaviour from occurring in the area it is necessary to gate the sections of the highways stated above.
3. The proposed restrictions will not apply to the following: -
 - (a) Any person who occupies premises adjoining or adjacent to the Restricted Areas.
 - (b) Police, Ambulance and Fire and Rescue Services;
 - (c) Community Services, Carlisle City Council (Refuse collection/street cleansing etc.)
 - (d) Local Policing Team Inspector, Cumbria Constabulary;
 - (e) Utility Services (Water, Gas, Electricity & Telecommunications providers etc). and
 - (f) Any individual or organisation deemed appropriate by the Local Committee of the County Council;

who will be issued with a key for each of the locked gates or code if keypad operated.

4. An alternative route for pedestrians and vehicles, during the times that the Highways that are restricted will be available. There is no suitable alternative route from one end of the gated highway to the other over the Restricted Areas.

5. A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

This Order will come into force on 22 March 2021 and may be cited as The City Council of Carlisle (Public Spaces Protection Order (No. 2) 2021).

This Order shall remain in force until 21 March 2024

GIVEN under the Common Seal of the Council of the City of Carlisle

This 22 March 2021

EXECUTED AS A DEED by)
affixing the Common Seal of THE)
COUNCIL OF THE CITY OF CARLISLE)
in the presence of:)

Director of Governance

SCHEDULE

Highways in the town of Carlisle	Ward	Description
1. Rear of Nelson street and Clifton Street Plan 1	Denton Holme and Morton South	The alleyway that runs to the rear of 51 to 65 Nelson Street and 1 to 25 Clifton Street comprising of one alley gate onto Clifton Street
2. Rear of Clifton Street, St. James Road and Nelson Street Plan 2	Denton Holme and Morton South	The alleyway that runs to the rear of 2 to 30 Clifton Street, 3 to 29 St. James Road and 67 to 81 Nelson Street comprising 2 alley gates one onto St. James Road and one onto Clifton Street
3. Rear of Nelson Street, Empire Road, Dalston Road and St. James Road Plan 3	Denton Holme and Morton South	The alleyway that runs to the rear of 83 to 99 Nelson Street, 1 to 15 Empire Road, 37 to 53 Dalston Road and 2-10 St. James Road comprising 2 alley gates one onto Dalston Road and one onto St. James Road
4. Rear of Nelson Street, Blencowe Street and Trafalgar Street Plan 4	Denton Holme and Morton South	The alleyway that runs to the rear of 50 to 84 Nelson Street, 25 to 31 Blencowe Street and 46-80 Trafalgar Street comprising 2 alley gates one onto Blencowe Street and one onto Nelson Street
5. Rear of North Street and Bridge Terrace Plan 5	Denton Holme and Morton South	The alleyway that runs to the rear of 1 to 35 North Street and 2 to 22 Bridge Terrace comprising 2

		alley gates both onto North Street
6. Rear of Norfolk Street and Richardson Street Plan 6	Denton Holme and Morton South	The alleyway that runs to the rear of 33 to 57 Norfolk Street and 1 to 35 Richardson Street comprising 4 alley gates one onto Norfolk Street, two onto Richardson Street and one to the rear of 35 Richardson Street
7. Rear of Westmorland Street and Dale Street Plan 7	Denton Holme and Morton South	The alleyway that runs to the rear of 58 to 92 Westmorland Street and 24 to 32 Dale Street comprising 2 alley gates on onto Norfolk street and one onto Dale Street
8. Rear of Dalston Road Plan 8	Denton Holme and Morton South	The alleyway that runs to the rear of 34 to 52 Dalston Road comprising 2 alley gates one onto Stanhope Road and one to the rea of 52 Dalston Road
9. Rear of Blackwell Road and Gloucester Road Plan 9	Currock and Upperby	The alleyway that runs to the rear of 1 to 41 Blackwell Road and 2 to 60 Gloucester Road comprising 2 alley gates one onto Regent Street and one onto Rose Street
10. Rear of Clementina Terrace and Harrison Street Plan 10	Currock and Upperby	The alleyway that runs to the rear of 1 to 37 Clementina Terrace and 60 to 98 Harrison Street comprising 2 alley gates one onto Rose Street and one onto Salisbury Road
11. Rear of Clementina Terrace, Blackwell	Currock and Upperby	The alleyway that runs to the rear of 2a to 40

Road and Harrison Street Plan 11		Clementina Terrace, 43 to 85a Blackwell Road and 1 to 5 Salisbury Road comprising 2 alley gates one onto Salisbury Road and one onto Rose Street
12. Rear of Adelphi Terrace, Currock Road and Coney Street Plan 12	Currock and Upperby	The alleyway that runs to the rear of 1 to 19 Adelphi Terrace, 40 to 60 Currock Road and 1 to 9 Coney Street comprising 3 alley gates one onto Coney Street, one onto Adelphi Street and one to the rear of 58 and 60 Currock Road
13. Rear of Esther Street and Harrison Street Plan 13	Currock and Upperby	The alleyway that runs to the rear of 1 to 45 Esther Street, 1 to 47 Harrison Street comprising two alley gates one onto Rose Street and one to the rear of 1 Harrison Street
14. Rear of Robinson Avenue, Tithebarn Street, Boundary Road and Salisbury Road Plan 14	Currock and Upperby	The alleyway that runs to the rear of 1 to 3 Robinson Avenue, 2 to 22 Tithebarn Street, 1 to 33 Boundary Road and 2 to 4 Salisbury Road comprising 3 alley gates one onto Salisbury Road, one onto Robinson Avenue and one to the rear of 22 Tithebarn Street
15. Rear of Mount Pleasant Road and Blackwell Road Plan 15	Currock and Upperby	The alleyway that runs to the rear of 86 to 106 Mount Pleasant Road and 299 to 307 Blackwell Road comprising 2 alley gates one onto Mount

		Pleasant Road and one to the rear of 86 and 88 Mount Pleasant Road
16. Rear of Edward Street, Grey Street, Flower Street and Close Street Plan 16	Cathedral and Castle	The alleyway that runs to the rear of 12 to 30D Edward Street, 27 to 31 Grey Street, 1 to 23 Flower Street also 4a-6a Close Street comprising 2 alley gates one onto Flower Street and one onto Edward Street
17. Rear of Flower Street and Grey Street Pan 17	Cathedral and Castle	The alleyway that runs to the rear of 2A to 16 Flower Street and 5-25 Grey Street comprising of 2 alley gates one onto Grey Street and one onto Flower street
18. Rear of Sybil Street and Linton Street Plan 18	Cathedral and Castle	The alleyway that runs to the rear of 2 to 50a Sybil Street and 5 to 55 Linton Street comprising 2 alley gates one onto Linton Street and one onto Sybil Street
19. Rear of Brook Street, Watson Street, Alexander Street and London Road Plan 19	Cathedral and Castle	The alleyway that runs to the rear of 16 to 78 Brook Street, 2 to 4 Watson Street, 1a-69 Alexander Street and 85-95 London Road comprising 4 alley gates one onto Watson Street, one onto Brook Street and two onto Alexander Street
20. Rear of Flower Street, Edward Street, Grey Street and Orchard Street Plan 20	Cathedral and Castle	The alleyway that runs to the rear of 27 to 57 Flower Street, 36 to 64 Edward Street, 18 to 24 Grey Street and 17 to 23

		Orchard Street comprising 2 alley gates one onto Orchard Street and one onto Grey Street
21. Rear of Howe Street, Bowman Street, Grey Street and Brook Street Plan 21	Cathedral and Castle	The alleyway that runs to the rear of 35 to 79 Howe Street, 16 to 60 Bowman Street, 28 to 30 Grey Street and 49-51 Brook Street comprising 2 alley gates one onto Brook Street and one onto Grey Street
22. Rear of Edward Street and Howe Street Plan 22	Cathedral and Castle	The alleyway that runs to the rear of 33-51 Edward Street and 20 to 36 Howe Street comprising one alley gate onto Grey Street
23. Rear of Orfeur Street, South Henry Street (Myddleton Terrace) and Myddleton Street Plan 23	Cathedral and Castle	The alleyway that runs to the rear of 1 to 27 Orfeur Street, 1 to 12 South Henry Street (Myddleton Terrace) and 2 to 14 Myddleton Street comprising 2 alley gates one onto Orfeur Street and one onto South Henry Street
24. Rear of Edward Street (Roseville Terrace), Howe Street/Watt House/Flats and Grey Street Plan 24	Cathedral and Castle	The alleyway that runs to the rear of 1 to 2 Roseville Terrace and 38 to 54 Howe Street comprising 2 alley gates one onto Grey Street and one to the rear of 52 Howe Street
25. Rear of Wigton Road, Crummock Street and Bassenthwaite Street Plan 25	Newtown and Morton North	The alleyway that runs to the rear of 71 to 81 Wigton Road, 2 to 54 Crummock Street and 1

		to 49 Bassenthwaite Street comprising 2 alley gates one onto Bassenthwaite Street and one onto Abbots Road
26. Rear of Crummock Street and Dowbeck Road Plan 26	Newtown and Morton North	The alleyway that runs to the rear of 71 to 99 Crummock Street and 29 to 47 Dowbeck Road comprising one alley gate onto Abbot's Road
27. Rear of Bassenthwaite Street and Derwent Street Plan 27	Newtown and Morton North	The alleyway that runs to the rear of 4 to 30 Bassenthwaite Street and 1 to 27 Derwent Street comprising 2 alley gates one onto Abbot's Road and one onto Hawes Street

Appendix 3

In total, 46 responses to the consultation were received with the response overall very positive and supportive. A summary of responses is provided below:

	No %	Yes %
Should the PSPO cover challenging anti-social behaviour by groups or individuals in the City Centre, open and public spaces, and car parks in the district?	2	98
Should the PSPO tackle persons who refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer in order to prevent public nuisance or disorder?	15	85
Should the PSPO address the issue of begging or sleeping overnight in a tent if the behaviour of that person or their visitors or associates was such to cause or attract anti-social behaviour and/or have a detrimental effect on the quality of life of those in the locality?	21	79
Should the PSPO tackle Buskers who continue to breach the code of conduct?	30	70
Should the PSPO tackle those that cause a nuisance through selling or canvassing of services without permission of the Council?	9	91
Should the PSPO tackle nuisance caused by cyclists during the restricted period in the City Centre as well as tackling those who cause a nuisance and annoyance by riding cycles, scooters / E-Scooters, Skateboards and Motor Propelled vehicles (mobility scooters are exempt)?	15	85
Should the PSPO tackle anti-social behaviour on any open space, park, pedestrianised area, and car park within the District?	4	96
Should the PSPO continue to tackle dog-related issues including: - failing to clean after a dog has fouled - putting a dog on a lead by direction - excluding dogs from enclosed play areas - and, keeping a dog on a lead under control in designated areas?	11	89

In total 87 responses were received concerning the Alley Gate consultation with a summary of results as follows –

65% of respondents agree that the back lanes are cleaner, with 14% who strongly disagree.

81% of respondents agreed that there was less graffiti in the lanes. Only 1% strongly disagreed with this.

75% of respondents agreed that there was less dog fouling in the lanes. Only 6% strongly disagreed with this.

81% of respondents agreed that they feel safer in their homes. Only 3% strongly disagreed with this.

76% of respondents agreed that anti-social behaviour had decreased in the lanes, with 19% advising it has stayed the same.

79% of respondents agreed that the area has improved since the introduction of gates, compared to 17% who disagreed.

88% of respondents agreed that anti-social behaviour would increase if the gates were removed.

Copy of full response and comments can be made available if required.

EXCERPT FROM THE MINUTES OF THE HEALTH AND WELLBEING SCRUTINY PANEL HELD ON 14 JANUARY 2021

HWSP.09/21 REVIEW OF PUBLIC SPACE PROTECTION ORDERS

During consideration of the following matter the Chair left the meeting due to technical issues. Councillor Mrs Finlayson (Vice Chair) thereupon took the Chair.

The Neighbourhood Services Manager submitted report CS.05/21 which contained the revised Public Space Protection Order and the combined Public Space Protection Order for alley gates inviting comments from the Panel as part of the consultation on the revised Orders. Comments were also welcomed on the over-arching Local Environmental Crime, Action and Enforcement Strategy but the primary focus of the discussion would be around the proposed revisions to the Public Space Protection Order. Sergeant Blain, Cumbria Constabulary, was present at the meeting to support the discussion.

The Neighbourhood Services Manager briefly introduced the Local Environmental Crime, Action and Enforcement Strategy which outlined the Council's approach to maintaining clean streets and neighbourhoods and reinforced its commitment to taking robust enforcement action against those responsible for enviro-crimes such as littering, fly-tipping and dog fouling. The Neighbourhood Services Manager, further added that Panel Members would be interested in the work of the Council to influence positive behaviour change and also the action planned to tackle other negative behaviours for example, deploying a camera enforcement vehicle to tackle roadside litter and to give the Civil Enforcement Officers powers to challenge and potentially issue fines to motorists parked with engines idling, to support wider carbon reduction efforts and improve local air quality.

The Team Manager - Parking and Enforcement detailed the amendments to the PSPO as set out in appendix 2 of the report.

In considering the report Members raised the following comments and questions on the appendix:

- There was some concern regarding the safety of those removing alcohol containers from individuals who may suffer from addiction.

Sergeant Blain confirmed that Cumbria Constabulary were primarily responsible for the removal of the containers. He set out the safeguarding procedures that were in place for individuals who may have an addiction. In response to a further question he explained that any safeguarding needs were referred to the relevant organisation the following day. He added that the legislation within the PSPO for begging and rough sleeping was only used as a last resort, Cumbria Constabulary met weekly with key partners and exchanged information daily to avoid prosecutions.

- The Panel and the Economy, Enterprise and Housing Portfolio Holder felt that the links between Cumbria Constabulary and the Homelessness Services were critical in ensuring that the PSPO provided ongoing support to individuals and were reassured that the procedures in place were successful in reducing anti-social behaviour and providing help to those in need.

- How safe was it giving people the opportunity to move on and where would they go if they were rough sleeping?

Sergeant Blain confirmed that safeguarding was a major concern for those individuals who were rough sleeping and the Police did what they could to dissuade them or move them to a safer location. The Police engaged with individuals about options, however, often the individual was passing through. A head count of rough sleepers was taken each week and individuals were discussed at the weekly meeting to ensure support was offered. The latest head count for the city had been one.

- Did the Police liaise with Border Force when dealing with beggars and rough sleepers?

Sergeant Blain confirmed that the Police could check on an individual's status on the street and immigration were part of the weekly hub meetings. In addition Cumbria Constabulary worked closely with Dumfries and Galloway Constabulary to identify individuals who may be crossing the border.

- How did the Police deal with children who were begging?

Sergeant Blain explained that if the Police believed there was a safeguarding issue with a child they would invoke their powers to take the child into temporary care.

The Communities, Health and Wellbeing Portfolio Holder thanked Council Officers and the Police for their hard work in producing a sensitive yet firm document which ensured safeguarding procedures were followed and helped to make Carlisle an excellent place to live and work.

- How many individuals who were rough sleeping had refused offers of accommodation during the pandemic?

The Economy, Enterprise and Housing Portfolio Holder responded that the Homelessness Team worked extremely hard to provide support to those in need and to his knowledge only one individual refused the offer of accommodation.

- A Member suggested that authorised buskers and traders be issued with a permit or identification which showed that they had permission to be in the city centre.

The Team Manager agreed to discuss the matter with the City Centre Team. In response to a request the Team Manager informed the Panel that the Enforcement Team, City Centre Team and Police had prepared the Busker Code of Conduct and she would circulate a copy to Panel Members.

- How had the consultation process been undertaken?

The Team Manager set out details of the consultation process which included newspaper advertisements, social media posts, advertisement of the PSPO in affected areas and a survey of affected residents. Due to the current circumstances the consultation period had been extended.

- Referring to cars idling, a Member asked if this could be promoted as a public campaign to highlight the environmental impact.

- What work was being undertaken to change the behaviour of those who littered and was any work carried out with businesses?

The Neighbourhood Services Manager explained that the Council's Enforcement Officers were very proactive and worked seven days a week, they were visible and engaged with those seen littering. The Council did carry out prosecutions and this action was supported by the Courts. Littering was an ongoing issue especially with chewing gum and cigarettes, he reported that a bid had been submitted for grants to increase the recycling capacity in the city.

RESOLVED – 1) That the Panel had considered the Review of Public Space Protection orders (CS.05/21).

2) The Team Manager - Parking and Enforcement circulate the Busker Code of Conduct to Panel Members.