

## POLICY SCRUTINY COMMITTEE

**Tuesday, 5 October 2021**

**6.00 pm**

**Committee Rooms 1 and 2,  
City Hall, Lincoln, LN1 1DD**

Membership: Councillors Bill Bilton (Chair), Calum Watt (Vice-Chair),  
Liz Bushell, Jane Loffhagen, Bill Mara, Mark Storer and  
Pat Vaughan

Substitute member(s): Councillors Gary Hewson

Officers attending: Democratic Services, Legal Services and Francesca Bell

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### A G E N D A

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<b>SECTION A</b>	<b>Page(s)</b>
1. Confirmation of Minutes - 24 August 2021	<b>3 - 10</b>
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Renewal of Public Spaces Protection Order allowing for the Gating of St Peters Passage	<b>11 - 28</b>
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5. Policy Scrutiny Work Programme 2021-22 and Executive Work Programme Update	<b>29 - 38</b>

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**Present:** Councillor Bill Bilton (*in the Chair*),  
Councillor Liz Bushell, Councillor Jane Loffhagen,  
Councillor Edmund Strengiel, Councillor Mark Storer and  
Councillor Pat Vaughan

**Apologies for Absence:** Councillor Calum Watt and Councillor Bill Mara

**5. Confirmation of Minutes - 15 June 2021**

RESOLVED that the minutes of the meeting held on 15 June 2021 be confirmed.

**6. Declarations of Interest**

No declarations of interest were received.

**7. City of Lincoln Council Environmental Policy**

Kate Bell, Climate Change Manager:

- a. presented the Council's Environmental Policy for comment prior to consideration by Executive.
- b. gave the background to the policy as detailed at paragraph 2 of the report.
- c. referred to paragraph 3 of the report, which outlined the purpose of an Environmental Policy and explained that the Policy set out goals for protecting and improving the environment. The Policy covered all of the Council's activities and estate, including the 'landlord' responsibilities for property and Council homes.
- d. highlighted the achievements of the Council's Environmental Policy during 2020/21, as detailed at paragraph 4 of the report.
- e. proposed some amendments to the Environmental Policy which included:
  - All Council committee reports would need to consider any environmental implications.
  - Environmental issues should be given preliminary consideration as part of the procurement of new Council contracts and when reviewing existing contracts to ensure that enough time was allowed to explore options, consider best practice elsewhere and to consult with the Climate Change Vision group.
- f. explained how the Policy would be implemented as detailed at paragraph 6 of the report.
- g. invited members questions and comments:

**Question:** Asked if there a plan in place to ensure that Council owned vehicles and sub- contractor vehicles would be made more environmentally friendly.

**Response:** A detailed report was currently being completed which looked at all aspects of the Council. This included looking at how Council owned diesel vehicles would be replaced with either electric or lower emission vehicles. Sub-Contractor vehicles were included in the amendment to the Environmental Policy and would be considered as part of the procurement of new Council contracts and when reviewing existing contracts.

**Question:** Asked if there was equipment placed around the City to monitor exhaust fume levels.

**Response:** Monitors were placed at Broadgate and Canwick Road, the emissions were high but they were now within the recommended levels due to the new bypass and the Covid-19 pandemic.

**Question:** Currently 43% of the City's electricity was from a renewable source and asked if it would be possible for 100% of the electricity to come from a renewable source in future.

**Response:** There would be a proposal put forward next year for 100% renewable energy supply.

**Question:** Asked what the Council was doing to encourage people to walk more, particularly for parents on the school run.

**Response:** The City Council worked closely with Lincolnshire County Council, this included attending the Active Travel Steering Group which looked at making provision to park further away from schools, submitting bids to the Active Travel Fund and looking at ways to make permanent cycle routes through the City to make cycling safer.

RESOLVED that the amendments to the Environmental Policy be supported and referred to Executive for consideration.

## **8. Corporate Consultation and Engagement Strategy 2021 - 2025**

Pat Jukes Business Manager – Corporate Policy:

- a. presented a report to propose the introduction of a revised Corporate Consultation and Engagement Strategy to replace the 2019 edition.
- b. advised that the new five-year strategy was designed to support officers and members involved in the change of either a service or a policy, to understand when and where consultation was needed.
- c. referred to paragraph 4 of the report and highlighted the key points to note within the strategy.
- d. highlighted the three notable changes to the strategy:
  1. *Understanding our customer's needs was a key driver of One Council*
  2. *There should be clear reference to any consultation feedback received as part of the decision-making report.*
  3. *Elected Members could play a key role in reaching harder to reach groups in their communities*

e. invited members questions and comments:

**Question:** Asked how elected members could assist with reaching harder to reach communities?

**Response:** The details of consultations would be included in the Councillor Briefing. Councillors would be asked to encourage residents to complete the survey, it was preferred that the response be completed online, however, a paper copy could be provided if needed.

**Question:** Community Leadership Scrutiny Committee would be reviewing how the Council could include the voices of young people aged 14-21 and invited the Business Manager, Corporate Policy to attend a future Community Leadership Scrutiny Committee to discuss how this would be done.

**Response:** The Business Manager, Corporate Policy confirmed that she would be happy to attend a Community Leadership Scrutiny Committee. There had been difficulties previously with accessing the younger aged group and the Policy Team would be keen to be involved with this work.

**Question:** Referred to the Existing Corporate Consultation Vehicles and asked why the Police were not involved.

**Response:** The Existing Corporate Consultation Vehicles referred to consultation methods that were owned by the City of Lincoln Council. The Police could be invited to be involved via external focus groups.

**Question:** Referred to Section 11 of the Children's Act and asked if consultations would be sent to schools.

**Response:** The Service Manager would be expected to contact service users including schools, where appropriate. It was preferred that Service Managers contact the Policy Team for advice on consultations.

RESOLVED that the proposed Strategy be supported and referred to Executive for consideration.

## **9. Central Lincolnshire Local Plan Consultation Draft**

Toby Forbes Turner, Planning Policy Manager:

- a. presented the Central Lincolnshire Local Plan (CLLP) Consultation Draft to brief Members and to note the formal response on behalf of the Council.
- b. advised that the next version of the CLLP had been produced for public consultation starting 30<sup>th</sup> June to 24<sup>th</sup> August. Once adopted the CLLP would replace the current Local Plan which was adopted in April 2017.
- c. explained that there were 83 policies contained within the Draft Plan with key policies including those relating to climate change, housing, biodiversity, retail and employment.
- d. further advised that following this round of consultation the Draft Plan would be subject to one further round of statutory consultation prior to

being submitted to the Planning Inspectorate for public examinations which was estimated to take place in early 2022 with the plan hopefully adopted later in 2022.

- e. explained that the structure of the Consultation Draft Local Plan had changed from the current Local Plan and was now thematic for ease of reading and navigation by users.
- f. advised that the new draft Local Plan included a number of areas of substantial change from the plan adopted in 2017 and detailed the following key areas of change:
  - Housing Requirement
  - Settlement Hierarchy and site allocations
  - Retail Hierarchy
  - Climate Change
- g. highlighted the key policies of interest for Lincoln:
  - Affordable Housing including First Homes
  - Employment
  - Retail including Lincoln City Centre
  - Accessibility and Transport
  - Parking Standards
  - Historic Environment
  - Natural Environment / Biodiversity/ Trees
  - Sustainable Urban Extensions and Regeneration and Opportunity Areas in Lincoln
  - Lincoln Housing Allocations
  - Consultation Process
- h. explained that following the consultation, all comments would be scrutinised and considered and the plan would be amended where needed. It would then be brought back for the approval of the Central Lincolnshire Joint Planning Committee before it was subject to a further statutory stage of consultation prior to the plan being submitted to the Secretary of State for examination.
- i. invited members questions and comments:

**Question:** Referred to paragraph 4.27 of the report regarding Affordable Housing and asked if the lower cap of £140k applied to just the affordable housing element or all housing in relation to the Western Growth Corridor.

**Response:** The concerns for affordable housing was understood, however, the plan needed to be deliverable in Lincoln and would be consistent across the County.

**Question:** Referred to the Central Lincolnshire adopted plan and asked how many of the 37k planned houses had been built.

**Response:** There had been a lot of changes since the adoption of the plan in 2014, the figure could be circulated following the meeting.

**Comment:** Expressed concern that 78.6% of housing in Lincoln was in Council Tax bands A and B, therefore the Council Tax remuneration would be fairly low.

**Response:** This would be a large area of development and a compromise was needed.

**Comment:** Lincoln City had a small amount of land to build on compared to other district councils in Lincolnshire, such as North Kesteven and West Lindsey and therefore it needed to be used wisely.

RESOLVED that

1. the recommendation to provide broad support to the Draft Central Lincolnshire Local Plan be supported.
2. the decision to request delegated authority to be given to Kieron Manning, Assistant Director for Planning for any final technical comments to be made on the Draft Local Plan prior to submission deadline of 24<sup>th</sup> August 2021 be noted.

## **10. Protecting Vulnerable People**

Paula Burton, Safeguarding Officer:

- a. presented a report to inform Policy Scrutiny Committee with the current position with regards to Protecting Vulnerable People in Lincoln.
- b. referred to paragraph 2 of the report and gave an overview of the current situation in the following key areas:
  - Safeguarding Children and Adults
  - Team Around the Adult
  - Missing and Child Exploitation
  - Domestic Abuse
  - Modern Slavery
- c. advised that due to the resourcing pressures being experienced with the response to Covid-19, it was agreed that the Section 11 Audit would still be completed but there would be no peer moderation.
- d. referred to paragraph 4 of the report and updated on the Police Operations including Op Vigilance and Op Stabilise.
- e. gave an overview of the new Professional Supervision procedure which had been distributed to all managers of staff but was mainly aimed at being completed with the front-line staff.
- f. advised that the Protecting Vulnerable People Group had a Communications Plan that incorporated national, county and local campaigns to raise awareness of various areas of Protecting Vulnerable People.
- g. advised that the E-cins IT system would be implemented and used for safeguarding concerns to record vulnerable people and people of concern.

It was proposed that the use of the system would be incorporated in the review that was due to take place of the Health and Safety Policy.

h. invited members questions and comments.

**Question:** Referred to the new IT system and asked if there were any loop holes?

**Response:** The new E-Cins IT system would be used across agencies to provide a place where information could be shared and also to check if vulnerable people and people of concern were already known to agencies.

**Question :** Was there enough resources available?

**Response:** Any concerns regarding resources were always escalated to management.

The Chair praised Officers and expressed his thanks and appreciation for their work. Paula Burton, Safeguarding Officer confirmed that she would forward the positive feedback to the Officers concerned.

RESOLVED that the update be noted.

#### **11. Policy Scrutiny Work Programme 2021-22 and Executive Work Programme Update**

The Democratic Services Officer:

- a. presented the report 'Policy Scrutiny Work Programme 2021-22 and Executive Work Programme Update'.
- b. presented the Executive Work Programme August 2021 – July 2022.
- c. requested councillors to submit what items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. referred to the Modern Slavery Charter Review scheduled for November 2021 and asked if the members still required a report given the update that was provided at tonight's meeting.
- e. invited members questions and comments.

The Committee agreed that they were satisfied with the update received on the Modern Slavery Charter and a further report was not necessary.

Members requested that a Post Implementation Review on the changes to the Public Conveniences be scheduled into the work programme one year following implementation.

RESOLVED that:

1. the work Policy Scrutiny work programme be noted with the following amendments:



- i. The Modern Day Slavery Charter review be removed from the Work Programme.
- ii. A Post Implementation Review of the Public Conveniences be scheduled into the work programme at the appropriate time.

2. the Executive work programme be noted.

**12. Health Scrutiny Update**

None.

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**POLICY SCRUTINY COMMITTEE**

**5 OCTOBER 2021**

<b>SUBJECT:</b>	<b>RENEWAL OF PUBLIC SPACES PROTECTION ORDER ALLOWING FOR THE GATING OF ST PETERS PASSAGE</b>
<b>DIRECTORATE:</b>	<b>COMMUNITIES AND ENVIRONMENT</b>
<b>REPORT AUTHOR:</b>	<b>FRANCESCA BELL, PUBLIC PROTECTION, ASB &amp; LICENSING SERVICE MANAGER</b>

**1. Purpose of Report**

- 1.1 To brief Policy Scrutiny Committee members on the process and consideration given to date, to review an existing Public Space Protection Order allowing for the gating of St Peters Passage in the City Centre area of Lincoln.
- 1.2 To seek the views of the Policy Scrutiny Committee on proposals regarding the review of the existing Public Space Protection Order (PSPO), which prevents access to this passageway, in consultation with the public and relevant partners prior to its consideration by the Executive.

**2. Executive Summary**

- 2.1 In October 2014 the Secretary of State enacted new powers from the Anti-Social Behaviour, Crime and Policing Act, relevant to tackling Anti-Social Behaviour. These new powers also make changes to some of the relevant existing legislation and the Council is required, within the period of three years, to reconsider its Designated Public Place Orders (DPPOs) and either withdraw or replace them with new Public Space Protection Orders (PSPOs).
- 2.2 The PSPO's are more flexible and can be applied to a much broader range of issues, with local authorities having the ability to design and implement their own prohibitions or requirements where certain conditions are met. These conditions centre on the impact to the quality of life in the locality, persistence, and whether the impact makes the behaviour unreasonable.
- 2.3 In April 2018 the Executive approved the implementation of a PSPO permitting the access of St Peters Passage to be restricted by way of gating either end of the passage. A map of the passageway is shown in appendix A.
- 2.4 A PSPO has a maximum duration of 3 years. It is therefore advisable to review the order after 3 years to determine whether it should be subject to extension or variation. As part of the review, we have sought the views of both the public and relevant partner agencies by way of a public and partner consultation, this consultation has also been published on social media for greater reach. This consultation period opened on Monday 2<sup>nd</sup> August 2021 and closed on Monday 20<sup>th</sup> September 2021.

2.5 The purpose of the review is to consider the following points;

1. Do you/your agency have any information in support of the PSPO?
2. Do you/your agency have any concerns or objections to the PSPO?
3. If St Peters Passage was re-opened would you use it to walk through?
4. Do you believe that gating St Peters Passage has had a negative impact on other areas? If so, please provide details.

2.6 The City of Lincoln, much like other towns and cities nationally, saw an increase in on street ASB particularly associated with substance misuse. Prior to the gating of St Peters Passage some of these issues had manifested in the city centre particularly with St Peters passage being used for crime and ASB including the passage being used as a toilet. The gating of St Peters Passage has removed the public health risk of this and the associated crime and ASB.

### **3. Background**

- 3.1 Following increased complaints of drug use, drug paraphernalia, urination, defecation and criminal activity occurring in St Peters passage in 2018 a PSPO was approved to gate the passageway restricting access for the public.
- 3.2 At the time of the decision the passageway was in an unsanitary condition and posed a health and safety risk to both the Public, Street Cleaning Employees and Partner Agencies that access the Passage.

### **4. Public Space Protection Orders**

- 4.1 The Anti-Social Behaviour, Crime and Policing Act came into force on 20<sup>th</sup> October 2014. This Act contains the provisions for the Public Space Protection Order, which was enacted by order of the Secretary of State on the 20<sup>th</sup> October 2014
- 4.2 Local authorities have the power to make Public Spaces Protection Orders if satisfied on reasonable grounds that two conditions are met.

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 activities will be carried on in a public place within that area and that they will have such an effect.

4.3 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.

Activities can include things that a person or a group does, has done or should do (to reduce the detrimental effect).

4.4 A Public Space Protection Order is an order that identifies the space to which it applies ("the restricted area" within which the impact has or is likely to occur[ed]) and can make requirements, or prohibitions, or both within the area. This means

that the local authority can, by virtue of the order, require people to do specific things in a particular area or not to do specific things in a particular area. The local authority can grant the prohibitions/requirements where it believes that they are reasonable to prevent or reduce the detrimental impact. The order can be made to apply to specific people within an area, or to everybody within that area. It can also apply at all times, or within specified times and equally to all circumstances, or specific circumstances. The order can apply for a maximum of three years upon which the process of reviews and consultation must be repeated to ensure the issues are still occurring and the order is having the required effect. Thereafter it can be extended for a further three years and, upon the reviews and consultation taking place, can be extended more than once for further periods of three years.

- 4.5 The Anti-Social Behaviour Crime and Policing Act rescinded powers known as gating orders. This Power has now been replaced by Public Space Protection Orders.

## **5. The Current PSPO**

- 5.1 The current PSPO Permits for the gating of St Peters Passage as shown in APPENDIX A. A copy of the PSPO is attached as APPENDIX B. The passage has been gated since July 2019.
- 5.2 Planning permission is in place for the gates that are currently on St Peters Passage.
- 5.3 The management of the passage and the gates, i.e., if a key is lost, is provided by Lincoln BIG.

## **6. The consultation**

- 6.1 On Monday 2<sup>nd</sup> August 2021 a public and partner consultation was launched. The consultation lasted 28 days and closed at 5pm on Monday 30<sup>th</sup> August 2021, however due to a low response level the consultation was reopened from Friday 3<sup>rd</sup> September closing on Monday 20<sup>th</sup> September.

As part of the consultation partners were approached directly seeking their views and any evidence, they may hold in relation the proposed PSPO. Specifically, we asked the public and partners the following:

1. Do you/your agency have any information in support of the PSPO?
  2. Do you/your agency have any concerns or objections to the PSPO?
  3. If St Peters Passage was re-opened would you use it to walk through?
  4. Do you believe that gating St Peters Passage has had a negative impact on other areas? If so, please provide details.
- 6.2 We have directly approached all members of the Lincoln Anti-Social Behaviour Risk Assessment Conference (ASBRAC) and the Safer Lincolnshire Partnership as well as approaching the following partners;
- Lincolnshire Police
  - Lincolnshire County Council Highways Team
  - Lincolnshire County Council We Are With You Commissioners

- Lincoln BIG
- YMCA
- Framework,
- We Are With You
- NHS Neighbourhood team
- ARC

In addition to this we have also advised all ward councillors of the consultation and City of Lincoln Council Communications team have put out information of the public consultation on Social Media Platforms.

6.3 In response to the consultation, we have received a total of 9 responses. Of the 9 responses all were in favour of continuing with the gating of St Peters Passage. 3 commented that the PSPO had improved the area, 4 explicitly stated they would not use St Peters passage if it was reopened although none of the responses answered yes to this question. 1 response raised the potential for ASB to be displaced elsewhere and the highways department of LCC asked what the longer-term plan was for St Peters Passage. A copy of the comments received is provided in APPENDIX C.

6.4 In response to the two additional comments received.

Regarding displacement of ASB this has not been observed by the council or the Police. There has been some defecation and urination reported in St Peter in the arches however from the CCTV imaged this has not been from the same cohort that once used St Peters Passage and instead has been associated more so with the evening economy. Additionally, the city centre continues to have a number of multiagency initiatives to support those with drug addiction or who sleep rough and so agencies are now much better placed to address ASB and the root causes.

Lincolnshire County Council Highways have confirmed they are happy for the passage, which is a public right of way, to remain gated. However, they have asked what the longer-term proposal is to manage the passage. We are aware that there in 2020 planning permission granted to demolish the House of Fraser building which abuts the passage. The Planning Team have advised me that there are still some conditions which need discharging and so we are unsure when that development may go ahead. It is hoped that any future development of that site may address St Peters Passage.

## **7. The Proposal**

7.1 To continue the PSPO in its current form for a further period of 3 years. A draft order is shown in APPENDIX D.

7.2 To continue to work collaboratively with partners to actively manage and design out ASB across the city centre.

## **8. Strategic Priorities**

### **8.1 Let's drive inclusive economic growth**

Projects within the city centre to tackle anti-social behaviour enhance our city making it a more attractive city for investment.

8.2 **Let's reduce all kinds of inequality**

The service seeks to reduce inequality through its work with individuals and communities.

8.3 **Let's enhance our remarkable place**

Projects within the city centre to tackle anti-social behaviour serve to improve and enhance the city.

9. **Organisational Impacts**

9.1 **Finance (including whole life costs where applicable)**

It is unlikely there are any financial costs for the council. Management of the gates is undertaken by Lincoln BIG who have agreed they are willing to continue with that arrangement.

9.2 **Legal Implications including Procurement Rules**

There are no implications for legal or procurement.

9.3 **Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

Consideration has been given to equality, diversity and Human rights, this decision does not materially impact these and serves to improve the quality of life for our community.

9.4 **Human Resources**

There are no implications on human resources.

9.5 **Land, Property and Accommodation**

The continuation of the PSPO would remove a public right of way, consultation has been done with Lincolnshire County Council Highways, who are satisfied in principle with the proposal.

All landowners within the area are required to be consulted, which has been satisfied through the consultation conducted.

9.6 **Significant Community Impact**

Whilst the PSPO does close a public right of way the diverted route is not any further and would be considered a safer route.

9.7 **Corporate Health and Safety implications**

The gating of St Peters Passage improves Health and Safety for the public, our employees and partner agencies.

## **10. Risk Implications**

### **10.1 (i) Options Explored**

a. Continue with the gating of St Peters Passage this has minimal risk associated with it. There has been no evidence of displacement and feedback through the consultation has suggested the gating of the passage has improved the local area.

b. Remove the gates and reopen St Peters Passage; from the consultation we believe this will lead to ASB becoming prevalent in that area and the feedback from Lincoln BIG was that when the passage gates were opened for a couple of days following the locks being damaged that ASB started again immediately.

### **10.2 (ii) Key risks associated with the preferred approach**

The preferred approach is to continue with the gating of St Peters Passage. From the previous 3 years no key risks have been identified.

## **11. Recommendation**

11.1 That the committee consider fully the proposal to continue the PSPO for a further period of 3 years permitting the gating of St Peters Passage.

11.2 If satisfied with the proposal, approve and recommend to Executive.

**Is this a key decision?**

Yes/No

**Do the exempt information categories apply?**

No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?**

No

**How many appendices does the report contain?**

4

**List of Background Papers:**

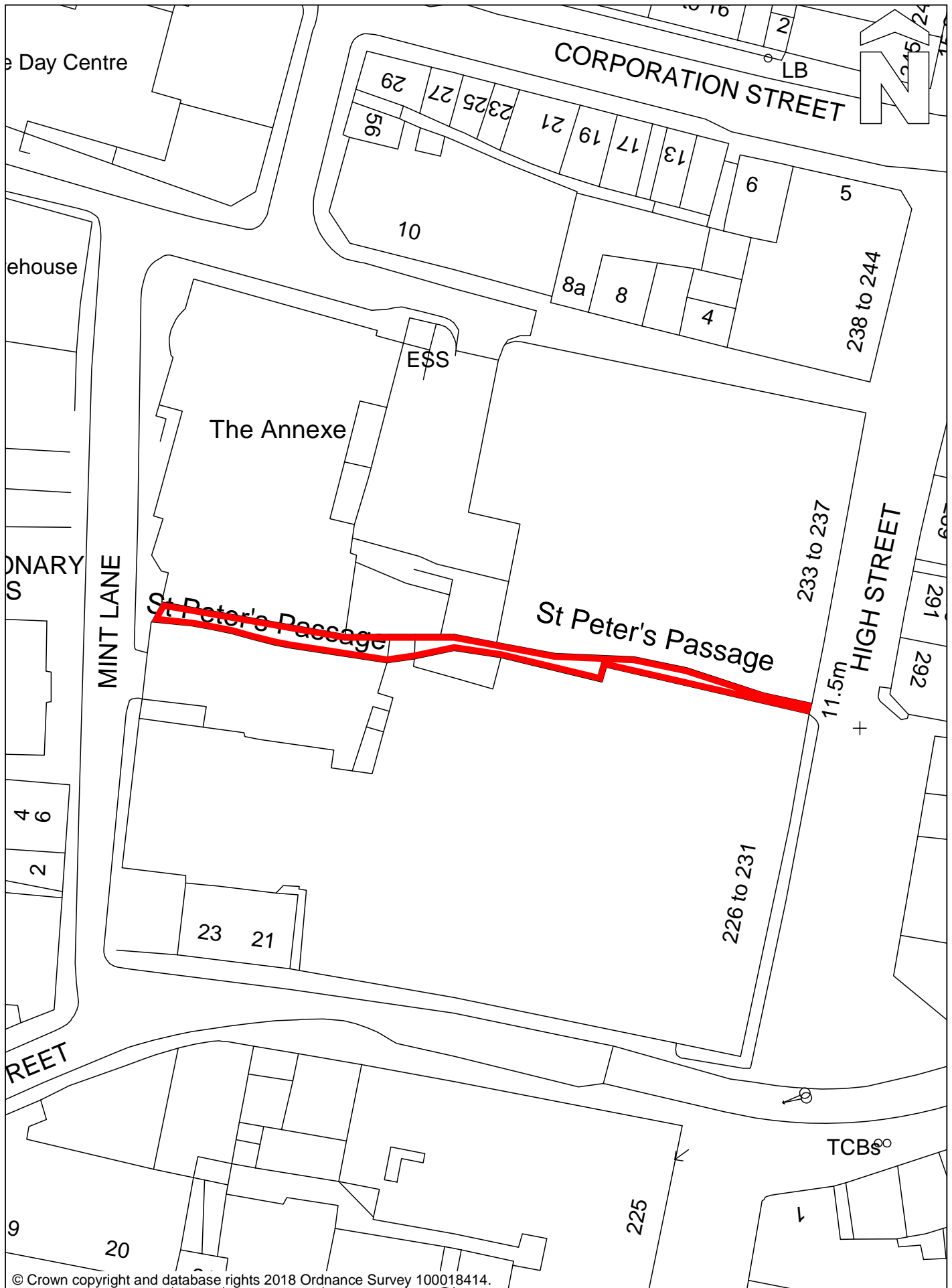
None

**Lead Officer:**

Francesca Bell – Public Protection, ASB & Licensing  
Service Manager  
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Email address: Francesca.Bell@Lincoln.gov.uk



# APPENDIX A



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## St Peter's Passage PSPO

Scale: 1:600 at A4

Version 1: 24-Jul-2018

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## **CITY OF LINCOLN COUNCIL**

### **PUBLIC SPACE PROTECTION ORDER NUMBER 2 of 2018 (the “Order”)**

#### **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

This order may be cited as the City of Lincoln Council Public Spaces Protection Order Number 2 of 2018

The City of Lincoln Council (“the Council”) in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers, hereby makes the following Order:

1. This Order shall come into operation on 14<sup>th</sup> November 2018 (subject to the necessary planning permission) the order made on 14<sup>th</sup> November 2018 Cited as ‘Order Number 2 of 2018’ and shall have an effect for 3 years thereafter, unless extended by further orders under the Council’s statutory powers.
2. This Order relates to that part of the City of Lincoln as shown edged red on the attached plan (“the Exclusion Zone”).
3. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Exclusion Zone through the use of intoxicating substances. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

#### **REQUIREMENT OF THE ORDER:**

The area shown on the Exclusion Zone map known as St Peters Passage, Lincoln is to be gated at both the High Street and Mint Lane Entrance in such a way as to prevent public access.

#### **APPEALS:**

1. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement

under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

**APPENDIX:**

A map showing The Exclusion Zone edged in red.

GIVEN under the Common Seal of  
The City of Lincoln Council

On the

.....*20<sup>th</sup>*.....day of.....*December*.....2018

**THE COMMON SEAL** of the ]

**City of Lincoln Council** ]

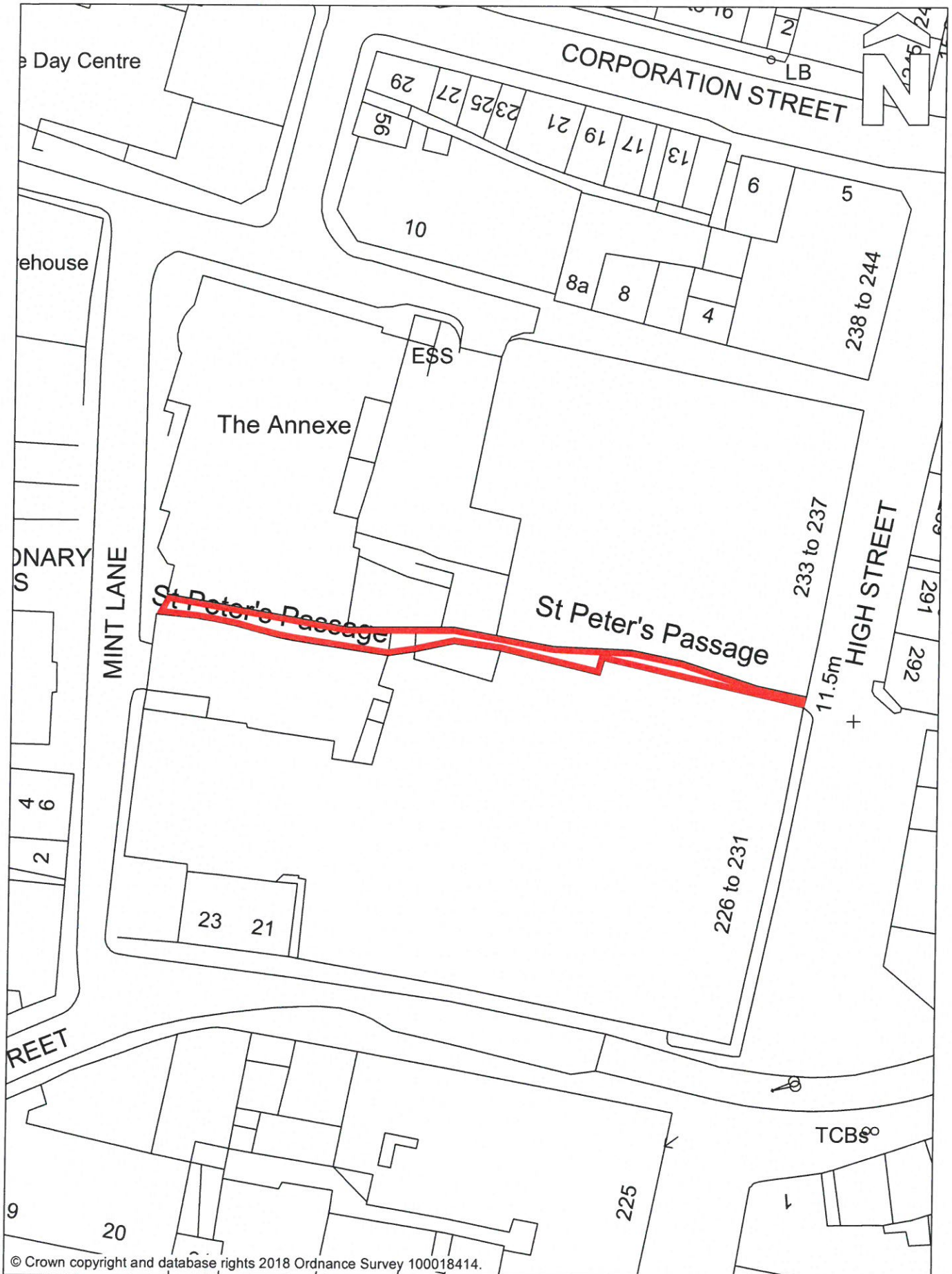
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In the presence of: ]

*Adelt.*



# APPENDIX A



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## St Peter's Passage PSPO

Scale: 1:600 at A4

Version 1: 24-Jul-2018

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### PSPO/SPP/2021 - Gating of St Peters Passage

Responses received to the partner and public consultation, public and business responses have been anonymised

#### **LPFT**

Lincolnshire Partnership have no information or concerns for the PSPO and believe that the gating the passage is a positive action. We would support that it remains gated.

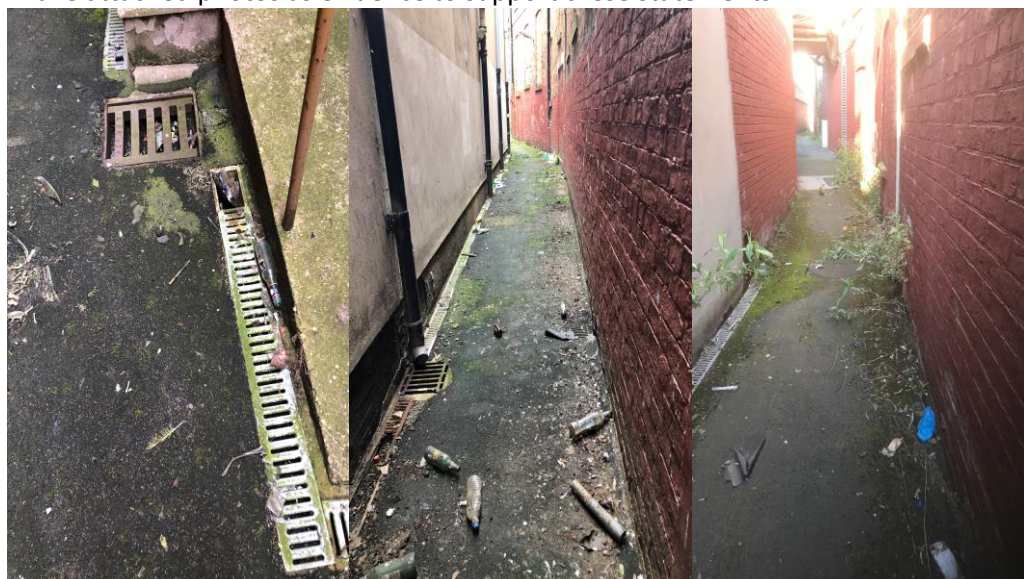
#### **Lincoln BIG**

In March of this year, it was brought to my attention that access had been gained by individuals to St Peters Passage. On inspection by myself and City Centre Wardens, it was apparent that access had been gained and that attempts had been made to remove the hinges for the gate. Lincoln BIG instructed Lincoln Metal Craft to replace the lock for the passageway. When inspecting the area there were obvious signs of this area being used for Anti Social behaviour. There were discarded needles, litter and other drug paraphernalia left on the floor.

When the lock was replaced the City Centre Wardens undertook a deep clean of the area and removed rubbish weeds, faeces and 9 discarded needles.

Lincoln BIG would support the continuation of the PSPO and do not believe that the gating has had a negative impact on the area, if anything it has improved this area as it has removed the anti social behaviour, as shown by the amount of ASB occurring in the short time the area was accessed.

I have attached photos as evidence to support these statements.



#### **Longhurst Group**

In response to the PSPO review, please find my response below.

1.Does your agency have any information in support of the PSPO?

We have no information in support of the PSPO as there are no Longhurst Group properties within the immediate vicinity

2.Does your agency have any concerns or objections to the PSPO?

Longhurst Group has no concerns or objections to the PSPO

3.If St Peters Passage was re-opened would you use it to walk through?

No, due to the information provided of the alleged drug use and it being used as a public toilet.

4.Do you believe that gating St Peters Passage has had a negative impact on other areas? If so, please provide details.

I cannot comment on this question as I am not aware of any displacement of anti-social activity following the gating of St Peters Passage.

#### **Framework**

1.Does your agency have any information in support of the PSPO?

None

2.Does your agency have any concerns or objections to the PSPO?

None

3.If St Peters Passage was re-opened would you use it to walk through?

No I would not

4.Do you believe that gating St Peters Passage has had a negative impact on other areas? If so, please provide details.

No

#### **Local Business 1**

Prior the gates being installed on St Peters Passage we had a series of very unpleasant events;

- The passageway being used 24 hours a day as a toilet, with faeces all around the passage and also the constant smell of urine which you could smell inside the store ( there is a fire exit leading to the passage)
- The passageway housing homeless people who were sleeping rough.
- Needles from drug users that were scattered from front to back and being kicked into the High Street.
- Violence and abuse to my team and the general public daily.
- Complaints from my customers and the general public.
- Shop theft from both my store and nearby retailers where the alleyway was being used as a Thorofare/ getaway, which was a daily occurrence.
- Constant call outs during the nights where my team had to attend the store as the alarms had been activated from the activities in and around the passage area.
- The feedback from tourist visiting the City was it was an issue and would have a detrimental effect on return visits to Lincoln and the surrounding areas of Lincolnshire.

A few months ago the locks on the gates were vandalised and the above had started again albeit for the few days until the lock was replaced.

Although some of the above elements are nationwide, the gating has stopped a lot of the problems occurring.

I believe if the gates were re-opened this would have a detriment to my business, an increase in drug use, homelessness and the passage being used as a permanent toilet.

We are just seeing and increased tourist trade which we cannot afford to lose not only for my business but for the whole City.

We strongly believe that St Peters Passage should remain gated.

If you require any further information on the above points raised please don't hesitate to get in touch.



**Local Business 2**

I understand that you will soon be conducting a review of the PSPO placed on St Peters Passageway. In answer to the following questions laid out in the partner consultancy letter please see below.

1. Does your agency have any information in support of the PSPO?  
Our business has two fire exits leads out onto St Peters passageway. Before the gates were in place St peters passageway was a hot bed of anti-social behaviour. Our fire exits were constantly used as a public toilet and a space for vagrants to fornicate and take drugs. Most days I or a team member had to pick up human faeces and used drug needles from the passageway and our fire exits. The smell of urine washed into our building and we would have to on mostly a daily basis have to sanitise and clean the area external to our fire exits.
1. Does your agency have any concerns or objections to the PSPO?  
Absolutely not. Please keep the gates in place.
1. If St Peters Passage was re-opened would you use it to walk through?  
No, and no one ever did! The only thing St Peters passage was used for is to conduct anti-social behaviour.
1. Do you believe that gating St Peters Passage has had a negative impact on other areas? If so, please provide details.

I don't believe so. But it has had a positive impact on the businesses that share the passageway.

**Paula Burton  
CoLC**

1. My agency does have information in support of the PSPO which is why the action and this consultation is taking place.
2. My agency is completing a consultation process so may be advised of objections but I don't believe that we have any as an agency.
3. I would not use St Peters Passage to walk through if re-opened.
4. I believe that gating the passage may have had a negative impact on other areas as the people frequenting the passage previously and using it for inappropriate reasons will have found alternative places. However, I don't believe that this is a reason to open the passage as the behaviour should be disrupted to ensure the public's safety and enjoyment of the city.

**Lincolnshire County Council**

On behalf of Lincolnshire County Council, and in its capacity as highway authority for the route in question (part of Lincoln – Public Footpath No. 21), I can confirm that the authority has no objection for an extension to the initial closure of the route through the Public Space Protection Order process.

The County Council would like to see this route be reopened in the future however does understand that at this present moment in time the anti-social and criminal behaviour experienced prior to the initial PSPO are likely to return. I would be grateful if you would be able to outline what the City of Lincoln's long term plan for the public right of way may be

**Councillor Vaughan**

Please keep it Gated

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## **CITY OF LINCOLN COUNCIL**

### **PUBLIC SPACE PROTECTION ORDER NUMBER 2A of 2021 (the “Order”)**

#### **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

This order may be cited as the City of Lincoln Council Public Spaces Protection Order Number 2A of 2021

The City of Lincoln Council (“the Council”) in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers, hereby makes the following Order:

1. This Order shall come into operation on 8<sup>th</sup> November 2021. The order made on 8<sup>th</sup> November 2021 Cited as ‘Order Number 2A of 2021’ and updates under the provision of Section 61 of the Act the order made on 14<sup>th</sup> November 2018 Cited as ‘Order Number 2 of 2018’ and shall have an effect for 3 years thereafter, unless extended by further orders under the Council’s statutory powers.
2. This Order relates to that part of the City of Lincoln as shown edged red on the attached plan (“the Exclusion Zone”).
3. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Exclusion Zone through the use of intoxicating substances and defecation within the area. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

#### **REQUIREMENT OF THE ORDER:**

The area shown on the Exclusion Zone map known as St Peters Passage, Lincoln is to be gated at both the High Street and Mint Lane Entrance in such a way as to prevent public access.

#### **APPEALS:**

1. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

**APPENDIX:**

A map showing The Exclusion Zone edged in red.

GIVEN under the Common Seal of

The City of Lincoln Council

On the

.....day of.....2021

**THE COMMON SEAL** of the       }  
**City of Lincoln Council**       }  
Was hereunto affixed       }

In the presence of:       }

**POLICY SCRUTINY COMMITTEE**

**27 SEPTEMBER 2021**

<b>SUBJECT:</b>	<b>POLICY SCRUTINY WORK PROGRAMME 2021/22 AND EXECUTIVE WORK PROGRAMME UPDATE</b>
<b>REPORT BY:</b>	<b>CHIEF EXECUTIVE &amp; TOWN CLERK</b>
<b>LEAD OFFICER:</b>	<b>CLAIRE TURNER, DEMOCRATIC SERVICES OFFICER</b>

**1. Purpose of Report**

- 1.1 To present the Policy Scrutiny Committee Work Programme for 2021/22 and receive comments and considerations from members with items for the municipal year 2020/2021 and to advise Members of the items that are on the current edition of the Executive Work Programme.

**2. Background**

- 2.1 The work programme is attached at **Appendix A**.
- 2.2 The Constitution provides for the publication of the Executive Work Programme on a monthly basis detailing key decisions/ exempt para (Section B) items to be taken by the Executive, a committee of the Executive or a Member of the Executive during the period covered by the programme. This is attached at **Appendix B** and has been provided to assist members in identifying items for inclusion within the work programme.

**3. Recommendation**

- 3.1 That Members give consideration to the Policy Scrutiny Work Programme for 2021/22 and update where appropriate to include items which they wish to consider from the Executive Work Programme as required.

**List of Background Papers:** None

**Lead Officer:** Claire Turner, Democratic Services Officer  
Telephone 873619

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## Policy Scrutiny Committee Work Programme – Timetable for 2021/22

## 15 June 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Public Toilet Review	Steve Bird	
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Policy Scrutiny Work Programme 2021 -2022	Democratic Services	Regular Report

## 24 August 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2020-2022 Update	Democratic Services	Regular Report
City of Lincoln Council Environmental Policy'	Kate Bell	
The Consultation & Engagement Strategy	Pat Jukes	
Draft Local Plan Consultation	Toby Forbes- Turner	
Protecting Vulnerable People	Paula Burton	Annual Update
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

## 5 October 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2020 -2021	Democratic Services	Regular Report
St Peters Passage PSPO	Francesca Bell	

Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
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### 23 November 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Review of Facilities Strategy	Steve Lockwood	
Corporate Policy Review	Becky Scott	
Parking on Grass Verges	Christ Morton	
City of Lincoln Council CTS Scheme 2022/23	Martin Walmsley	
Policy Scrutiny Work Programme 2020-2021 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

### 11 January 2022

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2021-2022 Update	Democratic Services	Regular Report
Recycling- paper and card collections proposal	Steve Bird	
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

### 15 March 2022

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
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Policy Scrutiny Work Programme 2022-2023 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

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## EXECUTIVE WORK PROGRAMME

**September 2021 - August 2022**

### NOTES

1. The Leader in consultation with the Chief Executive and Town Clerk prepares an Executive Work Programme to cover a period of twelve months.
2. The Executive Work Programme contains matters which the Leader has reason to believe will be the subject of a key decision during the period covered by the Plan or Executive decisions which are likely to be taken in private.
3. A Key Decision is one which is likely:
  - a) to result in the Local Authority incurring expenditure which is , or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which it relates; or
  - b) to be significant in terms of its effect on communities living or working in an area comprising 2 or more wards in the area of the local authority.
4. Whilst the majority of the Executive's business at the meetings listed in the Executive Work Programme will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or person information.

This document serves as formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that certain items in the Executive Work Programme will be considered in private because the item contains exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If an item is to be considered in private this will indicated on the individual decision notice.

If you have any queries, please telephone 01522 873387 or email [democratic.services@lincoln.gov.uk](mailto:democratic.services@lincoln.gov.uk).

## EXECUTIVE WORK PROGRAMME SUMMARY

Date of Decision	Decision	Decision: Summary	Decision Taken By	Key Decision	Exempt Information
20 September 2021	City of Lincoln Council Environmental Policy	To adopt the revised Environmental Policy	Executive	No	Public
20 September 2021	Consultation & Engagement Strategy	Exec to comment on the content of the revised Consultation & Engagement Strategy	Executive	No	Public
25 October 2021	Hermit Street	To agree to progress regeneration proposals at Hermit Street.	Executive	Yes	Partly Private
25 October 2021	CCTV Update	To update Executive.	Executive	Yes	Private
25 October 2021	Review of St Peters Passage PSPO	Whether to renew and/or vary the existing PSPO which allows for the gating of St Peters Passage	Executive	Yes	Public
25 October 2021	Localised Council Tax Support Scheme 2022/23	Draft Policy for information and comments	Executive	Yes	Public
25 October 2021	Green Homes Grant Local Authority Delivery Scheme Phase 3	To approve the Green Homes Grant phase 3 funding application and delivery plan	Executive	No	Public
22 November 2021	Recycling- paper and card collections proposal	To formally commit to the Lincolnshire Waste Partnership initiative to undertake separate paper and card collections, alternate to existing general recycling collections, where it can reasonably be accommodated.	Executive	Yes	Public

04 January 2022	Localised Council Tax Support Scheme 2022/23	To approve for referral to Council, a Localised Council Tax Support Scheme 2022/23	Executive	Yes	Public
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