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## THE CABINET

**Wednesday, 15th November, 2017 at 8.15 pm in the Conference Room, Civic Centre, Silver Street, Enfield, EN1 3XA**

### **Membership:**

Councillors : Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader of the Council), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts & Culture), Alev Cazimoglu (Cabinet Member for Health & Social Care), Krystle Fonyonga (Cabinet Member for Community Safety & Public Health), Dino Lemonides (Cabinet Member for Finance & Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykenen (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration & Business Development)

### **Associate Cabinet Members**

Note: The Associate Cabinet Member posts are non-executive, with no voting rights at Cabinet. Associate Cabinet Members are accountable to Cabinet and are invited to attend Cabinet meetings.

Dinah Barry (Associate Cabinet Member – Non Voting), George Savva MBE (Associate Cabinet Member – Non Voting) and Vicki Pite (Associate Cabinet Member – Non Voting)

### **NOTE: CONDUCT AT MEETINGS OF THE CABINET**

Members of the public and representatives of the press are entitled to attend meetings of the Cabinet and to remain and hear discussions on matters within Part 1 of the agenda which is the public part of the meeting. They are not however, entitled to participate in any discussions.

Cabinet are advised that any recommendations included within the reports being considered by Cabinet as part of this agenda, that are for noting only, will not be subject to the Council's call-in procedures. Such recommendations are not deemed to be decisions of the Cabinet, but matters of information for the Executive.

## **AGENDA – PART 1**

### **1. APOLOGIES FOR ABSENCE**

### **2. DECLARATION OF INTERESTS**

Members of the Cabinet are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

## **DECISION ITEMS**

### **3. URGENT ITEMS**

The Chair will consider the admission of any reports (listed on the agenda but circulated late) which have not been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012.

Note: the above requirements state that agendas and reports should be circulated at least 5 clear working days in advance of meetings.

### **4. DEPUTATIONS**

To receive and consider any deputations that are received for presentation to this Cabinet meeting.

### **5. ITEMS TO BE REFERRED TO THE COUNCIL**

To agree that the following report be referred to full Council:

1. Report No.90 – Business Rates

### **6. SEPTEMBER 2017 REVENUE MONITORING REPORT**

A report from the Executive Director of Finance, Resources and Customer Services **will be circulated as soon as possible. (Key decision – reference number 4546)**

(Report No.89)  
(8.20 – 8.25 pm)  
**TO FOLLOW**

**7. BUSINESS RATES**

A report from the Executive Director of Finance, Resources and Customer Services **will be circulated as soon as possible.**

(Report No.90)  
(8.25 – 8.30 pm)  
**TO FOLLOW**

**8. PUBLIC SPACES PROTECTION ORDERS (Pages 1 - 112)**

A report from the Executive Director of Regeneration and Environment and Executive Director of Health, Housing and Adult Social Care is attached. **(Key decision – reference number 4568)**

(Report No.91)  
(8.30 – 8.35 pm)

**9. GENOTIN ROAD CAR PARK, ENFIELD TOWN (Pages 113 - 122)**

A report from the Executive Director of Finance, Resources and Customer Services and Executive Director of Regeneration and Environment is attached (Report No.95, agenda part two also refers). **(Key decision – reference number 4567)**

(Report No.93)  
(8.35 – 8.40 pm)

**10. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

To note that there are no items to be considered at this meeting.

**11. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 123 - 126)**

Attached for information is a provisional list of items scheduled for future Cabinet meetings.

**12. MINUTES (Pages 127 - 132)**

To confirm the minutes of the previous meeting of the Cabinet held on 30 October 2017.

**INFORMATION ITEMS**

**13. STATEMENT IN RESPONSE TO CONSULTATION ON POTENTIAL CHANGES TO CHARGING POLICY FOR ADULT SOCIAL CARE SERVICES**

To note the following statement from Councillor Alev Cazimoglu:

*I want to thank all of the local people and representatives who have engaged with and responded to the recent consultation on potential changes to the Council's Charging Policy for Adult Social Care Services.*

*Having listened to and considered the strength and breadth of views expressed I will not be bringing forward any recommendations for decision at this meeting.*

*The Council is required to meet growing demand for the care and support of older and disabled people locally with insufficient funding from Central government, this has and will continue to necessitate a number of difficult decisions. In that context it is important to take a longer and more in depth look at how best to ensure fairness in our charging policy and use of resources in future years.*

*Cllr Alev Cazimoglu*

**14. ENFIELD STRATEGIC PARTNERSHIP UPDATE**

To note that there are no written updates to be received.

**15. DATE OF NEXT MEETING**

To note, that the date of the next Cabinet meeting will be confirmed at the meeting.

**CONFIDENTIAL ITEMS**

**16. EXCLUSION OF THE PRESS AND PUBLIC**

To consider passing a resolution under Section 100(A) of the Local Government Act 1972 excluding the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(Members are asked to refer to the part 2 agenda)

**MUNICIPAL YEAR 2017/2018 REPORT NO. 91****MEETING TITLE AND DATE:**

**Cabinet – 15 November  
2017**

**REPORT OF:**

Executive Director of  
Health, Housing and Adult  
Social Care  
Executive Director of  
Regeneration and  
Environment

<b>Agenda – Part: 1</b>	<b>Item: 8</b>
<b>Subject: Public Spaces Protection Orders</b>	
<b>Wards: ALL</b>	
<b>Key Decision No: KD Number 4568</b>	

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**1. EXECUTIVE SUMMARY**

- 1.1 Public Spaces Protection Orders (PSPOs) were brought in under the provisions of the Antisocial Behaviour, Crime and Policing Act 2014. The Act permits Councils to introduce PSPOs. The purpose of these powers is to give local authorities and the Police more effective powers to control and/or support the reduction of anti-social-behaviour in public places.
- 1.2 PSPOs are enforced by Authorised Officers of the Council and the Police by either service of a Fixed Penalty Notice up to a maximum of £100 (set by the Council), or by prosecution with a court fine of up to £1,000 on conviction (or up to £500 for alcohol offences).
- 1.3 Public consultation was undertaken on proposed PSPOs; an initial consultation between September to November 2016, which informed a subsequent consultation between 21<sup>st</sup> August and 1<sup>st</sup> October 2017. The results of the recent consultation are at Appendix 1 and 2.
- 1.4 There was a very high level of support for the introduction of PSPOs for all of the antisocial behaviours consulted on, ranging from between 80% and 98% for each of the antisocial behaviours.
- 1.5 Given the feedback and evidence from the public about the persistent or continuing detriment caused by these behaviours and the high level of support from the public and stakeholders for PSPOs, it is recommended that PSPOs (Draft orders in are Appendix 3) are introduced for those behaviours listed in paragraph 3.5.2.
- 1.6 The predictive Equalities Impact Assessment has highlighted potential negative impacts on residents from the protected characteristic groups or persons due to socio-economic factors. However, interaction with the Police and Council enforcement officers provides an opportunity for support and action if persons are vulnerable or there are safeguarding issues.

## **2. RECOMMENDATIONS**

- 2.1 It is recommended that the outcome of the public consultation (Appendix 1 and 2 and paragraph 3.4) is considered and noted by Cabinet Members.
- 2.2 It is recommended that the Equalities Impact Assessment (Appendix 4) and consideration of the Human Rights Act (paragraph 3.6.3) is considered and noted.
- 2.3 It is recommended that the PSPOs as outlined in paragraph 3.5.2 and Appendix 3 are approved. It is recommended that the Cabinet Member for Environment and the Executive Director of Regeneration and Environment undertake more detailed appraisal of the options regarding pick-up and drop-off around schools.
- 2.4 It is recommended that the maximum amount of £100 is agreed as the level of the Fixed Penalty Notice, with no discount for payment within 14 days.

## **3. BACKGROUND**

### **3.1 Public Spaces Protection Orders:**

- 3.1.1 Public Spaces Protection Orders (PSPOs) were brought in under the provisions of the Antisocial Behaviour, Crime and Policing Act 2014. The purpose of these powers is to give local authorities and the Police more effective powers to control and/or support the reduction of anti-social-behaviour in public places.
- 3.1.2 Public Spaces Protection Orders (PSPOs) are designed to stop individuals or groups of people committing anti-social behaviour in a public space. It is for each local authority to determine what behaviour(s) they may want to make the subject of a Public Spaces Protection Order.
- 3.1.3 The PSPO can prohibit specified things being done in the area, or require specified things to be done in the area.
- 3.1.4 Before a local authority introduces a PSPO, it must be satisfied that the antisocial activities carried out in a public place within the local authority's area:
- Have, or are likely to have, a detrimental effect on the quality of life of those living in the locality;
  - Is, or is likely to be, of a persistent or continuing nature;
  - Is, or is likely to be, such as to make the activities unreasonable

As a result, this thereby justifies the restrictions imposed by the Order.

- 3.1.5 The statutory guidance<sup>1</sup> is not specific to what can be included in a PSPO. The potential for their use is broad and flexible to allow a local authority to take into account specific circumstances in its area. A PSPO can cover multiple restrictions. The PSPO can cover any publicly accessible space within the local authority's area, including areas in private ownership to which the public have access.
- 3.1.6 A Public Spaces Protection Order can be made for a maximum of three years, but before the end of the three year period, the Order can be extended for a further period of up to three years. A Public Spaces Protection Order can also be extended more than once. Local authorities can increase or reduce the restricted area of an existing order, amend or remove a prohibition or requirement, or add a new prohibition or requirement. They can also discharge an order, but further consultation must take place for varying, discharging or extending Orders.
- 3.1.7 Breach of a PSPO without reasonable excuse would be a criminal offence, subject to a fixed penalty notice or prosecution. On summary conviction, the Act specifies that an individual would be liable to a fine not exceeding level 3 on the standard scale (currently set at £1,000). Any person who consumes alcohol in an area where this has been prohibited could be required to cease and hand over any containers believed to contain alcohol. Failure to comply would be a criminal offence which on summary conviction would mean that an individual is liable to a fine up to £500 as set out in the Act, which is level 2 on the standard scale. If alcohol is confiscated, it can also be disposed of by the authorised person who confiscates it.
- 3.1.8 A Fixed Penalty Notice may also be issued at a level to be determined by the local authority, up to a maximum of £100. PSPO's can be enforced by both the Police and authorised persons of the local authority.
- 3.1.9 When PSPOs are made they must be published on the local authority's website, and sufficient signs erected on, or adjacent to, the public places to which the Order relates.
- 3.1.10 The implementation of the PSPO can be challenged at the High Court by any interested person within 6 weeks of the making of the Order. An interested person is deemed to be an individual who lives in the restricted area or who regularly works in or visits that area. A challenge can be made on the basis that the local authority:
- does not have the power to make the Order, or impose the particular prohibitions or requirements in the Order; or
  - that the requirements of the Act were not complied with.

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<sup>1</sup> Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers Statutory guidance for frontline professionals (July 2014)

3.1.11 If an application is made, the High Court can decide to suspend the operation of the PSPO pending the verdict, in part or in totality. The High Court has the ability to uphold the PSPO, quash it, or vary it.

## **3.2 The Proposed PSPOs**

3.2.1 The anti-social behaviours that have been identified for a series of PSPOs within Enfield are:

- Control of alcohol consumption;
- Vehicle cruising (*to include speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause a nuisance, and wheel spins*) involving cars, motorbikes, mopeds, trucks, vans and lorries and other vehicles;
- Holding of fireworks to cause intimidation etc and throwing of fireworks;
- Dog controls;
- Persons loitering causing nuisance etc. in Council housing estates;
- Intimidatory begging;
- Possession, use and supply of psychoactive substances;
- Persons windscreen washing/selling goods;
- Prostitution;
- Smoking in playgrounds;
- Flying of drones;
- Vehicles deposited on Council land or land adjoining the highway for an unreasonable period of time;
- Parking around schools;
- Riding of mopeds to cause alarm, distress, annoyance or criminal damage; and
- Loitering by persons in certain locations causing intimidation, harassment, alarm or distress and/or drug dealing/use

3.2.2 The behaviours being considered for a series of PSPOs have been reported or raised by residents, councillors, MPs, the Police and council officers as causing detriment to the quality of life in the locality, and are continuing or persisting.

3.2.3 Appendix 1 sets out the restrictions and prohibitions in the proposed PSPOs for each anti-social behaviour, and the locations to which it is proposed that the particular PSPO applies.

3.2.4 Some of the PSPOs would replace and extend the Council's existing Dog Control Orders and Designated Public Place Orders (control of alcohol consumption). They also provide the Council with an opportunity to introduce new restrictions to address emerging forms of anti-social behaviour.

3.2.5 The proposed PSPOs for dog controls are the same as the existing longstanding Dog Control Orders, but add two new controls, namely:



- A new proposal to limit the number of dogs walked by one person to 4 (except dog walkers who can be licensed by the Council to walk up to 6 dogs with the appropriate insurance).
- A new proposal that all dog walkers should carry with them a means of picking up their dog's mess (i.e. a bag)

The existing Dog Control Orders for parks have for some time controlled whether dogs are banned in certain areas within parks, or must always be kept on leads, or are to be put on leads if asked to do so by the Police or Council Officer. The proposals for a PSPO keep these controls. The features/type of park, or the play or sports area within the park, dictates which of the dog controls apply. For example, dogs are typically banned from children's playgrounds or multiuse sports areas within parks (see Appendix 5, schedule 1). Dogs are required to be on leads at all times in only a handful of parks where it is considered inappropriate for dogs to roam free, such as in walled gardens (see Appendix 5, schedule 2). For the vast majority of the parks (see Appendix 5, schedule 3) dogs can be off the lead and will only be asked to be put on the lead by the Police or an authorised officer from the Council if the dog is causing annoyance or harm.

3.2.6 Enforcement will be undertaken in accordance with the Council's Enforcement Policy and procedures. A wide range of council enforcement officers will be authorised to enforce the PSPOs, and they, and Police personnel would be briefed on enforcement of the orders. The officers involved include:

- Community Safety Officers;
- Neighbourhood Officers in Council Housing;
- Litter Enforcement Officers;
- Police Constables;
- Police Community Support Officers;
- Civil Enforcement Officers (parking enforcement);
- Parks Officers; and
- Regulatory Services Officers such as Envirocrime Officers.

### **3.3 The Public Consultation**

3.3.1 The Act requires that the Council must consult with:

- The Chief of Police
- The Mayor's Office for Policing and Crime (the local policing body)
- Community representatives (whoever the local authority considers appropriate)
- Owners or occupiers of land (within the proposed designated areas)

3.3.2 The Act does not specify the time period over which the public consultation should take place. An initial public consultation on proposed PSPOs was undertaken for 12 weeks during September to

November 2016, and helped inform these proposals for PSPOs. Due to the extensive nature of the initial consultation, this second phase public consultation was undertaken for 6 weeks between the 21<sup>st</sup> August and 1<sup>st</sup> October 2017.

3.3.3 The public consultation comprised of:

- An online questionnaire on the Council's website;
- Hard copy questionnaires available in libraries;
- Hard copy or other formats of the questionnaires available on request via the Consultation team;
- Questionnaires completed face to face at events and public spaces in the Borough; and
- Emails received directly into the Consultation email box.

3.3.4 The public consultation was publicised via:

- A press release;
- Newspaper adverts in the Enfield Independent, Olay and Parikiaki;
- An article in Housing News (for Council tenants and leaseholders);
- Social media - the Council's Twitter and Facebook feeds;
- A digital campaign to direct Enfield residents using websites such as Facebook, the Guardian etc. to the PSPO consultation on the Council's website; and
- Posters in Council buildings and libraries.

3.3.5 The stakeholders with whom we have consulted include\*:

- Police;
- Enfield Crime Reduction Implementation Team;
- Residents;
- Council housing tenants, tenants' associations and leaseholders;
- Registered Social Landlords;
- North London Chamber of Commerce;
- Residents' Associations;
- Businesses and their Associations;
- Relevant voluntary and community sector groups;
- The Friends of the Parks groups;
- Pitch bookers and event organisers in the parks;
- Professional dog walkers;
- London Fire Brigade;
- Transport for London;
- The Civil Aviation Authority; and
- Councillors and MPs

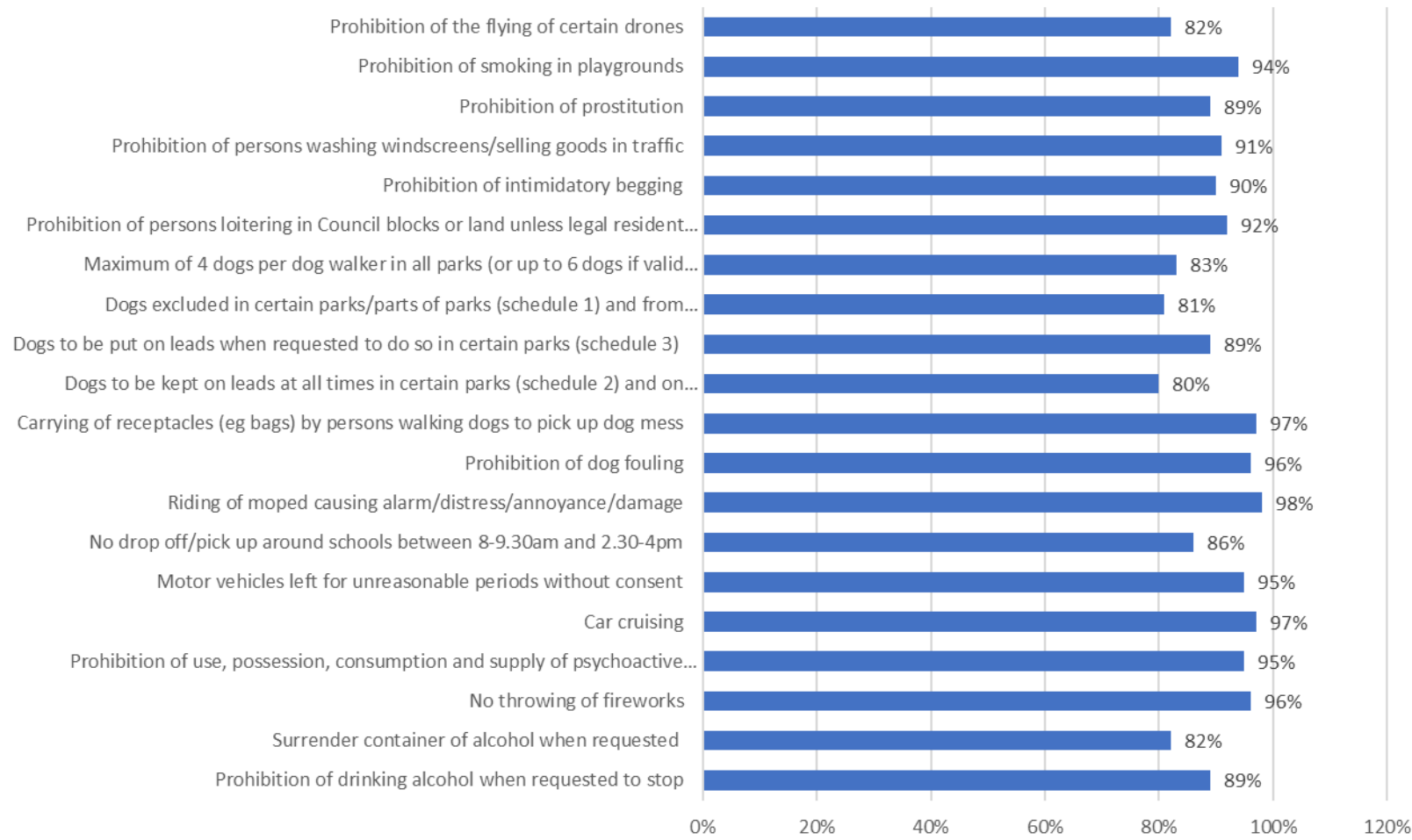
\* The list is not exhaustive

The Council consulted with them with officers either attending meetings or contacting individuals or organisations by email or letter.

### 3.4 The Public Consultation Results

- 3.4.1 The results of the completed questionnaires and emails sent directly to the consultation email box were analysed by the Consultation and Resident Engagement Team. Graphs of the results are provided in Appendix 2.
- 3.4.2 Overall, there were 796 respondents to the public consultation, almost all of which were residents:
- 90% (719) of the respondents were residents;
  - 3% (25) were Council Housing tenants;
  - 3% (26) were others (such as visitors, Friends of Parks Groups, people working in the Borough and former residents); and
  - 2% (17) were business owners.
- 3.4.3 There was a very high level of support, ranging between 80% and 98%, for the proposed introduction of Public Spaces Protection Orders to control the antisocial behaviours consulted on. Respondents were asked if they agreed with each proposal, or agreed but suggested some changes, disagreed or were unsure. The bar chart below shows the combined results of those that totally agreed with the proposals and those that agreed but with suggestions for some changes.
- 3.4.4 Respondents provided a great deal of very informative comments as part of the questionnaire, mostly in support of the proposals and providing details of locations and impact of the ASBs.
- 3.4.5 The Police responded to the consultation and were supportive of the proposed PSPOs stating that they focus on historic problems such as prostitution and car cruising. In relation to car cruising, the Police requested that the A10 and surrounding A10 retail park to be included as well as Riverwalk Road Business Park (EN3 7QN) which regularly has large groups of vehicles engaging in dangerous driving and ASB. It was also suggested that prohibitions be looked at for Ponders End Recreation Ground where groups of youth loiter with no legitimate purpose (eg to deal drugs). The A10 retail park is also experiencing ASB from groups of youths currently so this should be a consideration also.
- 3.5.5 In relation to Ponders End Recreation Ground, there were several comments from the public about persons gathering in Ponders End Recreation Ground causing ASB. It is therefore recommended that a PSPO is implemented to cover this (Appendix 3 – Order 11).

### Percentage of respondents in support of the introduction of PSPOs for the antisocial behaviours consulted on



### **3.5 Recommendations for PSPOs**

3.5.1 The tables in Appendix 1 summarise the feedback from the consultation, the amendments made to the legal wording of the proposed PSPOs as a result, and recommendations for which ASBs should be taken forward into PSPOs.

3.5.2 The recommendations are as follows:

- To implement PSPOs for all the anti-social behaviours consulted on, except for drop-off and pick-up parking around schools. This requires further research and consideration as to specific locations.
- To introduce a PSPO to cover an issue which was not specifically consulted on but was raised by the Police and public during the consultation - to cover persons loitering in Ponders End Recreation Ground and A10 Enfield Retail Park causing ASB and/or using/dealing drugs

3.5.3 Before the local authority introduces a PSPO, it must be satisfied that the antisocial activities identified as occurring in a public place within the local authority's area:

- Have, or are likely to have, a detrimental effect on the quality of life of those living in the locality;
- Is, or is likely to be, of a persistent or continuing nature; and
- Is, or is likely to be, such as to make the activities unreasonable.

As a result, this thereby justifies the restrictions imposed by the Order.

3.5.4 The inclusion of the behaviours in the public consultation was decided upon as a result of reported crimes and complaints about antisocial behaviours to the Police and the Council. The public feedback demonstrated that many people's lives were being blighted and detrimentally impacted by the antisocial behaviours identified. For some of the behaviours, the feedback indicated that they have been persistent for some time (eg car cruising, persons washing windscreens etc.). For all of the behaviours, the feedback demonstrated that they are considered unreasonable and there was widespread support for the introduction of a series of PSPOs to tackle these antisocial behaviours. Taking all of this into account, it is considered that the prohibitions and requirements specified in the recommended Public Spaces Protection Orders are therefore justified.

3.5.4 The Public Spaces Protection Orders are provided in Appendix 3, which if agreed, will be signed and sealed.

3.5.5 If the PSPOs are approved, the next steps would be to:

- Allow 6 weeks to prepare for their introduction (and for any legal challenge); and

- The erection of signage, publicising the implementation of the PSPOs and the commencement of enforcement during the week of the 15<sup>th</sup> January 2018.

### **3.6 Equalities Impact**

3.6.1 An Equalities Impact Assessment (EQIA) was undertaken of the potential impact of the proposed PSPOs on persons with protected characteristics under the Equalities Act 2010 and other persons. The EQIA was undertaken before the public consultation, and reviewed in light of the feedback arising from the consultation. The Equalities Impact Assessment is at Appendix 4.

3.6.2 The EQIA found that the prohibitions on behaviours had a potential negative impact on persons due to their disability, gender, age or race. In the case of disability, provisions are made in the dog control PSPOs to allow for persons registered blind or with mobility problems. In relation to the other protected characteristics, interaction with the Police and Council enforcement officers provides an opportunity for intervention, if needed, due to their vulnerability or any safeguarding issues.

3.6.3 In recommending the proposals for PSPOs, consideration has also been had to articles 10 and 11 of the Human Rights Act 1998 which allows the rights to expression and assembly. However, the Human Rights Act does allow restriction of these human rights for the purposes of the prevention of crime or disorder, or to protect the health or the rights and freedoms of others. The proposals in the PSPOs are intended to ensure that the anti-social behaviours caused by the activities are addressed so that public spaces can be enjoyed without fear or intimidation by the law-abiding majority of the community.

### **3.7 Setting the amount of the Fixed Penalty Notice**

3.7.1 The maximum amount specified under the Act for the Fixed Penalty Notice (FPN) is £100.

3.7.2 The Act allows that the FPN can specify two amounts; a lower amount if the FPN is paid within a 14-day period, and a higher if the FPN is not paid within that time.

3.7.3 Due to concerns about antisocial behaviour and that such behaviour is robustly sanctioned, it is not recommended that a discounted amount for the FPN be offered. It is, therefore, recommended that the maximum amount permitted in the Act of £100 is agreed.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 **To not introduce any PSPOs** – The Council’s Dog Control Orders and Designated Public Place Orders will become PSPOs on the 20<sup>th</sup> October 2017. However, the existing Orders are more limited in scope than the proposed PSPOs in terms of the activities and areas they cover. This means that the Council will only be able to enforce the current requirements and prohibitions of those orders. Without new PSPOs for these, the Council will be unable to require persons in control of dogs to carry receptacles (eg bags) to clean up dog mess and cannot limit the numbers of dogs walked. Also, the alcohol controls will continue to be limited to only parts of the Borough and not enforced across the whole Borough. In addition, the Council will be unable to enforce any of the other antisocial behaviours using a PSPO that are of concern to the public as identified in the public consultation.
- 4.2 **To introduce PSPOs to replace Dog Control Orders and Designated Public Place Orders only** – This would be a very piecemeal approach to the process. The Council and its officers should be using their time and resources as efficiently as possible in ensuring that the scope of these PSPOs are fully considered.
- 4.3 **To introduce all the orders contained within the original proposals** – The Council have undertaken a public consultation which has clearly identified that residents are adversely affected by a range of anti-social behaviours consulted on and are supportive of the introduction of PSPOs to tackle them. Though the public broadly supported the introduction of PSPOs to address anti-social behaviour around schools, such as during drop-off and pick-up times, more detailed work is required around specific locations before proceeding.
- 4.4 **Preferred Option:** To agree to the making of the Orders as outlined in section 3.5.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The proposed PSPOs would help address concerns raised by the public with the Police and Council about anti-social behaviour occurring in the Borough.
- 5.2 The intention of PSPOs is to stop individuals or groups committing anti-social behaviour in a public space so that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

#### **6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS**

## **6.1 Financial Implications**

- 6.1.1 Signage will be required at the locations affected by the Orders. The signage for the existing dog control orders and designated place protection orders will need to be replaced with signage for the PSPOs. It is estimated that the minimum cost of the new signage will be £35,000. These costs will be met through existing revenue provision.
- 6.1.2 Council officers will be authorised and briefed to enforce orders. This briefing will be delivered jointly with the Police, the cost of which will be met through existing revenue budget provision. It is intended that through cross-skilling and training that the enforcement of PSPOs will be delivered by existing staffing resources.
- 6.1.3 If a judicial review is brought against the Council's decision to introduce PSPOs, this would incur legal costs, some undertaken by the Council's own legal service team, and some externally (Counsel). There is no budget provision identified for these costs and this may cause a budget pressure, which would have to be managed within the Department's budgets.
- 6.1.4 It is not possible to estimate the possible receipts from the breach of PSPOs, but this will be monitored as part of the monthly budget monitoring process.

## **6.2 Legal Implications**

The report sets out the legal powers and duties of the Council in relation to Public Spaces Protection Orders.

A single PSPO can be used to target a range of different ASB issues. Orders allow councils to introduce reasonable prohibitions and/or requirements regarding certain behaviours within the specified public area, and may also include prescribed exemptions. As a minimum, each PSPO must set out:

- what the detrimental activities are
- what is being prohibited and/or required, including any exemptions
- the area covered
- the consequences for breach
- the period for which it has effect.

There are further specific provisions regarding some types of PSPO such as the alcohol prohibition and orders restricting the public's right of way.

A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.



The legislation sets out a number of additional requirements for consultation and communication before an Order is introduced, once it is implemented and where it is extended, varied or discharged. PSPOs can be legally challenged under the 2014 Act on certain grounds.

PSPOs can be used to restrict a broad range of activities. Under section 59 of the 2014 Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:

- has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect)
- is (or is likely to be) persistent or continuing in nature
- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

PSPOs must set out clearly what the detrimental activities are. What may be regarded as 'anti-social' is a subjective concept.

There are some limitations set out in the legislation regarding behaviours that can be restricted by PSPOs. Under the 2014 Act, local authorities must have regard to the freedoms permitted under articles 10 and 11 of the Human Rights Act 1998 when drafting, extending, varying or discharging an Order. These cover freedom of expression, and freedom of assembly and association respectively.

It is important to consider carefully the potential impact of a PSPO on different sections of their communities. In introducing an Order, care must be taken to ensure that they comply with the requirements of the public sector equality duty under the Equality Act 2010. The Equality Act requires public authorities to have due regard to a number of equality considerations when exercising their functions. Proposals for a PSPO should therefore be reviewed to determine how they might target or impact on certain groups.

Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. Any county councils (where the Order is being made by a district), parish or community councils that are in the proposed area covered by the PSPO must be notified. Draft proposals for a PSPO must be published as part of the consultation process. For new or varied Orders the text must be published; for extended or discharged Orders the proposal must be publicised. The area covered by the proposals must be well defined; publishing maps of the affected area.

### **6.3 Property Implications**

The proposed PSPOs, if introduced, will apply to all land to which the public have access whether by payment or not. Therefore, they will

apply to council owned buildings and land. Signage will need to be erected to advise the public of the restrictions, and existing noticeboards will be used where possible and appropriate.

The proposed restriction of alcohol consumption in public places will not apply within the boundary of premises or land which has a licence or temporary event notice issued for the supply of alcohol under the Licensing Act 2003.

## **7. KEY RISKS**

- 7.1 There has been a lot of interest nationally over the introduction of PSPOs and some questions have been raised about the use of Orders and whether they represent a reasonable approach to addressing antisocial behaviour. A key risk in introducing a PSPOs is potential negative media about the restrictions and prohibitions in the proposed PSPOs. In particular, civil rights groups have challenged other PSPOs during consultation which contain matters such as rough sleeping and busking, as Liberty had in the initial public consultation. However, the proposed PSPOs in this consultation are less contentious and much less likely to attract negative publicity.
- 7.2 The key risk if PSPOs are introduced is that any person living, or regularly working in or visiting the Borough, who could be affected by the PSPO can bring a legal challenge in the High Court within 6 weeks of the Council deciding to introduce the PSPO. The grounds of legal challenge are on the basis that:
- a) the Council did not have the power to make the PSPO, or to include the particular prohibitions or requirements imposed by the order; or
  - b) the requirements in the Act were not complied with.
- 7.3 In relation to 7.2 (a), the Act lists London boroughs as bodies that are able to make PSPOs, and Cabinet will consider the justification for, and impact of the restrictions and prohibitions, before making any PSPO.
- 7.4 In relation to 7.2 (b), the requirements and processes in the Act (and statutory guidance) have been followed to ensure that we are compliant. The likely risk of any judicial review would revolve around the Council's duty to consult. This risk is mitigated by the robust consultation and engagement process as outlined in section 3.3 of this report. The Cabinet are requested to consider the consultation responses as outlined in this report (Appendix 1 and 2), and the legal tests for making PSPOs as outlined in paragraph 3.5.3.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

PSPOs would contribute towards fair treatment by the Council as it will address concerns raised about anti-social behaviours and the negative impacts they have on residents, businesses and other persons visiting and working in Enfield. Individuals who fail to comply with the requirements of the PSPOs will be sanctioned.

### **8.2 Growth and Sustainability**

Many of the anti-social behaviours in the proposed PSPO have detrimental impacts on the cleanliness, visual amenity and perception of safety in neighbourhoods and the Borough. It is anticipated that tackling the anti-social behaviours that this will contribute towards Enfield being a cleaner, greener and safer Borough.

### **8.3 Strong Communities**

The introduction of PSPOs in the Anti-Social Behaviour, Crime and Policing Act 2014 are intended to allow the law-abiding majority to enjoy public spaces and to feel safe. Reducing anti-social behaviour has been proved to contribute to improved community cohesion and the development of stronger community spirit.

## **9. EQUALITY IMPACT IMPLICATIONS**

The Council must ensure that the needs of the community are considered under the provisions of the Equalities Act 2010. This is addressed through the predictive Equalities Impact Assessment (EQIA) as outlined in Appendix 4.

The predictive EQIA has highlighted there are potential negative impact on persons from the protected characteristic groups or persons due to socio-economic factors. However, intervention by the Police or council officers provides an opportunity to provide support or take action if there are concerns about vulnerability, safeguarding or exploitation.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

If introduced, the PSPOs will be another enforcement tool to tackle anti-social behaviour in the Borough. The performance of the PSPOs in addressing anti-social behaviour will be monitored and measured (such as by the numbers of fixed penalty notices served, the volume of anti-social behaviours reported to the Police and Council, and through any place and resident surveys).

## **11. HEALTH AND SAFETY IMPLICATIONS**

There are potential safety risks to Council officers in serving engaging with, and issuing Fixed Penalty Notices, to persons suspected of causing antisocial behaviour under the PSPOs. Such persons might be intoxicated or agitated and could threaten Council employees verbally or physically.

Service managers are responsible for ensuring that there are risk assessments and safe systems of work (that are regularly reviewed) to eliminate or control such risks. There are current risk assessments and control measures in place for officers in relation to the risk of aggression/violence and for lone working. Regular training takes place to ensure that officers are able to deal with conflict and diffuse situations.

## **12. PUBLIC HEALTH IMPLICATIONS**

PSPOs are designed to improve health and quality of life in its broadest sense. Some of the proposed prohibitions are likely to have a direct, positive impact in that they will improve the health of residents within the Borough through a) restricting when and where smoking can take place and b) ensuring that children realise that smoking is increasingly not a tolerated behaviour. Others are likely to have an indirect, positive impact in that the tackling of anti-social behaviour will improve the perception of safety and therefore enhance residents' wellbeing.

### **Background Papers**

None

**Appendix 1:  
The Proposed Public Spaces Protection Orders and results from the Public Consultation**

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**Glossary:**

The general definitions used to describe the locations involved are as follows:

Borough	All open public land owned, adopted or managed by the London Borough of Enfield including roads, footpaths, pavements, alley ways and towpaths, all grass verges, and parks and open spaces including wooded areas.
Highways	All roads, footpaths, pavements, alley ways, towpaths and grass verges maintained at public expense.
Parks	All parks and open spaces managed by the London Borough of Enfield. Details of the parks to which the dog controls apply can be found in Appendix 5 (schedules 1-3).
Council Housing estates	All Council housing estates owned by the London Borough of Enfield.
Authorised person	A Local Authority Employee, a person designated by the Local Authority, a Police Officer or a Police Community Support Officer

## The proposed Public Spaces Protection Orders (PSPOs)

This section sets out the details of the proposed Public Spaces Protection Orders (PSPOs) on which the public were consulted, the location each might apply and the legal wording.

Where changes to the proposals were made as a result of feedback from the public consultation, this is explained and the legal wording amended in red text if necessary.

### 1. Control of alcohol consumption

The following provisions are proposed to replace the existing Designated Public Place Orders by extending them to the whole borough.

The PSPO does not make it a criminal offence to consume alcohol in public places and is not designed to disrupt peaceful activities, for example having a glass of wine with friends in a park. The aim of the provision is only to enable challenge of alcohol consumption where individuals are causing a nuisance.

<b>Proposal 1</b>	<b>Prohibition of drinking alcohol after having been requested to stop by an authorised person, and hand over any alcohol when requested to do so by an authorised person.</b>
Where it will apply	Whole borough
Change from existing	The current Designated Public Place Orders apply to only some areas of the borough such as parks, main high streets and around transport hubs. The proposal is to extend this across the whole borough.
Recorded reports/complaints	Between March 2013 and March 2016, 103 calls to the Police (CAD Calls) were made, 45 Penalty Notices were issued by the Police and 350 warnings given by the Police in the year March 2015 to March 2016.
Consultation results	<ul style="list-style-type: none"> <li>▪ 89% of respondents were in support of the prohibition of drinking after having been requested to stop, (82% in total agreement and 7% in agreement but with some changes) and</li> <li>▪ 82% of respondents were in support of the person being required to hand over the alcohol when requested to do so (75% in total agreement and 7% in agreement but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ The majority of comments on this prohibition were that it should only be invoked if the drinking is causing a problem/nuisance, and should not apply to social gatherings not causing annoyance. Discretion to be exercised.</li> <li>▪ Some comments suggested issuing a warning first</li> <li>▪ Concerns about resources to enforce these provisions and the confrontation that might occur</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ It is currently the case, and would be under these proposals, that persons would only be requested to stop drinking and hand over alcohol if they were causing nuisance or disorder, or this was reasonably anticipated.</li> <li>▪ With regards to the comments about giving a warning first, persons causing a problem would be asked to stop drinking (and hand over the alcohol), and would only be issued with a FPN if they failed to stop drinking or hand over the alcohol.</li> <li>▪ Enforcement resources will be used as needed, and proactively</li> </ul>

	targeted to locations where intelligence suggests the problem is greatest.
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	<ol style="list-style-type: none"> <li>1. No person shall drink alcohol (other than in a premises licensed for the sale of alcohol or at a venue where a Temporary Event Notice is in force) after having been requested to stop by an authorised person</li> <li>2. A person is required to immediately surrender any alcohol, whether in an open or closed container, in his possession when requested to do so by an authorised person who reasonably believes that the person has consumed, is consuming, or intends to consume alcohol in breach of the prohibition above.</li> </ol>

## 2. Vehicle Cruising

<b>Proposal 2</b>	<b>Participating in vehicle cruising activity as a passenger or driver of a vehicle, and/or congregating in the area to spectate cruising activity to include cars, motorbikes, mopeds, vans, trucks, lorries or other vehicle</b>
Where it will apply	The A10 and A406 within the Borough boundaries, Ravenside Retail Park, Tesco Carpark in Glover Drive, <b>Enfield Retail Park, Millmarsh Lane, Riverwalk Road Business Park and The Green, N14</b>
Change from existing	No existing Order Concerns about excessive noise, verbal abuse and intimidation from 'boy racers' and spectators. There is also a major concern over the safety of other road users and pedestrians.
Recorded reports/complaints	Between March 2013 and March 2016, 98 calls to the Police (CAD Calls) were made. The calls tend to refer to cars doing "doughnuts" in car parks or racing on the roads.
Consultation results	<ul style="list-style-type: none"> <li>97% of respondents supported this proposal (93% in total support and 4% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>Several comments that car cruising/racing is a significant dangerous problem and causing severe noise disturbance (particularly on Saturday and Sunday evenings) and needs tackling</li> <li>One comment about a child that was killed due to car cruising on the A10</li> <li>One comment that Bounds Green Road is a problem area for racing</li> <li>A couple of comments that there should be organised events/meets for responsible enthusiasts</li> <li>Several comments calling for a ban on car cruising across the borough, including arrests, driving bans and vehicles confiscated</li> <li>One comment that it also happens in Sainsbury, Winchmore Hill car park</li> <li>One comment to include motorbikes also (due to wheelies)</li> <li>Comments received during a meeting with Cllrs and an MP requesting that Enfield Retail Park be included, and also complaints received about mopeds receiving instruction and doing wheelies and stunts on roads in the Brimsdown area</li> <li>The Police requested that Riverwalk Road Business Park be included due to cruising activity</li> <li>Southgate Green was also subsequently identified as a location for heavy vehicles revving engines etc.</li> </ul>
Amendments /	<ul style="list-style-type: none"> <li>PSPO powers do not extend to arrest, driving bans or confiscation of</li> </ul>

considerations after consultation	<p>vehicles but other legislation can be used for these aspects</p> <ul style="list-style-type: none"> <li>▪ Two further locations are mentioned by two respondents – but will be addressed separately as no evidence of a widespread problem</li> <li>▪ There are no plans to facilitate or organise meets/events for enthusiasts</li> <li>▪ Amend the proposal to also include motorbikes, mopeds, vans, trucks and lorries and other vehicles as some of the issues are not just caused by cars</li> <li>▪ Extend the scope of the PSPO to include the other affected areas of Enfield Retail Park, Millmarsh Lane, Riverwalk Road Business Park and Southgate Green</li> </ul>
Recommendation	Proceed with the proposal - <b>but also incorporate motorbikes, mopeds, vans, trucks, lorries and other vehicles and extend it to Enfield Retail Park, Millmarsh Lane, Riverwalk Road Business Park and The Green, N14</b>
Draft legal wording	<p>No person shall participate in <b>vehicle</b> cruising activity as a passenger or driver of a vehicle and/or congregate to spectate <b>vehicle</b> cruising activity within the area designated in the Public Spaces Protection Order</p> <p><b>Vehicle</b> cruising is activity that a reasonable person would consider to be 'car cruising' such as speeding, driving in convoy, racing, performing stunts, sounding horns (as to cause public nuisance), revving engines, wheel spins etc) <b>using cars, motorbikes, mopeds, vans, trucks, lorries and other vehicles</b></p>

### 3. **Holding of fireworks to cause intimidation etc or throwing of fireworks**

<b>Proposal 2</b>	<b>Prohibit the holding of fireworks to cause intimidation etc or throwing of fireworks</b>
Where it will apply	Whole borough
Change from existing	No existing Order. Concerns are expressed that a dangerous minority deliberately uses fireworks to harass, intimidate and sometimes seriously harm those around them by throwing fireworks.
Recorded reports/complaints	Between March 2013 and March 2016, there were 564 calls to the Police (CAD calls) about fireworks, over 90% of them in the months of October and November.
Consultation results	<ul style="list-style-type: none"> <li>▪ 96% of respondents were in support of this proposal (95% in total support and 1% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ There were several comments that fireworks should only be allowed in public displays, banned altogether (or from 8pm) or only sold to adults of at least 18 or 25 years old and one comment that they should not be sold at all to the public</li> <li>▪ One comment that fireworks continue for weeks either side of 5 November</li> <li>▪ One comment that fireworks in EN3 was a big issue last year for weeks, which was not well handled, and escalated</li> <li>▪ Feedback that the PSPO should also include holding fireworks to intimidate and harass etc other people</li> </ul>
Amendments / considerations after	<ul style="list-style-type: none"> <li>▪ It is already illegal to sell fireworks to persons under 18, and retailers have a responsibility to take appropriate steps to ensure this.</li> </ul>



consultation	<ul style="list-style-type: none"> <li>▪ It is recognised that the responsible use of fireworks, especially in a public display are enjoyable, and the Council does not seek to ban the responsible use of fireworks.</li> </ul>
Recommendation	Proceed with the proposal – and include holding of fireworks to intimidate etc
Draft legal wording	(1) Person(s) within this area shall not hold fireworks such as to intimidate others or cause nuisance, alarm or distress, or throw fireworks.

#### 4. Dog Controls

The following provisions are proposed to replace the existing Dog Control Orders, to update the list of parks to which the requirements apply to take account of new parks/park areas and extend dog controls to include a maximum number of dogs to be walked and the need for dog walkers to carry suitable receptacles to clean up dog mess.

<b>Proposal 3</b>	<b>Prohibition of dog fouling and having a receptacle to pick up dog faeces</b>
Where it will apply	Whole borough
Change from existing	There is a current Dog Control Order across the borough prohibiting dog fouling. This proposal is to include a requirement that persons in control of dogs have suitable receptacles (such as bags) immediately available for picking up their dog's faeces.
Recorded reports/complaints	Between March 2013 and March 2016, there were 63 FPNs issued for dog fouling, and between February 2015 and February 2016 the parks police issued 20 FPNs for dog fouling in parks. 519 complaints were received by the Envirocrime team about dog fouling between March 2013 and March 2016.
Consultation results	<ul style="list-style-type: none"> <li>▪ 96% in support of the prohibition of dog fouling, (92% in total support and 4% in support but with some changes), and</li> <li>▪ 97% in support of the requirement for persons in control of dogs to carry suitable receptacles to pick up dog mess (95% in total support and 2% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ Several comments where respondents had seen dog walkers not clean up their dog's mess and that it should be enforced with fines</li> <li>▪ A couple of specific locations mentioned where dog fouling is a problem such as Westerham Ave, N9 and Broomfield Park</li> <li>▪ One comment that bag debris is a problem for the environment and should 'stick and flick' dog mess in open parkland</li> <li>▪ One comment that concerned about being fined if the owner forgets to take a bag with them</li> <li>▪ Many comments were that the Council should provide free bags available at the park entrances or on park bins</li> <li>▪ A few comments that there should be more bins to dispose of dog mess, and to be emptied regularly so that they do not overflow</li> <li>▪ The Kennel club commented on the consultation regarding dog fouling as follows: <ul style="list-style-type: none"> <li>○ Supports responsible dog ownership and cleaning up dog mess everywhere they are, including woods and countryside</li> <li>○ Concerned about responsible dog owners who have run out of bags being fined, and suggests that this is taken account of in the PSPO</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Suggests dog owners might chose to not pick up dog mess if they were down to their last bag or had run out, especially if they had given another dog owner their last bag to use</li> <li>○ Prefer that the focus is on catching persons not clearing up their dog's mess</li> <li>○ Ensure publicity and signage if PSPO introduced</li> <li>○ The provision needs to allow for persons registered blind or using an assistance dog</li> <li>○ Refers to the decision of Cornwall Council not to introduce a 'means to pick up' provision as they considered it not reasonable/proportionate and unenforceable</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ The Council does not intend to provide bags for dog owners as it is their responsibility to make provision to clear up their dog's mess</li> <li>▪ Bags containing dog's mess can be disposed of in any litter bin provided by the Council. There is a schedule for emptying of all bins.</li> <li>▪ The purpose of this proposal is to both ensure that dog owners clear up dog's mess, and that they carry sufficient bags to pick up their dog's mess</li> <li>▪ The proposal includes a 'reasonable excuse' provision so if the dog walker were able to satisfactorily demonstrate that they could use a suitable receptacle to pick up dog mess, then they would not be issued with a FPN</li> <li>▪ Publicity and signage will be provided if the PSPOs are introduced</li> <li>▪ The proposal does not apply to persons registered blind or with limited mobility</li> <li>▪ With regards to the Cornwall Council decision not to implement the 'means to pick up' provision, Enfield Council does not share their views. The consultation and other feedback from residents provides sufficient concerns about dog mess not being cleaned up, and the carrying of a suitable receptacle would assist responsible dog ownership and can be enforced. This proposal is not considered unreasonable or disproportionate.</li> <li>▪ The proposal is amended to include appropriate disposal of dog mess due to a few comments received about bags of dog's faeces being left hanging on trees etc.</li> </ul>
Recommendation	Proceed with the proposal – including appropriate disposal of the dog faeces
Draft legal wording	<p>(1) If a dog defecates at any time on any land detailed, a person who is in charge of the dog at that time must have with him an appropriate means to pick up dog faeces deposited by that dog <b>and</b> remove the faeces from the land forthwith <b>and appropriately dispose of it</b>, unless –</p> <ul style="list-style-type: none"> <li>(a) he has a reasonable excuse for failing to do so; or</li> <li>(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ul> <p>(2) The obligation to have appropriate means of picking up dog faeces is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.</p>

	<p>(3) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.</p> <p>(4) Nothing in this article applies to –</p> <ul style="list-style-type: none"> <li>(a) a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or</li> <li>(b) a person who has a disability which affects that person’s mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.</li> </ul>
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<b>Proposal 4</b>	<b>Failure of the person in charge of a dog to have it on a lead at all times in the designated area</b>
Where it will apply	Areas in Schedule 2 (in Appendix 5) of the list of parks and open spaces and Council housing estates
Change from existing	It is essential that dogs are under control on a lead at all times in small parks and walled gardens to prevent attacks and causing nuisance to other park users. The proposal is that it would apply in areas covered by the existing Dog Control Orders and new parks/play areas since the existing Dog Control Orders were made (such as Angel Gardens, Arnos Community Growing Space, Broomfield Community Orchard, Pymmes Park (Wetlands) Woodcroft Wildspace and Whitewebbs Golf Course). In addition, it is considered appropriate that dogs be kept on leads on Council Housing estates.
Recorded reports/complaints	Very little recorded data about issues with this. Officers report that there appears to have been a high degree of compliance because of the Dog Control Order being in place.
Consultation results	<ul style="list-style-type: none"> <li>▪ 80% in support of this proposal (73% in total support and 7% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ A few comments that dogs should be allowed to be off the lead as dogs need to exercise – unless they are dangerous and should be kept on a lead</li> <li>▪ 5 comments that dogs should not have to be on leads at all times in most/all parks</li> <li>▪ A few comments that dogs should be on leads at all times</li> <li>▪ A few comments suggested that there should be designated times or parks/areas of parks that dogs can be walked</li> <li>▪ One comment that people are scared by dogs off the lead</li> <li>▪ One comment about dogs on leads on council housing estates – that it depends on the circumstances</li> <li>▪ The Kennel club commented on the consultation regarding dogs on leads at all times in certain parks as follows: <ul style="list-style-type: none"> <li>○ They do not usually oppose Orders to exclude dogs from playgrounds or for them to be on leads in tennis courts etc. as</li> </ul> </li> </ul>

	<p>long as alternative provision is made for dog walking</p> <ul style="list-style-type: none"> <li>○ The statutory guidance for PSPOs makes it clear that Councils must provide restriction-free spaces for dogs to be exercised</li> <li>○ Consider the Public Sector Equality Duty with regards to the accessibility of restriction-free spaces for those with mobility issues and the elderly in addition to persons with protected characteristics</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ Initial comments on the questionnaire suggested a misunderstanding about the need for dogs to be on leads – people thinking it applied to all parks and not the few on the schedule. This was clarified by an explanatory paragraph on the consultation website which was also sent to Friends of Parks groups.</li> <li>▪ There are only 15 small parks where it is appropriate that this proposal would apply (see schedule 2 in Appendix 5)</li> <li>▪ It is appreciated that dogs need to be exercised and nothing in the dog control proposals stops dogs being exercised. Dogs can be walked off the lead in the vast majority of parks. As such there are no plans to introduce designated parks or times when dogs can be walked.</li> <li>▪ The provision of ‘reasonable excuse’ could be considered for a registered blind person or person using an assistance dog found to have a dog off the lead in a designated area</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	<p>(1) A person in charge of a dog on any land detailed must, at all times, keep the dog on a lead, unless –</p> <ul style="list-style-type: none"> <li>(a) he has a reasonable excuse for failing to do so; or</li> <li>(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ul>

<b>Proposal 5</b>	<b>Failure of the person in charge of a dog to have it on a lead in the designated area when directed by an authorised officer</b>
Where it will apply	Areas in Schedule 3 (in Appendix 5) of the list of parks and open spaces
Change from existing	<p>When the dog has been observed as causing distress or annoyance, or is considered likely to, the person in control will be asked to place the dog on a lead.</p> <p>The proposal is that it would apply in areas covered by the existing Dog Control Orders and new parks/play areas since the existing Dog Control Orders were made (such as Russell Road Open Space).</p>
Recorded reports/complaints	Very little recorded data about issues with this. Officers report that there appears to have been a high degree of compliance because of the Dog Control Order being in place.
Consultation results	<ul style="list-style-type: none"> <li>▪ 89% of respondents were in support of this proposal (85% in total support and 4% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ One comment that dogs on leads by direction should be left to the discretion of the owner as they know their dog best</li> <li>▪ A couple of comments that dogs should only be asked to be put on the lead if the dog is being aggressive or misbehaving</li> <li>▪ The Kennel club commented on the consultation regarding dogs on lead by direction as follows: <ul style="list-style-type: none"> <li>○ Welcomes more flexible proposals for ‘dogs on lead by</li> </ul> </li> </ul>

	direction' so that can target those dog owners that do not have their dogs under control
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ Dog owners would only be asked to put their dog on the lead by an authorised officer if they were causing annoyance, nuisance or being aggressive</li> <li>▪ This proposal would apply to over 100 of the parks and open spaces where dogs are permitted to be off the lead, and only requested to be put on the lead for reasons of nuisance or aggression</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	(1) A person in charge of a dog on any land detailed must put the dog on a lead if directed by an authorised person unless – <ul style="list-style-type: none"> <li>(a) he has a reasonable excuse for failing to do so; or</li> <li>(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</li> </ul>

<b>Proposal 6</b>	<b>Prohibition of dogs at all times in the designated area</b>
Where it will apply	Areas in Schedule 1 (in Appendix 5) of the list of parks and playgrounds in Council housing estates
Change from existing	Dog exclusion areas would apply to areas in parks such as children's play areas, multi-use games courts and tennis courts where it would be inappropriate for dogs to mix with park users. The proposal would apply in areas covered by the existing Dog Control Order and new parks/play areas since the existing Dog Control Orders were made such as Durants Park splash pad, the fenced off area surrounding the pond at Conway Recreation, the new pond in Jubilee Park, Church Street and Bourneside Recreation Tennis Courts, Broomfield Park Garden of Remembrance, the multi-use games area in Oakwood Park and the playgrounds in Trent Park and Enfield Playing Fields.
Recorded reports/complaints	In 2015/16, 8 FPNs were issued for dogs being in banned areas. There is very little recorded data about issues with this. Officers report that there appears to have been a high degree of compliance because of the Dog Control Order being in place.
Consultation results	<ul style="list-style-type: none"> <li>▪ 81% of respondents were in support of this proposal (76% in total support and 5% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ There were several comments in support of dogs being excluded from childrens' playgrounds</li> <li>▪ One comments that they could be allowed in on leads and warned if the owner takes them off the lead.</li> <li>▪ The Kennel club commented on the consultation regarding dog exclusion areas as follows: <ul style="list-style-type: none"> <li>○ They do not usually oppose Orders to exclude dogs from playgrounds or for them to be on leads in tennis courts etc. as long as alternative provision is made for dog walking</li> <li>○ The provision needs to allow for persons registered blind or using an assistance dog</li> </ul> </li> </ul>
Amendments / considerations after	<ul style="list-style-type: none"> <li>▪ Most of the comments were in support of excluding dogs from childrens' playgrounds, and no clear comments about excluding dogs</li> </ul>

consultation	<p>from the small number of parks listed in schedule 1</p> <ul style="list-style-type: none"> <li>▪ The provision of 'reasonable excuse' would be considered for a registered blind person or person using an assistance dog found to have a dog in a dog exclusion area</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	<p>(1) A person in charge of a dog must not, at any time, take the dog onto, or permit the dog (including by not exercising sufficient control of the dog), to enter or to remain on, any land detailed, unless- (a) he has a reasonable excuse for failing to do so; or</p> <p>(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.</p>

<b>Proposal 7</b>	<b>The maximum number of dogs in a person's charge is four unless in possession of a valid licence issued by the Council permitting up to six dogs.</b>
Where it will apply	All parks
Change from existing	No existing Order. These measures are being considered due to concerns raised about dogs being out of control and the proliferation of walkers with a large number of dogs.
Recorded reports/complaints	10 complaints recorded between April 2013 to April 2016 on the Council database about persons walking large numbers of dogs in parks, particularly Trent park. Friends of Parks have raised concerns frequently about dogs being out of control and the proliferation of walkers with a large number of dogs to control
Consultation results	<ul style="list-style-type: none"> <li>▪ 83% in support of this proposal (78% in total support and 5% in support but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ There were 11 comments that the number of dogs that should be walked depending on the behaviour and control of the dogs, or their breed or size</li> <li>▪ There were 14 comments that the number of dogs walked should be limited to a maximum of 4 dogs</li> <li>▪ There were 5 comments that people should be able to walk as many dogs as they want</li> <li>▪ There were 3 comments that the maximum number of dogs should be limited to 2 dogs</li> <li>▪ The Kennel club commented on the consultation regarding maximum dog numbers as follows: <ul style="list-style-type: none"> <li>○ The maximum number of dogs can be arbitrary and does not address the actual control of dogs which can be influenced by a number of factors (eg size and training of dogs)</li> <li>○ Suggests that this provision may legitimise people walking dogs up to the maximum (and not being in control) or intensify dog walking in other areas, or leaving dogs in vehicles in excess of the maximum giving rise to welfare issues</li> <li>○ Suggests using outcomes such as ensuring dogs do not run up to people uninvited and 'dogs on leads by direction' instead</li> <li>○ Suggests looking at accreditation schemes instead for commercial dog walkers</li> </ul> </li> </ul>

Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ 16% (127 respondents) suggested changes or disagreed with the proposed limits as they said that the number allowed depended on the behaviour and control of the dog, and also that the maximum should be 4 dogs</li> <li>▪ The majority - 78% (623 respondents) agreed with the maximum being 4 dogs unless issued with a licence to allow up to 6 dogs.</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	<p>(1) A person must not take more than four (4) dogs at the same time onto the land detailed, unless -</p> <ul style="list-style-type: none"> <li>(a) in possession of insurance and a valid licence issued by the Council permitting up to six (6) dogs, or</li> <li>(b) he has a reasonable excuse for doing so; or</li> <li>(c) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.</li> </ul>

### 5. Persons loitering in council estate blocks

<b>Proposal 8</b>	<b>Prohibition of persons not legally resident in the Council housing block from entering (or having entered, remaining within) that block unless able to demonstrate they are visiting a named legal resident of that block, and to leave when requested by an authorised person – this wording has been amended</b>
Where it will apply	All Housing Estates owned by the Council and Registered Social Landlords – amended to include only Council owned housing estates
Recorded reports/complaints	In the year 2015/16, the Council Housing ASB team dealt with 28 nuisance cases involving youths, and had 19 ongoing cases regarding youths/people coming into blocks taking drugs, drinking, leaving litter behind, graffiti and intimidating residents. Recently, Council Neighbourhood Officers have also reported issues with person loitering in specific blocks causing damage, drug taking and intimidation.
Change from existing	No existing Order Residents have reported issues such as persons taking drugs, drinking alcohol, littering, sexual activity, urinating and defecating, graffiti and intimidating residents.
Consultation results	<ul style="list-style-type: none"> <li>▪ 92% in support of this proposal (87% in total agreement and 5% agreeing but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 5 comments that persons loitering should not be covered by this unless they are causing a problem</li> <li>▪ 4 comments that 'loitering' needed to be defined further</li> <li>▪ 3 comments that it is not just visitors but also residents of estates that are loitering, and one suggestion apply it instead to groups of 3 or 4</li> <li>▪ 3 comments that this activity is intimidating</li> <li>▪ 2 comments asking how it will be monitored (eg CCTV)</li> <li>▪ 2 comments that youth centres should be provided on estates for young persons to gather socially</li> <li>▪ 1 comment that this activity occurs on private housing estates also</li> <li>▪ 1 comment specifying issues on the Lytchet estate</li> </ul>

	<ul style="list-style-type: none"> <li>▪ 1 comment to keep estate gates locked where provided</li> <li>▪ Some concerns were expressed that persons undertaking legitimate purposes might be captured by this proposal (such as postmen, political and other canvassers).</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ Registered Social landlords in the Borough were invited to participate in the consultation, but we did not receive any responses from them</li> <li>▪ Monitoring will be undertaken by Council Officers and the Police</li> <li>▪ The term 'loiter' refers to persons lingering without a productive or legitimate purpose, so would not capture persons going about purposeful or legitimate business – so long as they are not causing intimidation etc</li> <li>▪ As a result of feedback from the consultation the draft wording is amended to apply to any persons (residents and non-residents) but only if they are causing nuisance, intimidation, harassment, alarm or distress, or using or dealing drugs, directly or indirectly causing damage or other anti-social behaviour</li> </ul>
Recommendation	Proceed with the proposal - <b>but amended to remove housing estates run by Registered Social Landlords from the prohibition, and apply the PSPO to any persons if they are causing nuisance etc.</b>
Draft legal wording	<p>(1) No persons shall loiter within the designated area if they are causing, or reasonably perceived to be causing, nuisance, intimidation, harassment, alarm or distress, or using or dealing drugs, directly or indirectly causing damage or other anti-social behaviour</p> <p>(2) A person must leave the designated area immediately if requested by an authorised person</p> <p><b>Applies to all Council owned housing estates</b></p>

## 6. Intimidatory Begging

<b>Proposal 9</b>	<b>Prohibition on persons begging in a manner reasonably perceived to be intimidating or aggressive.</b>
Where it will apply	St Marks Road, the northern section of Hertford Road, Green Lanes, A406 and Fore Street – <b>to be amended to apply to the whole borough</b>
Change from existing	No existing Order High level of public concern reported about intimidation and harassment caused.
Recorded reports/complaints	Between April 2013 and April 2016, there were 844 calls to the Police (CAD calls) concerning begging. Repeat locations in the past 4 months were St Marks Road, the northern section of Hertford Road, Green Lanes, and Angel Road/Fore Street.
Consultation results	<ul style="list-style-type: none"> <li>▪ 90% of respondents supported this proposal (87% totally agreed and 3% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 6 comments naming other locations such as outside Sainsburys, Bush Hill Park, Palmers Green, Enfield high street, and outside Tesco in Ponders End, and felt intimidating</li> <li>▪ 5 comments that there must be a lack of options for people if they have to beg</li> <li>▪ 4 comments that people should not have to beg as the UK has a social</li> </ul>



	<p>security system</p> <ul style="list-style-type: none"> <li>▪ 2 comments that face to face charity collectors should be included</li> <li>▪ 2 comments that persons that beg should not be fined</li> <li>▪ There were general comments for a number of the behaviours in this section that they should be borough-wide rather than the specific locations</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ There may be a number of reasons why persons beg, and may they not have access to the benefits welfare system</li> <li>▪ If Council Officers or the Police have concerns about the vulnerability of persons begging they will take the necessary action/provide the support needed</li> <li>▪ Comments were clear that begging is a problem not just confined to the areas identified in the proposal – but a much wider issue</li> </ul>
Recommendation	<ul style="list-style-type: none"> <li>▪ Proceed with the proposal but amend the scope to cover the whole Borough.</li> </ul>
Draft legal wording	<p>(1) No person shall beg in a manner reasonably perceived to be intimidating or aggressive <b>or causing nuisance</b>, or pose a risk to their safety or the safety of others, unless-</p> <p>(a) he has a reasonable excuse for doing so; or</p> <p>(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.</p> <p><b>Applies across the whole borough</b></p>

## 7. Possession, use, consumption and supply of psychoactive substances

<b>Proposal 10</b>	<b>Prohibition of the consumption, use, possession and supply of intoxicating substances in a public place</b>
Where it will apply	Whole borough
Change from existing	No existing Order. There are concerns about used canisters and other packaging from intoxicating psychoactive substances being seen discarded on streets, estates and parks (formerly known as 'legal highs') indicating usage.
Recorded reports/complaints	Difficulty in obtaining data as very few complaints recorded. Staff in the Parks Service have found and removed canisters/packaging from parks. There is unrecorded evidence of canisters and packaging from these substances found on housing estates
Consultation results	<ul style="list-style-type: none"> <li>▪ 95% of respondents supported this proposal (94% totally agreed and 1% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ Some comments about drug taking also, and some specific locations mentioned</li> <li>▪ Specific locations mentioned where legal highs canisters seen</li> <li>▪ One comment that 'legal highs' should be banned</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ Comments about specific locations for drug taking have been passed to the Police</li> <li>▪ It is illegal to supply/sell psychoactive substances (formerly known as 'legal highs') but not to use or possess them</li> </ul>
Recommendation	Proceed with the proposal
Draft legal wording	(1) Prohibit the consumption, use, possession and supply of intoxicating substances and shall surrender intoxicating substances to an authorised

	<p>person when directed to do so.</p> <p>Such substances do not include caffeine, <b>nicotine</b> or alcohol, cases where the substances are used for a valid and demonstrable medical use, substances given to an animal as a medicinal remedy and tobacco.</p>
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### 8. Persons windscreen washing/selling goods

<b>Proposal 11</b>	<b>Prohibit the presence of persons selling goods or offering services in the road when moving traffic comes to a stop.</b>
Where it will apply	A10 and the A406 and within 150m of all junctions onto these roads
Change from existing	No existing Order. Concerns about persons windscreen washing and selling goods (eg drinks, flowers) frequently pestering motorists at traffic lights in an intimidating and annoying manner.
Recorded reports/complaints	Data does not appear to be specifically recorded for this activity.
Consultation results	<ul style="list-style-type: none"> <li>▪ 91% of respondents supported this proposal (87% totally agreed and 4% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 5 comments that this activity was a problem in Bounds Green, A406 and A10 for some time</li> <li>▪ 5 comments saying that these persons should not be fined</li> <li>▪ 2 comments that the activity was dangerous/intimidating</li> <li>▪ Single comments covering lack of options for such people, provide them a licence/pay tax, not a problem anymore, that they provide a service and that the prohibition should be borough wide</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ The comments support the evidence that this activity is a problem and has been for some time and appears to be focused on the main trunk roads of the A10 and A406</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	(1) Prohibit the selling of goods or offering of services when a vehicle becomes temporarily stationary in the designated areas.

### 9. Prostitution

<b>Proposal 12</b>	<b>Prohibition of engaging in activities that relate to prostitution (e.g. kerb crawling, having sex for payment etc.) at any time.</b>
Where it will apply	Upper Edmonton and Edmonton Green wards - <b>extend it to the whole borough</b>
Recorded reports/complaints	<p>Between 1 January 2016 and 21 April 2016, there were 135 prostitution-related calls to the Police (CAD calls). The majority of these CAD calls took place in Upper Edmonton ward (74 calls), followed by Edmonton Green (50 calls). Between April to December 2016, there were 142 CAD calls regarding prostitution – mostly in Edmonton Green and Upper Edmonton, and 28 sightings of prostitution on CCTV in Lower and Upper Edmonton. Between September and December 2016, there were 62 stops/arrests of prostitutes by Safer Estates officers in Joyce/Snells estates. Between 16/09/2016 and 01/11/2016 – proactive patrols in Fore Street Corridor by Police found:</p> <ul style="list-style-type: none"> <li>• Sex workers Seen -50</li> <li>• Cautions - 18</li> </ul>

	<ul style="list-style-type: none"> <li>• Arrests - 12</li> <li>• CPN Warnings -10</li> <li>• CPN Issued - 2</li> <li>• Searches - 8</li> <li>• Accounts - 26</li> </ul>
Change from existing	No existing Order. High level of prostitution activity witnessed and enforced, and littering associated with this activity found.
Consultation results	<ul style="list-style-type: none"> <li>▪ 89% of respondents supported this proposal (85% totally agreed and 4% agreed but with same changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 11 comments that prostitution should be dealt with like in Amsterdam and controlled/designated zones provided to stop exploitation</li> <li>▪ 6 comments that support should be provided to sex workers rather than fines</li> <li>▪ 5 comments that kerb crawlers, pimps and traffickers should be targeted</li> <li>▪ 3 comments that the prohibition should be borough wide and not just the two wards, and there were general comments for a number of the behaviours in this section that they should be borough-wide rather than the specific locations</li> <li>▪ 3 comments that this is already a criminal matter and is a Police matter to deal with</li> <li>▪ 3 comments – one saying it is a big issue in N18, and another comment saying that there were issues in Albany Park/Addison Road and Arnos Park</li> <li>▪ 1 comment that fining sex workers would perpetuate the activity as they would need the money to pay the fine</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ The rationale behind designated/controlled areas for prostitution is understood and has been piloted in Leeds, but the Council does not have plans to provide such areas.</li> <li>▪ When the Police or Council staff find sex workers, consideration is always taken as to whether support or action is needed in terms of their vulnerability or potential exploitation/trafficking</li> <li>▪ Part of the Police's strategy is to prosecute kerb crawlers and the resultant bad publicity act as a deterrent.</li> <li>▪ This activity is already a criminal matter and the Police and Council undertake joint operations. However, the use of a PSPO provides an additional enforcement tool by the use of a FPN</li> </ul>
Recommendation	Proceed with the proposal - <b>but extend it to the whole borough</b>
Draft legal wording	(1) Person(s) shall not loiter, solicit or engage in the provision of sexual services, or engage, loiter or solicit with a view to engaging in obtaining sexual services in the designated area.

## 10. Smoking in playgrounds

<b>Proposal 13</b>	<b>Prohibition of smoking in any playgrounds</b>
Where it will apply	All playgrounds in parks and Council housing estates
Change from existing	No existing Order. This proposal reflects and extends the current voluntary ban for the borough's park playgrounds which is communicated through signage but

	there is no legal enforcement. The Council is keen to make recreation areas as healthy as possible and protect users from the effects of second hand smoke
Recorded reports/complaints	Data not recorded for this activity
Consultation results	<ul style="list-style-type: none"> <li>▪ 94% of respondents supported this proposal (91% totally agreed and 3% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 3 comments that e-cigarettes should be allowed</li> <li>▪ 2 comments that smoking should be banned anywhere near children</li> <li>▪ 1 comment that smoking should be banned within 50m of schools</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ The Council operates a scheme inviting schools to have a voluntary ban of smoking outside the school</li> </ul>
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>▪ <b>Proceed with the proposal</b></li> </ul>
Draft legal wording	(1) No person shall smoke tobacco, tobacco related products, smokeless tobacco products (including electronic cigarettes), herbal cigarettes, or any illegal substances, within the boundaries of an area designated as a children's playground.

## 11. Flying of Drones

<b>Proposal 14</b>	<b>Prohibition of flying of drones unless the safety conditions are met</b>
Where it will apply	Whole borough
Change from existing	No existing Order Concerns about invasion of privacy and risk to (manned) aircrafts.
Recorded reports/complaints	Data not recorded for this activity
Consultation results	<ul style="list-style-type: none"> <li>▪ 82% of respondents supported this proposal (76% totally agreed and 6% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ 16 comments that there should be a total ban on drones</li> <li>▪ 15 comments that drones should only be permitted in designated areas (eg of parks) or fly zones</li> <li>▪ 13 comments that respondents have experienced noise, intrusion to privacy and that concerned that drones are used in crimes, and one comment that a neighbour's drone was used to spy into their young daughter's bedroom</li> <li>▪ 11 comments that drone owners should be licensed or register or be trained</li> <li>▪ 9 comments that drones are dangerous</li> <li>▪ 5 comments that drones should only be used on a person's own home/private property</li> <li>▪ 2 comments that children should be allowed to fly drones if they are no causing any problems</li> <li>▪ 2 comments that should be allowed for organised drone events or clubs</li> <li>▪ 1 comment asking if the prohibition applied to model aircraft</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ The prohibition does not apply to model aircraft</li> <li>▪ It is clear that there are experiences and concerns about intrusion caused by drones</li> <li>▪ The Government have consulted on views about registering and</li> </ul>

	<p>competency tests of owners of drones of 250g or more.</p> <ul style="list-style-type: none"> <li>▪ The PSPO proposals would allow for the flying of drones in designated areas by clubs or individuals with the permission of the Council</li> <li>▪ The proposal seeks to set a balance between allowing the use of small drones for recreational purposes, and larger drones only with permission of the Council or the Civil Aviation Authority</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal – and add in that the Council needs to be satisfied there is no risk to privacy in granting permission for drones flying</b>
Draft legal wording	<p>Prohibit the flying of drones:</p> <ul style="list-style-type: none"> <li>▪ Unless the drone weighs less than 250g and is used for recreational purposes, and is flown safely and without risk of invasion of privacy</li> <li>▪ If the drone weighs between 250g and 20Kg, flying must be with the prior express permission of the Council <b>and will need to be satisfied that there is no risk to privacy in the use of the drones.</b></li> <li>▪ Flying of a group of drones requires prior express permission/licensing by the Council <b>and will need to be satisfied that there is no risk to privacy in the use of the drones.</b></li> </ul> <p>Drones greater than 20Kg and those used for commercial purposes need the express consent of the Civil Aviation Authority.</p>

## 12. Vehicles deposited on land

<b>Proposal 15</b>	<b>Vehicles and towed vehicles are prohibited to be parked on council land, land adjoining the highway, footpaths or bridleways for unreasonable period of time without express consent of the Council.</b>
Where it will apply	On Council land (including parks and council housing estates) and land adjoining the highway
Change from existing	No existing Order Concerns about vehicles being left for considerable periods of time taking up spaces, or being parked in unsuitable places, and vehicles are sometimes being lived in.
Recorded reports/complaint	Data not recorded specifically for this issue. Problems reported by Neighbourhood Officers and other Council officers.
Consultation results	<ul style="list-style-type: none"> <li>▪ 95% of respondents supported this proposal (93% totally agreed and 2% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ Some comments that taxed and insured vehicles should be permitted to park anywhere (and one comment – so long as not causing a danger)</li> <li>▪ One comment that cars parked by non-residents for long periods near Hilly Fields</li> <li>▪ Two comments that travellers should have somewhere to set up a community</li> <li>▪ One comment that the provision should not cover people's homes or drives</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ Often vehicles that are legal (ie declared off road or even taxed) are 'stored' for considerable periods of time on Council land or beside the highway causing annoyance and nuisance to other users, but existing legislation will not always apply</li> </ul>

	<ul style="list-style-type: none"> <li>▪ This provision was not specifically aimed at travellers; although they might be captured by it. There are no plans to provide a site for travellers.</li> <li>▪ The provision does not apply to people's homes or drives</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	No person shall, without reasonable excuse, deposit a motor cycle, vehicle, trailer, caravan or similar on Council land or land adjoining the highway, for an unreasonable period of time without express prior written consent of the Council.

### 13. Parking around Schools

<b>Proposal 16</b>	<b>Parking around schools</b>
Where it will apply	Whole borough
Change from existing	No existing Order. Illegal and inconsiderate parking around schools has led to reports of aggressive behaviour between drivers and also drivers and pedestrians. The most serious issue is the danger posed to children due to irresponsible parking and vehicle manoeuvring. Obstructive parking of residents' drives also takes place.
Recorded reports/complaints	1648 PCNs issued in 2015/16 for illegal parking near primary schools
Consultation results	<ul style="list-style-type: none"> <li>▪ 86% of respondents supported this proposal (80% totally agreed and 6% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ There were several comments that drop off/pick up around schools was a big issue, and that signage and yellow lines are ignored</li> <li>▪ Some school locations were specifically mentioned (Goat Lane, Eversley, Edmonton, St Pauls, Worcester, Green Road)</li> <li>▪ There were several comments that suggested that schools should have a designated 'drop off' zone where cars pull up, let out the children to the care of school staff and then the vehicle immediately leaves ('kiss and drop')</li> <li>▪ Several comments that children need to be driven to school especially by working parents and need to be able to drop them off</li> <li>▪ A few comments that more parking should be provided by the Council</li> <li>▪ A couple of comments that provision or exemptions need to be made for blue badge holders and children with mobility problems (eg injury), and collection from school in case of emergency (eg child becomes ill) or medical appointment</li> <li>▪ A couple of comments that speed limit should be reduced near schools (eg 10 or 20mph) – some saying at school times and term time only</li> <li>▪ A few comments that parking near schools need to be monitored by CCTV</li> <li>▪ A few comments that parents should be fined if repeat offending</li> <li>▪ One comment that parking permits should be issued at schools</li> <li>▪ One comment to reinstate the lolly pop lady at Raglan School as she tackled persons parking illegally</li> <li>▪ A couple of comments that not sure what the areas that would be designated</li> </ul>

Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ There is clearly an issue with parking around schools during drop off and pick up times</li> <li>▪ Some helpful suggestions about a staffed drop off arrangement – not sure if possible at all/most schools</li> <li>▪ CCTV is an effective means of monitoring this issue – but is also costly</li> <li>▪ The proposal could compliment the schools streets project and could be used in locations where the school streets project would not be appropriate</li> </ul>
Recommendations	Recommended that more detailed appraisal of the options be considered by the Cabinet member for Environment and the Director of Regeneration and Environment
Draft legal wording	No person shall, without reasonable excuse, drop off or pick up pupils between 8am to 9.30am and 2.30pm to 4pm around schools in the designated areas.

#### 14. Riding of mopeds

<b>Proposal 17</b>	<b>Riding of mopeds</b>
Where it will apply	Whole Borough
Change from existing	No existing Order Irresponsible riding of mopeds causes a major danger to other road users and pedestrians. This includes causing criminal damage to land, parks, playing fields etc. For example, a school playing field may be damaged because of ruts left behind by motorcycles riding over it.
Recorded reports/complaints	Problems and issues reported by the public and Police. Little recorded data.
Consultation results	<ul style="list-style-type: none"> <li>▪ 98% of respondents supported this proposal (97% totally agreed and 1% agreed but with some changes)</li> </ul>
Consultation comments	<ul style="list-style-type: none"> <li>▪ There were several comments about concerns about the use of mopeds - concerns about robbery, harassment and acid attacks and riders deliberately not wearing helmets so they are not chased by Police</li> <li>▪ One comment about mopeds ridden on grassed areas of Forty Hall</li> <li>▪ One comment about moped gangs in the eastern corridor of the borough (which was also mentioned in a meeting with one of the local MPs in relation to Millmarsh Lane)</li> <li>▪ One comment about takeaway moped riders being dangerous</li> <li>▪ Cattlegate Road mentioned as a location for problem moped riders</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ High level of concern expressed by the public</li> </ul>
Recommendation	Proceed with the proposal – with minor amendment in red
Draft legal wording	No person shall ride a moped in such a manner as to cause, <b>or likely to cause</b> , alarm, distress or annoyance to members of the public or cause criminal damage by their use.

#### 15. Loitering of persons

<b>Proposal 18</b>	<b>Loitering of persons</b>
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Where it will apply	Ponders End Recreation Ground and Enfield Retail Park
Change from existing	No existing Order
Recorded reports/complaints	Not provided by the Police, but would be available.
Consultation results	This was not specifically consulted on – however, feedback from the Police and the public was received during the public consultation
Consultation comments	<ul style="list-style-type: none"> <li>▪ The Police requested that the Council consider a prohibition on persons loitering in these locations due to problems with intimidation, alarm, harassment and dealing drugs</li> <li>▪ Several comments from the public expressed concerns about ASB caused by groups hanging around in Ponders End Recreation Ground</li> </ul>
Amendments / considerations after consultation	<ul style="list-style-type: none"> <li>▪ High level of concern expressed by the Police and the public</li> </ul>
<b>Recommendation</b>	<b>Proceed with the proposal</b>
Draft legal wording	No persons to loiter in the designated area such as to cause, or reasonably be perceived to cause, intimidation, alarm, harassment or distress to others and/or to deal or use drugs

#### General and additional comments:

There was an opportunity at the end of the questionnaire for respondents to add any other comments.

The following is a table of the themes:

Number of comments	Comment	Response
19	If the PSPO is implemented it needs to be enforced/more enforcement resource is needed	Existing Council and Police enforcement resources will be used to enforce the provisions. Targeted proactive patrols and enforcement will be undertaken at specific times and locations as needed A wide range of Council officers will be authorised to undertake enforcement of PSPOs.
14	Litter and flytipping is a big problem/locations were specified/why was flytipping or littering not included as a proposal?	Litter and flytipping are significant environmental issues. Litter and flytipping were not included in the PSPO proposals because specific and adequate enforcement provision is already made. There are Fixed Penalty Notices for littering (£80) and for flytipping (£400). The locations mentioned for flytipping and littering have been passed to the waste enforcement unit for action.
12	Thankyou – quality of life has	Support for the introduction of PSPOs to address

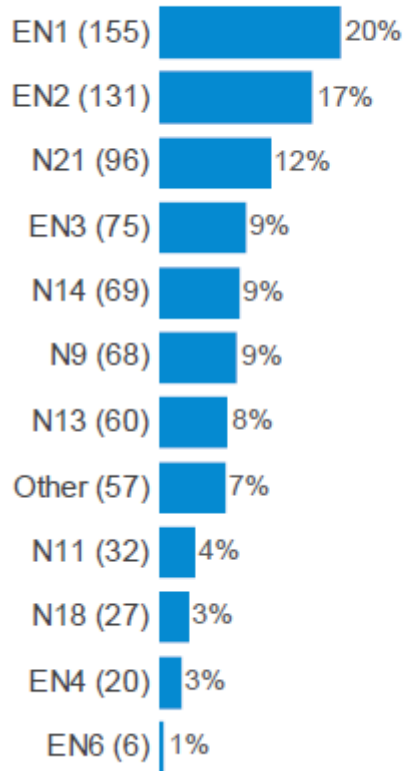


	deteriorated in the area (locations specified such as EN3, Edmonton and Edmonton Green, Fillebrook, Ponders End Park, Enfield Highway, N9) Want to make it nicer again	concerns and improve the quality of life of residents.
5	Proposals too strict/nanny state/concerned about loss of freedoms	The purpose of PSPOs is to address antisocial behaviour that is causing issues to residents so that the majority of residents can feel safe and enjoy public spaces. The Equalities Act and Human Rights Act have been considered in relation to the proposed PSPOs and documented in the Cabinet report and Appendix 4.
5	Bring back Parks Police/need more police resource as insufficient	Enforcement resources for the Council and the Police are limited. There are no current plans for the Council to fund Police for the parks.
5	Youths/adults seen smoking and dealing drugs openly, and drinking/Locations specified (Broomfield Park, New River Gardens, Gentlemens Row, Enfield Library Gardens, corner of Seafield Road, Oakhill Park, Highlands Village)	This information has been passed to the Police.
3	Need a 24-hour response number	Council resources do not support a 24-hour enforcement service. Problems should be reported via the Council's website. When enforcement is required outside of office hours, this will be arranged and targeted to the locations. Telephone number 101 or the Police neighbourhood team numbers should be used to contact the Police if needed.
3	Ban children on bikes doing stunts and wheelies in the middle of the road and on the pavement	It is appreciated that this activity does occur but there was not sufficient concern raised for this to be incorporated into a PSPO as it would not meet the evidential test in the legislation.
3	Provide education, signs and warning not fines (in different languages to encourage compliance)	Signage will be provided to advise the public if a PSPO is introduced, but limitations on size would not permit the signage to display different languages. In most cases, the default is that fixed penalty notices will be issued on the first instance and not a warning.
2	Schools should be responsible for the behaviour of children after school at shops and bus stops	The behaviour of school children is a shared responsibility between the pupils primarily, but also parents, the school and wider community.
2	Most of the ASB mentioned are illegal anyway, and so should be enforced already	Some of the provisions are already a criminal matter but may not have an enforcement option of a fixed penalty notice, or a FPN of £100. FPNs are an

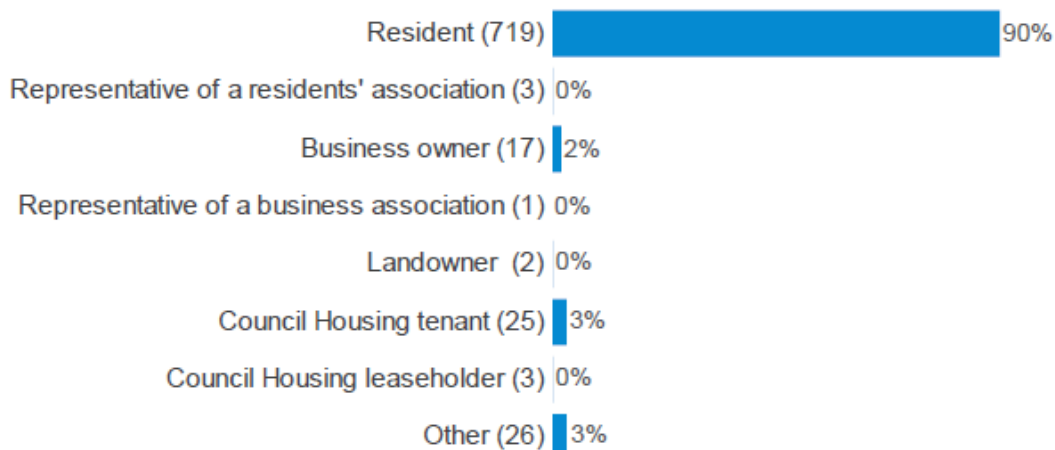
		efficient and cost-effective enforcement option.
2	Need to spend resources on support rather than enforcement as many of the affected groups affecting the ASB are poor or vulnerable	There are no new or additional enforcement resources. Existing enforcement resources will be used but by a wider number of Council officers. It is recognised that some of the behaviours are carried out by vulnerable persons and persons on low-income. Appropriate action and support will be provided as needed by enforcement officers.
1	Cars being sold behind the shops in Kempe Road, Enfield and causing problems for road users	This has been referred to the Envirocrime team.

## **Appendix 2: Graphs showing the results of the public consultation for Public Spaces Protection Orders**

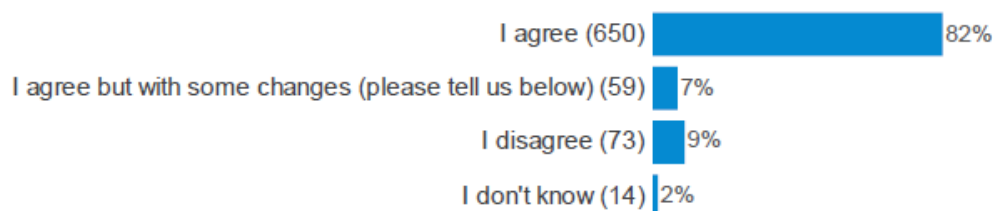
**In which postal district do you live?**



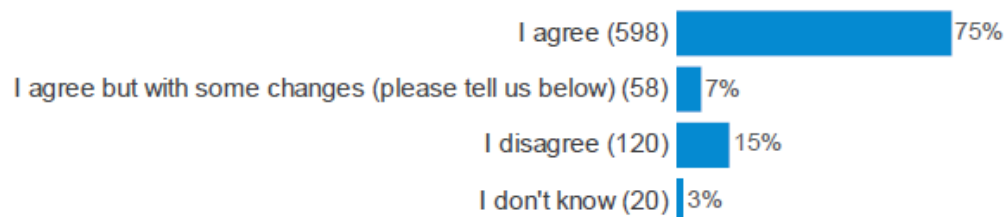
### On what basis are you responding to this consultation?



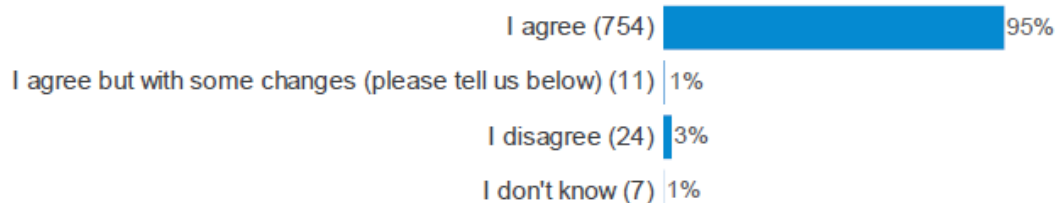
To what extent do you agree or disagree with the following proposed protection orders concerning the use of substances and fireworks to apply to the whole Borough? (please tick one box in each row) (Alcohol consumption - Prohibition of drinking alcohol within the designated area (other than in a premises licensed for the sale of alcohol or at a venue where a Temporary Event Notice is in force) after having been requested to stop by an authorised person.)



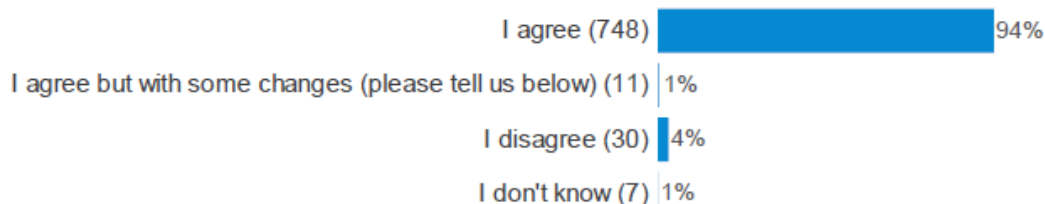
To what extent do you agree or disagree with the following proposed protection orders concerning the use of substances and fireworks to apply to the whole Borough? (please tick one box in each row) (Alcohol consumption - Person is required to immediately hand over any alcohol when requested to do so by an authorised person.)



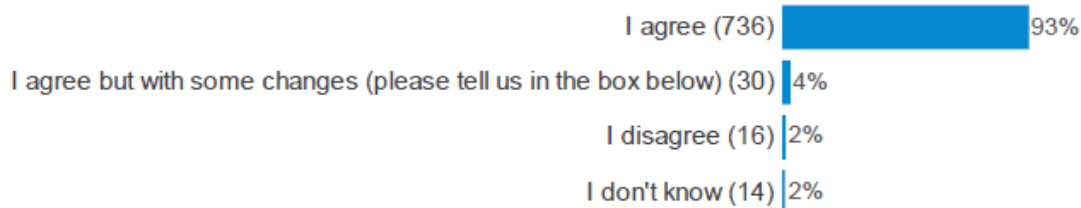
To what extent do you agree or disagree with the following proposed protection orders concerning the use of substances and fireworks to apply to the whole Borough? (please tick one box in each row) (Fireworks - No person shall throw fireworks in a public place.)



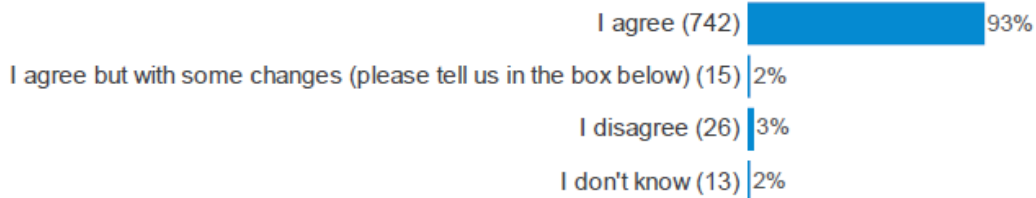
To what extent do you agree or disagree with the following proposed protection orders concerning the use of substances and fireworks to apply to the whole Borough? (please tick one box in each row) (Psychoactive substances - Prohibition of the consumption, use, possession and supply of intoxicating psychoactive substances (formerly known as 'legal highs') in a public place.)



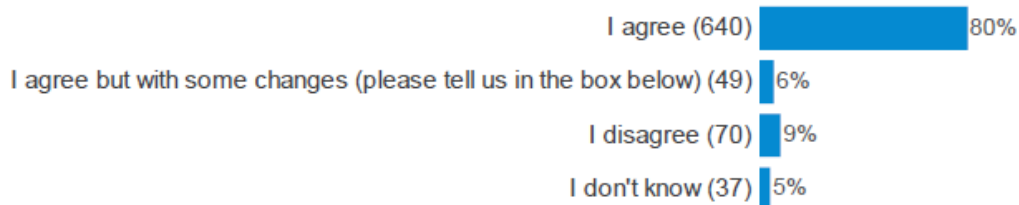
To what extent do you agree or disagree with the following proposed protection orders concerning the use of vehicles causing antisocial behaviour at the locations suggested? (please tick one box in each row) (Car cruising - to apply on the A10 and A406 within the Borough boundaries, Ravenside Retail Park N18 3HA and Tesco Car park in Glover Drive N18 3HF - No person shall participate in car cruising activity as a passenger or driver of a vehicle and/or congregate to spectate car cruising activity. Car Cruising includes speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause nuisance, wheel spins etc.)



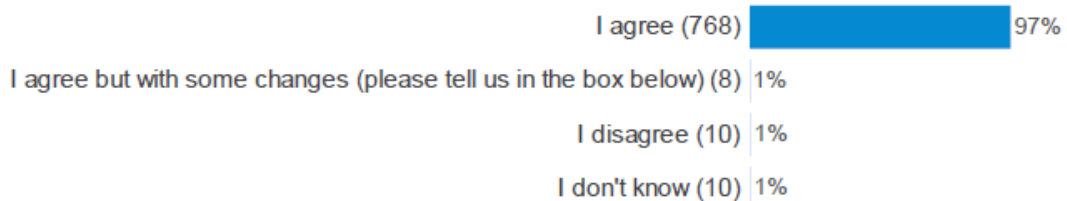
**To what extent do you agree or disagree with the following proposed protection orders concerning the use of vehicles causing antisocial behaviour at the locations suggested? (please tick one box in each row) (Motor vehicles - to apply to Council land (including parks and Council housing estates) and land adjoining the highway - No person shall, without reasonable excuse, deposit a motor cycle, motor vehicle, trailer or caravan on Council land or land adjoining the highway, for an unreasonable period of time without express prior written consent of the Council.)**



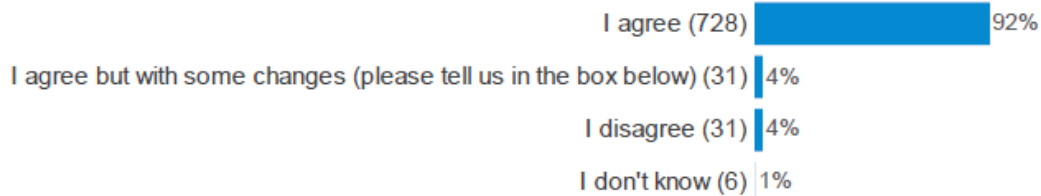
**To what extent do you agree or disagree with the following proposed protection orders concerning the use of vehicles causing antisocial behaviour at the locations suggested? (please tick one box in each row) (Parking around schools - No person shall, without reasonable excuse, drop off or pick up pupils between 8am and 9.30am and 2.30pm to 4pm around schools in the designated areas.)**



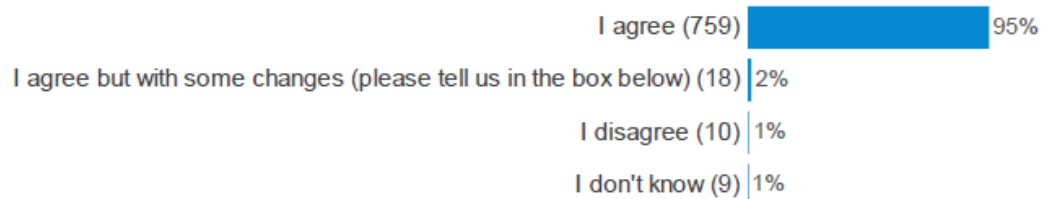
**To what extent do you agree or disagree with the following proposed protection orders concerning the use of vehicles causing antisocial behaviour at the locations suggested? (please tick one box in each row) (Illegal use of mopeds - to apply Borough-wide - No person shall ride a moped in such a manner as to cause alarm, distress or annoyance to members of the public or cause criminal damage by their use.)**



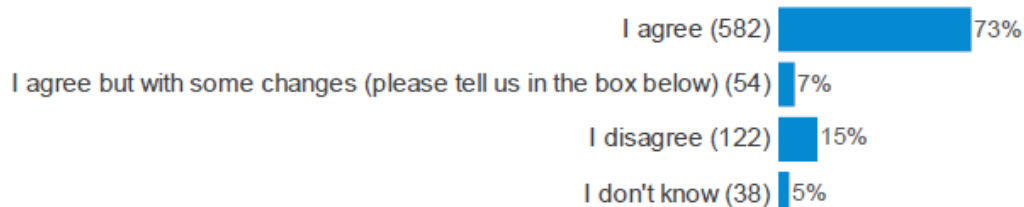
To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row) (Dog fouling - Dog Fouling should be prohibited in the **whole Borough.**)



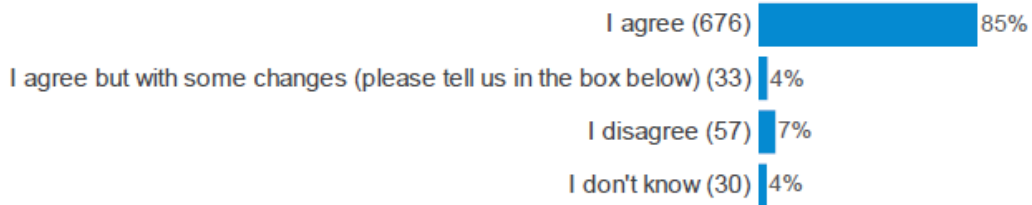
To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row) (Carrying receptacles - Persons in control of dogs should carry suitable receptacles (eg bags) for picking up dog mess in the **whole borough.**)



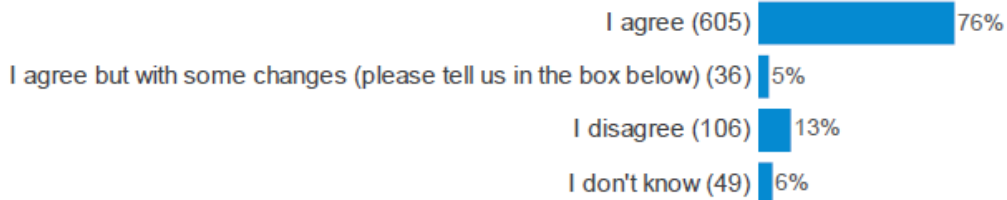
To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row) (Dogs on leads - Dogs to be kept on leads at all times in the parks listed in **Schedule 2 and on Council housing estate land.**)



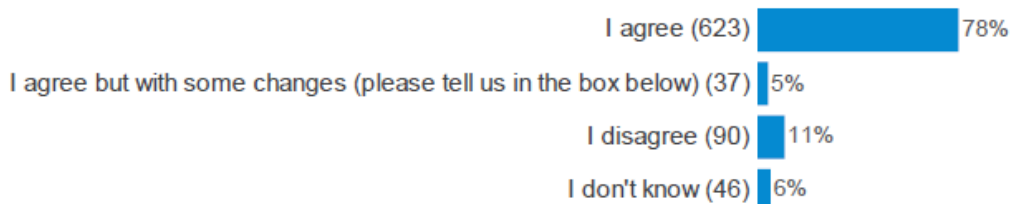
To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row)  
 (Dogs on leads by direction - Dogs to be kept on leads when directed by an authorised officer in the parks listed in Schedule 3.)



To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row)  
 (Dog exclusion - Dogs are to be excluded at all times in the parks listed in Schedule 1 and playgrounds in Council housing estates.)

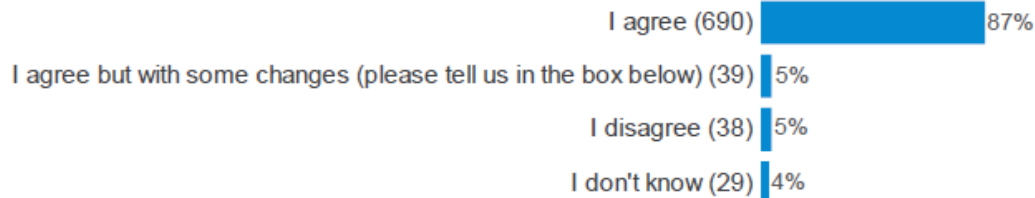


To what extent do you agree or disagree with the following proposed protection orders concerning dogs at the suggested locations? (Please tick one box in each row)  
 (Maximum dog numbers - The maximum number of dogs in a person's charge is four in all parks, unless in possession of a valid licence issued by the Council permitting up to six dogs.)

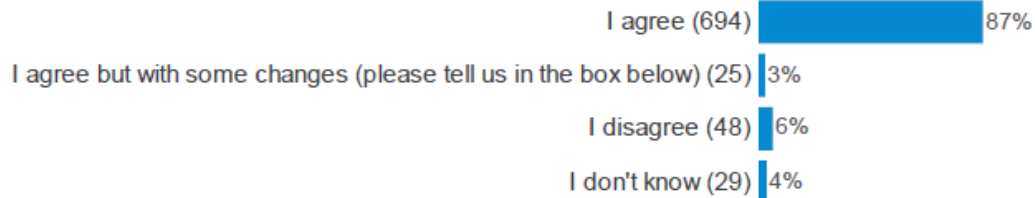




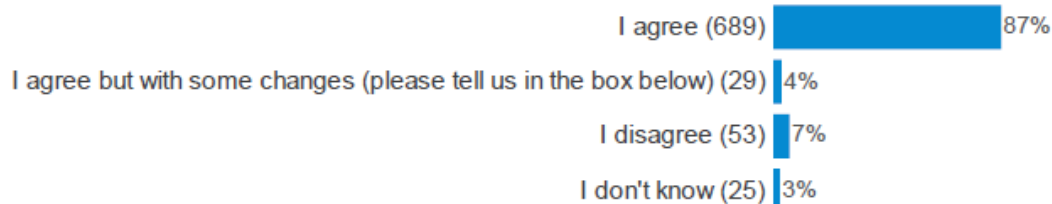
To what extent do you agree or disagree with the following proposed protection orders concerning antisocial behaviour by persons at the locations suggested? (Please tick one box in each row) (Persons loitering in housing estates - In all housing estate blocks and land owned by the Council and Registered Social Landlords. Prohibition of persons not legally resident in the estates from entering (or having entered, remaining within) that block or estate land unless able to demonstrate they are visiting a named legal resident of that block or estate, and to leave when requested by an authorised Officer.)



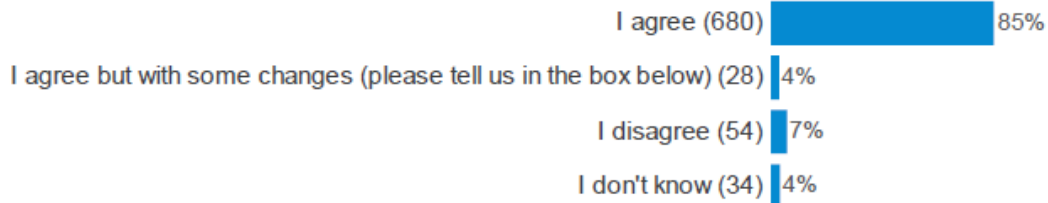
To what extent do you agree or disagree with the following proposed protection orders concerning antisocial behaviour by persons at the locations suggested? (Please tick one box in each row) (Intimidatory Begging - St Marks Road EN1 3BJ, the northern section of Hertford Road, Green Lanes N13 and N21, A406 and Fore Street N9 and N18. Prohibition on persons begging in a manner reasonably perceived to be intimidating or aggressive, or that they pose a risk to their safety or the safety of others. (Such as passing in between cars on the roads.))



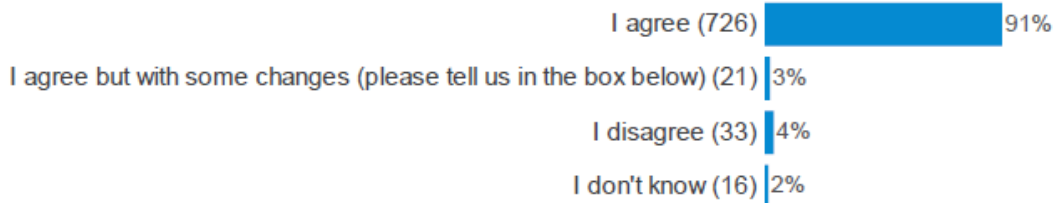
To what extent do you agree or disagree with the following proposed protection orders concerning antisocial behaviour by persons at the locations suggested? (Please tick one box in each row) (Persons windscreen washing/selling goods - to apply to the A10 and the A406 and within 150m of all junctions onto these roads. Prohibit the selling of goods or offering of services in traffic queues and at traffic lights.)



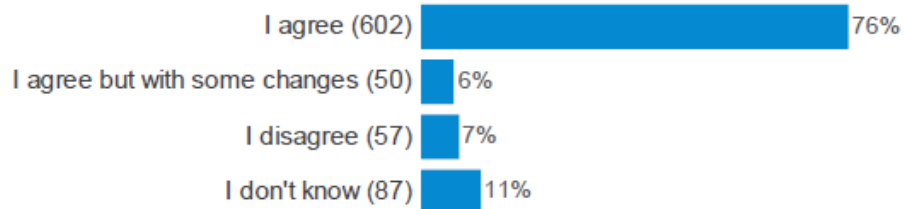
To what extent do you agree or disagree with the following proposed protection orders concerning antisocial behaviour by persons at the locations suggested? (Please tick one box in each row) (Prostitution - *to apply to the Upper Edmonton and Edmonton Green wards*. Prohibition of engaging in activities that relate to prostitution (e.g. kerb crawling, having sex for payment etc.) at any time.)



To what extent do you agree or disagree with the following proposed protection orders concerning antisocial behaviour by persons at the locations suggested? (Please tick one box in each row) (Smoking in enclosed playgrounds - *in all enclosed (by fence or otherwise) playgrounds in parks and Council housing estates*. Prohibition of smoking tobacco, tobacco related products, smokeless tobacco products (including electronic cigarettes), herbal cigarettes, or any illegal substances, within the boundaries of an area designated as a children's playground.)



To what extent do you agree or disagree with the following proposed protection orders concerning the use of drones causing antisocial behaviour? (Flying of Drones - **to apply to the whole Borough**. Prohibit the use of drones •Unless the drone weighs less than 250g and is used for recreational purposes, and is flown safely and without risk of invasion of privacy. • If the drone weighs between 250g and 20Kg, flying must be with the prior express permission of the Council. •Flying of a group of drones requires prior express permission/licensing by the Council. •Drones greater than 20kg and those used for commercial purposes need the express consent of the Civil Aviation Authority.)



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**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 1 of 2017 (the “ORDER”)**

**THE WHOLE AREA OF THE LONDON BOROUGH OF ENFIELD**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 1 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council’s statutory powers.
2. This Order relates to the whole borough of the London Borough of Enfield, as shown edged orange on the attached plan in Appendix 1 (“the designated area”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:
  - a) The consumption of alcohol
  - b) The holding or fireworks to intimidate others or cause nuisance, alarm or distress, or the throwing of fireworks.
  - c) The consumption, use, possession and supply of intoxicating psychoactive substances
  - d) Intimidatory begging
  - e) Prostitution
  - f) The flying of drones
  - g) The riding of mopeds causing, or likely to cause, alarm, distress or annoyance to members of the public or cause criminal damage by their use.
  - h) Failure to pick up dog faeces and appropriately dispose of it, and failure to have suitable means of picking up dog faeces

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

**Consumption of alcohol:**

1. Person(s) within the designated area shall not consume alcohol, or anything which the authorised person reasonably believes to be alcohol, if requested to stop by an Authorised Person.
2. Exemptions shall apply in cases where the consumption of alcohol is on premises or public space licensed under the Licensing Act 2003, or where the consumption of alcohol is authorised by virtue of Part III of the London Local Authorities Act 1990 (tables and chairs licences)
3. Person(s) who breach this prohibition shall (with the exemption of the matters referred to in Paragraph 2 above) immediately surrender if requested in accordance with the requirements under section 63(2), alcohol, or anything which the authorised person reasonably believes to be alcohol, in his/her possession to an authorised person and the authorised person is thereafter authorised to dispose of any item under section 63(5) of the Act.

**The holding or fireworks to intimidate others or cause nuisance, alarm or distress, or the throwing of fireworks:**

4. Person(s) within this area shall not hold fireworks such as to intimidate others or cause nuisance, alarm or distress, or throw fireworks.

**Intimidatory Begging:**

5. No person shall beg in a manner reasonably perceived to be intimidating, aggressive or causing nuisance, or pose a risk to their safety or the safety of others, unless he has a reasonable excuse for doing so; or the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

**The consumption, use, possession and supply of intoxicating psychoactive substances:**

6. No person shall consume, use, possess or supply intoxicating psychoactive substances.
7. Person(s) who breach this prohibition shall surrender if requested intoxicating psychoactive substances in his/her possession to an authorised person and the authorised person is thereafter authorised to dispose of any item.

Such substances do not include caffeine, nicotine, tobacco or alcohol, cases where the substances which have a valid and demonstrable medical use and are being used in the medical capacity, and substances given to an animal as a medicinal remedy.

**Prostitution:**

8. Person(s) shall not loiter, solicit or engage in the provision of sexual services, or engage, loiter or solicit with a view to engaging in obtaining sexual services in the designated area.

**Flying of Drones:**

9. Person(s) shall not fly drones in the designated area unless the drone weighs less than 250g, is used for recreational purposes, and is flown safely and without risk of invasion of privacy. If the drone weighs between 250g and 20Kg, person(s) shall not fly the drone except with prior express permission of the Council subject to the Council being satisfied that there is no risk to privacy in the use of the drones. Person(s) shall not fly a group of

drones except with prior express permission by the Council subject to the Council being satisfied that there is no risk to privacy in the use of the drones.

10. Person(s) with drones greater than 20Kg and those used for commercial purposes shall obtain the express consent of the Civil Aviation Authority.

**Riding of mopeds to cause alarm etc.**

11. Person(s) shall not ride a moped in such a manner as to cause, or likely to cause, alarm, distress or annoyance to members of the public or cause criminal damage by their use.

**Failure to pick up dog faeces and appropriately dispose of it, and the requirement to have a suitable receptacle available to pick up dog faeces:**

12. If a dog defecates at any time in the designated area, a person who is in charge of the dog at that time must have with him an appropriate means to pick up dog faeces deposited by that dog and remove the faeces from the land forthwith and appropriately dispose of it, unless he has a reasonable excuse for failing to do so; or the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

The obligation to have appropriate means of picking up dog faeces is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.

Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

Nothing in this article applies to

- (a) a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) a person who has a disability which affects that person's mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 2 fine or to a Fixed Penalty Notice up to £100.

- 3. In accordance with section 67 of the Act, a person found to be in breach of this Order, other than by consuming alcohol or by refusing to surrender alcohol to an authorised person, is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area edged in orange.

Given under the Common Seal of  
the London Borough of Enfield  
On the

.....day of.....2017

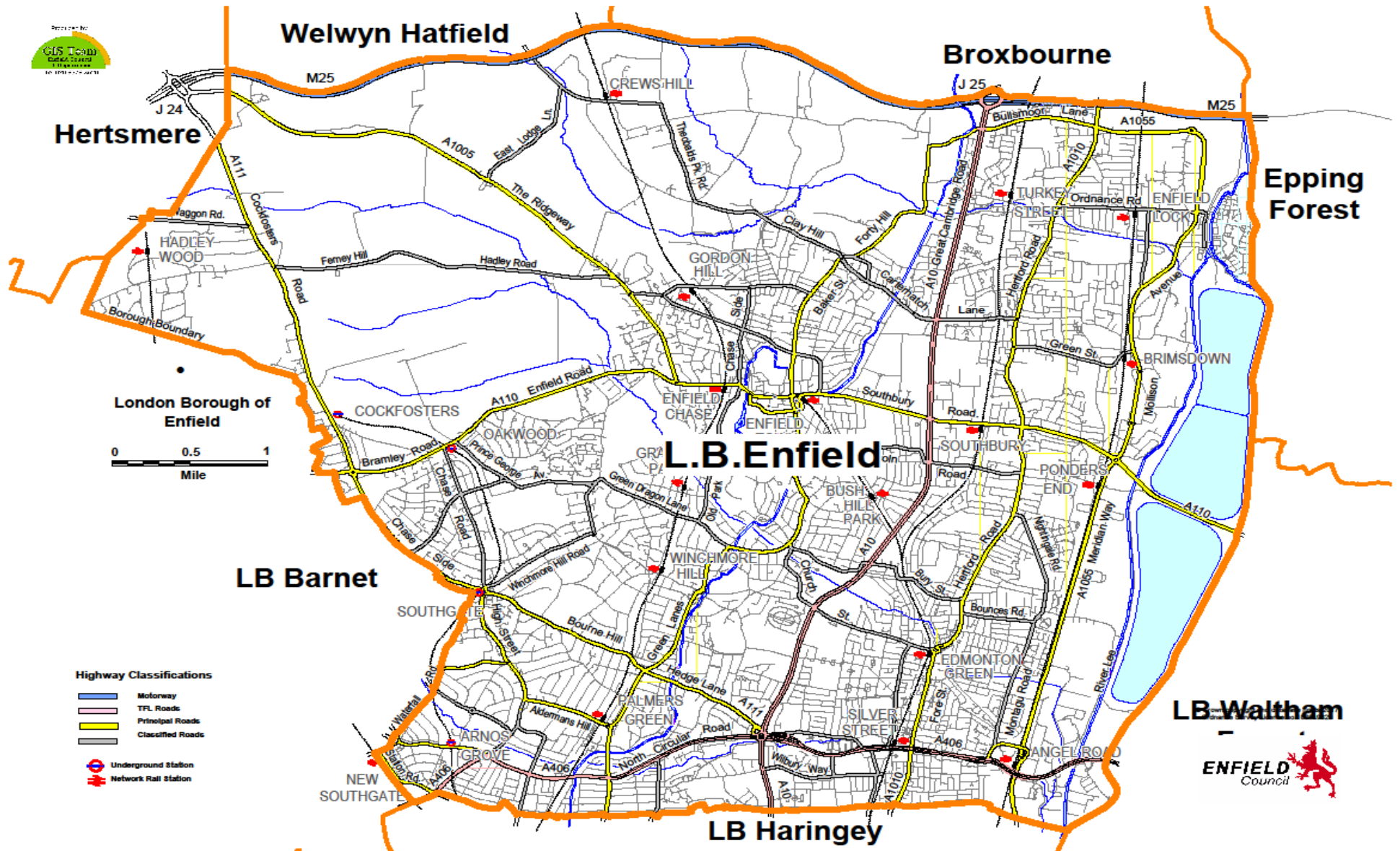
**THE COMMON SEAL** of the  
**COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation







**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 2 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE A10, ENFIELD RETAIL PARK EN1 1TH, THE A406, RAVENSIDE RETAIL PARK N18 3HA, TESCO CARPARK IN GLOVER DRIVE N18 3HF, MILLMARSH LANE EN3, RIVERWALK ROAD BUSINESS PARK EN3 7QN AND THE GREEN, N14**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 2 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in or outlined in blue on the attached plan in Appendix 1 ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Participating in vehicle cruising activity as a passenger or driver of a vehicle, and/or congregating in the area to spectate cruising activity to include cars, motorbikes and mopeds or other vehicles

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. No person shall participate in vehicle cruising activity as a passenger or driver of a vehicle and/or congregate to spectate vehicle cruising activity within the designated area in the Public Spaces Protection Order.

Vehicle cruising is activity that a reasonable person would consider to be 'car cruising' such as speeding, driving in convoy, racing, performing stunts, sounding horns (as to cause public nuisance), revving engines, wheel spins etc. using cars, motorbikes, mopeds, vans, trucks or lorries or other vehicles.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area filled in or outlined in blue.

Given under the Common Seal of  
the London Borough of Enfield  
On the

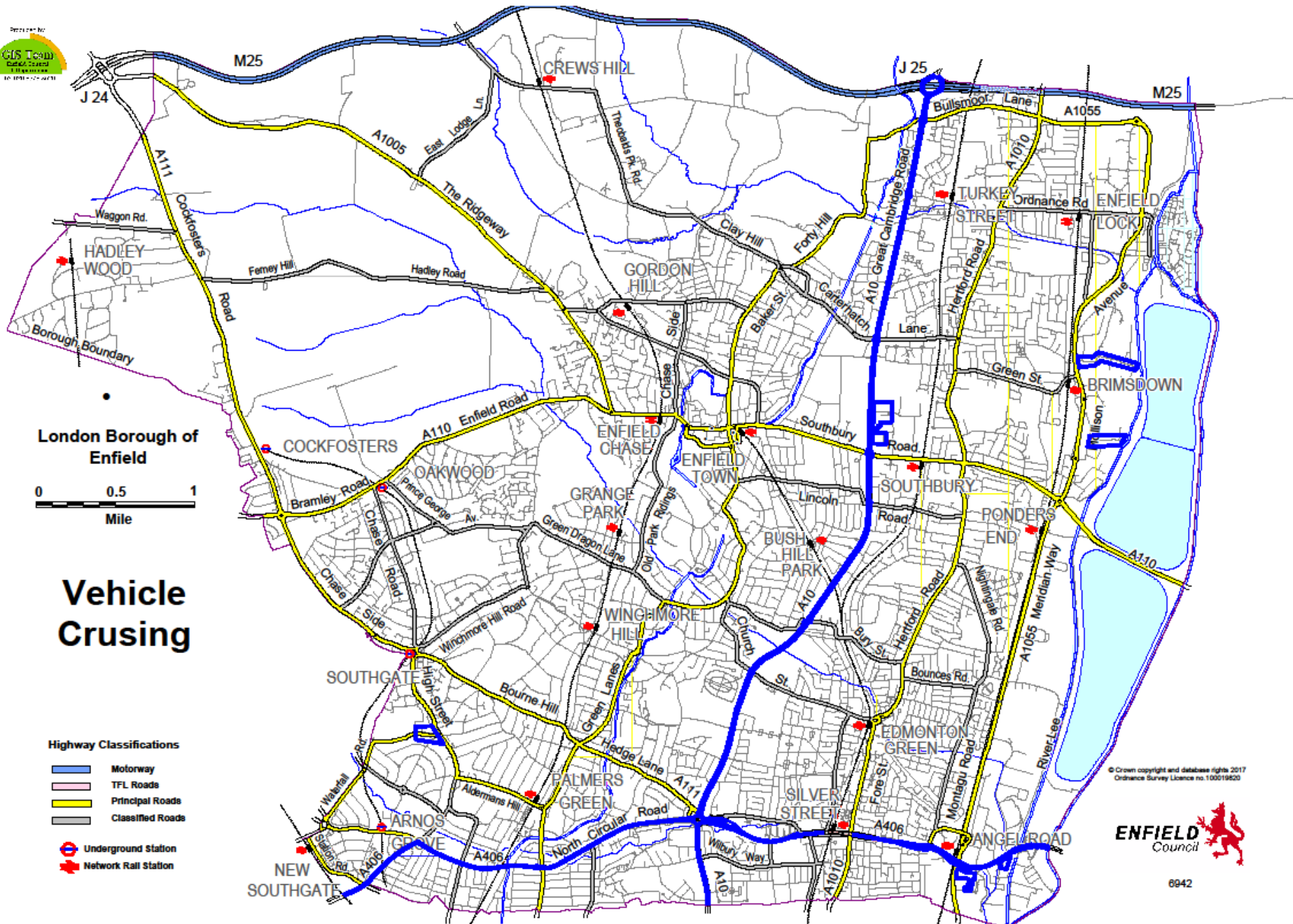
.....day of.....2017

**THE COMMON SEAL of the  
COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



London Borough of Enfield

0 0.5 1  
Mile

# Vehicle Cruising

**Highway Classifications**

- Motorway
- TFL Roads
- Principal Roads
- Classified Roads
- Underground Station
- Network Rail Station

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**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 3 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PARKS LISTED IN THE ATTACHED APPENDIX 1**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 3 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as listed on the attached appendix 1 of parks ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Failure of person(s) in charge of a dog to have it on a lead at all times within the designated areas.

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. A person in charge of a dog in the designated area must, at all times, keep the dog on a lead, unless –
  - (a) he has a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

- 1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
- 2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 list of the parks (“the designated area”) to which this Order applies.

Given under the Common Seal of  
the London Borough of Enfield  
On the

.....day of.....2017

**THE COMMON SEAL of the  
COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



**Appendix 1: List of the parks in dogs are required to be kept on a lead at all times**

Angel Gardens

Arnos Park - the new growing space

Broomfield Gardens

Bush Hill Gardens

Cambridge Gardens

Chase Green Gardens

Delhi Gardens

Firs Farm (Wetlands)

Forest Road Golden Jubilee Park

Forty Hall Park Estate – walled garden

Gentlemans Row

Minchenden Oak Gardens

Pymmes Park (Wetlands)

Woodcroft Wildspace

Whitewebbs Golf Course

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**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 4 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PARKS LISTED IN THE  
ATTACHED APPENDIX 1**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 4 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as listed on the attached appendix 1 of parks ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Failure of the person in charge of a dog to have it on a lead in the designated area when directed by an authorised officer.

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. A person in charge of a dog in the designated area must put the dog on a lead if directed by an authorised person unless—
  - (a) he has a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A list of the parks (“the designated area”) to which this Order applies.

Given under the Common Seal of  
the London Borough of Enfield  
On the

.....day of.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation

**Appendix 1: List of the parks where a dog must be put on a lead if directed by an authorised person**

**(Not including areas from which dogs are excluded e.g. Playgrounds, Tennis Courts, Multi Use Games Areas)**

Albany Park (Excluding Tennis courts, Multi Use Games Area, Playground)  
Aldersbrook Avenue Recreation Ground (Dog Walk Area Only)  
Alma Road Open Space  
Ansell's Green Open Space  
Arnos Park (Excluding Tennis courts, Playground, Bowling Green)  
Aylands Link Open Space  
Aylands Open Space (Excluding Playground, Paddling Pool)  
Barrowell Green Open Space  
Boundary Ditch Open Space  
Boundary Playing Fields (Excluding Playground)  
Bourneside Sports Ground  
Boxers Lake Open Space (Excluding Playground)  
Brackendale Sports Ground  
Bramley Road Sports Ground (Excluding Playground)  
Broomfield Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling Green, Netball Court)  
Bulls Cross Field  
Bury Lodge Gardens (Excluding Playground, Paddling Pool/Splash Pad, Bowling Green)  
Bush Hill Park (Excluding Tennis Courts, Multi Use Games Area, Playground, Croquet Lawn)  
Camlet Way Open Space  
Cenotaph Gardens  
Chase Green Open Space  
Cheyne Walk Open Space  
Church Street Recreation Ground (Excluding Playground)  
Church Street Tennis Recreation Ground  
Churchfields Recreation Ground (Excluding Playground)  
Clowes Sports Ground  
Cockfosters Sports Ground (Excluding Bowling Green)  
Conical Corner Open Space  
Conway Road Recreation Ground (Excluding Tennis Courts)  
Cosgrove Close Open Space  
Covert Way Field  
Craig Park (Excluding Tennis Courts, Multi Use Games Area, Playground, Paddling Pool/Splash Pad, Bowling Green)  
Cuckoo Hall Recreation Ground (Excluding Playground)  
Durants Park (Excluding Tennis Courts, Splash Pad, Playground)  
Elsinge Golden Jubilee Park (Excluding Multi Use Games Area, Playground)  
Enfield Playing Fields  
Firs Farm Sports Ground  
Forty Hall Park Estate (Excluding Walled Garden)  
Freston Gardens  
Gladbeck Way Open Space  
Gough Park  
Grovelands Park (Excluding Tennis courts, Playground, Bowling Green)  
Grove Road Open Space

Hadley Wood Open Space (Excluding Playground)  
Hazelwood Sports Ground (Excluding Tennis courts, Playground)  
High Road Open Space  
Hillyfields  
Hoe Lane Open Space  
Holmesdale Tunnel Open Space  
Hood Avenue Open Space (Excluding Multi Use Games Area, Playground)  
Hounsden Gutter Open Space  
Hounsden Spinney Open Space  
Inverforth Road Open Space  
Ivy Road Open Space (Excluding Playground)  
Jubilee Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling Green)  
Kenninghall Open Space  
King George's Field  
Ladysmith Road Open Space (Excluding Playground)  
Lakeside Open Space  
Lee Road Open Space (Excluding Playground)  
Library Green Open Space  
Montagu Recreation Ground (Excluding Multi Use Games Area, Playground)  
New River Loop Open Space  
North Enfield Recreation Ground (Excluding Tennis courts, Multi Use Games Area, Playground, Sports field)  
Oakwood Park (Excluding Tennis courts, Playground)  
Odeon Gardens  
Old Railway Line Open Space  
Painters Lane Open Space (Excluding Playground)  
Platts Road Open Space  
Plevna Road Open Space (Excluding Playground)  
Ponders End Recreation Ground (Excluding Tennis courts, Playground)  
Prince of Wales Field (Excluding Playground)  
Provident Park  
Pymmes Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling Green, Community Area, Walled Garden)  
Raynham Doorstep Green Park (Excluding Multi Use Games Area, Playground)  
Riverdale Court Open Space  
Riverfront Open Space  
Riverside Park  
Riverside Walk Open Space  
Russell Road Open Space  
Salmons Brook Footpath  
Soham Road Recreation Ground (Excluding Playground)  
St. David's Park (Excluding Playground)  
St George's Field  
St. James's Open Space  
St Michael's Green Open Space  
Tanners End Open Space  
Tatem Park (Excluding Playground)  
The Dell Open Space  
The Strays Open Space  
The Warren Footpath  
Tile Kiln Lane Open Space

Tottenham Sports Ground  
Town Park (Excluding Tennis Courts, Playground, Splash pool, Bowling Green)  
Trent Park  
Trinity Street Open Space  
Turin Road Open Space  
Waltham Gardens (Excluding Playground)  
Warwick Fields Open Space (Excluding Playground)  
Weir Hall Recreation Ground (Excluding Multi Use Games Area, Playground)  
Whitewebbs Golf Course  
Whitewebbs Park  
Wilbury Way Open Space (Excluding Playground)  
Winchester & Victoria Road Gardens  
Woodcroft Sports Ground  
Woodlands Open Space  
Worlds End Lane Open Space

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**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 5 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PARKS LISTED IN THE  
ATTACHED APPENDIX 1**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 5 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as listed on the attached appendix 1 of parks ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Failure to keep dogs out of the designated area.

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. A person in charge of a dog must not, at any time, take the dog into, or permit the dog (including by not exercising sufficient control of the dog), to enter or to remain in, the designated area, unless—
  - (a) he has a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A list of the parks (“the designated area”) to which this Order applies.

Given under the Common Seal of  
the London Borough of Enfield  
On the

.....day of.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation

## **Appendix 1: List of the parks where dogs are excluded**

Albany Park (Tennis courts, Multi Use Games Area, Playground)  
Aldersbrook Avenue Recreation Ground (all of the park except dog walk area)  
Arnos Park (Tennis courts, Playground, Bowling Green)  
Aylands Open Space (Playground, Paddling Pool)  
Boundary Playing Fields (Playground)  
Bournside Recreation Ground (Tennis Courts)  
Boxers Lake Open Space (Playground)  
Bramley Road Sports Ground (Playground)  
Broomfield Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, Netball Court and Broomfield Park Garden of Remembrance)  
Bury Lodge Gardens (Playground, Paddling Pool/Splash Pad, Bowling Green)  
Bush Hill Park (Tennis courts, Multi Use Games Area, Playground, Croquet)  
Church Street Recreation Ground (Playground and tennis courts)  
Churchfields Recreation Ground (Playground)  
Cockfosters Sports Ground (Bowling Green)  
Conway Road Recreation Ground (Tennis Courts and the fenced off area surrounding the pond)  
Craig Park (Tennis courts, Multi Use Games Area, Playground, Paddling Pool/Splash Pad, Bowling Green)  
Cuckoo Hall Recreation Ground (Playground)  
Delhi Gardens (Playground)  
Durants Park (Tennis courts, Splash pad, Playground)  
Edmonton Cemetery (Whole Area)  
Elsinge Golden Jubilee Park (Multi Use Games Area, Playground)  
Enfield Playing Fields – (Playground)  
Florence Hayes Recreation Ground (Whole Area)  
Forest Road Golden Jubilee Park (Playground)  
Grovelands Park (Tennis courts, Playground, Bowling Green)  
Hadley Wood Open Space (Playground)  
Hazelwood Sports Ground (Tennis courts, Playground)  
Hertford Road Cemetery (whole area)  
Hood Avenue Open Space (Multi Use Games Area, Playground)  
Ivy Road Open Space (Playground)  
Jubilee Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, the new pond)  
Ladysmith Road Open Space (Playground)  
Lavender Hill Cemetery (Whole Area)  
Lee Road Open Space (Playground)  
Montagu Recreation Ground (Multi Use Games Area, Playground)  
North Enfield Recreation Ground (Tennis courts, Multi Use Games Area, Playground, Sports Field)  
Oakwood Park (Tennis courts, Playground and Multi Use Games area)  
Painters Lane Open Space (Playground)  
Plevna Road Open Space (Playground)  
Ponders End Recreation Ground (Tennis courts, Playground)  
Prince of Wales Field (Playground)  
Pymmes Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, Community Area, Walled Garden)

Raynham Doorstep Green Park (Multi Use Games Area, Playground)  
Soham Road Recreation Ground (Playground)  
Southgate Cemetery (Whole Area)  
Strayfield Road extension Cemetery (Whole Area)  
St. David's Park (Playground)  
Tatem Park (Playground)  
Town Park (Tennis courts, Playground, Splash pool)  
Trent Park ( Playground)  
Waltham Gardens (Playground)  
Warwick Fields Open Space (Playground)  
Weir Hall Recreation Ground (Multi Use Games Area, Playground)  
Wilbury Way Open Space (Playground)

**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 6 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PARKS IN THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 6 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in green on the attached map in Appendix 1 ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

The walking of multiple dogs by persons where dogs have not been under sufficient control.

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. A person must not take more than four (4) dogs at the same time into the designated area, unless –
  - (a) in possession of valid insurance and a valid licence issued by the Council permitting up to six (6) dogs, or
  - (b) he has a reasonable excuse for failing to do so; or
  - (c) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area filled in green.

Given under the Common Seal of  
the London Borough of Enfield  
On the

20th.....day of...November.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

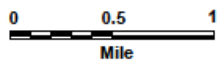
Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



London Borough of Enfield



### Parks and Open Spaces

**Highway Classifications**

- Motorway
- TFL Roads
- Principal Roads
- Classified Roads

- Underground Station
- Network Rail Station

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**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 7 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE COUNCIL RESIDENTIAL ESTATES and 341A to 355A BOWES ROAD N11 1AA, SHOWN ON THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 7 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in orange on the attached plan ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Loitering by persons in council housing blocks and estates causing nuisance, intimidation, harassment, alarm or distress, or using or dealing drugs, directly or indirectly causing damage or other anti-social behaviour

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. No persons shall loiter within the designated area if they are causing, or reasonably perceived to be causing, nuisance, intimidation, harassment, alarm or distress, or using or dealing drugs, directly or indirectly causing damage or other anti-social behaviour
2. A person must leave the designated area immediately if requested by an authorised person

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 plan of the London Borough of Enfield, showing the designated areas filled in orange.

Given under the Common Seal of  
the London Borough of Enfield  
On the

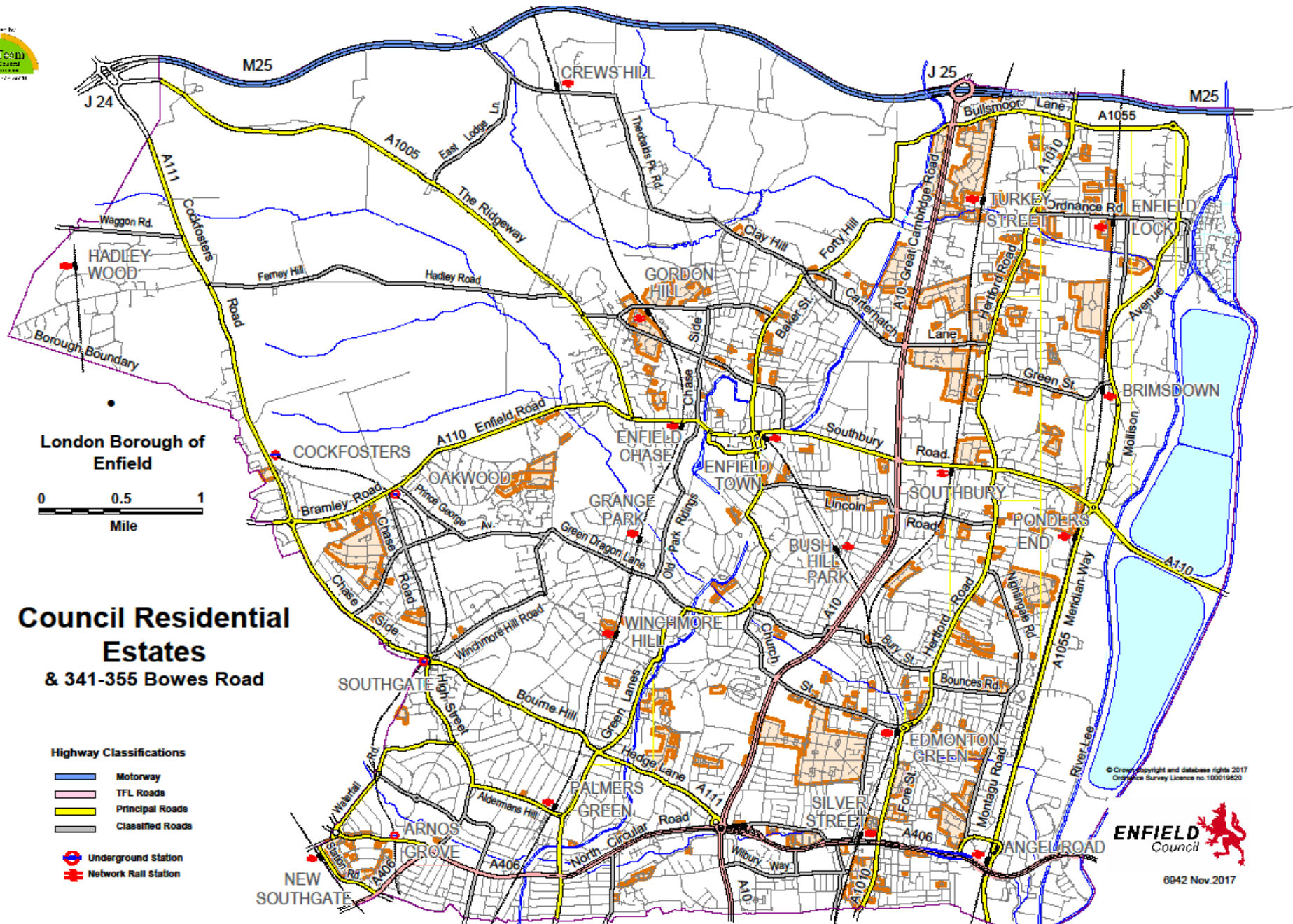
.....day of.....2017

**THE COMMON SEAL of the  
COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



London Borough of Enfield

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Mile

### Council Residential Estates & 341-355 Bowes Road

- Highway Classifications**
- Motorway
  - TFL Roads
  - Principal Roads
  - Classified Roads
- Underground Station
- Network Rail Station

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0942 Nov 2017



**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 8 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE A10 AND A406 AND WITHIN 150 METRES OF ALL JUNCTIONS ONTO THESE ROADS AS SHOWN ON THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 8 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in blue on the attached plan in appendix 1 ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Persons selling goods or offering services when a vehicle becomes temporarily stationary

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. Person(s) are prohibited from the selling of goods or offering of services when a vehicle becomes temporarily stationary in the designated area.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that

is prohibited by this Order.

- 2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area filled in blue.

Given under the Common Seal of  
the London Borough of Enfield  
On the

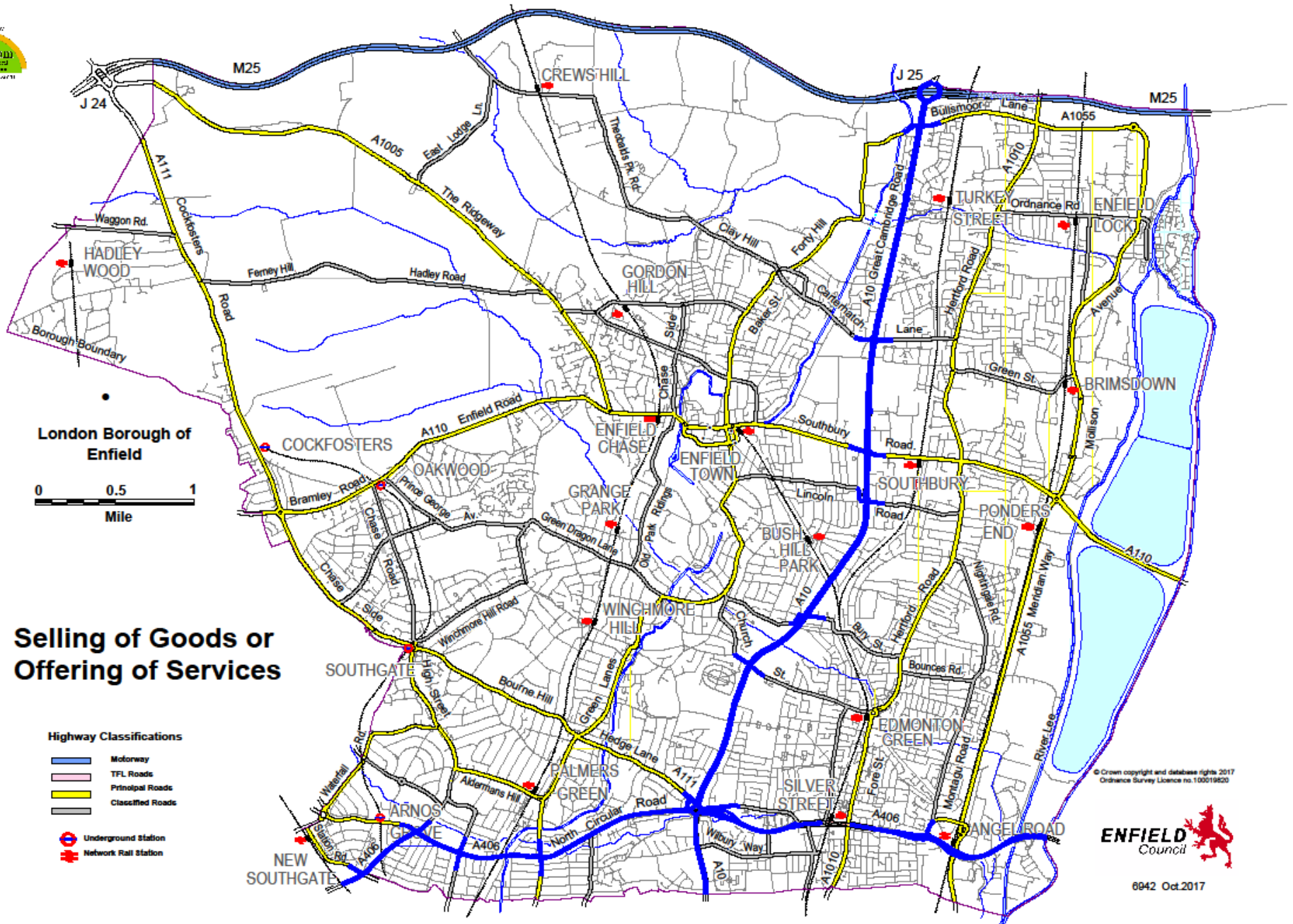
.....day of.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

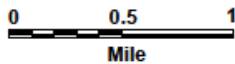
Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



London Borough of Enfield



### Selling of Goods or Offering of Services

#### Highway Classifications

- Motorway
- TFL Roads
- Principal Roads
- Classified Roads

- Underground Station
- Network Rail Station

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6942 Oct.2017





**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 9 of 2017 (the “ORDER”)**

**WITHIN THE LONDON BOROUGH OF ENFIELD, THE PLAYGROUNDS IN PARKS AND  
COUNCIL HOUSING ESTATES SHOWN ON THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 9 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council’s statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown filled in green and orange on the attached plan in appendix 1 (“the designated area”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

The smoking of tobacco, smokeless tobacco products, herbal cigarettes, or any illegal substances within any playgrounds

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. No person shall smoke tobacco, tobacco related products, smokeless tobacco products (including electronic cigarettes), herbal cigarettes, or any illegal substances, within the boundaries of an area designated as a children’s playground.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area filled in green and orange.

Given under the Common Seal of  
the London Borough of Enfield  
On the

.....day of.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



London Borough of Enfield

0 0.5 1  
Mile

**Parks and Open Spaces  
&  
Council Residential Estates**

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6942 Oct. 2017



**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 10 of 2017 (the “ORDER”)**

**WITHIN THE LONDON BOROUGH OF ENFIELD, COUNCIL OWNED LAND AND LAND ADJOINING THE HIGHWAYS, FOOTPATHS OR BRIDLEWAYS AS SHOWN ON THE ATTACHED MAP**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 10 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council’s statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown edged orange on the attached plan in appendix 1 (“the designated area”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

The deposition of vehicles, motorcycles, trailers, caravans or similar on the designated land for unreasonable periods of time

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. No person shall, without reasonable excuse, deposit a motor cycle, vehicle, trailer, caravan or similar on Council land or land adjoining the highway, for an unreasonable period of time without express prior written consent of the Council.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area edged in orange.

Given under the Common Seal of  
the London Borough of Enfield  
On the

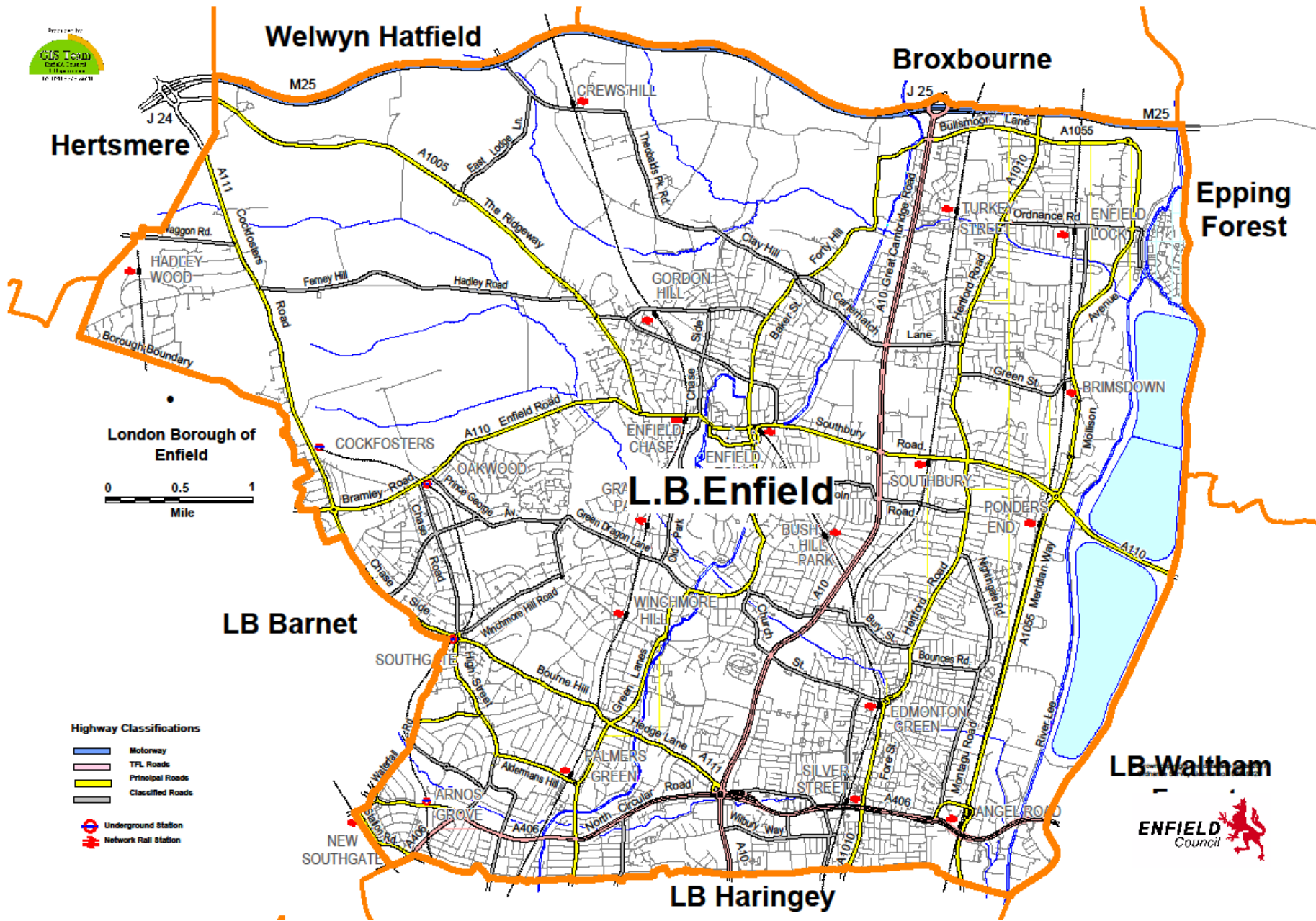
.....day of.....2017

**THE COMMON SEAL** of the  
**COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation







**LONDON BOROUGH OF ENFIELD**

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

**PUBLIC SPACES PROTECTION ORDER NUMBER 11 of 2017 (the "ORDER")**

**WITHIN THE LONDON BOROUGH OF ENFIELD, PONDEERS END RECREATION  
GROUND EN3 4JG AND ENFIELD RETAIL PARK EN1 1TH, AS SHOWN ON THE  
ATTACHED MAPS**

This Order may be cited as the London Borough of Enfield, Public Spaces Protection Order Number 11 of 2017.

The London Borough of Enfield exercises its powers under Section 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 15 January 2018 and shall have an effect for 3 years thereafter, unless extended by further Order under the Council's statutory powers.
2. This Order relates to the parts of the London Borough of Enfield, as shown edged red on the attached maps in appendix 1 ("the designated area").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that the following anti-social behaviour and criminal activities have been carried out within the designated area:

Loitering of persons causing, or reasonably perceived to be causing, intimidation, harassment, alarm or distress and/or using or dealing drugs

These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the 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.

**PROHIBITIONS:**

1. No persons shall loiter within the designated area if they are causing, or reasonably perceived to be causing, intimidation, harassment, alarm or distress and/or using or dealing drugs; unless
  - (a) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
2. A person must leave the designated area immediately if requested by an authorised person.

**AUTHORISED PERSONS:**

An authorised person could be a Police Constable, Police Community Support Officer or Council Officer, and must be able to present their authority upon request.

**FIXED PENALTY NOTICES AND OFFENCES:**

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100.

**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 1:**

A plan of the London Borough of Enfield, showing the designated area edged in red.

Given under the Common Seal of  
the London Borough of Enfield  
On the

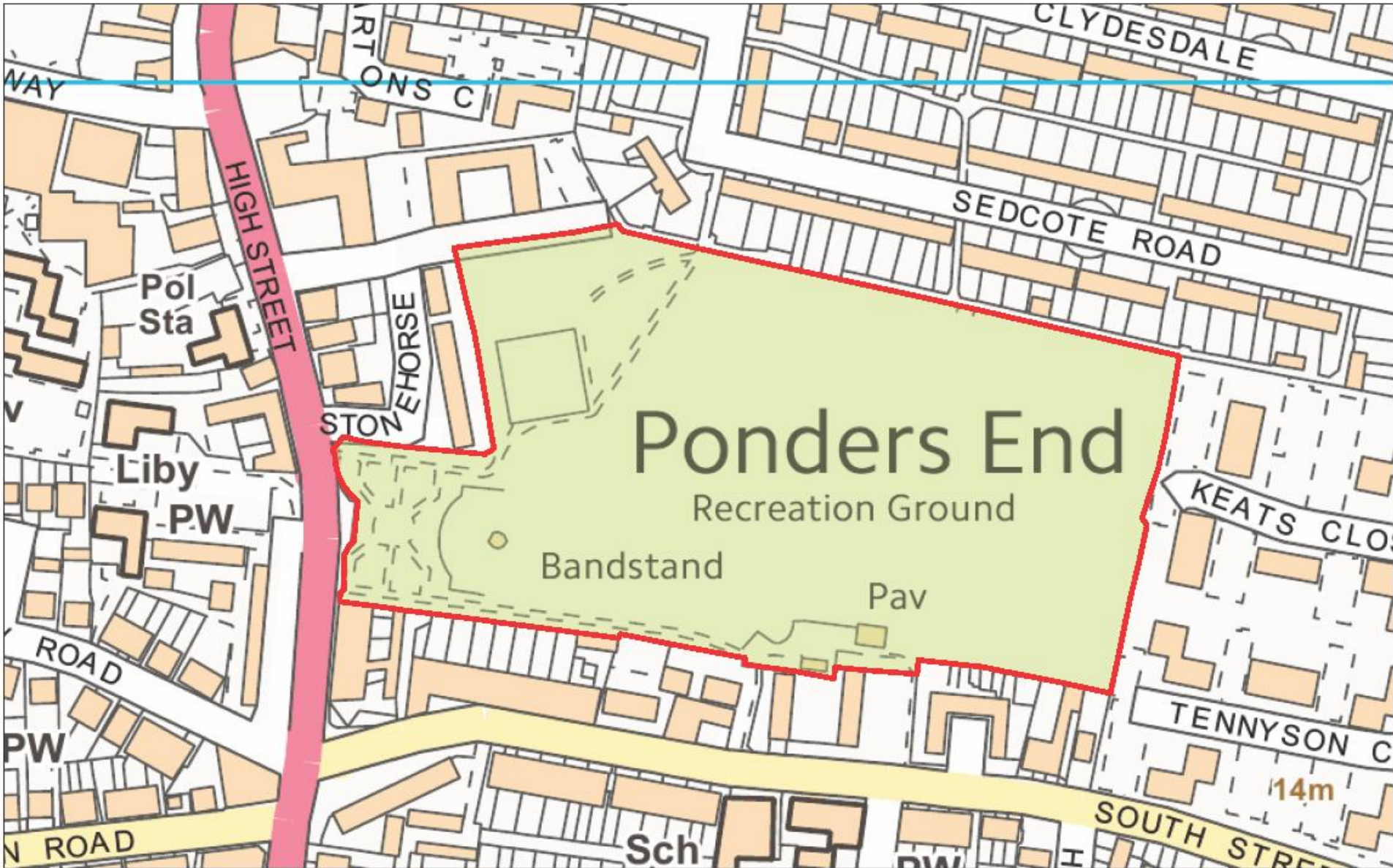
.....day of.....2017

**THE COMMON SEAL of the  
COUNCIL**

Was hereunto affixed  
In the presence of:

.....Authorised Officer

.....Designation



**Ponders End  
Park**

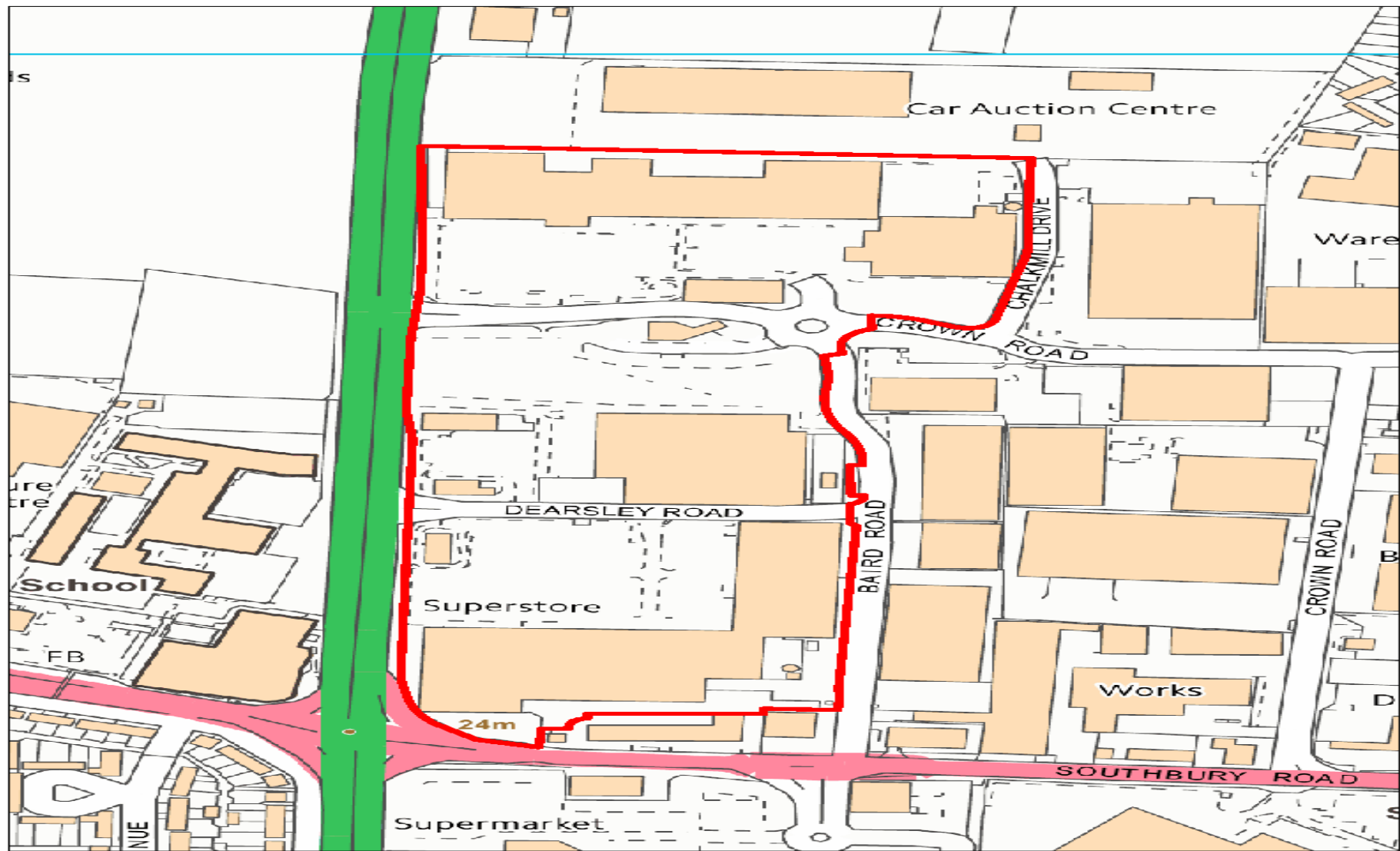
- Park Boundary
- Play Areas



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Drg 6942  
Oct.2011





**Enfield Retail Park**

 Park Boundary



**ENFIELD**  
Council 

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Drg 6942  
Oct.2017



## Appendix 4: Enfield Council Predictive Equality Impact Assessment/Analysis for PSPOs

<b>Department:</b>	HHASC	<b>Service:</b>	Various Environment Services – Community Safety, Council Housing, Public Realm and Regulatory Services
<b>Title of decision:</b>	Introduction of Public Spaces Protection Orders (PSPOs)	<b>Date completed:</b>	24 October 2017
<b>Author:</b>	Sue McDaid	<b>Contact details:</b>	Sue McDaid; Head of Regulatory Services 020 8379 3680

**1 Type of change being proposed:** (please tick)

Service delivery change/ new service/cut in service		Policy change or new policy	<input checked="" type="checkbox"/>	Grants and commissioning		Budget change	
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**2 Describe the change, why it is needed, what is the objective of the change and what is the possible impact of the change:**

The proposal is to introduce Public Spaces Protection Orders (PSPOs) under powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014 to prohibit and restrict specified anti-social behaviours in the borough. This is to address problems experienced by the public with certain anti-social behaviours reported to the Police and the Council. The list of proposed prohibitions on anti-social behaviours and proposals about where they will apply are listed as follows:

- Control of alcohol consumption
- Vehicle cruising (*to include speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause a nuisance, and wheel spins*) to include cars, motorbikes and mopeds
- Holding of fireworks to cause intimidation etc. and the throwing of fireworks
- Dog controls
- Persons loitering in Council housing estates
- Intimidatory begging
- Possession, use, consumption and supply of psychoactive substances

- Persons windscreen washing/selling goods
- Prostitution
- Smoking in enclosed playgrounds
- Flying of drones
- Motor vehicles (*i.e. those deposited on Council land or land adjoining the highway for an unreasonable period of time*)
- Parking around schools
- Riding of mopeds to cause alarm, distress, annoyance or damage
- Loitering by persons causing intimidation, harassment, alarm or distress and/or drug dealing/use in Ponders End Recreation Ground and A10 Enfield Retail Park.

PSPOs are a useful tool to tackle and reduce anti-social behaviours in the local authority's area in order to allow public spaces to be enjoyed by the law-abiding majority and to make them feel safer. Individuals or groups that fail to meet the requirements of the PSPOs will be subject to criminal sanctions such as service of a fixed penalty notice (maximum £100) and prosecution (maximum fine on conviction of £1000, or £500 for consuming alcohol and failing to hand over the alcohol when requested).

Restrictions on the proposed behaviours could potentially have an impact on protected characteristics or other equalities considerations, in particular, the safeguarding of children and vulnerable adults, mental well-being, community resilience and disability. The impact on all factors has been considered.

**3 Do you carry out equalities monitoring of your service? If No please state why?**

There will not be any equalities monitoring undertaken in relation to enforcing the PSPOs. There is no accurate or justifiable means to collect this data when issuing Fixed Penalty Notices or undertaking prosecutions.

**4. Equalities Impact**

Indicate Yes, No or Not Known for each group

Disability	Gender	Age	Race	Religion & Belief	Sexual Orientation	Gender reassignment	Pregnancy & Maternity	Marriage & Civil Partnerships
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1. Does equalities monitoring of your service show people from the following groups benefit from your service? (recipients of the service, policy or budget, and the proposed change)	Yes	Yes	Yes	Yes	Not known	Not known	Not known	Yes	Yes
2. Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Yes	Not known	Yes	Yes	Not known	N/A	N/A	N/A	N/A
3. Could the proposal discriminate, directly or indirectly these groups?	Yes	Yes	Yes	Yes	No	No	No	No	No
4. Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No	No
5. Could this proposal affect access <u>to information</u> about your service by different groups in the community?	No	No	No	No	No	No	No	No	No
6. Could the proposal have an adverse impact on relations between different groups?	No	No	No	No	No	No	No	No	No

If Yes answered to questions 3-6 above – please describe the impact of the change (including any positive impact on equalities) and what the service will be doing to reduce the negative impact it will have.

**Disability:**

Disability can include mental health conditions. Research has shown that begging is commonly used to feed drug and alcohol misuse habits (and mental health issues may be a consequence of these addictions), and very little spent on shelter and food. Research has also found that often the persons begging are not homeless. There is no intention to target homeless persons under the intimidatory begging provision. If enforcement officers find persons begging, or street drinking, that are vulnerable or in need of support appropriate action will be taken.

The dog control provisions relating to picking up dog mess and exclusion of dogs from childrens' playgrounds and parks of parks (eg tennis courts etc) make allowance for dog owners who are registered blind or have mobility problems.

**Gender:**

Prohibition of prostitution could indirectly negatively impact on females as the predominant gender conducting prostitution. However,

prostitution in itself is a long established criminal offence already subject to fines and prosecution. Tackling prostitution under the Public Spaces Protection Orders provides an opportunity for intervention and safeguarding of vulnerable women who are suspected of being subject to exploitation, trafficking or modern slavery.

**Age:**

The prohibition of vehicle cruising could indirectly negatively impact on young males being the predominant participants. However, many of the activities involved in car cruising are criminal offences in themselves. Also, the prohibition on loitering in Council housing estates, and loitering and causing nuisance/drug dealing and use in the specified locations might negatively impact more on youths. However, the need to tackle this anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities outweighs the negative impact this could have on young persons/males.

The proposed prohibition on smoking in children's playground and dog exclusion from play and sports areas would positively impact on children by offering them more health protection.

**Race:**

Some of the anti-social behaviours in the proposed PSPO could indirectly negatively impact on certain racial groups. Intelligence suggests that individuals and groups involved in intimidatory begging and persons selling goods or seeking to provide services (eg windscreen washing) in traffic might be predominately migrant workers from Eastern Europe. The need to tackle this anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities outweighs the negative impact this could have on certain racial groups.

The proposals with regard to vehicles being left for unreasonable periods on land adjoining the highway and on council land are not aimed at travellers, but they may be captured by this proposal. If travellers were to stop on such land for some time then action may be taken under the PSPO, but also action under other legislation is also likely to be taken to seek to move them off the land. If so, part of the process involves assessing their welfare first before taking action to remove them from the land.

\*If you have ticked yes to discrimination, please state how this is justifiable under legislation.

<b>5. Tackling Socio-economic inequality</b> Indicate Yes, No or Not Known for each group	Communities living in deprived wards/areas	People not in employment, education or training	People with low academic qualifications	People living in social housing	Lone parents	People on low incomes	People in poor health	Any other socio-economic factor Please state;
Will the proposal specifically impact on communities disadvantaged through the following socio-economic factors?	No	Yes	Not known	Yes	No	Yes	No	Yes
Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Yes	Yes	Not known	Yes	Not known	Yes	Not known	Yes
Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No
<p>If Yes answered above – please describe the impact (including any positive impact on social economic inequality) and any mitigation if applicable.</p> <p><b>People not in employment, People on low income and Other socio-economic factor:</b>            Some of the prohibitions in the proposed PSPO could impact on individuals who, for a whole variety of different reasons, are without employment and/or a permanent residence. These include the prohibitions intimidatory begging, prostitution and persons washing windscreens. However, enforcement under the Public Spaces Protection Orders, also provides an opportunity for intervention should persons in these socio-economic groups need support.</p> <p><b>People living in social housing:</b>            There are a number of anti-social behaviours in the PSPO that it is proposed to apply to council housing. Therefore, it was important to ensure that the consultation is well publicised to council tenants and leaseholders to seek their views. It is likely that the majority of the law-abiding residents in council housing would welcome the prohibitions of the anti-social behaviours being considered, as they themselves may have experienced the problems it creates.</p>								
<b>6. Review</b>								

How and when will you monitor and review the effects of this proposal?

The performance of the PSPOs in addressing anti-social behaviour will be monitored and measured (such as by the numbers of fixed penalty notices served, the volume of anti-social behaviours reported to the Police and Council, and through place and resident surveys). We will also monitor any Corporate or other complaints made in relation to the operation and enforcement of the PSPO, with consideration as to if there is negative impact on the protected characteristics or persons due to socio-economic factors.

## Appendix 4: Enfield Council Predictive Equality Impact Assessment/Analysis for PSPOs

### Action plan template for proposed changes to service, policy or budget

Title of decision:... Introduction of Public Spaces Protection Orders (PSPOs).....

Team:...Regulatory Services..... Department:..... **HHASC**.....

Service manager:...Sue McDaid.....

Identified Issue	Action Required	Lead Officer	Timescale/ By When	Costs	Review Date/ Comments
Safeguarding issues	Ensure enforcement officers what action/support/signposting is needed if they come across vulnerable persons	Sue McDaid	15 January 2018	Met from existing budgets	

Please insert additional rows if needed

Date to be Reviewed: ...20 January 2018.....

**APPROVAL BY THE RELEVANT ASSISTANT DIRECTOR - Ray James/Gary Barnes... SIGNATURE.....to be signed.....**

This form should be emailed to [joanne.stacey@enfield.gov.uk](mailto:joanne.stacey@enfield.gov.uk) and be appended to any decision report that follows.

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## Proposed PSPO

### Lists of parks and open spaces to which the various dog controls are proposed to apply

Those in red text are new parks and open spaces since the existing Dog Control Order were introduced.

#### SCHEDULE 1

#### DOG CONTROL ORDER – AREAS OF LAND FROM WHICH DOGS ARE EXCLUDED

Albany Park (Tennis courts, Multi Use Games Area, Playground)  
Aldersbrook Avenue Recreation Ground (all of the park except dog walk area)  
Arnos Park (Tennis courts, Playground, Bowling Green)  
Aylands Open Space (Playground, Paddling Pool)  
Boundary Playing Fields (Playground)  
**Bourneside Recreation Ground (Tennis Courts)**  
Boxers Lake Open Space (Playground)  
Bramley Road Sports Ground (Playground)  
Broomfield Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, Netball Court **and Broomfield Park Garden of Remembrance**)  
Bury Lodge Gardens (Playground, Paddling Pool/Splash Pad, Bowling Green)  
Bush Hill Park (Tennis courts, Multi Use Games Area, Playground, Croquet)  
Church Street Recreation Ground (Playground **and tennis courts**)  
Churchfields Recreation Ground (Playground)  
Cockfosters Sports Ground (Bowling Green)  
Conway Road Recreation Ground (Tennis Courts **and the fenced off area surrounding the pond**)  
Craig Park (Tennis courts, Multi Use Games Area, Playground, Paddling Pool/Splash Pad, Bowling Green)  
Cuckoo Hall Recreation Ground (Playground)  
Delhi Gardens (Playground)  
Durants Park (Tennis courts, Splash pad, Playground)  
Edmonton Cemetery (Whole Area)  
Elsinge Golden Jubilee Park (Multi Use Games Area, Playground)  
**Enfield Playing Fields – (Playground)**  
Florence Hayes Recreation Ground (Whole Area)  
Forest Road Golden Jubilee Park (Playground)  
Grovelands Park (Tennis courts, Playground, Bowling Green)  
Hadley Wood Open Space (Playground)  
Hazelwood Sports Ground (Tennis courts, Playground)

Hertford Road Cemetery (whole area)  
Hood Avenue Open Space (Multi Use Games Area, Playground)  
Ivy Road Open Space (Playground)  
Jubilee Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, **the new pond**)  
Ladysmith Road Open Space (Playground)  
Lavender Hill Cemetery (Whole Area)  
Lee Road Open Space (Playground)  
Montagu Recreation Ground (Multi Use Games Area, Playground)  
North Enfield Recreation Ground (Tennis courts, Multi Use Games Area, Playground, Sports Field)  
Oakwood Park (Tennis courts, Playground **and Multi Use Games area**)  
Painters Lane Open Space (Playground)  
Plevna Road Open Space (Playground)  
Ponders End Recreation Ground (Tennis courts, Playground)  
Prince of Wales Field (Playground)  
Pymmes Park (Tennis courts, Multi Use Games Area, Playground, Bowling Green, Community Area, Walled Garden)  
Raynham Doorstep Green Park (Multi Use Games Area, Playground)  
Soham Road Recreation Ground (Playground)  
Southgate Cemetery (Whole Area)  
Strayfield Road extension Cemetery (Whole Area)  
St. David's Park (Playground)  
Tatem Park (Playground)  
Town Park (Tennis courts, Playground, Splash pool)  
**Trent Park ( Playground)**  
Waltham Gardens (Playground)  
Warwick Fields Open Space (Playground)  
Weir Hall Recreation Ground (Multi Use Games Area, Playground)  
Wilbury Way Open Space (Playground)

## SCHEDULE 2

### **GROUNDS TO WHICH DOG CONTROL ORDERS - DOGS ON LEADS APPLY**

**Angel Gardens**  
**Arnos Park - the new growing space**  
**Broomfield Gardens**  
Bush Hill Gardens  
Cambridge Gardens  
Chase Green Gardens  
Delhi Gardens  
**Firs Farm (Wetlands)**  
Forest Road Golden Jubilee Park



Forty Hall Park Estate – walled garden  
Gentlemans Row  
Minchenden Oak Gardens  
Pymmes Park (Wetlands)  
Woodcroft Wildspace  
Whitewebbs Golf Course

### SCHEDULE 3

#### **GROUNDS TO WHICH DOG CONTROL ORDER, DOGS ON LEADS – BY DIRECTION APPLY**

**(Not including areas from which dogs are excluded e.g. Playgrounds, Tennis  
Courts, Multi Use Games Areas – see Schedule 1)**

Albany Park (Excluding Tennis courts, Multi Use Games Area, Playground)  
Aldersbrook Avenue Recreation Ground (Dog Walk Area Only)  
Alma Road Open Space  
Ansells Green Open Space  
Arnos Park (Excluding Tennis courts, Playground, Bowling Green)  
Aylands Link Open Space  
Aylands Open Space (Excluding Playground, Paddling Pool)  
Barrowell Green Open Space  
Boundary Ditch Open Space  
Boundary Playing Fields (Excluding Playground)  
Bourneside Sports Ground  
Boxers Lake Open Space (Excluding Playground)  
Brackendale Sports Ground  
Bramley Road Sports Ground (Excluding Playground)  
Broomfield Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling  
Green, Netball Court)  
Bulls Cross Field  
Bury Lodge Gardens (Excluding Playground, Paddling Pool/Splash Pad, Bowling Green)  
Bush Hill Park (Excluding Tennis Courts, Multi Use Games Area, Playground, Croquet  
Lawn)  
Camlet Way Open Space  
Cenotaph Gardens  
Chase Green Open Space  
Cheyne Walk Open Space  
Church Street Recreation Ground (Excluding Playground)  
Church Street Tennis Recreation Ground  
Churchfields Recreation Ground (Excluding Playground)  
Clowes Sports Ground

Cockfosters Sports Ground (Excluding Bowling Green)  
Conical Corner Open Space  
Conway Road Recreation Ground (Excluding Tennis Courts)  
Cosgrove Close Open Space  
Covert Way Field  
Craig Park (Excluding Tennis Courts, Multi Use Games Area, Playground, Paddling Pool/Splash Pad, Bowling Green)  
Cuckoo Hall Recreation Ground (Excluding Playground)  
Durants Park (Excluding Tennis Courts, Splash Pad, Playground)  
Elsinge Golden Jubilee Park (Excluding Multi Use Games Area, Playground)  
Enfield Playing Fields  
Firs Farm Sports Ground  
Forty Hall Park Estate (Excluding Walled Garden)  
Freston Gardens  
Gladbeck Way Open Space  
Gough Park  
Grovelands Park (Excluding Tennis courts, Playground, Bowling Green)  
Grove Road Open Space  
Hadley Wood Open Space (Excluding Playground)  
Hazelwood Sports Ground (Excluding Tennis courts, Playground)  
High Road Open Space  
Hillyfields  
Hoe Lane Open Space  
Holmesdale Tunnel Open Space  
Hood Avenue Open Space (Excluding Multi Use Games Area, Playground)  
Hounsden Gutter Open Space  
Hounsden Spinney Open Space  
Inverforth Road Open Space  
Ivy Road Open Space (Excluding Playground)  
Jubilee Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling Green)  
Kenninghall Open Space  
King George's Field  
Ladysmith Road Open Space (Excluding Playground)  
Lakeside Open Space  
Lee Road Open Space (Excluding Playground)  
Library Green Open Space  
Montagu Recreation Ground (Excluding Multi Use Games Area, Playground)  
New River Loop Open Space  
North Enfield Recreation Ground (Excluding Tennis courts, Multi Use Games Area, Playground, Sports field)  
Oakwood Park (Excluding Tennis courts, Playground)  
Odeon Gardens  
Old Railway Line Open Space

Painters Lane Open Space (Excluding Playground)  
Platts Road Open Space  
Plevna Road Open Space (Excluding Playground)  
Ponders End Recreation Ground (Excluding Tennis courts, Playground)  
Prince of Wales Field (Excluding Playground)  
Provident Park  
Pymmes Park (Excluding Tennis courts, Multi Use Games Area, Playground, Bowling Green, Community Area, Walled Garden)  
Raynham Doorstep Green Park (Excluding Multi Use Games Area, Playground)  
Riverdale Court Open Space  
Riverfront Open Space  
Riverside Park  
Riverside Walk Open Space  
**Russell Road Open Space**  
Salmons Brook Footpath  
Soham Road Recreation Ground (Excluding Playground)  
St. David's Park (Excluding Playground)  
St George's Field  
St. James's Open Space  
St Michael's Green Open Space  
Tanners End Open Space  
Tatem Park (Excluding Playground)  
The Dell Open Space  
The Strays Open Space  
The Warren Footpath  
Tile Kiln Lane Open Space  
Tottenham Sports Ground  
Town Park (Excluding Tennis Courts, Playground, Splash pool, Bowling Green)  
Trent Park  
Trinity Street Open Space  
Turin Road Open Space  
Waltham Gardens (Excluding Playground)  
Warwick Fields Open Space (Excluding Playground)  
Weir Hall Recreation Ground (Excluding Multi Use Games Area, Playground)  
Whitewebbs Golf Course  
Whitewebbs Park  
Wilbury Way Open Space (Excluding Playground)  
Winchester & Victoria Road Gardens  
Woodcroft Sports Ground  
Woodlands Open Space  
Worlds End Lane Open Space

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**MUNICIPAL YEAR 2017/2018 REPORT NO.93****MEETING TITLE AND DATE:****CABINET – 15<sup>th</sup> November 2017**

**JOINT REPORT OF The  
Executive Directors of:**  
Finance, Resources and  
Customer Services &  
Regeneration and Environment

**Agenda - Part: 1****Item - 9****Genotin Road Car Park, Enfield Town****WARD: All****KD 4568****Contact officers:**Mohammed Lais Tel: 0208-379-4004 email: [mohammed.lais@enfield.gov.uk](mailto:mohammed.lais@enfield.gov.uk)Jeremy Pilgrim Tel: 0208-379-3563 email: [jeremy.pilgrim@enfield.gov.uk](mailto:jeremy.pilgrim@enfield.gov.uk)**1. EXECUTIVE SUMMARY**

- 1.1 This report is part of the Council's wider strategy to meet the needs of the business community within Enfield Town and to create the catalyst to kick-start the Enfield Town Framework Master Plan.
- 1.2 The Enfield Town Framework Master Plan, formally known as the Enfield Town Master Plan will form a Supplementary Planning Document as part of Enfield's Local Plan and supports the delivery of regeneration priorities within the Borough's Major Centre for the next 15 years.
- 1.3 The key aim of this report is that Cabinet agree to the strategy and Option Agreement for Genotin Road Car Park contained herein that will allow the retention of a major employer and business in Enfield Town and allow the company in partnership with the Council to bring forward an office development on the Car Park site for the Company's new Global & European Headquarters building.
- 1.4 The Borough of Enfield need anchor companies in new and evolving markets, and having a European Headquarters building situated within the Borough of Enfield sends a clear and direct message that the Council is 'open' for business to forward supply chains, companies and inward investment.
- 1.5 It also will give greater confidence to future retail and evening economy investors whom we hope to invest in light of the new Town Centre Masterplan that there will continue to be a strong business footfall during working hours in the Town Centre
- 1.6 In the current climate of 'BREXIT' and uncertainty in economic markets, central Government negotiating the exit with EU leaders, this commitment from a worldwide international company to locate its HQ building and stay in London, Enfield will not only raise the profile of the London Borough of

Enfield but also London as a whole in telecommunications and communications technologies which are driving the next wave of tech innovation.

- 1.7 The Local Plan Cabinet Sub Committee on the 3<sup>rd</sup> May 2017 endorsed the proposed consultation of the draft Enfield Town Framework Master Plan SPD which considers how growth projections for Enfield Town can be accommodated successfully through the regeneration of potential development sites. The proposal within this report conforms to the Master Plan objectives by enabling more jobs and supports the implementation of Phase 1 of the Master Plan on the Car Park site.
- 1.8 The Council and the 'Company' have been engaged in various high level discussions over the past 18 months as they have outgrown their existing premises and in an effort to retain the Company in Enfield the Council and external agents have undertaken a rigorous site process in an effort to identify a site within Enfield Town or in the vicinity for the Company to relocate to. Genotin Road Car Park is the only site large enough to accommodate an office development that satisfies the requirement.

## **2. RECOMMENDATION**

It is recommended that Cabinet:

- 2.1 approves the Option Agreement as set out in the Part 2 Report and further
  - i) Delegates Authority to the Executive Director of Finance, Resources and Customer Services and the Assistant Director – Strategic Property Services to approve the final terms and structure of the Option Agreement in accordance with the Council's Property Procedure Rules.
  - ii) Delegates Authority to the Executive Director of Finance, Resources and Customer Services in conjunction with the Executive Director of Regeneration and Environment to explore feasibility of opening Portcullis Car Park to the public.

## **3. BACKGROUND**

- 3.1 Genotin Road car park is currently one of the largest surface car parks in Enfield Town and has 123 car parking spaces. The proposed development on the Genotin Road car park site is a new office development for the Company as well as employee car parking spaces. Proposals indicate that the employee car parking spaces will be made available to the general public at evenings and weekends to mitigate the loss of parking outside of office hours. This would mitigate peak parking demand requirements as identified by the Council and discussed in this report on weekends and holidays during the year.

- 3.2 The Council have been discussing options with Metaswitch Networks Ltd for the past 18 months, one of the largest employers in the town after the Council regarding their ongoing search to relocate to larger premises and consolidate offices to one location to create a Global/ European Headquarters Building.
- 3.3 With the assistance of key officers within the Council, Genotin Road Car Park has been identified as the preferred location in Enfield, as opposed to other locations such as Dublin, Belfast and Cambridge where Metaswitch already have options.
- 3.4 Metaswitch Ltd is an Enfield success story. The firm has been located in Enfield Town for approximately 26 years, founded in 1981 from an initial workforce of only 7 staff; it now has 400 employees in Enfield and over 700 worldwide.
- 3.5 They have become the world's leading network software provider, powering the transition of communication networks onto a cloud based, software centric IP Future supplier. They serve more than 1,000 network operators and suppliers around the world. Metaswitch's operations are headquartered from Enfield Town, with the company having other offices in San Francisco, Washington DC, Dallas, Melbourne (Australia), Mexico City, Hong Kong and Singapore.
- 3.6 Metaswitch is seeking to expand its office in Enfield Town and is unable to do so at their current location on Church Street. Metaswitch have already expanded their operations to two other sites in Enfield Town at Ross House and Oliver House but are looking to consolidate their operations into one building. Metaswitch's aspirations are for a new office building on Genotin Road to house the current 348 employees that the company employs in Enfield Town as well as offering room to recruit more people and expand in the future.
- 3.7 This proposal conforms not only to the Enfield Town Master Plan but also the priorities and policies of the Council with regard to Inward Investment. The investment into Enfield by Metaswitch will be high in the millions over the next 3 years. The company fits with Cloud and Smart City Communications and have their annual EMEA (emerging Markets) conference here in the UK which would give the Borough significant exposure internationally.
- 3.8 This company is significant with over £300,000 annually in business rates expected from 2020 and will create additional jobs through re-settlement from abroad and expansion. The company are also committed to develop higher level apprentices and recruit graduates direct. The additional footfall in Enfield would mean more business for the Town and surrounding restaurants and shops. Longer term for the Council and the Borough it would give a higher profile in the ICT telecoms sector for the London Stansted Cambridge Corridor (LSCC).
- 3.9 The Council, the Borough and London therefore cannot afford to lose such companies as it would send the wrong message to the wider business arena and existing businesses within.

## **ECONOMIC NEED & IMPACT ASSESMENT**

- 3.10 To understand the full economic impact of Metaswitch leaving the Borough, the Council appointed consultants to measure the impact of both economic and employment should the Company decide to leave.
- 3.11 The Council's consultants have been able use a number of data sources to analyse the impact to employment and Gross Value Added (GVA) in Enfield Town (the amount in monetary terms a business contributes the economy), 3 key sources have been used;
- The Cycle Enfield Town Centre Surveys
  - Estates Gazette – provides a directory of businesses and number of employees
  - ONS Annual Business Survey
- 3.12 To supplement these data sources, Metaswitch has provided data on the number of staff employed in Enfield, their annual wage roll, business expenditure with local businesses and our consultants conducted a survey of Metaswitch staff to ascertain spending patterns and usage of the Town Centre, bearing in mind over 200 persons and their extended families live in Enfield.
- 3.13 The report that the consultants undertook to deliver is extensive but suffice to say that if Metaswitch relocated outside the Borough and their 400 employees were not replaced by another office-based company moving in then annually around £630,000 of local spend would be lost to the town centre – Based on average turnover per Full-Time Equivalency (FTE), the estimated £630,000 spent by Metaswitch staff per annum supports the equivalent of nine people full time staff (FTE) in the town centre.
- 3.14 Moreover Metaswitch accounts for approximately 11% of all employment and around 35% of total Gross Value Added (GVA) in Enfield Town.
- 3.15 The supply chains spend for the staff canteen and other locally sourced supplies would also be lost as well as other indirect impacts – these are discussed in the Part 2 report. Impact would be most felt through the Metaswitch food and drink supply chain (for their canteen) and in local food, drink and leisure services.
- 3.16 It should be noted that if Metaswitch vacate the current offices and move elsewhere it is unlikely that the office capacity will be reprovided as the owner of Ross House favours conversion or redevelopment of that build to residential.
- 3.17 Metaswitch will look to expand its workforce in the new office at Genotin Road as they are looking to recruit and relocate staff from international offices. If Metaswitch recruited 50 additional staff this would increase local spend by £90,000 per annum.
- 3.18 In terms of business rate income from the new development, it is estimated that this would be in excess of £300,000. Subject to Government consultation on the full business rates retention from 2020 it is assumed that the Local Authority would retain a greater share of rates income, this share is not yet confirmed. Currently the



LA retains 30% of business rates receipts and on this basis a minimum of £90,000 would be retained from the new office development if the status quo remained.

- 3.19 Metaswitch pay £102,000 in business rates for the Church Street location and £87,000 at Ross house. If they move away then this would be lost but if the sites were redeveloped into residential that income would be replaced by Council Tax income. However, a new building at Genotin Rd, with a much higher rateable value should generate more than the current level of business rates from the two locations.
- 3.20 Overall the retention of Metaswitch in economic and employment terms is key to the Council's overall strategy for the regeneration of Enfield Town and as a key enabler of inward investment.

### **CAR PARKING CONTEXT**

- 3.21 There are currently seven car parks in Enfield Town which are available for public use (Tesco's car park is for customers only). These car parks provide over 1,400 spaces and have a wide range of sizes and types (including open air and multi-storey). The largest car parks in Enfield Town at present are Palace Gardens (550 spaces) and Palace Exchange (500 spaces).
- 3.22 Genotin Road car park accounts for around 9% of car parking spaces in Enfield Town, and is the closest car park to Enfield Town railway station.
- 3.23 Shown below in the table is a summary of car parking for Enfield Town.

Type	Location	No of spaces available	
On-street	Church Road and London Road	14 (1 disabled)	Pay and display, limited to 2 hours
On-street Single Yellow Line Areas	Church Road and London Road	c.32	Only available in the evenings
Off-street	Little Park Gardens	99	Mon-Sat 7:30am - 6:30pm
	Church Lane	16	1 Hour £1.20, 3 Hours £2.40
	Genotin Road	123	5 Hours £4.00, Max £6.00
	New River Loop	46	Evening Free
	Sydney Road	68	Free parking for 3 hours on Sunday
	Palace Gardens	550	
	Dugdale Centre	500	Mon-Sun 6:00am - 10:00pm £1 per hour, up to a max of £7
Total Daytime		1,416	
Total Evening		1,448	

- 3.24 Analysis of parking data finds that total occupancy during 2016 for all car parks in Enfield Town is below 71% on weekdays and weekends throughout the year suggesting sufficient car parking is provided in Enfield Town for the majority of the year. During Easter/special sale periods and Christmas, occupancy rates rise on

average of 74% in weekday peak periods and an average of 94% in weekend periods.

- 3.25 During 2017 similar parking patterns emerge, where the peak pinch-points are during Easter, the run up to the Christmas period. On an average week in the year the car park usage for Genotin Road is at its peak between 1pm and 5pm where all spaces are used, however at the same time the other car parks in the Town have capacity and some are even at 50% capacity throughout the peak periods.
- 3.26 The income for the car park during the years of 2015, 2016 and 2017 has remained constant at circa £175,000 per annum excluding including season tickets and cashless purchases and not including PCN's. In future years this loss of income will be partially offset by the increased business rates for the new office development due in 2020, however only 30% of rates are currently retained by the Council, future share of retention of rates receipts is subject to further consultation by Government and a decision is due in 2020.
- 3.27 As part of the new office development at Genotin Road, Metaswitch have offered the use of their staff car park at weekends throughout the year to the public alleviating the congestion at very high peak shopping periods. Further mitigation could also be brought forward for a period of two years during the development period.
- 3.28 Overall the loss of car parking spaces during weekdays will have no impact upon parking, employment or GVA given there is surplus capacity at other car parks in Enfield Town. None of the data from the car parking survey shows car parking capacity across Enfield Town being exceeded on a regular basis. Live parking availability is shown on signposts on all major routes into Enfield Town, therefore ensuring that shoppers are able to find alternative car parks.
- 3.29 The impact assessment shows that the same is true for parking at weekends in March, June and October, with parking never going over-capacity under the scenario conditions. The only occasion in the year when parking does go over-capacity is on December weekends and at the peak time of the shopping season.
- 3.30 On Saturdays in December, car parks in Enfield Town currently reach full capacity between 1pm and 3pm. The removal of 123 spaces and the provision of only 90 spaces (Subject to planning) would cause over-capacity across Enfield Town's car parks between 1pm and 4pm. The economic impact of this overcapacity is considered below. Without the provision of 90 spaces, car parks in Enfield Town would be considerably more over-capacity, with 11% more cars than spaces. The table below shows the current occupancy rate of car parks in Enfield Town, and how the occupancy rate would change at peak hours on December Saturdays if Genotin Road car park was lost, and if 90 spaces were provided at weekends.

Saturday	Existing		Without Genotin Road car park	With new Genotin Road car park
	No. of users	% Occupancy Rate	% Occupancy Rate	% Occupancy rate
11-12pm	1,080	87%	97%	90%
12-1pm	1,180	95%	106%	97%
1-2pm	1,230	100%	111%	102%
2-3pm	1,240	100%	111%	103%
3-4pm	1,220	98%	109%	101%
4-5pm	1,030	82%	92%	85%
5-6pm	630	52%	57%	54%

This could be further mitigated as the Council's car parks have not been included such as the Civic Centre Public Car Park.

3.31 Currently on Sundays in December, car parks in Enfield Town are near full capacity, with a 94% occupancy rate between 1pm and 2pm on Sundays. The removal of Genotin Road car park would cause an over-capacity in Enfield Town between 12pm and 3pm. However, providing an additional 90 spaces (subject to planning) at Genotin Road would ensure that car parks in Enfield Town do not reach full capacity. The table below shows the current occupancy rate of car parks in Enfield Town, and how the occupancy rate would change at peak hours on December Sundays if Genotin Road car park was lost, and if 90 spaces were provided at weekends

Sunday	Existing		Without Genotin Road car park	With new Genotin Road car park
	No. of users	% Occupancy Rate	% Occupancy Rate	% Occupancy rate
10-11am	510	41%	45%	42%
11-12pm	1,010	82%	91%	83%
12-1pm	1,130	91%	101%	93%
1-2pm	1,170	94%	105%	97%
2-3pm	1,160	93%	104%	96%
3-4pm	1,020	82%	91%	84%
4-5pm	570	55%	61%	56%

#### 4. PROPOSAL

- 4.1 The proposal in this report recommends a major strategic development of a Global Head Office on Genotin Road Car Park, Enfield Town to retain a key employer and company in the Borough.
- 4.2 Cabinet are asked to approve an Option Agreement that will detail two options that upon Metaswitch obtaining satisfactory planning permission for the redevelopment of the site will trigger either Option 1 or 2 which are discussed in the Part 2 report.
- 4.3 This will give Metaswitch comfort and reassurance and mitigate the risk of them expending considerable resource in bringing forward a planning application, and also will give the Council the luxury with regards to timelines and contingency planning.

- 4.4 The aim for both parties is to construct a high quality office Head Quarters building providing state of the art accommodation of approximately 50,000-70,000 sqft with associated car parking for the staff and public.

## 5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Not trying to retain Metaswitch Networks Ltd in the Borough will be considered a lost opportunity to retain a world class leader in technology, investment and employment.
- 5.2 Officers have considered using other facilities and land owned by the Council for expansion and office development. The Civic Centre has been discussed in particular the Tower (A Block), also a disposal/lease of several office locations in the Town has been discussed, however Metaswitch would prefer an exclusive occupational site.

## 6. REASONS FOR RECOMMENDATIONS

- 6.1 This is a rare opportunity to be able to retain a key business in the borough and support the expansion to create a global HQ building in the London Borough of Enfield.
- 6.2 This development will catalyse the Enfield Town regeneration and deliver positive outcomes for the whole borough and continue Enfield Council's commitment to Business and Economic development in the borough. It could act as a catalyst for further employment development in the Town Centre.

## 7. KEY RISKS & MITIGATION

- 7.1 **Failure to provide the Land** resulting in a damaged reputation and failure to meet the needs and aspirations of industry – Mitigated by entering into an Option Agreement with Metaswitch Networks Ltd for the Land.
- 7.2 **Failure to provide adequate parking** for the Town Centre- mitigated by Metaswitch reproviding their staff car park at the weekends to alleviate peaks parking pressures, during the construction stages, the Council can make available Council car parks in the Town area and also Enfield Grammar School have in the past opened up their playground for parking.
- 7.3 **Failure to allocate funding (Forward Funding Option)** resulting in Metaswitch drawing down alternative funding for the project, therefore negating Option 2.
- 7.4 **Risk of public opposition** objecting to parking changes with the largest surface car park in Enfield Town,– Mitigated by early extensive consultation with the public, businesses and other stakeholders during planning submission showing all stakeholders that this is essential for the future of Enfield Town as a viable shopping centre.
- 7.5 **Risk of costs rising** and value of disposal values falling.- Mitigated by monitoring and early identification at Capital/Investment Board of any possible issues.

- 7.6 **Risk of delays** and additional costs - . Mitigated by consultation with all parties and senior officers; both at the Council and at Metaswitch. Fortnightly Project Board meetings at various stages to continue during design and beyond.
- 7.7 **Risk of issues with planning** application due to opposition and conservation issues. To be mitigated by early consultation with planners plus a pre planning application.

## **8. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **8.1 Financial Implications**

See Part 2 Report

### **8.2 Legal Implications**

- 8.2.1 By Section 123 of the Local Government Act 1972 ("S.123 of the LGA") and Section 1 of the Localism Act 2011 the Council has the power to dispose of land in any manner it wishes, subject to certain conditions.
- 8.2.2 The Council has a statutory duty to obtain the best price reasonably obtainable, subject to certain exemptions.
- 8.2.3 In accordance with the Council's Property Procedure Rules the inclusion of property on the disposals programme requires approval either by the appropriate Cabinet member or by Cabinet itself.
- 8.2.4. The Property Procedure Rules require all disposals to be made on a competitive basis, unless justified and approved otherwise.
- 8.2.5 In this particular case, as the intended transaction is to be on a non-competitive basis, a valuation report will be required in order to justify the disposal on the terms proposed, and in particular that it achieves best value..
- 8.2.6 The terms of the Option Agreement should be in a form approved by the Director of Law and Governance.

### **8.3 Property Implications**

- 8.3.1 As embedded in this report.
- 8.3.2 External consultants (GVA Grimley) have undertaken valuations that estimate the market value of the land at the Genotin Road.
- 8.3.3 The Council is of the opinion that the disposal is in line with the Council Property Procedure Rules and the Council have obtained best value under s123 of the LGA (1972); the valuation received confirms the price offered for the land.

## **9. PERFORMANCE MANAGEMENT IMPLICATIONS**

The Option Agreement will have deadlines and dates for both Metaswitch and the Council to adhere to and will be managed accordingly.

## **10. EQUALITIES IMPACT ASSESSMENT**

Not required for this report.

## **11. PUBLIC HEALTH IMPLICATIONS**

Not required for this Report

## **12. IMPACT ON COUNCIL PRIORITIES**

### **12.1 Fairness for All**

By retaining Metaswitch in the Borough, families are not uprooted and moved and the local economy is not damaged with the long term future of Enfield Town secured.

### **12.2 Growth and Sustainability**

The development of the office and global headquarters building will confirm to the wider arena that Enfield is about opportunity, creation and retention of jobs and business friendly which will lead to onward supply chains seeking to relocate to Enfield thereby creating jobs and prosperity.

### **12.3 Strong Communities**

Metaswitch are a community company with over 52% of the workforce residing in Enfield. The Company are also very charitable with donations to local charities and hospices high on their agenda every year. Together this company has been part of Enfield since its conception and it would be a sad day for Enfield if they were to leave the Borough.

## **13. HR IMPLICATIONS**

**13.1** Delivering this development scheme within the tight time constraints together with various other complex projects and schemes in the pipeline will require additional resources, initially will be met from within existing sources, however specialist areas where delivery is concerned may need to be met from external sources.

**13.2** As the projects(s) evolve there will be a requirement at different stages for further skill sets to complete various tasks, this could be achieved either through the Strategic Partnership Co-Sourcing agreement or through another short term agreement.

## **BACKGROUND PAPERS**

None.

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## THE CABINET

### List of Items for Future Cabinet Meetings (NOTE: The items listed below are subject to change.)

<b>MUNICIPAL YEAR 2017/2018</b>
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<b>DECEMBER 2017</b>
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- 1. Quarterly Corporate Performance Report** Ian Davis

This will present the latest quarterly corporate performance report. **(Key decision – reference number 4521)**
- 2. October 2017 Revenue Monitoring Report** James Rolfe

This will report on the projected variance to the 2017/18 Revenue Budget as at the end of October 2017. **(Key decision – reference number 4547)**
- 3. Meridian Water: Programme Update** Gary Barnes

To receive an update on Meridian Water. **(Key decision – reference number 4469)**
- 4. Child and Adolescent Mental Health Services Scrutiny Work stream Report**

This will consider the above Scrutiny work stream report. (Non key)
- 5. Southgate House Disposal** James Rolfe

This will seek approval to the disposal. **(Key decision – reference number 4581)**
- 6. 2018/19 Budget: Tranche 2 Savings and Medium Term Financial Plan Update** James Rolfe

This will present the 2018/19 Budget Tranche 2 savings and Medium Term Financial Plan update. **(Key decision – reference number 4603)**
- 7. TUC Dying to Work Charter** Ian Davis

This will present a report from the Assistant Director Human Resources. (Non key)
- 8. Enfield Safeguarding Children Board Annual Report 2016/17** Tony Theodoulou

This will present the Enfield Safeguarding Children Board Annual Report 2016/17. (Non key)

**9. Local Government Insurance Mutual** James Rolfe

This will consider Enfield Council's membership of the new Local Government Insurance Mutual company limited by guarantee. **(Key decision – reference number 4608)**

**JANUARY 2018**

**1. November 2017 Revenue Monitoring Report** James Rolfe

This will report on the projected variance to the 2017/18 Revenue Budget as at the end of November 2017. **(Key decision – reference number 4548)**

**2. Redevelopment of the Arnos Pool and Bowes Library Site** James Rolfe

This will seek approval to extend the sport and leisure facilities at the site, whilst also ensuring that library provision is included within the future provision. **(Key decision – reference number 4492)**

**3. Claverings Industrial Estate** James Rolfe

**(Key decision – reference number 4381)**

**4. Enfield 2017 Scrutiny Work Stream Report**

This will consider the above Scrutiny work stream report. (Non key)

**5. Council Tax Support Scheme, Council Tax and Business Rate Base for 2018/19** James Rolfe

This will seek approval, for recommendation to full Council, of the Council tax support scheme, Council Tax and Business Rate Base for 2018/19. **(Key decision – reference number 4588)**

**6. Edmonton Futures Housing Zone – Progress Report** Gary Barnes

This will update on progress with potential housing schemes in the Housing Zone Edmonton Futures. **(Key decision – reference number 4590)**

**7. A Strategy for a Future, Connected Enfield** Gary Barnes

This will present a strategy for Members' approval. **(Key decision – reference number tbc)**

**8. Update Strategy and Approach to Delivering Pupil Places** Tony Theodoulou



This will present an updated strategy for providing school places. **(Key decision – reference number 4594)**

9. **Bury Street West - Development** James Rolfe/Gary Barnes

This will outline the proposed way forward for approval. **(Key decision – reference number 4008)**

10. **Red Lion Homes – Disposal of HRA Assets** Gary Barnes

This will set out proposals for the disposal of HRA assets to support the Council sponsored Registered Provider, Red Lion Homes, in its provision of affordable rented housing. **(Key decision – reference number 4591)**

11. **Housing Allocation Scheme** Ray James

The allocation scheme will set out who can apply for affordable and social rented housing in Enfield, how applications are assessed and how the Council sets the priorities for who is housed. It will also set out other housing options, including private rented sector, intermediate rent and shared ownership. **(Key decision – reference number tbc)**

<b>FEBRUARY 2018</b>
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1. **December 2017 Revenue Monitoring Report** James Rolfe

This will report on the projected variance to the 2017/18 Revenue Budget as at the end of December 2017. **(Key decision – reference number 4549)**

2. **Housing Revenue Account – Budget 2018/19 Rent Setting and Service Charges** James Rolfe/Ray James

This will outline, for recommendation to full Council, the Housing Revenue Account – Budget 2018/19 Rent Setting and Service Charges. **(Key decision – reference number 4586)**

3. **Budget 2018/19 and Medium Term Financial Plan 2018/19 to 2021/22** James Rolfe

This will set out the Council's 2018/19 budget and council tax levels. Consideration will also be given to the updated four year Medium Term Financial Plan. **(Key decision – reference number 4597)**

4. **Electric Quarter – Land Disposal** Gary Barnes

This will seek authority to dispose of an area of land with the Electric Quarter Scheme Boundary. **(Key decision – reference number 4560)**

**MARCH 2018**

1. **Heritage Strategy** Gary Barnes

This will review the existing Heritage Strategy. **(Key decision – reference number 4428)**

2. **January 2018 Revenue Monitoring Report** James Rolfe

This will report on the projected variance to the 2017/18 Revenue Budget as at the end of January 2018. **(Key decision – reference number 4550)**

**NEW MUNICIPAL YEAR 2018/2019**

1. **Broomfield House** Gary Barnes

The report will refer to the Broomfield Conservation Management Plan and Options Appraisal and will set out options for the next steps. **(Key decision – reference number 4419)**

## CABINET - 30.10.2017

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON MONDAY, 30 OCTOBER 2017**

**COUNCILLORS**

**PRESENT** Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts and Culture), Alev Cazimoglu (Cabinet Member for Health and Social Care), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

**Associate Cabinet Members (Non-Executive and Non-Voting):** Dinah Barry (Enfield West), Vicki Pite (Enfield North), George Savva (Enfield South East)

**ABSENT** Krystle Fonyonga (Cabinet Member for Community Safety and Public Health)

**OFFICERS:** James Rolfe (Executive Director of Finance, Resources and Customer Services), Ian Davis (Chief Executive), Peter George (Assistant Director, Regeneration and Planning), Jayne Middleton-Albooye (Acting Assistant Director Legal and Governance), Paul Sutton (Assistant Director, Youth and Service Development), Bindi Nagra (Assistant Director Health, Housing and Adult Social Care) and David Greely (Corporate Communications Manager) Jacqui Hurst (Secretary)

**Also Attending:** Councillors Derek Levy (Chair of the Overview and Scrutiny Committee), Joanne Laban (Leader of the Conservative Group), Michael Lavender, Ertan Hurer, Mike Rye, Robert Hayward, Elaine Hayward, Lee Chamberlain, Jim Steven and Nick Dines.  
Representatives from Trowers and Hamlins

**1****APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Krystle Fonyonga (Cabinet Member for Community Safety and Public Health), Gary Barnes, (Acting Executive Director of Regeneration and Environment), Ray James (Executive Director of Health, Housing and Adult Social Care), and Tony Theodoulou (Executive Director of Children's Services).

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**2**

**DECLARATIONS OF INTEREST**

Councillor Achilleas Georgiou (Deputy Leader) declared a non pecuniary interest in Report Nos. 80, 81 and 81A – Meridian Water Update (Minute Nos. 6 and 10 below refer).

**3**

**URGENT ITEMS**

NOTED, that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012 with the exception of Report Nos. 80 and 81 – Meridian Water Update (Minute Nos. 6 and 10 below refer). These requirements state that agendas and reports should be circulated as least 5 clear days in advance of meetings.

**AGREED**, that the above reports be considered at this meeting.

**4**

**DEPUTATIONS**

NOTED, that no requests for deputations had been received for presentation to this Cabinet meeting.

**5**

**ITEMS TO BE REFERRED TO THE COUNCIL**

There were no reports to be referred to full Council.

**6**

**MERIDIAN WATER UPDATE**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.80).

NOTED

1. That Report No.81 and 81A also referred as detailed in Minute No.10 below.
2. That the preferred bidder for the Meridian Water Regeneration Scheme, Barratt formally withdrew their bid on 25 October 2017. Members noted the consequent termination of negotiations with Barratt

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and the requirement to proceed to open negotiations with the Reserve Bidder, PCPD.

3. That a recent meeting of the Overview and Scrutiny Committee had received and considered a Meridian Water update and, a number of the issues being discussed this evening had previously been raised at the Scrutiny meeting.
4. Councillor Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration) reminded Members that in 2015 the Council had begun a process to find a partner who could deliver its vision for Meridian Water. A partner who shared the Council's commitment to: the delivery of over 8,000 mixed tenure homes; over 3,000 high quality jobs; and, the creation of a whole new neighbourhood with all of the essential facilities and parks in a quality setting. In 2016, the Council found a partner whose bid exceeded this – 10,000 homes and 6,700 new jobs. However, in summer 2017 it had become clear that the preferred bidder was no longer prepared to meet their original bid commitments. The Council remained committed to its ambitions for Meridian Water.
5. Councillor Oykenner outlined the progress which had been made to date with regard to land purchases; Network Rail; planning permission; and, remediation works. The Council would continue to seek to work with the private sector in order to deliver the required outcomes for the Borough.
6. Councillor Oykenner outlined the way forward with regard to the Council's reserve bidder and the processes that would now be followed in order to seek to deliver the Meridian Water development. The time delay that had been experienced through the negotiations with the preferred bidder was highlighted. Councillor Oykenner commended the report and its recommendations to the Cabinet.
7. In conclusion of the discussion on the part one report, Members agreed the recommendations set out in the decisions below and continued their discussion in part two, Minute No.10 below referred.

**Alternative Options Considered:** As detailed in the super part 2 report (Report No.81A), Minute No. 10 below refers.

**DECISION:** The Cabinet agreed to

1. Note that Barratt had formally withdrawn as the preferred bidder for the Meridian Water Regeneration Scheme and that negotiations with Barratt to finalise the terms of the Master Developer Framework Agreement (MDFA) had therefore terminated.
2. Note that in accordance with the recommendations of the Cabinet meeting of 18 May 2016 (KD 4241) which had confirmed the selection of Bidder C (being PCPD) as the Reserve Bidder, PCPD be

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approached to open negotiations with a view (subject to agreeing terms) to PCPD being appointed as Master Developer.

3. Delegate authority to officers to commence and progress financial and commercial negotiations with PCPD on the basis set out in the letter attached at Appendix 1 (attached to Report No.81A).
4. Note that in the event that a satisfactory financial and commercial commitment could be agreed with PCPD then the decision to approve the award of the MDFA to PCPD on the terms of the commitment would be referred back to Cabinet for approval.
5. Note that in the event that a satisfactory financial and commercial commitment could not be agreed with PCPD, the decision to terminate negotiations with Bidder C would be referred back to Cabinet for approval.

**Reason:** As detailed in the super part 2 report (Report No.81A), Minute No. 10 below refers.

**(Key decision – reference number 4241)**

**7**

**MINUTES**

**AGREED**, that the minutes of the previous meeting of the Cabinet held on 18 October 2017 be confirmed and signed by the Chair as a correct record.

**8**

**DATE OF NEXT MEETING**

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 15 November 2017 at 8.15pm.

**9**

**EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the item listed on part two of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

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**10  
MERIDIAN WATER UPDATE**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.81).

**NOTED**

1. That Report No.80 also referred as detailed in Minute No.6 above.
2. That a super part two report was circulated at the meeting (No.81A) and collected in again following consideration by the Cabinet.
3. Members noted the detailed content within the super part two report, and Councillor Taylor invited comments and questions from those Members present at the meeting. A discussion followed on various aspects of the process which had taken place to date and the proposed way forward. It was noted that the recommendations within the super part two report were as detailed in the part one report, outlined in Minute No.6 above.
4. The legal requirements with regard to the proposed way forward and negotiations with the reserve bidder were outlined and discussed, as set out in the report.
5. The key issues for the Council were highlighted.
6. The detail of the discussion which had taken place at the Overview and Scrutiny Committee.
7. The detail and timescales of the negotiations which had taken place with the preferred bidder.
8. Councillor Laban (Leader of the Conservative Group) was invited to address the Cabinet and raised a number of concerns and points of clarification which were considered at the meeting. Members' attention was drawn to a number of specific paragraphs within the super part two report including 3.17, 6.1.3 and 6.3.2. The issues raised were discussed and addressed at the meeting. Councillor Laban also acknowledged the need to ensure the successful delivery of much needed new homes within the Borough.
9. Councillor Taylor responded to the points raised and outlined the proposed way forward; the timescales involved and the on-going issues to be addressed. The Council had a legal commitment to go to the reserve bidder. There were a number of challenges that would need to be met in order to agree an acceptable way forward.

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10. Officers outlined the current position with regard to the designation of strategic industrial land, the progress of the Mayor's London Plan and ongoing work with Network Rail.
11. That all Cabinet meetings now received an update on Meridian Water and any required decisions would be brought back to a future Cabinet meeting. Paragraphs 3.23 and 3.24 of the super part two report were highlighted.
12. The legal requirements which needed to be met with regard to the reserve bidder and the timescales, as outlined in detail in the report. Members reiterated the importance of ensuring that the Council achieved the best deal possible for Enfield residents; the Council would continue to act in the best interests of the Borough.
13. Members would reflect on the negotiations which had taken place with the preferred bidder and learn from that experience in moving forward. The legal advisers present at the meeting outlined in detail the changed position of the preferred bidder and gave assurances on the Council's position with regard to moving forward with Meridian Water.
14. The anticipated timing that could be achieved in the provision of new homes at Meridian Water.
15. The terms of the procurement requirements to be met with regard to the reserve bidder and the timings for this to take place.
16. Paragraph 6.2.1 of the report and the implications of this. A discussion on the legal issues followed and a number of points raised by Members were clarified by the external legal representatives present at the meeting.
17. In conclusion Councillor Taylor outlined the proposed way forward. Further reports would be presented to future Cabinet meetings as and when appropriate.

**Alternative Options Considered:** As detailed in the super part two report (No.81A), section 4 of the report referred.

**DECISION:** The Cabinet agreed recommendations 2.1 to 2.5 set out in the super part two report (No.81A) and reflected in the part one report (Minute No.6 above refers).

**Reason:** As detailed in the super part two report (No.81A), section 5 of the report referred.

**(Key decision – reference number 4241)**