

Agenda Item 11

Paper for Neighbourhood Scrutiny Commission, 23rd November 2015

Report title: Byelaws Update

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1. Purpose of Report

Following the Neighbourhoods Scrutiny meeting held on 16th October 2015, which considered the draft Full Council Report on the implementation of new byelaws, a number of additional questions and issues have arisen. In this report we set out the officer response, with a revised timeline proposed for consideration by Full Council.

2. Background

Officers and Neighbourhoods Scrutiny have worked together very closely to consider how best to replace the current set of Victorian Byelaws with a new set of 24 byelaws which support and encourage responsible use of our parks and green spaces by helping to prevent and tackle low level anti social and nuisance behaviour.

BCC can only introduce byelaws for parks and green spaces which:

- The council owns or manages as a park or open space
- Where there is reported evidence of nuisance behaviour

Once they have been agreed by Full Council and approved by DCLG and the Secretary of State, to add any further sites at a later date will require the whole process to be repeated. Therefore it is really important to get the list of sites as complete as possible.

3. Sites

The 212 sites currently proposed have been identified through formal reports of nuisance to the Police or the Council and updated in 2015 to reflect that work on the Byelaws commenced some time ago.

We are aware that where two green spaces border each other there is the possibility that when reporting nuisance behaviour, a member of the public may not have accurately named or identified the park or green space. We are therefore doing a further piece of work to include these in the final schedule where it is reasonable to do so.

To ensure completeness we would also like to give all ward councillors a further opportunity to review the schedule of sites and where they have evidence of reported nuisance these sites can be considered before the report goes to Full Council.

We propose a three week window from the 23rd November to 11th December for this to be undertaken, which would delay consideration by Full Council to the 19 January 2016. There is a clear mandate from the consultation to progress this work, given further additions to the site list are not easily made we want to ensure we get this right. With that in mind a delay by a month seems a worthwhile trade off.

4. Ongoing Issues in parks not covered by byelaws

Where problems develop on sites that are not included in the schedule we will need to consider using our powers under Public Space Protection Orders. We propose that there is annual review, reported to Scrutiny, on the use of these orders and their location. This will provide a strong evidence base should we then need to add these sites to the Byelaws Schedule at a future point.

5. Docks Byelaws

As stated in the report considered by Scrutiny in October, the Docks Byelaws were reviewed in 2009. Currently Castle Park is shown on the plan of the Docks Byelaws which is confusing.

By delaying the consideration of Parks Byelaws until Jan 2016 this will give officers time to look at the best way of bringing Castle Park into line with our other parks.

6. Recommendations

Scrutiny is asked to support the proposal for the Byelaws report to be scheduled for January Full Council, to enable additional pieces of work to be completed.