



NORTHAMPTON
BOROUGH COUNCIL

CABINET AGENDA

Wednesday, 3 March 2021

Remote via Zoom:

<https://www.youtube.com/user/northamptonbctv>

At 6:00 pm

Members of the Cabinet:

Councillor: Jonathan Nunn (Leader of the Council)

Councillor: Phil Larratt (Deputy Leader)

Councillors: Mike Hallam, Tim Hadland, Stephen Hibbert, Brandon Eldred, Anna King and James Hill.

Chief Executive

George Candler

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PORTFOLIOS OF CABINET MEMBERS

CABINET MEMBER	TITLE
Councillor J Nunn	Leader
Councillor P Larratt	Deputy Leader
Councillor M Hallam	Environment
Councillor B Eldred	Finance
Councillor T Hadland	Regeneration and Enterprise
Councillor S Hibbert	Housing and Wellbeing
Councillor A King	Community Engagement and Safety
Councillor J Hill	Planning

SPEAKING AT CABINET MEETINGS

Persons (other than Members) wishing to address Cabinet must register their intention to do so by 12 noon on the day of the meeting and may speak on any item on that meeting's agenda.

Registration can be by:

Telephone: (01604) 837722
(Fax 01604 837057)

In writing: Democratic and Member Services Manager
The Guildhall, St Giles Square, Northampton NN1 1DE
For the attention of the Democratic Services Officer

By e-mail to democraticservices@northampton.gov.uk

Only thirty minutes in total will be allowed for addresses, so that if speakers each take three minutes no more than ten speakers will be heard. Each speaker will be allowed to speak for a maximum of three minutes at each meeting. Speakers will normally be heard in the order in which they registered to speak. However, the Chair of Cabinet may decide to depart from that order in the interest of hearing a greater diversity of views on an item, or hearing views on a greater number of items. The Chair of Cabinet may also decide to allow a greater number of addresses and a greater time slot subject still to the maximum three minutes per address for such addresses for items of special public interest.

Members who wish to address Cabinet shall notify the Chair prior to the commencement of the meeting and may speak on any item on that meeting's agenda. A maximum of thirty minutes in total will be allowed for addresses by Members unless the Chair exercises discretion to allow longer. The time these addresses take will not count towards the thirty minute period referred to above so as to prejudice any other persons who have registered their wish to speak.

KEY DECISIONS

 denotes the issue is a 'Key' decision:

- Any decision in relation to the Executive function* which results in the Council incurring expenditure which is, or the making of saving which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purpose the minimum financial threshold will be £250,000;
- Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions; and
- For the purpose of interpretation a decision, which is ancillary or incidental to a Key decision, which had been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purpose of the definition.

NORTHAMPTON BOROUGH COUNCIL

CABINET

Your attendance is requested at a meeting to be held
Remotely via Zoom: <https://www.youtube.com/user/northamptonbctv>
on Wednesday, 3 March 2021
at 6:00 pm.

George Candler
Chief Executive

AGENDA

1. **APOLOGIES**
2. **MINUTES**
3. **INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY**
4. **DEPUTATIONS/PUBLIC ADDRESSES**
5. **DECLARATIONS OF INTEREST**
6. **ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**
7. **CORPORATE PERFORMANCE ALL MEASURES REPORT QUARTER 3 – 1ST OCTOBER – 31ST DECEMBER 2020**
(Copy herewith)
8. **FINANCE MONITORING TO 31 JANUARY 2021**
(Copy herewith)
9. **PROPOSED VARIATION TO THE NORTHAMPTON BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER 2020**
(Copy herewith)
10. **EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

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NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 17 February 2021

PRESENT: Councillor Nunn (Chair); Councillor Larratt (Deputy Chair); Councillors Eldred, Hadland, Hallam, Hibbert and King

APOLOGIES: Councillor J Hill

1. APOLOGIES

Apologies were received from Councillor James Hill.

2. MINUTES

The minutes of the meeting held on 20th January 2021 were agreed and signed by the Chair.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY

There was no intention to hold any of the meeting in private.

4. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

5. DECLARATIONS OF INTEREST

Councillor Hallam stated that he was a trustee of 78 St George's Avenue, a neighbouring property to Avenue Campus.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were no issues arising from Overview and Scrutiny Committees.

7. PROPOSED REDEVELOPMENT OF THE FORMER AVENUE CAMPUS TO PROVIDE AFFORDABLE HOUSING

Councillor Hibbert as the relevant Cabinet Member presented his report. The Avenue Campus site had come before Cabinet on two previous occasions; firstly in relation to its purchase and secondly in connection with the use of the Newton Building. This report related to an agreement in principle to develop the site for affordable housing, subject to planning approval.

Councillor Hadland noted that this was an exciting housing project for Northampton. Councillor Eldred expressed thanks to all involved in keeping the promise to provide housing for the people of Northampton.

RESOLVED:

2.1 Cabinet:

- a) Approved, 'in principle', the redevelopment of the Avenue Campus site (within the Housing Revenue Account) to provide up to 170 affordable homes, subject to satisfactory due diligence and planning approval of the reserved matters application for 112 homes;

- b) Delegated to the Director of Housing and Wellbeing, in consultation with the Chief Finance Officer, the Borough Secretary, the Cabinet Member for Housing and Wellbeing and the Cabinet Member for Finance, the authority to approve the new affordable housing scheme, subject to planning approval and due diligence and following the outcome of the Council's application for funding from Homes England;
- c) Delegated to the Director of Housing and Wellbeing, in consultation with the Chief Finance Officer and the Cabinet Member for Housing and Wellbeing, the authority to determine the rent levels and services charges for the new affordable homes; and
- d) Delegated to the Director of Housing and Wellbeing, in consultation with the Cabinet Member for Housing and Wellbeing and Northampton Partnership Homes, the authority to develop and approve a Local Lettings Policy that determines how the homes are allocated; and
- e) Noted that, if this development and approval of this affordable housing scheme cannot be concluded by 1 April 2021, this work will need to be concluded by the new West Northamptonshire Council through its governance processes and relevant Officers.

8. 24 GUILDHALL ROAD - CONTRACTOR PROCUREMENT AND NN CONTEMPORARY ARTS RELOCATION

Councillor Hadland as the relevant Cabinet Member introduced the report which outlined an exciting project in the Cultural Quarter. Funding had been obtained to improve 24 Guildhall Road. Refurbishment and essential repairs would be undertaken and part of the building would be leased to NN Contemporary Arts. The recommendation delegated authority for appointing the contractor.

RESOLVED

- 2.1 Cabinet delegated authority to the Acting Director of Economy and Assets, in consultation with the Borough Secretary, Chief Finance Officer and Cabinet Member for Regeneration and Enterprise to appoint and enter into a Contract with the successful contractor for the refurbishment of the lower ground, upper ground and first floor together with essential repairs to the roof, façade and windows following completion of the tender process.

The meeting concluded at 6:10 pm



CABINET REPORT

Report Title	Corporate Performance. All Measures Report Q.3 – 1st October – 31st December 2020
Agenda Status	Public
Cabinet Meeting Date	3rd March 2021
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Chief Finance Officer
Accountable Cabinet Member(s):	Councillor P Larratt
Ward(s)	n/a

1. Purpose

To inform Cabinet of the council's performance indicators figures for Quarter 3 - 2020 – 2021

2. Recommendations

- 2.1. That Cabinet review the contents of the performance report (Appendix 1) and recommend actions to be taken, if any, to address the issues arising.

3. Issues and Choices

3.1. Report background

Data is collected across a range of locally developed indicators which are collected on a monthly, quarterly or annual basis. These form the basis of the council's performance monitoring process. Cabinet members receive information on all the measures through the Corporate Performance All Measures Report (Appendix 1). This enables the monitoring of the Corporate Plan within their portfolios on a regular basis.

This report summarises the council’s monthly, quarterly and annual performance indicator figures for 2020-2021:

The appended report details:

- A performance dashboard overview for each of the corporate themes
- Key Performance Indicator (KPI) results with supporting commentary

The Annual Performance Report will be presented in June of each year to the Audit Committee.

Work on updating the format of this year’s report has been put on hold due to work being carried out by staff involved with the Covid-19 pandemic.

3.2. Issues

Progress against Corporate Plan priorities.

3.3. Overall indicator performance against targets

The majority of staff continue to work from home during this quarter. There are issues around this which may affect performance indicators. There has been a drop in blues, greens and amber compared to Q2, and this is for a variety of reasons. Some of the indicators are directly affected by lockdowns such as the town centre footfall and staff being redirected to other work, and others indirectly or outside our control, such as rounds being stood down due to illness from drivers by contractors.

Also to be factored in at this time is the monumental amount of work that is going on behind the scenes to ensure we are safe and legal when we reach unitary, with many team managers working on projects to support the West Northants unitary body, through the work with Future Northants.

Staff have risen to many challenges and continue to do so. We continue to ensure they are safe and supported whether they are working from home or ‘at work’.

Quarter Four outturn reporting will occur after 31 March 2021 and will be provided by WNC as the successor authority.

Performance Status	Q4	Q1	Q2	Q3
Blue (Exceptional or over performance)	17.65%	17.65%	17.65%	26.47%
Green	44.12%	52.95%	55.86%	50.00%
Amber (Within agreed tolerance)	14.71	5.88	8.84%	0.0%
	76.48%	76.47%	82.35	76.47%
Red (Outside agreed tolerances)	23.52%	23.53%	17.65%	23.53%

3.4 Exceptions

The below exceptions are to be considered by CMB and Audit as to whether any of these are considered to be classified as corporate risks.

High Performing Highlights (Exceptional or Over Performing YTD)

KPI No	Detail	Q1
CS05	% satisfied with the overall service provided by the Customer Service Officer	Performing well over target.
CS14a	% OSS Customers with an appointment seen on time.	The One Stop Shop report that 100% of customers were seen on time. They are being seen by appointment only during lockdown.
ESC02	% missed bins corrected with 48 hours of	Veolia continue to improve on picking up missed bins by using the data collected to work on those rounds that show any consistent poor performance.
EC06	% of land and highways assessed falling below an acceptable Level – Detritus	We are now concentrating on areas known to fall below standard more quickly. There has been a corresponding increase in detritus identified in areas where it is expected to be more of a problem.
EC09	% of Fly tipping incidents removed within two working days of reporting.	Veolia are performing well with the removal of fly tips with an average of 89% being cleared within 48 hours. The oversized or hazardous tips continue to be cleared as soon as possible. 3249 fly tips reported in the quarter were cleared within 48 hours and 247 oversize or hazardous tips were reported that required specialist removal.
HML01	Total no of households living in temp. accommodation	The Temporary accommodations use has significantly dropped to 284 figure this is due to an effective move on and voids turn around monitoring by both TA and Assessment teams.
HML09	No of Households for who a full homelessness duty is accepted.	Overall acceptance number has gone up (though dropped in Dec month) compared to last quarter this could be due to lifting of partial eviction ban and backlog of pending eviction cases approaching us. This was lifted at the end of September and courts prioritised the cases involving domestic abuse and anti-social behaviour first.
HML001	No of HMOs with Mandatory Licence	The number of mandatory HMOs that needed a licence has increased in the quarter. This is due to the establishment of new HMOs and the council's continuing intelligence.
Lower Levels of Reporting (outside agreed targets)		

KPI No	Detail	Q1
EC01	% Total bins/boxes missed in period in period	Again, during this quarter there have been disruptions to collection rounds due to Covid-related driver shortages.
EC04	% of household waste recycled and composted	Recycling rates fluctuate during the year and as expected we see a drop in, recycling due to less garden waste being produced and collected. It is expected that it will improve during the next quarter.
HML07	No of households that are prevented from becoming homeless	The average number of households that are prevented from becoming homeless each month during the quarter is lower than the previous quarter but has remained steady. Sadly, there are still reasons why households are presenting due to Domestic abuse, family or friends no longer willing to accommodate.
MPE01	No of new businesses locating on NWEZ	Three new businesses located on NWEZ, and one existing business relocated within the area during the quarter and created a total of ten new jobs.
MPE02	NWEZ New Jobs	
TCO05	Town Centre Footfall	Footfall continues to be at low levels as the pandemic continues.
IG04	% Subject Access Requests responded to with 1 month	One Subject Access Request fell out of time, due to the late reporting by the department that received it. It was dealt with immediately on receipt and staff reminded of the need for prompt passing on of these requests
NI157b%	% of minor planning applications determined within 8 weeks or agreed Extension	There have been issues in the department with staff shortages and staff illness during this quarter which affected response times.
PP53a	Service Requests responded to within 5 working days	Covid continues to impact on the number of cases that staff are able to respond to within target. They have been stretched in many directions with many demands on their time resources. Where necessary they have had to be redeployed and this has affected day to day reporting.

3.4 Data Quality

The council has processes in place to ensure that the data and information it provides to support management decision-making is as reliable as possible. The council has a strategy to improve data quality and service areas are working to achieve the objectives within it.

3.5 Governance

Cabinet are asked to review the appended performance report and recommend actions to be taken if any to address the issues arising.

4. Implications (including financial implications)

4.1 Policy

Corporate performance measures are monitored monthly or quarterly to track progress towards delivering the council's priorities as detailed in the Corporate Plan.

Service areas review and develop objectives annually through the service planning process. Measures and targets are identified to help.

4.2 Resources and risks

The risk process includes challenging and confirming capacity and ability to deliver as well as confirming continued priorities. These will be assessed as to whether these are within the levels of accepted risk appetite for the organisation.

4.3 Legal

There are no specific legal implications arising from this report.

4.4 Equality and Health

There is no specific health or equalities implications arising from this report.

4.5 Process and Consultees (Internal and External) - How the Proposals Deliver Priority Outcomes

Performance monitoring (financial and non-financial) to improve performance is good practice, in terms of efficient and effective management. It focuses on the key areas and therefore contributes directly to one of the 2019 - 2021 priorities of the Corporate Plan "Ambitious, Prosperous and Proud" through quality modern services.

4.6 Other Implications

There are no other implications arising from this report

5 Background papers

Appendix 1. Corporate Performance All Measures Report Q3 (1 Oct 2020 – 31 Dec 2020)

Jan Stevenson
Governance and Compliance Support Officer
(Ext. 7806)

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Corporate Performance

All Measures Report

1 October 2020 - 31 December 2020

NORTHAMPTON
BOROUGH COUNCIL

6

Introduction

The report details the full list of performance measures monitoring the Council's Corporate Plan by corporate priority and is published quarterly.

The measures contained within this report are monitored on a monthly, quarterly, half yearly or four monthly basis.

Performance is reported against the latest report period and then by overall performance year to date (YTD). Overall YTD performance is monitored against the current profiled target and helps us to keep track of the progress towards meeting the annual target.

Performance comparison against the same time last year is highlighted where comparative data is available.

Report Key:

-  Exceptional or over performance
-  On or exceeding target
-  Within agreed tolerances
-  Outside agreed target tolerance
-  Good to be low: Better
-  Good to be low: Worse
-  Good to be High: Better
-  Good to be High: Worse
-  No change
-  No data or target available
-  No data available
-  No target available

NORTHAMPTON
BOROUGH COUNCIL





Northampton Borough Council Corporate Plan 2019 – 2021



Ambitious | Prosperous | Proud

- **A stronger economy**
 - Shaping place and driving growth
 - Creating a thriving vibrant town
 - A clean, green and tidy town
- **Resilient communities**
 - Keeping the town and people safe
 - Empowering local people
 - More homes, better homes
- **Exceptional services to be proud of**
 - Putting the customer first
 - Spending your money wisely
 - Improving your governance

Corporate Plan - Current Status				
▲	★	●		Total
8	17	9		34

	0.00%
	50.00%
	23.53%
	26.47%

Monthly Measures

Measure ID & Name	Sep 20	Oct 20	Nov 20	Dec 20	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year
+ AST05a External rental income demanded against budgeted income (M)	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	Bigger is Better		100.00%
We continue to demand external rental income against budgeted income as we have done throughout the year.											
Source Date 31/12/2020											
+ AST05b % commercial rent demanded within the last 12 months (more than 2 months in arrears) (M)	?	?	?	?	?	?	100.00%	100.00%	Smaller is Better		?
The trend for arrears continues to show an increase, and we are working through the rental arrears on a case by case basis to try to support tenants.											
Source Date 31/12/2020											
+ BV008 Local invoices paid within 10 days (M)	79.55	75.31	77.48	97.79	80.00%	80.00%	80.00%	80.00%	Bigger is Better		84.14
There have been some dips in performance in the first two months off the quarter, but a significant improvement in the last month. Staff absences and change of staff may have resulted in some of the poor performance in the early part of the quarter.											
Source Date 31/12/2020											
+ BV008 Percentage of invoices for commercial goods & serv. paid within 30 days (M)	99.60%	99.10%	99.80%	99.30%	99.30%	99.30%	99.00%	99.00%	Bigger is Better		99.40%
The KPI continues to perform to target each month throughout the period.											
Source Date 31/12/2020											
+ BV012_ 12r Ave. no. of days/shifts lost to sickness for rolling 12 month period (M)	8.88	8.76	8.61	8.92	8.79	8.79	9.00	9.00	Smaller is Better		6.53
There has been a slight reduction in the levels of sickness absence in this quarter, with less long-term sickness absences (over 21 days) during September to November. In December there was a small increase in sickness absence due to Covid-19 which was in line with national picture, however overall we have had minimal sickness absences as a result of covid-19. With remote working continuing for a large number of staff, line managers are encouraged to maintain regular contact with staff to check on their health and wellbeing.											
Source Date 31/12/2020											
CH11 Number of visitors to Abington Park Museum	0	0	0	0	0	0	0	0	Bigger is Better		44,249
The museums have remained closed during this quarter due to Covid lockdowns. Work continues with the main Museum to enable opening when government restrictions are lifted.											
Source Date 31/12/2020											
+ CS05 Percentage satisfied with the overall service provided by the Customer Service Officer (M)	96.55%	93.48%	97.92%	96.43%	95.17%	95.17%	90.00%	90.00%	Bigger is Better		95.89%
Target maintained throughout this quarter.											
Source Date 31/12/2020											
+ CS13a % of calls for NBC managed services into contact centre answered (M)	87.43%	78.82%	87.21%	96.56%	91.56%	91.56%	90.00%	90.00%	Bigger is Better		95.16%
Training of new Staff is ongoing and we have seen a gradual increase in performance over the last quarter as the new trainees ability and confidence improves. All staff with the ability to work from home have now been moved to home working and minimal team members remain in the office. The One Stop Shop team have also been reduced to decrease the risk of spreading Covid 19. The phone options have been streamlined to assist customers and messages been added to the lines to improve customer expectation and satisfaction Staff wellbeing continues to be a priority and we are having weekly one to ones with all staff. The face to face service continues on an appointment basis only, for vulnerable customers that are unable to self-serve or have a priority need, which is continuing to work well and is being reviewed on a regular basis.											
Source Date 31/12/2020											
+ CS14a % OSS customers with an appointment seen on time (M)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	90.0%	90.0%	Bigger is Better		91.1%
Staff have performed well during this quarter and the appointment system introduced has worked very well. We continue to ensure the safety and well being of staff, working with Health and Safety colleagues and TUs to ensure that everyone is kept safe, and health checks are observed. Safety procedures are also in place to ensure the well being of customers.											
Source Date 31/12/2020											
+ ESC01n Total bins/boxes missed in period (M)	387	331	446	342	3,879	3,879	3,060	4,080	Smaller is Better		2,993
A number of food waste collections were stood down due to Covid related driver shortages which in turn drove up reported missed collections.											

Monthly Measures

Measure ID & Name	Sep 20	Oct 20	Nov 20	Dec 20	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year
Source Date 31/12/2020											
+ ESC02 % missed bins corrected within 24hrs of notification (M)	98.00%	98.00%	97.00%	98.00%	97.60%		87.00%	87.00%	Bigger is Better		86.00%
Veolia continue to perform well against target.											
Source Date 31/12/2020											
+ ESC04 % household waste recycled and composted (NI192) (M)	44.83%	41.45%	41.81%	38.95%	42.75%		48.00%	48.00%	Bigger is Better		39.35%
Recycling rates fluctuate during the winter months due to the reduction in garden waste produced, this will pick back up after January as gardening activities increase and we see an increase in dry mixed recycling due to Christmas.											
Source Date 31/12/2020											
+ ESC05 % of Land and Highways assessed falling below an acceptable level - Litter (NI195a) (4M)	0.00%	0.00%	13.33%	9.33%	2.51%		4.00%	4.00%	Smaller is Better		8.00%
Work has taken place to concentrate inspections in areas that are anecdotally known to fall below grade more quickly, this data is being used to assist scheduling and resourcing.											
Source Date 31/12/2020											
+ ESC06 % of Land and Highways assessed falling below acceptable level - Detritus (NI195b) (4M)	0.00%	0.00%	12.00%	11.00%	2.50%		25.00%	25.00%	Smaller is Better		43.00%
Inspections are undertaken at the same time as litter, graffiti and flyposting and are now being concentrated in areas that are known to fall below more standard more quickly.											
Source Date 31/12/2020											
+ ESC07 % of Land and Highways assessed falling below acceptable level - Graffiti (NI195c) (4M)	1.00%	0.00%	3.00%	1.00%	0.66%		2.00%	2.00%	Smaller is Better		1.00%
Inspection showed graffiti present. Location logged and action taken to remove graffiti within service level requirement.											
Source Date 31/12/2020											
+ ESC08 % of Land and Highways assessed falling below acceptable level - FlyPosting (NI195d) (4M)	0.00%	0.00%	0.00%	0.00%	0.00%		2.00%	2.67%	Smaller is Better		0.00%
Veolia continue to perform well against target.											
Source Date 31/12/2020											
+ ESC09 % of Fly Tipping incidents removed within 2 working days of notification (SO2) (M)	85.51%	89.66%	92.96%	84.66%	88.19%		70.00%	70.00%	Bigger is Better		51.80%
Veolia are performing well removing fly tips within timescales. 3249 fly tips reported in the quarter were cleared within 48 hours and 247 oversize or hazardous tips were reported that required specialist removal.											
Source Date 31/12/2020											
+ HML01 Total no. of households living in temporary accommodation (M)	332	307	294	284	305		380	380	Smaller is Better		364
The temporary accommodations use has significantly dropped to 284 figure this is due to an effective move on and voids turn around monitoring by both Temporary Accommodation and Assessment teams.											
Source Date 31/12/2020											
HML07 Number of households that are prevented from becoming homeless (M)	62	40	55	31	386		450	600	Bigger is Better		408
The average number of households that are prevented from becoming homeless each month during the quarter is lower than the previous quarter but remained steady.											
Source Date 31/12/2020											
HML09 Number of households for whom a full homelessness duty is accepted (M)	21	28	23	14	171		720	960	Smaller is Better		261
Overall acceptance number has gone up (though dropped in Dec month) compared to last quarter this could be due to lifting of partial eviction ban and backlog of pending eviction cases approaching us.											
Source Date 31/12/2020											
+ IG03 % FOI/EIR cases responded to within 20 working days (M)	100.0%	100.0%	100.0%	100.0%	100.0%		98.0%	98.0%	Bigger is Better		100.0%

Monthly Measures

Measure ID & Name	Sep 20	Oct 20	Nov 20	Dec 20	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year
We received a total of 249 over the quarter which is about average. All were responded to within timescales.											
Source Date 31/12/2020											
+ IG04 % Subject Access requests responded to within one month (M)	100.0%	100.0%	75.0%	100.0%	100.0%		100.0%	100.0%	Bigger is Better		100.0%
Three subject access requests (SARs) were received in October, four in November and six in December. These were all responded to within allotted timeframes apart from one which was late coming through from the area who had received the request.											
Source Date 31/12/2020											
+ NI157a % Major Planning applications determined in 13 weeks or agreed extension (M)	100.00%	100.00%	100.00%	100.00%	100.00%		100.00%	100.00%	Bigger is Better		100.00%
100% applications determined within agreed time scales.											
Source Date 31/12/2020											
+ NI157b % of 'minor' planning apps determined within 8 weeks or agreed extension (M)	100.00%	66.67%	54.17%	72.73%	69.59%		100.00%	100.00%	Bigger is Better		100.00%
The figure is as a result of staff shortages caused by sickness and a vacant post.											
Source Date 31/12/2020											
+ NI157c % of 'other' planning apps determined within 8 weeks or agreed extension (M)	100.00%	100.00%	100.00%	97.62%	99.17%		100.00%	100.00%	Bigger is Better		100.00%
97.62% of applications received were determined within agreed time scales. Staff shortages and sickness continue to impact of the figures.											
Source Date 31/12/2020											
+ PP22 % Hackney Carriage and private hire vehicles inspected which comply with regulations (M)	0.00%	0.00%	0.00%	82.0%	82.0%		82.0%	0.00%	Bigger is Better		67.09%
Some vehicle checks were carried out in December with 82 % of vehicles compliant. It was a limited number of checks as it has been difficult to coordinate due to varied demands of Covid work on partner agencies.											
Source Date 31/12/2020											
+ PP53a % Service Requests responded to within 5 working days (M)	81.46	79.86	71.54	69.81	78.60		85.00	85.00	Bigger is Better		93.52
The number of cases actioned in time is reduced compared to pre-Covid. Staff continue to work on demands caused from Covid 19 work, a long Christmas break and staff being involved in dealing with the emergency work caused by the flooding at the end of December. All staff continue to work hard during difficult times.											
Source Date 31/12/2020											

Quarterly Measures

Measure ID & Name	Mar 20	Jun 20	Sep 20	Dec 20	Overall perf. to Date	YTD	Current Profiled Target	Annual Target	Polarity	Perf. vs. same time last year	YTD value same time last year
HMO01 No. HMOs with Mandatory licence (Q)	519	509	520	570	533		500	500	Bigger is Better		471
The number of mandatory HMOs that are licensed increased significantly between September and December. This was due to the establishment of new HMOs and the Council's continuing intelligence led Housing Services that seeks to identify licensable HMOs that are operating without a licence.											
Source Date 31/12/2020											
HMO08 No. of HMOs with an additional licence (Q)	388	324	478	518	440		324	324	Bigger is Better		382
The number of additional HMOs that are licenced increased by 125 between September and December. A new additional HMO Licensing Scheme was introduced in February of last year, and this has resulted in an increase in the number of applications received and processed out of line with the projected target. Although this initial increase is expected to level off during the second half of the financial year, the Council will continue to identify licensable HMOs that are operating without a licence and ensure correct procedures are followed.											
Source Date 31/12/2020											
+ IG01 % LGO cases responded to within 28 days (excl. pre-determined cases) (Q)	87.8%	100.0%	100.0%	100.0%	100.0%		100.0%	100.0%	Bigger is Better		100.0%
No LGSCO cases were received in this quarter.											
Source Date 31/12/2020											
+ IG02 Av. days to respond to LGO enquiries (excl. pre-determined cases) (Q)	21.00	1.00	1.00	0.00	0.00		0.00	1.00	Smaller is Better		23.00
No cases to respond to.											
Source Date 31/12/2020											
MPE01 No. of new businesses locating on NWEZ (Q)	3	1	1	4	6		15	-	Bigger is Better		5
Three new businesses located to the NWEZ and one business relocated within area during the quarter.											
Source Date 31/12/2020											
MPE02 No. of new jobs created on NWEZ (Q)	5	4	7	10	21		150	-	Bigger is Better		17
Ten new jobs were created during the quarter.											
Source Date 31/12/2020											
+ PP16 % Off licence checks that are compliant (Q)	0.00%	0.00%	0.00%	0.00%	0.00%		0.00%	-	Bigger is Better		0.00%
Checks have not been carried out during this period as the staff have been monitoring compliance with covid 19 regulatory requirements											
Source Date 31/12/2020											
TCO05n Town Centre footfall (Q)	2,504,292	1,057,879	597,235	1,382,114	3,037,228		9,500,000	12,000,000	Bigger is Better		9,299,068
As expected, due to the impact of Covid19 restrictions, footfall for the last quarter of 2020 was 53% less than 2019 figures.											
Source Date 31/12/2020											

Major Project Update

Delivery of the Northampton Waterside Enterprise Zone

Movement within the Enterprise Zone for quarter three showed three new businesses locating within the area and one business relocated. This created ten new jobs.

Source Date 31/12/2020

Restoration and regeneration of Delapre Abbey and Park

This project is now finished and will be removed from the next report

Source Date 31/12/2020

Delivery of the Four Waterside Development

The masterplan, development appraisal and delivery advice are now complete. A draft Outline Business Case (OBC) to meet the viability gap has been development and is in the process of being appraised by SEMLEP prior to it being taken to the Enterprise Zone Board in November 2020. If the Enterprise Zone Board approve the OBC it will then be taken to the SEMLEP Board for approval. Should both Boards give approval, then a new round of soft market testing will be undertaken to test the demand for the proposed mix of uses. The site will also be on the long list for partial funding through the Towns Fund.

Source Date 31/12/2020

Development of the Cultural Quarter

Museum (Guildhall Road) Snagging and outstanding works continue. Meetings continue to be held to resolve the outstanding issues with the works programme and the contracts and site managers reviewed all outstanding and snagging works for completion of a detailed closeout programme. The gallery installation is progressing well but is taking longer than anticipated due to Covid19 working measures. It is anticipated installation works will complete early to mid-January 2021.

Source Date 31/12/2020

Vulcan Works Developments with internal works progressed to all floors in St John's with internal partitions complete. Scaffolding is down in two of the Victorian Workshops with pipework and equipment installed in Plant Room. Timber treatment completed and new partitions/drylining works underway to Fetter Street. Anticipated completion date is 19 April 2021. The project team continue to be in contact with the external project manager through the ever changing Covid19 situation to keep informed of any potential risk to the programme. The site continues to follow measures to comply with government guidelines.

Source Date 31/12/2020

Delivery of the Castle Station development

In detailed discussion with Network Rail over provision of 950-1350 space Multi-storey car park. Regular workshops are taking place on the preferred structure and a briefing note is under review. If the Head of Terms discussion and a business case is developed it will go to cabinet in the new year.

Source Date 31/12/2020

Appendices:
1



NORTHAMPTON
BOROUGH COUNCIL

Item No.
[For Democratic
Services Use only]

CABINET REPORT

Report Title	Finance monitoring to 31 January 2021
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	03 March 2021
Key Decision:	YES
Within Policy:	YES
Policy Document:	NO
Directorate:	Management Board
Accountable Cabinet Member:	Cllr B Eldred
Ward(s)	N/A

1 Purpose

To update Cabinet on the latest financial monitoring reports including:

- Revenue – any significant issues requiring action and details of the actions being taken.
- Budget risks, including any unachievable savings.
- Budget changes and corrections
- Capital – progress on key projects
- Capital appraisals and variations requiring approval or approved under delegation.

2 Recommendations

- 2.1 That Cabinet notes the contents of the report.
- 2.2 That Cabinet note the amendments to the general fund capital programme as set out at paragraph 3.6.1.
- 2.3 That Cabinet approves the distribution of Grant to existing Parish Councils of £98.9K, to provide additional Covid grant support, as set out in the Appendix.
- 2.4 That Cabinet approves the distribution of £99.9K of Grant to the three new Town/Parish Councils as launch funding to enable them to function ahead of the first precept payment in April and assist with Covid support, as set out in the Appendix.

3 Issues and choices

3.1 Report background

- 3.1.1 This report is the fourth financial monitoring report of 2020/21 and reports the forecast position as at the end of January 2021, period 10 of the financial year.

3.2 Impact of COVID-19 on 2020/21 budgets

- 3.2.1 As previously reported to Cabinet, the COVID-19 pandemic will have a significant impact on the Council's finances in 2020/21.
- 3.2.2 The Council has received four tranches of "COVID-19 emergency grant" funding from central government, coming to a total of £4.023m. This grant funding has now been allocated to offset specific pressures across the service areas (with details of how this is split in the specific Head of Service areas below). It is assumed that any surplus amount of this grant will be required for further pressures emerging through the remainder of this financial year or will be moved to reserves to support COVID pressures in the next financial year.
- 3.2.3 The Council will also receive a Sales, Fees and Charges (SFC) grant from central government to support local authorities for lost income as a result of COVID-19. Specific losses as a result of COVID-19, over and above the first 5% of planned income from sales, fees and charges, will be compensated for at a rate of 75p in every pound. Work has been undertaken to calculate and appropriately evidence lost income that meets the criteria of this grant, so that official claims can be submitted. The total of this estimated grant income in this report is £2.412m (with details of how this is split in the specific Head of Service areas below).
- 3.2.4 There has been an impact on Parish Councils and the launch of the three new Town/Parish Councils. To assist their financial viability and to provide funding for their continuing support with Covid challenges and community messaging, Cabinet are asked to approve two grant distributions, as set out in the tables in the Appendix to this report.
- 3.2.5 The three new Councils will not receive their initial precept funding until later April, so do require some initial seed/launch funding to enable them to launch and also contribute to the Covid communication and awareness campaigns.

3.3 Key financial indicators

Budget area	Variation from budget	
	General fund	Housing Revenue Accounts (HRA)
	£m	£m
Controllable service budgets	-0.292	0.274
Debt financing and corporate budgets	0.014	0.000
Total	-0.278	0.274

3.4 General fund revenue budget

3.4.1 The overall general fund revenue budget is currently forecasting a £0.278m underspend for the year. Within this there are a number of variances and these are set out below:

3.4.2 The **Economy, Assets and Culture** service is currently forecasting a £0.346m underspend. This position includes losses of income as a result of the COVID-19 pandemic which have largely been offset by grants received. The most significant of these is a forecast loss of car park income of £3.44m. This forecast is based on no income for first three months of the year and a 55% reduction in number of visitors for the remainder of the year. This pressure is largely offset by an estimated grant income of £2.109m from the SFC grant scheme, £1.2m from the COVID-19 emergency grant and other smaller savings totalling £0.046m.

There is also a loss of income due to closure of the market and reduced number of traders following re-opening (£0.147m) as well as other smaller pressures related to COVID-19 in relation to minor events, CCTV, Town centre management, the Bus Station and the Guildhall. All of which have been offset by COVID-19 grants and various savings identified.

Other income losses relate to rental income in relation to business closures and other vacant properties (£0.310m). Whilst not covered by the SFC grant, these losses have been largely offset by the COVID-19 Emergency Grant bringing the overall overspend down to £0.058m.

There are savings on staffing budgets across the service and various other savings identified totalling £0.503m.

3.4.3 The **Housing and Wellbeing** service is forecasting an overspend position of £0.456m for the year. Demand for temporary accommodation has resulted in a forecast pressure of £0.160m and a corresponding pressure of £0.115m due to an increase in bad debt relating to temporary accommodation. There is a pressure of £0.308m relating to the provision of accommodation for Rough Sleepers as a result of the COVID-19 pandemic. This is largely offset by using £200k of COVID-19 emergency grant funding.

There is pressure in the Private Sector Housing service due to a reduction in civil penalties, licences and disabled facilities grant administration income of £0.271m as a result of the COVID-19 pandemic. However, this pressure is now largely offset by an

estimated grant income of £0.074m from the SFC grant scheme and £0.111m from the COVID-19 emergency grant.

- 3.4.4 The **Planning** service are forecasting a £0.053m overspend position. This is associated with an anticipated reduction in land charges income (£0.046m) and planning income (£0.300m) as a result of COVID-19 disrupting normal business. These forecast pressures are now fully offset by grant income of £0.172m from the SFC scheme, £0.079m from the COVID-19 emergency grant and other smaller savings identified.

In addition, there is also a £0.095m pressure in the Planning Policy area due to the risk on an Article 4 policy (£0.117m) and the saving option regarding joint working on Planning policy now not being achievable (£0.035m). These are partially offset by other savings identified in the service.

- 3.4.5 The **Chief Finance Officer** service is reporting an underspend of £0.025m. There are pressures caused by the COVID19 pandemic including £0.300m in relation to potential additional external audit costs; £0.149m in relation to central COVID costs and internal audit work; £0.155m in relation to Business Rates scheme changes caused by the COVID-19 policy updates and £0.075m in relation to additional IT working from home costs. However, these pressures are now offset using the COVID-19 emergency grant.

- 3.4.6 The **Customers and Communities** area is reporting an underspend of £0.557m. This includes an underspend of £0.528m in the Environmental Services area, largely due to the uptake of the chargeable green waste project exceeding its target as well as pension contribution costs being lower than budgeted, which has mitigated the additional costs of providing the waste service through this difficult period. This is partially offset by costs coming out of the recycling risk share pay mechanism. These higher costs are caused by prices for recyclable material continuing to fall creating a pressure of £0.060m. There is also a £0.079m pressure being forecast for legal costs associated with the pensions dispute on the old environmental services contract.

Other pressures are in the Licensing area (£0.059m); the Commercial Services area (£0.073m); and the Environmental Protection area (£0.013m) which are mainly due to losses of income as a result of COVID-19 disrupting normal business. These pressures are now fully offset by grant income of £0.059m from the SFC scheme, £0.042m from the COVID-19 emergency grant and a further Compliance and Enforcement grant of £0.124m. There is also a pressure in the Leisure Contract area caused by a delay in signing a new lease agreement with Northampton Leisure Trust resulting in a loss of budgeted income (£0.050m).

There is a pressure of £0.831m being reported in the **Chief Executive** area due to additional grants being distributed as a result of COVID-19. However, this is offset using £0.831m from the COVID-19 emergency grant.

- 3.4.7 The **Borough Secretary** area is reporting an overspend of £0.078m mainly as a result of £0.150m of CGR costs and smaller pressures caused by increased agency staff costs and the restructure saving option that was put forward for this year's budget not being implemented (£0.078m). These are offset by staff savings and vacant posts.

- 3.4.8 There is a forecast overspend of £0.014m against the **Corporate** budget. This includes a pressure of £0.259m on the debt financing budget as a result of a reduction in interest rate yields, but this is offset by this year's MRP being £0.246m less than planned in the budget.

3.4.9 Corporate Management Board (CMB) continue to seek options and actions to manage and mitigate the impact of the risk of an overspend in 2020/21, without impacting on services or the Council's ability to deliver its obligations to businesses and the community during the COVID Pandemic.

3.5 HRA revenue budget

3.5.1 The Housing Revenue Account is currently forecasting a £0.274m pressure. This includes £0.688m pressure on rental income primarily due to a combination of pre-COVID-19 budget assessment of new build units coming on to the rental stream and the subsequent re-phasing of new build schemes following the COVID-19 pandemic. It is offset by forecast savings on expenditure budgets of £0.415m.

3.6 General fund capital programme

3.6.1 The approved General Fund Capital Programme is currently forecast to spend up to the latest budget of £19.3m. There has been one in-year change since the previous Cabinet Report and this is detailed in the table below.

Reference	Scheme Title	£m	Comments
BA290	Derngate Theatre Roof	0.032	Necessary replacement of the roof covering on the building following a survey

3.6.2 The current COVID-19 situation has affected a number of capital projects this year, with some experiencing delays through:

- Availability of contractors and delays to start times
- Impact of supply chain issues for materials
- Extended periods of construction due to social distancing which has slowed down building work and fitting out of premises.

We therefore expect that some projects will not be completed in 2020/21 as originally planned and will need to be carried forward into the next financial year.

3.6.3 There are a further £58.7m of schemes in the Development Pool awaiting approval. Any further additions to the capital programme, including any strategic property purchases, will be subject to the development of a robust business case. In line with the Financial Regulations, any proposed additions to the programme greater than £0.25m and / or requiring additional funding from council resources, are required be brought to Cabinet for approval. From April this will be the capital programme of West Northants Council and any additions to the capital programme will require the relevant approvals of that Authority.

3.7 HRA capital programme

3.7.1 The HRA capital programme for 2020/21 totals £83.828m, of which £49.609m is to be managed on behalf of the Council by Northampton Partnership Homes (NPH) through a programme of planned investment and new build development.

3.7.2 Some of the New Build programme is experiencing slippage during 20/21, and this is currently anticipated to be in the region of £13.3m. This is due to a variety of reasons

across a number of schemes including, archaeological and leaseholder delays, specification changes, design & planning delays, and the wider impact of COVID-19 pandemic.

- 3.7.3 There is a forecast overspend due to increased demand on Disabled Adaptations Budgets resulting in an overspend of £0.6m. There are also increased pressures on the Structural Repairs and Heating Budgets amounting to £0.3m. These pressures have been offset by a forecast underspend on Component Works Budgets of £0.75m and Fire Risk Works £0.15m. Overall a balanced position.

3.8 Choices (options)

- 3.8.1 Cabinet is asked to note the reported financial position and agree the recommendations at 2.1 to 2.2.
- 3.8.2 Cabinet are recommended to approve the two grant distributions to support Town and Parish Councils in recommendation 2.3 and 2.4.
- 3.8.3 Cabinet can choose to not accept the recommendations; 2.1 to 2.4 as proposed, this is not recommended.

4 Implications (including financial)

4.1 Policy

- 4.1.1 The Council agreed a balanced budget for the capital programme and revenue budgets for both the general fund and the HRA in February 2020. Delivery of the budget is monitored through the budget monitoring framework.
- 4.1.2 The Council approved an increase to the HRA budget and associated borrowing on 14 September 2020.

4.2 Resources and risk

- 4.2.1 This report informs the Cabinet of the forecast outturn positions for capital and revenue, for both the general fund and HRA, as at the end of January 2021. It also highlights the key risks identified to date in delivering those budgets.
- 4.2.2 All schemes included in the capital programme, or put forward for approval, are fully funded, either through borrowing, internal resources or external funding arrangements.
- 4.2.3 The proposed grants to Town and Parish Councils will be drawn from Covid Grant funding, so will not impact on the Council's General Fund Reserves or the underspend reported in this report.

4.3 Legal

- 4.3.1 There are no direct legal implications arising from the budget monitoring aspects of this report of this report.

4.4 Equality and health

- 4.4.1 There are no direct equalities and health implications arising from this report.

4.5 Consultees (internal and external)

4.5.1 Heads of Service, budget managers, Corporate Management Board (CMB) and Portfolio Holders are consulted as part of the budget monitoring process on a monthly basis.

4.6 How the proposals deliver priority outcomes

4.6.1 Regular financial monitoring is a key control mechanism and contributes directly to the priorities of sustaining “effective and prudent financial management” and being “an agile, transparent organisation with good governance”.

4.7 Environmental Implications

4.7.1 There are no direct environmental implications arising from this report.

4.8 Other Implications

4.8.1 There are no other implications arising from this report

5. Background papers

5.1 Cabinet and Council budget and capital programme reports February 2020.

5.2 Council Report HRA Budget - 14 September 2020

Stuart McGregor,

Chief Finance Officer (Section 151 Officer)

Appendix – Parish / Town Council Proposed Grant values

Grant Scheme One - £98,887.50:

Grant to Parish Councils to provide assistance as a result of Covid pressure and support to the Council in delivering the community safety message.

Covid Funding - Parish Council Support		
Parish Council	Band Ds	Grant
Billing	2,821	£12,694.50
Collingtree	536	£2,412.00
Duston	5,581	£25,114.50
Great Houghton	290	£1,305.00
Hardingstone	819	£3,685.50
Upton	2,789	£12,550.50
Wooton	2,991	£13,459.50
East Hunsbury	3,507	£15,781.50
West Hunsbury	1,668	£7,506.00
Hunsbury Meadow	973	£4,378.50
Total Parish Band Ds	21,975	£98,887.50

Grant Scheme Two - £99,995.00:

Grant to new Town and Parish Councils to provide launch assistance and funding ahead of the first precept payment in April 2021, which will also enable them to assist with the Covid safety and support messaging in their localities.

Parish	Tax base	Precept	Grant based on 2.5% of precept	Grant based on tax base	Total grant
Northampton Town	36,401	1,775,500	44,388	36,401	80,789
Far Cotton & Delapre	3,058	147,424	3,686	3,058	6,744
Kingsthorpe	6,913	222,000	5,550	6,913	12,463
Total			53,623	46,372	99,995

Appendices 4



NORTHAMPTON
BOROUGH COUNCIL

Report Title	PROPOSED VARIATION TO THE NORTHAMPTON BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER 2020
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CABINET REPORT

AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	3 rd March 2021
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Community Safety & Engagement
Accountable Cabinet Member:	Cllr Mike Hallam
Ward(s)	Upton

1. Purpose

- 1.1. To seek authority for the Director of Customers and Communities, following the statutory consultation, to vary the Northampton Borough Council Public Spaces Protection Order 2020 (“the PSPO”) in accordance with section 61 of the Anti-Social Behaviour, Crime & Policing Act 2014 (“the Act”). The proposed variation would insert a new prohibition into the PSPO prohibiting dogs being off lead within the area of Upton Country Park known as “Phase 2”, as outlined in red on the plan appended to this report as Appendix 2.

2. Recommendations

It is recommended that Cabinet:

- 2.1. Resolves to vary the existing PSPO in order to create a new prohibition against dogs being walked off lead within the area of Upton Country Park known as “Phase 2”, which is outlined in red on the plan appended to this report as Appendix 2.
- 2.2. Authorises the Borough Secretary to complete all of the statutory processes as required by the Act in order to vary the existing PSPO.

3. Issues and Report Background

- 3.1. PSPOs are designed to stop all individuals, or a specific group of persons, committing anti-social behaviour in a public space. The criteria that must be satisfied when considering whether to make a PSPO is whether a particular activity or activities has or is likely to have a detrimental effect on the quality of life of those in the locality and that the activity is, or is likely to be, persistent or continuing in nature. The activity must also be “unreasonable” and any restriction must be justified.
- 3.2. PSPO’s provide Councils with a flexible power to implement local restrictions to address a range of anti-social behaviour issues in public places in order to prevent future problems and provide protection for victims of such behaviour. It is important that PSPO’s are used proportionately .
- 3.3. A PSPO can be made for a maximum of three years. The Act provides a mechanism for a PSPO to be renewed at the end of that period, but only for a further period of up to three years. Orders can be renewed 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.

3.4. Enforcement may be shared between the Council and the Police. Breach of a PSPO is a criminal offence which can result in the issuing of a Fixed penalty Notice (“FPN”) or a prosecution resulting in a fine of up to £1,000 upon conviction. Enforcement can be undertaken by Council Officers, any person authorised by a Local Authority for the purpose of issuing FPNs for breaches of a PSPO and Police Constables.

3.5. The Council engaged in a 6 week online public consultation via an open access online survey using ‘Survey Monkey’. The following were contacted in writing and made aware of the proposed variation of the PSPO, it’s potential effect and the on-line consultation;

- The owner of the sheep with the right to graze on the “Phase 2” area of Upton Country Park.
- Upton Parish Council
- Hunsbury Meadows Parish Council
- Marina Park Residents Association
- Community Spaces Northampton
- St James’ Residents Association
- Upton Meadows Residents Association
- Friends of West Hunsbury Park
- Northamptonshire County Councillor (Sixfields) Pinder Chauhan
- Northamptonshire Police
- Northamptonshire County Council - corporately

3.6. Signs were also displayed around Upton Country Park inviting responses to the On-Line survey monkey questionnaire from park users. Paper copies of the consultation were also made available on request.

- 3.7. The consultation sought views on the proposed prohibition of dogs being off lead in the Phase 2 area of Upton Park. Full results of the consultation are available to view at **Appendix 3**.
- 3.8. There were 243 responses to the questionnaire. 227 gave their postcode with the majority being NN4, NN5, NN6 or NN7. There was only 1 non NN postcode.
- 3.9. The responses to the public consultation broadly support the amendment of the PSPO as proposed, with 76% (185 people) in favour of prohibiting dogs off lead in the Phase 2 area of Upton Country Park, as opposed to 24% (59 people) against. One person did not answer this question.
- 3.10. Comments were also invited as part of the consultation exercise, all of which can also be viewed at **Appendix 3**. The main recurring comments were that some park users found the current signs requesting that dogs are kept on a lead within the “Phase 2” area to be a little confusing and other users wanted the proposed prohibition actually enforced.
- 3.11. Other park users commented that all the places for allowing dogs off lead in Upton Country Park were being taken away. That is not the case, as the proposed prohibition is only with regard to the specific area of “Phase 2” and not the whole Country Park, as shown in the plan at **Appendix 2**.

4. Choices (Options)

- 4.1. Cabinet can decide to do nothing. However, this is **not recommended** because Officers consider that this would potentially fail to meet the needs of the wider community and leave the sheep that are legally entitled to roam freely within the “Phase 2” area of the Country Park open to further dog attacks.
- 4.2. Cabinet can decide to vary the existing PSPO to prohibit allowing dogs off leads in the “Phase 2” area of Upton Country Park, as is broadly supported by the public consultation. This option is **recommended** in order to prevent

further attacks on sheep by dogs within the “Phase 2” area of Upton Country Park.

Implications (including financial implications)

5. Policy

- 5.1. The approach supports the multi-agency Countywide Anti-Social Behaviour Policy that Northampton Borough Council is signed up to.
- 5.2. The Crime and Disorder Act 1998 places a statutory duty on all local authorities to work in partnership with statutory, non-statutory, community and voluntary agencies to develop and implement strategies and policies for tackling crime and disorder.
- 5.3. Under Section 17 of that Act, Northampton Borough Council has a statutory duty to ‘exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent crime and disorder’.
- 5.4. One of the Council’s stated corporate priorities is to “invest in safer, cleaner neighbourhoods”. A renewal of the existing PSPO should continue to positively contribute towards this priority.

6. Resources and Risk

- 6.1. A PSPO can be enforced by both the Police and Council. The Council currently processes any £100 FPNs issued, regardless of which agency issues them. Any income generated by payment of FPNs issued for a breach of the PSPO must by law be directed back into management of the PSPO enforcement process.
- 6.2. A Park Ranger will patrol Upton Country Park on most days to ensure park users are complying with the proposed new prohibition in the PSPO when

walking their dogs through Phase 2 of the park and carry out any required enforcement as mentioned in paragraph 6.1 above.

- 6.3. New enforcement signs would need to be produced and displayed throughout Upton Country Park. However, the existing signposts can be used but, taking into account some of the comments about confusing signs in the Country Park submitted as part of the consultation, the location of the signposts will be reviewed to ensure they are ideally situated.

7. Legal

- 7.1. A PSPO can be varied by a Local Authority at any time whilst it is in force if Members are satisfied on reasonable grounds that two conditions are met. These are that;

- (i) Activities carried on in a public place within the authority's area **have** had a detrimental effect on the quality of life of those in the locality,
- (ii) It is likely that activities **will** be carried on in a public place within that area and that they will have such an effect and

that the effect of the activities **is, or is likely to be**, of a persistent or continuing nature such as to make the activities unreasonable and therefore justifies the restrictions imposed by the variation to the Order.

- 7.2. The variation of a PSPO can be challenged in the High Court by any person directly affected within 6 weeks of the variation of the Order. A challenge can be made on the basis that the Council did not have the power to vary the Order, that the particular new prohibitions or requirements are unnecessary or that the varied Order is defective.

8. Equality and Health

- 8.1. Incidents of anti-social behaviour will be dealt with in line with the Council's equalities framework. Officers consider that varying the existing PSPO in the proposed manner will have a significant community impact in preventing and limiting attacks on sheep in Upton Country Park, improving the quality of life for the farmer to whom the sheep belong and park users in general.
- 8.2. An Equality Impact Assessment has been carried out and this can be found at **Appendix 4.**

9. Consultees (Internal and External)

- 9.1. The following were either consulted or notified about the proposal to renew the existing PSPO, in addition to the statutory consultation that took place and which is detailed at paragraphs 3.5 to 3.11 above.

- Director of Customers & Communities, NBC
- Environmental Health & Licensing Manager, NBC
- Community Safety Partnership Manager
- Northants Police
- Cabinet Member for Community Safety, NBC
- Highways Authority
- Northants Fire Service
- East Midlands Ambulance Service
- Planning Department, NBC

10. Background Papers

- Anti-Social Behaviour, Crime and Policing Act 2014: Reform of Anti-Social Behaviour Powers Statutory Guidance for Frontline Professionals.

11. APPENDICES

Appendix 1 – Proposed Varied Northampton Borough Council Public Space Protection Order 2020

Appendix 2 – Plan of Upton Country Park with “Phase 2” outlined in red.

Appendix 3 – Results of consultation and comments submitted.

Appendix 4 – Equality Impact Assessment

Marion Goodman
Assistant Chief Executive (Interim)
Director of Customers & Communities

APPENDIX 1 – Proposed Varied Northampton Borough Council Public Space Protection Order 2020 (Proposed variations highlighted in red).



Northampton Borough Council Public Spaces Protection Order 2020

Northampton Borough Council ("the Council") makes the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").

The land described by the maps at Appendices 1, 1A and 1B, being land in the area of the Council, is land to which the Act applies and will be protected by this Order.

The Order may be cited as the Northampton Borough Council Public Spaces Protection Order 2020.

1. Any person is prohibited, at any time when within the area outlined in black at Appendix 1 of this Order, from ingesting, injecting, smoking or otherwise using intoxicating substances. Intoxicating substances are defined for the purposes of this Order as substances with the capacity to stimulate or depress the central nervous system, including illegal drugs or psychoactive substances (so-called "legal highs"), but excluding alcohol, tobacco or prescription medication.

2. Persons within the area outlined in black at Appendix 1 will not have any item that can be used to assist in the taking of intoxicating substances defined in paragraph 1 above. This includes any device for smoking substances other than e-cigarettes. It also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case.

3. Persons within the area indicated outlined in black at Appendix 1 will not have in their possession any open containers of alcohol in any public place open to the air.

4. No person shall urinate or defecate in any public place open to the air in the area outlined in black at Appendix 1. This does not include public toilets.

5. No person shall spit in any public place open to the air in the area outlined in black at Appendix 1.

6. Persons who are in charge of a dog must remove its faeces from the land from land outlined in black at Appendix 1 forthwith unless:

- a. there is reasonable excuse for failing to do so (not being in possession of a bag to remove the faeces is not a reasonable excuse); 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.

7. A person in charge of a dog on land within the following areas only, within the larger area outlined in black at Appendix 1, must keep that dog on a lead **at all times**:

- a. all children's play areas in public parks,

- b. all cemeteries,
- c. Northampton town centre (as outlined in black at Appendix 1A) and

d. The "Phase 2" area of Upton Country Park (as outlined in red at Appendix 1B).

8. Any person who fails to comply with the prohibition at paragraph 3 of this Order without reasonable excuse commits an offence under section 63 of the Act if they then fail to cease drinking alcohol and dispose of or surrender any open containers of alcohol in their possession upon request by a Police Constable ("a Constable") or a person duly authorised in writing by Northampton Borough Council ("An Authorised Officer").

9. This Order is subject to the exemptions at Appendix 2.

10. A person committing an offence under Section 63 of the Act may be issued with a Fixed Penalty Notice ("FPN") of £100.00 by a Constable or an Authorised Person, in accordance with section 68 of the Act, payment of which will discharge liability to conviction for that offence

11. A person guilty of an offence under Section 63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500). No proceedings may be taken for any offence before the end of the 14 day period following the date of issue of an FPN. The person may not be convicted of the offence if the FPN is paid before the end of that period.

12. Any person who fails to comply with the prohibition at paragraph 1 of this Order without reasonable excuse commits an offence under section 67 of the Act if they then fail to comply with a reasonable request by a Constable or an Authorised Officer to;

- a. surrender any open containers of intoxicating substances in their possession,
- b. surrender any item used to assist in the taking of any intoxicating substance or
- c. secure safe disposal of any needles in their possession not sealed and stored as set out in Paragraph 2 of this Order.

13. Any person who fails to comply with any prohibition at paragraphs 4,5,6 and 7 of this Order without reasonable excuse also commits an offence under section 67 of the Act.

14. A person committing an offence under Section 67 of the Act may be issued with a Fixed Penalty Notice ("FPN") of £100.00 by a Constable or an Authorised Person, in accordance with section 68 of the Act, payment of which will discharge liability to conviction for that offence.

15. A person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500). No proceedings may be taken for any offence before the end of the 14 day period following the date of issue of an FPN. The person may not be convicted of the offence if the FPN is paid before the end of that period.

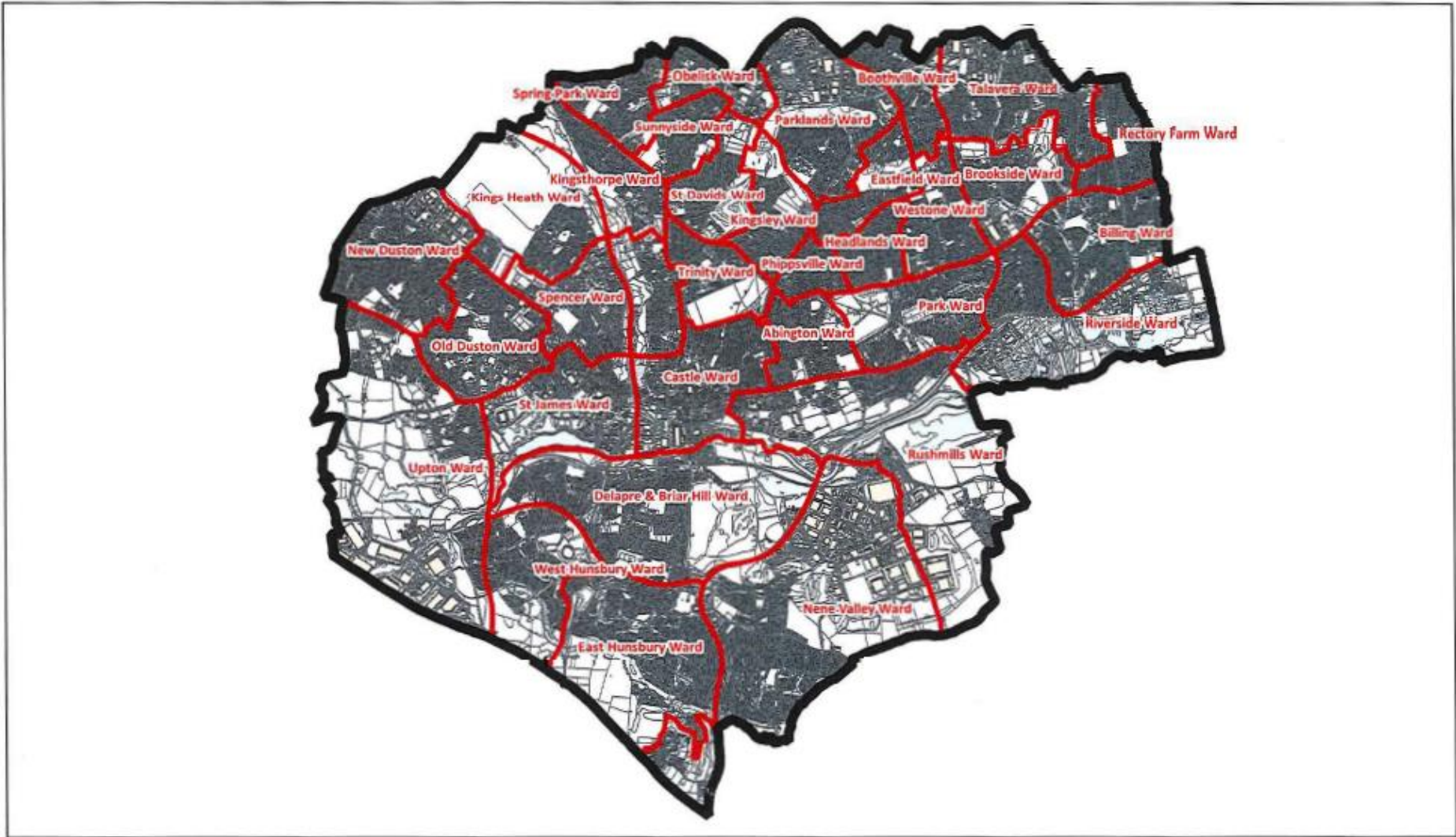
16. In consulting upon the prohibitions within this Order and upon making it, the Council has had particular regard to the rights of freedom of expression and freedom of assembly as set out in Articles 10 and 11 of the European Convention on Human Rights

17. This Order shall come into force on 18th September 2020 and remain in place for a period of three years.

Dated: 18th September 2020

Signed

Francis Fernandes
Borough Secretary
Northampton Borough Council

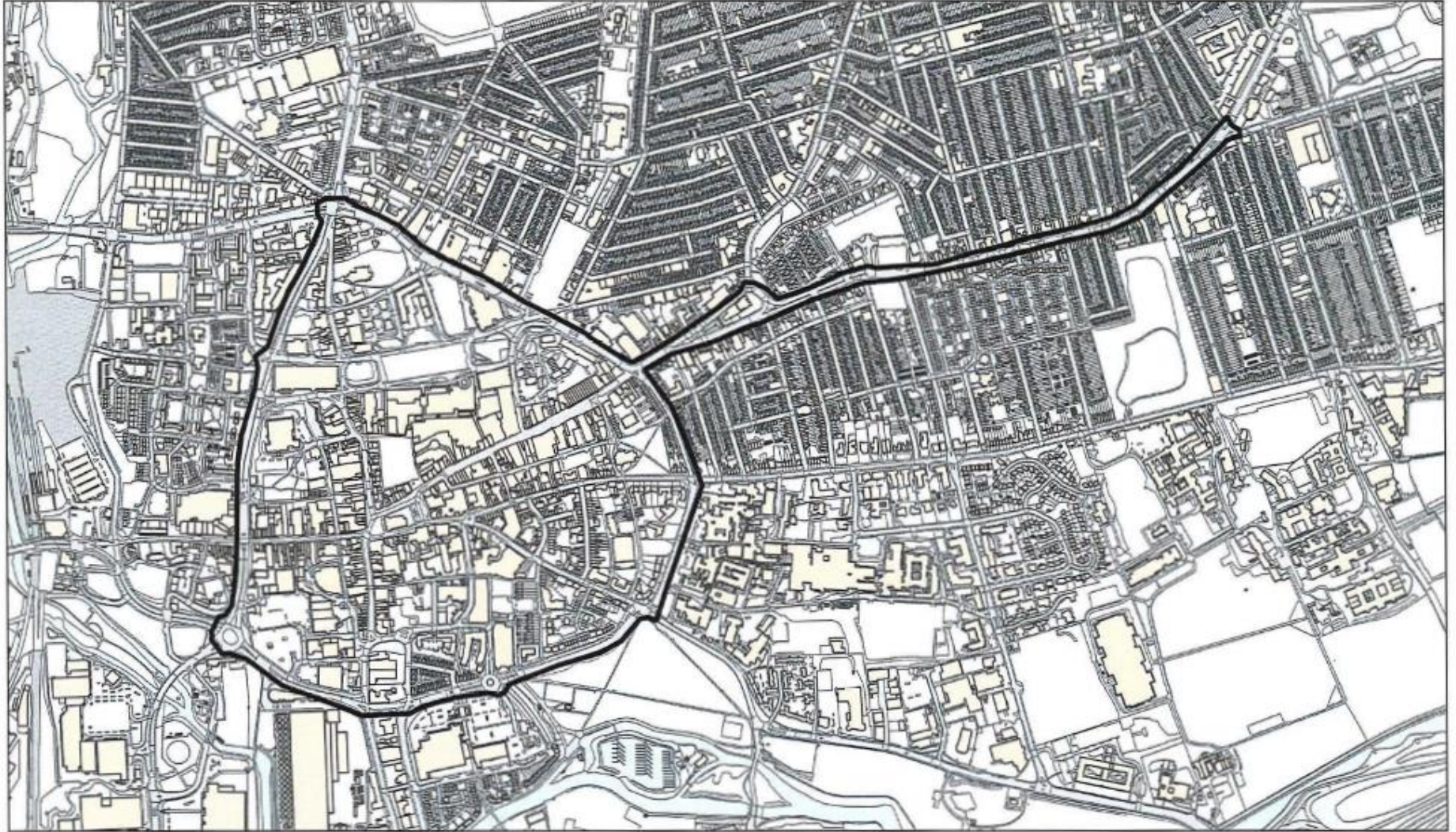


Title: **Appendix 1**

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Title: **Appendix 1A**

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APPENDIX 2

Exemptions

1. Nothing in Paragraph 3 of this Order, (relating to the consumption of alcohol in a public place open to the air) shall apply to:

(a) Premises authorised by a premises licence to be used for the supply of alcohol

(b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) A place within the curtilage of premises within paragraph (a) or (b);

(d) Premises which by virtue of Pt 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before that time;

(e) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under s 115 of the Highways Act 1980 (highway-related uses)

2. A prohibition in the Order on consuming alcohol does not apply to council-operated licensed premises or land:

(a) When the premises or land are being used for the supply of alcohol; or

(b) Within 30 minutes of the end of a period during which the premises have been used for the supply of alcohol.

3. Nothing in Paragraph 5 and 6 (removal of dog faeces & dogs on leads) shall apply to a person who:

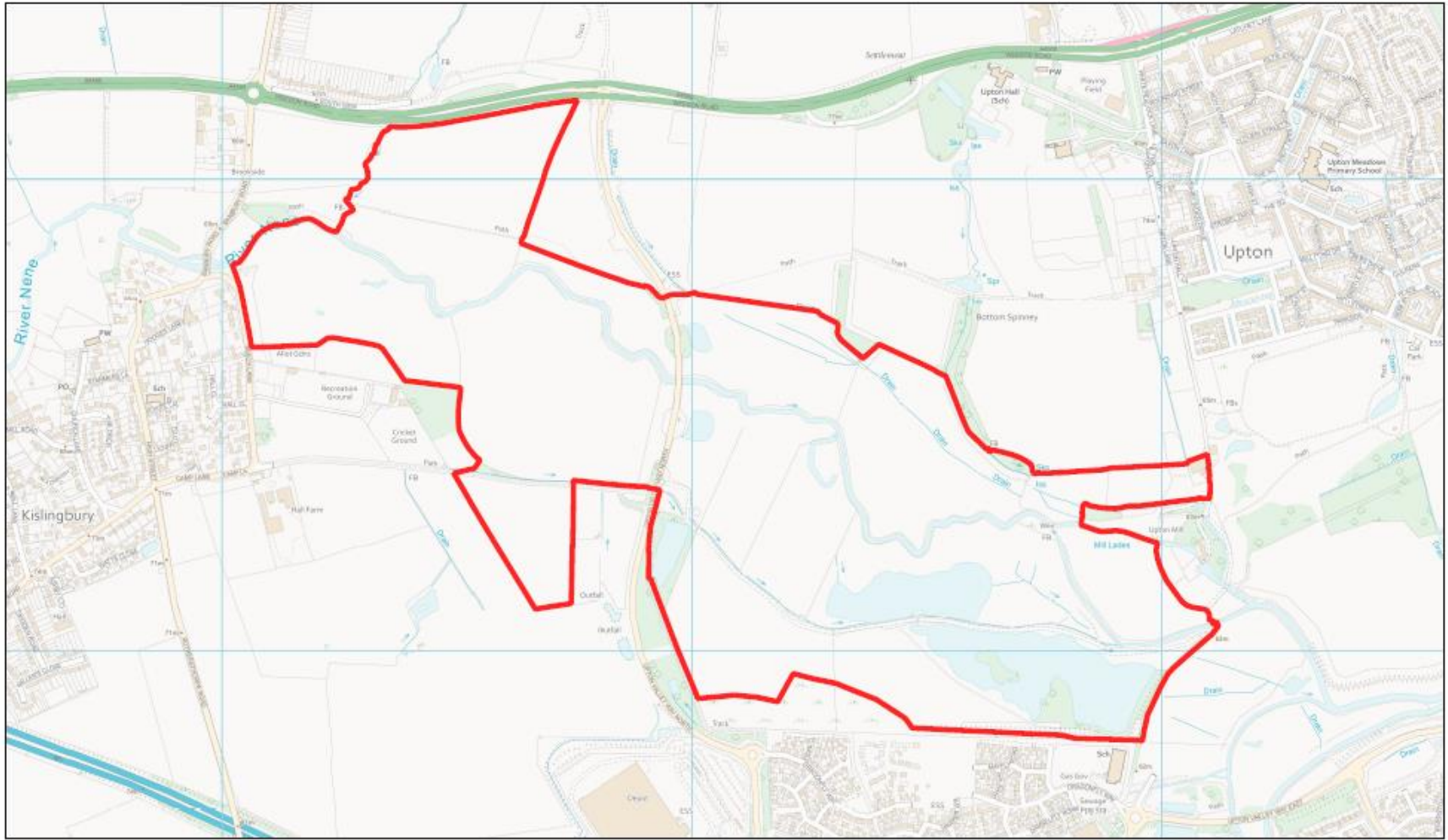
(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or


(b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

(c) has a disability which affects his 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 he relies for assistance.

APPENDIX 2 Upton Country Park Phase

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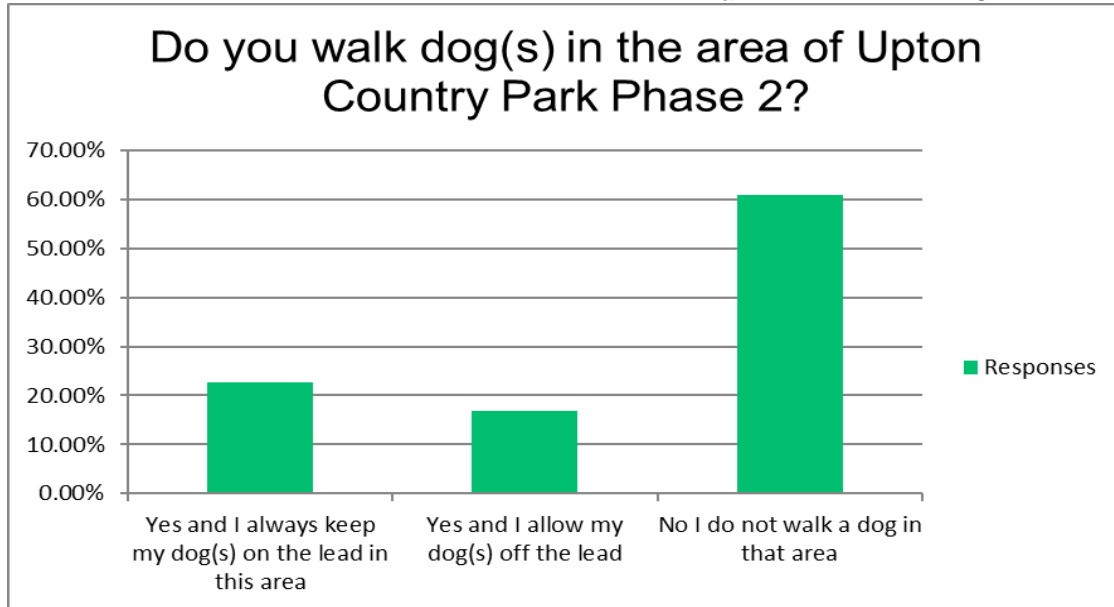


 NORTHAMPTON BOROUGH COUNCIL	Title: Upton Country Park - Phase 2	Date: 22-10-2020
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		Drawn by: -----

APPENDIX 3 – Results of Consultation and Comments Submitted.

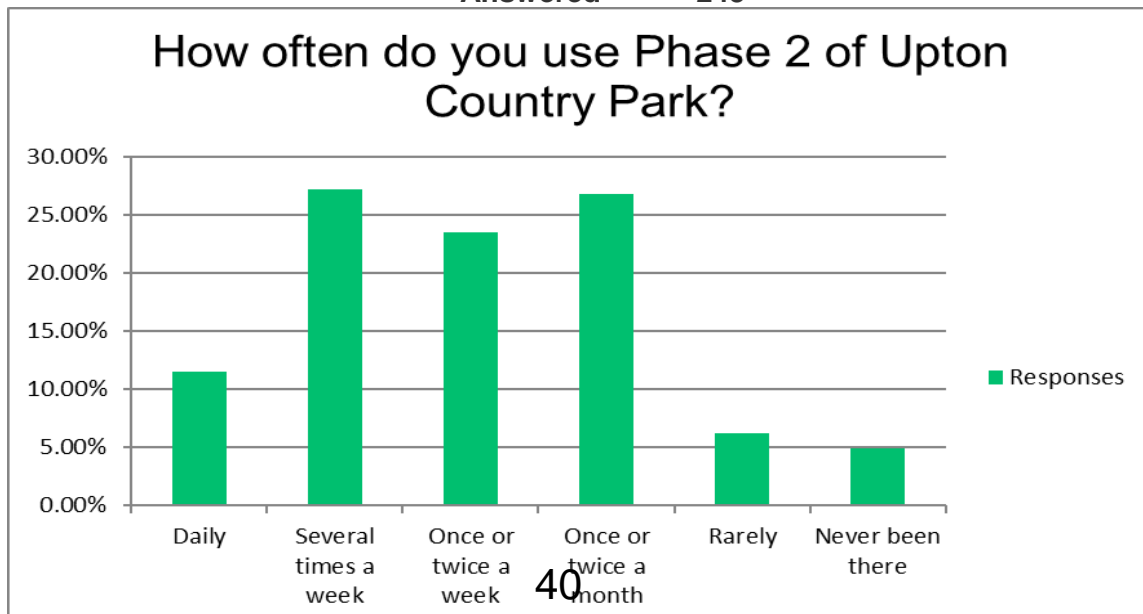
Do you walk dog(s) in the area of Upton Country Park Phase 2?

Answer Choices	Responses	
Yes and I always keep my dog(s) on the lead in this area	22.63%	55
Yes and I allow my dog(s) off the lead	16.87%	41
No I do not walk a dog in that area	60.91%	148
Answered		243



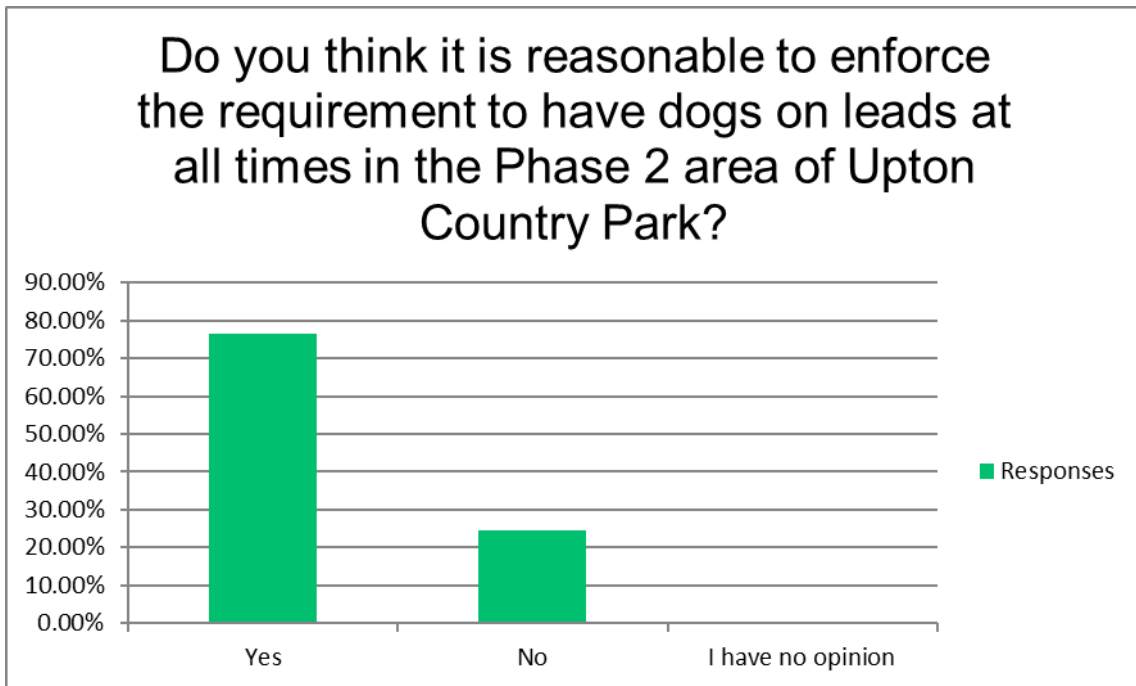
How often do you use Phase 2 of Upton Country Park?

Answer Choices	Responses	
Daily	11.52%	28
Several times a week	27.16%	66
Once or twice a week	23.46%	57
Once or twice a month	26.75%	65
Rarely	6.17%	15
Never been there	4.94%	12
Answered		243



Do you think it is reasonable to enforce the requirement to have dogs on leads at all times in the Phase 2 area of Upton Country Park?

Answer Choices	Responses	
Yes	76.45%	185
No	24.38%	59
I have no opinion	0.41%	1
Answered		242



All the dogs must put on the lead at all the time in the public for everyone feel completely chill and safe when we're outside. Thank you

Dogs should be on a lead where public pathways and sheep coincide. Perhaps the farmer should be more vigilant with his sheep as only last week there was one with a broken leg and several with foot rot. Nothing to do with dogs

I have a little small dog I do let her off the lead but put her back on lead when other bigger dogs or sheep and horses are around and yes I would support the dogs on lead in park

Dogs should be on lead in areas that sheep are grazing at the time

I do not own a dog but I like to walk in this part of the park as I feel safe from dogs running at me and scaring me. I would like to see dogs on leads in all parks OR more responsible owners able to control their dogs

Dogs should be on a lead at all times around other animals and people. Upton county park is a popular place for joggers who have also been attacked by dogs not on leads

If it's a park get rid of the sheep if it's a muddy field full of sheep and a flood overflow stop calling it a park! Simple!

I completely understand having dogs on lead through the area in which sheep's graze. The straight path that runs alongside Kislingbury lake does not have sheep grazing and therefore dogs should not have to be kept in lead. If detouring off the path into the sheep fields, I always and would enforce keeping dogs on lead to keep the sheep safe. I genuinely do not see the difference between that path (which you mustn't have dogs off lead) and the phase 1 path, a minute walk away, in which you can.

I walk the area regularly and have come across an increasing number of irresponsible dog owners. Only today I came across a man with two dogs off their leads who were aggressive towards me, it took him at least five attempts to get them on their leads, meanwhile one jumped up me with muddy paws. He was abusive towards me when I pointed out they should be on a lead and kept under control. I regularly see dogs in the park off of leads and owners not caring where they go and what they do, often dog poo is not picked up. I think there is a threat to both the sheep and humans, I know of several people who won't go into the park because of dogs, for me it spoils a good walk to be confronted by dogs and their aggressive owners. I would hope that this is strongly enforced both for the sake of the sheep and other park users.

Dog owners should abide by the rules and keep dogs on leads as per the signs to protect the sheep and lambs. They should also be mindful to keep a look out for bicycles and other people on foot and shorten long dog leads when needed. This is a fantastic facility for ALL to SHARE.

Dog owners who choose not to have their dogs on leads have been abusive to anyone including farmer and ranger who ask them to use the leads. Dogs are a hazard if loose not only for sheep but other walkers, runners, young and disabled children People should respect countryside code which has been accepted. Do not have dogs not on leads where there is livestock.

Get on with it! I am frustrated by the absolute arrogance of people who constantly let dogs off the lead. People cycle and run with dogs off the lead. Selfish and ignorant

All dogs on leads please and some enforcement would also be nice!

Phase two is a vast area. In regards to the welfare of farm animals it is clear where these segregated areas are and signs clearly posted to keep dogs on leads. It is essential dog owners do in these areas and absolutely I agree should be enforced with fixed penalty if not. We are using grazing areas of the animals and should respect their space! The tarmac path from Wootton farm to Kislingbury is a separate space safe for dogs to be off the lead as grazing areas are secured by self closing gates. Outside the grazing areas I do not see the need to enforce dogs on leads. We need balance. The growing dog mess in Upton is a concern, also horse mess in the phase two area. Most owners I see are responsible as with many things it is the few who are not causing the issues.

I think its necessary as sadly there are a few who think the rules don't apply to them as their dog is 'trained' and wouldn't worry the sheep

I think that farmers are entitled to have their live stock protected from dogs and that as a dog owner myself I keep my dogs on lead at all times except in Phase 1 of the park where they enjoy a good run off lead. Although important for dogs to get sufficient exercise, there needs to be a common sense approach and respecting live stock is imperative. I agree with the proposals

The enforcement of this seems a disproportionate cost to the tax payer, I walk my dog every day at this location. The vast majority of dog owners do walk their dogs on a lead and I have never encountered a dog out of control. You can clearly see upon entering each section of the park whether there are livestock within. The land owner could put up clearer signage as a more reasonable step. The proposal should apply to the whole country park not just the phase two area. The proposal focusses on the recent attacks on livestock but there have been numerous instances of dog attacks on individuals.

I fully support dogs being on leads in Phase 2 of Upton Country Park.

We have lived in Upton on clickers drive since the estate was built. We have exercised our dog off the lead for all of this time. Why because of a few people with dangerous dogs or incompetent owners who let dogs off lead near the sheep should us owners with not dangerous dogs or being a competent owner be penalised? Surely the sheep should also be contained within the area so dogs cannot attack the sheep?

Fully endorse this and would also back in phase 1

I feel following recent incidents, that the proposed change is needed and warranted as a dog owner I have no issue with the changes.

I think that dogs should be on lead on whole of Upton Park as I've been attacked a number of times by the dogs

Any area where sheep are free to roam should have dogs on lead

We need to keep some open safe space to allow well behaved dogs some off lead time

I think it is disgraceful. My dogs are well trained and always come back when called. Where are we supposed to allow our dogs to exercise? I do not see why the field where the community centre has to have these restrictions on as well! There are no sheep in this part

I think that as long as your dog is well trained and under control they should not have to be on a lead.

I have walked and run with dogs over those fields for 15 years and have never had any issues with my dog running off. I think it's a disgrace that you are taking away the freedom for dogs to have a run in the fields. There are always people who will have unruly dogs off lead. I have had an incident where a dog set upon my dog, it should not have been off lead as it was an aggressive dog and I agree that some should be kept on a lead. I think it's a terrible shame that responsible dog owners and their pets are being penalised ! I imagined that having those paths would bring joy but what it has done has taken away my right to run with my dog and the joy I get from that.

I do not understand why dogs cannot be off the lead if there are no sheep in the area ie the footpath alongside the river where the sheep are fenced in. Or the area after the lakes heading towards the bridge and Upton Park. Dogs need to have some opportunity to run freely. I totally agree areas where there are sheep must be prohibited but feel the whole area is excessive.

What is a point of a country park if we cannot exercise our dogs. Enforcement to existing laws should be sufficient.

Fouling and coming too close to my small children is a real concern of mine
I do not own a dog but I do run in the country park and there are always dogs off leads some of which are not under control. I am ran at, jumped at and even have been subjected to an attempted bite from a dog not on a lead. I thought this was illegal anyway. I fully endorse his proposal and believe it should cover the whole of Upton country park

Dogs being walked as exercise cannot be allowed off the lead around sheep, in any circumstances. The fine should be a lot higher than 100

Where do you expect people to properly exercise dogs, which means to let them run, if you ban this in country parks.

Raised in the area know how to respect livestock. Should be made an offence to disregard farm animals. Dogs must be kept under strict control at all times. Bicycles should also not be on path as dangerous forcing walkers into sheep pastures.

With local lockdowns these areas seem much busier than usual, keeping dogs on leads will also help with social distancing as they are controlled

This area of the country park has several clear separate areas. The sheep are often in one of these areas. I believe if people are sensible, a dog could be walked off the lead in certain areas away from the sheep. The visibility ahead is clear from the path and a dog Walker would be able to see grazing sheep far in advance. I feel that an informal requirement is sufficient and public expenditure could be better utilised elsewhere rather than the enforcement of a PSPO in this area. The farmer could ensure there is clearer signage as the signage is small and does not leap out to you at the entrances to the space. Thank you

I live on Beech Lane in Kislingbury, so we have walkers with dogs on leads, walkers who expect to walk on the road and cars wait for them to walk all the way up the road. Then there are cars parked directly opposite the driveways in Beech Lane, where people go off for a couple of hours around the park. Finally, the entrance at the bottom of the part is an eyesore, not finished; quite dreadful.

In the section where the sheep roam I completely agree that leads are required. However, there are large sections of tarmac path where there are NO livestock and very secure fences. Why can't dogs be allowed off leads here? Banning dogs off leads across the whole of phase 2 is overkill and unnecessary. Please ban dogs off leads in the field areas only. There is no logic for the ban on the

paths that are secure.

Yes. On 10th January 2021 I reminded a cyclist who had a dog off the lead in a part of the park about the sheep being pregnant. He got off his bike and threatened to throw me in the river. I contacted the police who gave it a crime number as a Public Order offence. I agreed with the police to report any future sightings to the park ranger. But such attitudes and behaviour are experienced regularly by the ranger and by the farmer from people who think the rules don't apply to them. Unfortunately, it looks as though VPNs is the only answer for people who cannot use common sense.

Absolutely agree dogs on leads should be enforced - regularly see people blatantly ignoring the signs. Not just physical/visible attacks on sheep; the stress induced by loose dogs contributes to abortion. The area is also becoming increasingly important for wildlife (given the insidious creep of construction) which is vulnerable to disturbance by dogs off lead.

As phase 2 is in the flood catchment area and this is also open grazing land for sheep I would wholly recommend that all dogs are required to be on a lead at all times in the grazing areas whether sheep are grazing or not. It is pastureland. Yes to being walked in any grazing area regardless of the time of year or whether the sheep are actually present. This option would then hopefully get dog owners used to having to have their dogs on a lead at all times on any grazing land elsewhere. I'm fed up of hearing 'it's ok, my dog is friendly'. That is no good to the person who is terrified of dogs and possibly has been attacked by one. Also when a dog is off a lead, sees sheep and it's instinct kicks in, that previously well behaved obedient dog ignores it's owner to worry and possibly savage sheep. Many owners need to be made more accountable for their dogs behaviour. At the end of the day the owner can and should be prosecuted for sheep worrying and reminded that if caught in the act their pet dog can be shot on sight with no questions asked beforehand by the farmer. Many a walk has been ruined by being approached by an out of control 'friendly' dog. So yes please - dogs on a lead at all times. Please also update the signs to add that dog worrying causes not only miscarriage, but fines, criminal record etc and the dog being shot dead legally by the farmer. I fear that that may be the only thing that works.

Dogs on lead should be a requirement, it became very scary for kids and the other dogs. Dogs should absolutely be kept on leads in the Phase 2 area of Upton Country Park. It is unfair to the sheep that roam freely and might be attacked by off-lead dogs.

I think that the sheep need protecting, I often find the gates open, and action does need taking, but not just keeping dogs on leads, perhaps not having the walkthrough the sheep area would help, or better self closing gates.

Having had dogs for most of my life even when at home with parents our dogs were always on a lead in public areas and in the countryside if there were farm animals about. We have ourselves been subjected to aggressive dog behaviour towards our dog around this area and we fully agree that all dogs should be on leads but more signage is needed. Sometimes the owners are as bad as the dogs, who can we report this to ?

My experience as a runner in the area proves to me that dog owners using the area do not exercise adequate control of their dogs and should therefore be required to keep them on a lead. It is about time this was made enforceable, I walk and run around these paths and regularly see dog owners let their dogs run freely in the fields where the sheep graze. It would be good to get this enforcement in place around Pitsford Reservoir as well where there are also regular breaches. Where else in the locality are we allowed to have our dogs off the lead?

Fantastic idea. I run the route regularly and gave up politely reminding people to put dogs on leads

after receiving nothing but insults in return. It might help to make it clearer that includes the "fenced off" path leading past the farm and to the south of the new housing development, as many owners seem to think this protects the sheep from any stress/ worrying behaviour.

A sensible move that removes danger and doubt.

Having enjoyed Upton Country Park on quite a number of occasions during 2020, especially during lockdown, I never got the impression that dogs were any trouble. There seems to be a culture of responsible dog ownership in the area. Why not simply remote this culture, rather than setting people against each other? I don't have a dog, but I enjoy seeing happy dogs running about having fun, and if you want Phase 2 to be well used and enjoyed I believe you should encourage dog walkers, who are generally very responsible users of the countryside, to come and exercise themselves and their dogs there.

I always put my dog on the lead if there are sheep grazing and remove once we are well past the sheep as do most other decent dog owners. The sheep are moved around regularly meaning there's often lots of fields empty and no harm to be caused should a dog be off the lead.

I would like to see more parks with protected spaces as most dog owners tend to be ignorant to other park users (even when dog is on lead) such as children, people with anxiety or people with animal allergies.... everyone should be able to enjoy sometime in some open spaces without fearing some dog jumping / humping / chasing / leaving faeces & urine that causes eye infections etc... Many thanks in advance 😊

If the sheep are kept in fields away from the walkway, or a fence is put up to prevent the attacks this would be better than nothing. Some people do not know their countryside code, perhaps an education programme in the schools, and a leaflet drop on the new estates may help?

Makes sense to keep risks to sheep that are often in surrounding fields minimised

I have doubts as to whether this is an effective use of an PSPO. There are increasing numbers of dog owners and we need to be sure that we are meeting the needs of those owners and dogs. A free run off a lead is a very different experience for a dog to being confined by being on a lead - is there any area which is being set aside which would be a safe area for dogs to be let off the lead. No one wants conflict between dogs, their owners and sheep/other wildlife but education and proactive provision of facilities to meet need are better routes than a PSPO which will feel like a negative response by authority, difficult to enforce and do nothing to encourage positive dog ownership behaviour. It feels as though there could be better compromises to make.

I walk my dogs in other areas of the County and always put leads on when sheep or other animals are present. This is common sense. A fine is suitable for people who break the rules on this matter.

It is only fair to keep dogs on leads in areas where there are wildlife such as sheep. Sheep deserve a safe place in which to graze.

Can we also have a regulation to remove horse manure from the footpaths?

In some places the main pathway is separated from the fields where sheep graze by fencing. When this is the case I don't think there should be restriction or enforcement on the fenced sections. Where paths/tracks are unfenced on grazing land I think the restriction should be enforced.

How will it be enforced as some members of the public will not adhere to the order.

There are lots of dogs of their leads that annoy the general public and other dogs
This is needed. There are too many off leads dogs. Notwithstanding the issue of bites happening the roads adjacent to the park are fast moving roads, a loose dog could cause a serious accident. Dogs should be leashed in the park.

There are 2 paths of this area, one where it is clearly the main route around and there are no access to the sheep and the second one which are accessed by gates, I have hardly used the 2nd route (the access to the gates) so can't comment on that route but although it is clearly marked, I do see many dogs without leads on the main path, maybe because you can't reach the sheep due to the fencing or people can't read! Maybe changing the signage to warn and show people where exactly to keep the dogs on their leads and the fine!

It's not only the sheep but some dogs run fast and are frightening. Also young children cannot get out of the way for the dogs that come running at them

No.

I completely appreciate that dogs should be on lead in areas where sheep are not separated by a fence. But, on those areas where there is sturdy fencing and a clear separation I just don't understand the need for this. by all means, enforce where there is no separation (I like to think most responsible dog owners would out their dogs on leads in these cases), but to enforce across the entire park will just put families and walkers off coming to the country park, which I'm sure wasn't the point when extending it!

I am not entirely sure if the whole route as I can't make it out clearly on the map. Where I walk my dog there wouldn't be roaming sheep as there is nothing stopping them accessing the road. I wouldn't dream of going into the grazing area with my dog at all as she isn't stock proof.

Ineffective unless someone monitors and enforces it

It's common sense to keep dogs on leads here. The sheep were there first!

As a regular user of both phases of Upton Country Park, I think all dogs should be on a lead at all times. If nothing else this would make dog owners more aware of the fouling that their animals do in the area as well as making it safer for all with behaviour issues with animals.
Sad it has to be proposed.

If you are with your dog IN the fields with livestock, the dog MUST be on a lead. However, on the paths round the sides, which are fenced off from the fields, it is fine to allow the dog off the lead. Maintain the fences to ensure the sheep can't get out of their fields.

I agree that dogs should be on leads to protect livestock, however, areas where livestock are kept should be fenced off. And equally dog owners should be more aware and place dogs on leads when passing through open areas.

Whilst there may be a very small number of dogs which are allowed to run free and are poorly disciplined, most dog walkers have control over their dogs on or off the lead. In parts where sheep are loose dogs should be kept on leads but the main path is fenced off from the sheep fields. I think any enforcement must be limited to the open fields.

I think that a review after a year would be beneficial to see if these incidents have reduced and if the scheme has been successful. Possibly the introduction of some CCTV would be helpful to try and identify those responsible for the horrific attacks but I appreciate facilitating this would, logistically be challenging and a cost.

The Sheep must be protected against irresponsible owners who have no control over their dogs !! Fully appreciate this is concerning the awful attacks on the sheep but I've also witnessed (& experienced) 'Lively' dogs approaching walkers/those exercising - the owners have no control of their dogs. Scary and intimidating at times!

Dogs in this highly populated area should always be on a lead. For the dogs sake, other people who maybe scared of dogs, for cyclists and for livestock protection

Stop taking places away from us to let our dogs off the lead.

It is a standard ruling to put your dog on a lead if there is livestock to ensure the safety of the livestock. The only exception to this is if a person is endangered by keeping the dog on the lead i.e with aggressive cattle. It is obvious to put your dog on a lead where there is sheep but if there are no sheep grazing then the dog can be let off. This should be reflected in the PSPO in any case. It is my plan to visit Upton Park but unsure now where you would be able to let off your dog? I think this consultation should have shown the area that you can walk your dog off lead. I haven't visited Upton Park but I live in Northampton and it is my intention to visit but this is unclear, as a dog walker, what you are able to do? Are you meaning to enforce dogs on leads in the whole of the park? If so wouldn't it be a good idea to fence in the sheep? The majority of people with dogs are responsible but it is the minority that causes all the trouble and those people will not be worried about a PSPO and so I think you would be better off finding another solution.

Could possibly be OK on the main pathways without a lead as there are no sheep. I am a cyclist and twice this year dogs off leads have attacked us in the country park. One owner said their dog was scared of bikes, the other was too busy on her phone to speak to us.

Too many public places we use have too many dogs off of leads. These places are there to be used safely by all without being intimidated by lots of the dogs that we meet. They are not all going to attack people, other dogs or livestock but unfortunately some do. I wish more areas were made PSPO to make it safer for all. This may also make dog owners more responsible for there dogs. After all there are plenty of other quiet areas dogs can be let off of leads.

Responsible dog owners put them on leads around livestock.

Dogs should be under control at all times and responsible dog owners should already be enforcing this when sheep are grazing. They are not there all the time as they are moved around into different fields during the seasons. We appreciate during lambing season this might be more appropriate and if there is an issue then consider fencing off the areas where sheep graze to protect them and satisfy the farmers requests.

I feel that the safety of all park users including animals should be paramount and therefore believe that dogs should be kept on leads.

This should be the case in ALL public parks throughout the Borough

I walk my dogs in phase 1. I feel that with the sheep roaming freely in phase 2 that dogs should be

kept on leads in that area, for the safety of the sheep and also the safety of the dogs.

Several times I have encountered inconsiderate dog owners who have have their dogs off the lead, a number of times in front of the sign that says to "keep your dogs on a lead" . I think the fine should be higher too with the possibility of it rising with each offence. It is not hard to keep a dog on the lead. Sensible dog owners would control their dogs and ensure no harm comes to other animals. It should be fines for those who don't control their animals

I have a Border Collie and always keep him on a lead if near to livestock. Upton Park is not far from me, although too far for me to walk to due to disability. However, I have been considering driving there to walk my dog when restrictions allow. I love seeing the sheep grazing when we drive past and would be horrified to see them chased by a dog off lead, or worse - attacked! I used to live in the countryside and worked on farms. Town people, and even some who have moved to the countryside, do not understand the need to protect livestock and keep their dogs on a lead. Therefore, it is vital that the PSPO is brought in to protect these sheep!

Some days there are too many dogs running loose and with people, children, bikes and on occasion horses being ridden in the park which might be dangerous with so many people children and dogs running around.

I think this is a much needed amendment, I regularly encounter irresponsible dog owners in the country park and around the village generally. I hope this will encourage them to be more in control of their dogs.

It is imperative that sheep are not put at risk by dogs off leads. I cycle through the park fairly often and have been chased by a dog off a lead yapping at my feet more than once while its owner seemed unable to get it under control. Not pleasant for me but far more serious for sheep if they have to cope with similar.

Today (28/12/20) I observed a single cyclist riding his bike through a field full of sheep with a dog. The dog was running freely and it was clear that the cyclist had no control over his dog. It will soon be lambing season and it is imperative that dog owners are "forced" to put their animals on a lead. Keeping a dog under control / on a lead when sheep are around is a given and should be left to peoples common sense rather than be enforced by law. Sheep are not present in all areas of phase 2 and when not present it should be allowed to walk dogs off the lead. The perimeter paths in particular are inaccessible to sheep (or should be if the gates to and from the meadows are kept shut) so surely it should be ok to walk dogs off the lead in these perimeter areas. In my opinion the signage is in the wrong place. It should be relocated and placed at the entrances to the gated meadows where the sheep do roam instead of at the entrances to phase 2 of the park. A blanket ban on walking dogs off the lead in the entire phase 2 area will make the park unattractive for many dog walkers, many of whom will be responsible and will keep their dogs under control if necessary, i.e. if sheep are around. Many dogs aren't even interested in sheep. If the PSPO is amended it will be the case of a few irresponsible dog owners spoiling it for the many!!! I for one do not wish to live in a Nanny State and object to the amendment which is ill thought out!!!

Bloody good idea to have dogs on leads. Without (and to be honest with) they're a menace to other users of the park - particularly the footpaths and cycleways - especially those not fond of dogs for whatever reason (fear, allergies, and excrement).

I feel making everyone keeping their dogs on the lead is punishing people who have control of their pets. I don't make my dog off because he's still a puppy.

It is vital. We have seen so many people allowing their dogs to run free we have been very concerned. It must be addressed.

I walk around Upton Country Park phase 1 regularly and always put my dogs on the lead as we approach the double gates where the sheep are often grazing. One of the reasons I do not walk Phase 2 is because I have 2 Border Collies and they would not be easy to manage on lead around sheep (for obvious reasons) I would also not have them off lead around sheep. I think it is absolutely the right thing to do to enforce dogs to be on lead around sheep. What would be useful to consider is whether there could be an area where dogs could be off lead and sheep not permitted.

Yes I definitely agree with this proposal. As a regular jogger through the park I too have had problems with dogs not on a lead jumping up at me!! The poor sheep need protecting.

Numerous times seen dogs allowed to run into field of sheep. These dogs are also a danger to other walkers especially children

I visit other 'dog on lead' areas - Stanwick Lakes & Rushden Lakes - and find the rule is ignored. How will the rule be policed? I want to go where off lead dogs don't run up to mine but no matter how many signs you put up, they will be ignored.

It's a difficult one as we have one dog on a lead (as he would potentially chase birds and rabbits which would mean he'd then be running through the sheep fields. He wouldn't chase sheep but to any onlookers that's what it would look like, hence we don't take that risk. Our other dog however is great off lead. He's very toy orientated so walks with a ball or a Frisby and is always under control. He hates being on a lead we love the fact we can walk from Upton to Kislingbury with Charlie off lead. The problem is some people don't have control over their dogs and should have the sense to keep them on lead near the sheep. I think it's a shame for all dogs to be on leads when they don't need to be, however there are always dog owners who let others down!

Too many dog owners let their dogs off the lead even in the fields with sheep which is totally irresponsible. Also some people are nervous of dogs and to have a dog jump up at them can be quite concerning. The important thing is that the regulations need to be properly enforced as too many owners completely disregard the warning signs about keeping dogs on a lead. This equally applies to the original country park area.

In the areas where the sheep graze and they are in clear view then I agree that dogs should be kept on the lead but if there are no sheep anywhere in the vicinity then I see no need to keep dogs on a lead. What is the rationale for keeping dogs on a lead when walking on the main tarmac footpaths within Phase 2 which are fenced either side and are not accessible to the sheep?

Upton Park has become quite a problem area for off lead dogs everywhere. Often dogs are off lead and not under control, resulting in livestock, people and other dogs being attacked due to said off lead dogs. A lovely place to walk, if only people actually kept their dogs under control.

The world where we fine law-abiding citizens with well-behaved dogs would be a sad money making one please don't

Whilst I prefer to have my dogs off lead, they are always on lead if we are near any livestock, including parts of phase 1 at Upton where the sheep are fenced off. I do this as it's the responsible thing to do and in the phase 1 area, if the sheep are by the path side fences they do get spooked by the dogs even on leads. As well behaved as some owners believe their dogs are; no dog, unless very specifically trained for that purpose (being around livestock) can be trusted off the lead in the same area as the livestock. There are too many owners who are not fully in control of their dogs who take them off the lead and if fines change this then I'm all for it.

No.

Rules need to be in place to prevent any harm coming to any person or animal and the fine should also higher £250. The problem is how to enforce or police this.

I cycle through the park several times a week and always make my presence known well in advance to owners and their dogs but have still had snapping and snarling dogs try to attack me as I pass. Most owners are responsible but my concern is for young children cycling with their parents where the children may be at risk when they don't know how to anticipate the danger leading to injury from a dog or from falling to avoid a dog.

Dogs should be on the leads in the fields but not on the paths

On the main footpath round phase 2, everything is fenced in, (lakes, fields where sheep roam) I cannot see why dogs cannot be of leads. This is also used by joggers and cyclists of which we share. The paths that you access via the gates to areas of where sheep are roaming, yes, dogs should be on leads, that is what I do. I do think you need to look at the position of signs, I only see 1 of your signs in the correct place just the other side of a gate as you enter where sheep roam.

Perhaps the council should take time to look at the signs. I let my dog off the lead in the fenced of area, and on the lead if going into the fields where sheep are grazing. The signs have been put up randomly with no thought. If the sign are sorted out by some one with a bit of experience, Then by all means prosecute the owners who ruin it for the rest of us.

I think it's sad that it has come to this.

A blanket ban affects good dog owners. If this is going to be policed, then a more guided approach would be more appropriate.

I have ticked "Yes" to the question about dogs being on leads in phase 2 of UCP. However, I would qualify that with the following comments. If I am on the main pathway that links the old part of UCP with Kislingbury, I don't keep my dog on a lead. The same goes for the stony pathway that goes past the lake on the way back to the old part of UCP from Kisle. The reason is the sheep are behind fences, not on the paths. The fences are well made and keep sheep from getting onto the main paths, and dogs from getting into the sheep fields. This is quite logical to me. There are sheep in fields behind fences all over the country. Having said that, it is a totally different situation if I go into the fields where the sheep are. For instance if I go onto the new path that starts on the outskirts of Kisle (just over the road from the Cromwell) then of course I keep my dog on a lead. Even if there are no sheep in that huge field, I keep him on a lead. I consider that to be a "sheep field" and I always have him on a lead. But I don't consider the fenced off pathways to be a place where sheep are found, therefore I let him run off the lead. Incidentally my dog is a Golder Retriever with no interest in sheep, although I realise you can't have one rule for one dog breed and a different rule for another. To sum up, I fully support enforcing dogs on leads in the sheep fields. I don't support enforcing dogs on leads on the paths outside of the sheep fields.

As an animal lover I absolutely hate to hear about attacks on livestock, however there is a minority of people who are negligent and careless dog owners spoiling it for the rest of us. I believe dogs need time off the lead to run and explore for the sake of their health and well-being, and the areas in which this is allowed is rapidly disappearing. It's a travesty and a massive inconvenience for thoughtful dog owners. To have lead-only areas where sheep roam free is absolutely necessary and common sense. But to make entire park areas where there are swathes of land that livestock do not roam lead-only is ridiculous and a huge let down for dogs and their owners. Please let people use common sense, and come down hard on those that are negligent without restricting the wider community.

Whilst some dog owners have adequate control of their dogs, it is clear that many have issues with recalling their dog away from other dogs, let alone sheep. I have personally witnessed on multiple

occasions dogs and children freely chasing sheep in full view of their responsible adults. What's worse when confronted you get told "Well it's not against the law is it" "Oh well your dog is just dangerous and shouldn't be allowed out" "My dog is just being playful", there's a horrendous disregard for the safety of their own animals, let alone others

Most dog owners are so inconsiderate of others, they seem to think their dogs take priority over fellow humans.

I don't think you should make enforce this proposal as there will be many dogs unable to get proper exercise (running off lead) which will lead more issues with dogs. Please consult some experienced dog behaviour experts who will tell you that to have balanced and obedient dog, the dog needs to get enough exercise. I would suggest to make compulsory to take puppy training when getting a dog or if adopted have some certificate to say the dog is allowed off lead as they had enough recall / ignoring other animals training. I would not punish all dogs and owners just for a minority, as that will cause more issues.

Essential that dog owners are made to act responsibly towards livestock and other members of the public.

£100 is not enough to hit people where it hurts.

I think the ignorance of people is totally unbelievable. I would raise the fine to £10,000 like breaking some covid-19 rules. and put cameras up with the cash made by the fines... sorry to hear this. Failure to comply 2nd time jail, thanks. Poor sheep.

There are too many irresponsible dog owners which have ruined it for the well-trained dogs. I keep my dogs on the lead and they often get bothered by other uncontrolled dogs off the lead. I also feel strongly that sheep have been injured, not acceptable. Make it a rule, all remain safe
Penalising responsible dog owners for the minority of irresponsible dog owners who cannot control their dog.

Too many irresponsible dog owners so agree that this is a good idea to be enforced.

Most of the paths have fences which are sufficient to stop dogs going towards the sheep. Where the land is open, the signs that tell owners to keep dogs on leads are too words and too high. Imposing fines is fine if you must but that doesn't solve the problem. Make it clear where sheep are at risk. There should be areas in the park where dogs can go off leads, not a total ban. Sheep should also be protected by electric fence

I have let me dog off the lead only when there are no other dogs, people or livestock. If your dog is under control and you respect the livestock I don't see a problem with them being off the lead. Obviously if your dog is being a nuisance and Chadian sheep etc then a fine would be appropriate. I have never seen any unruly dogs whilst walking there in the last year

No excuse for dogs off leads whilst livestock are present.

Very good idea. We have experienced dogs off leads and they not only frighten sheep but children as well.

The reason I have not been is I would like to walk my two little dogs on their leads in a safe place without fear of other dogs coming up to them. I would come to this area often if the lead rules were enforced as I can't find anywhere safe to walk them.

If people don't like it then ban dogs completely from the park

I think it's a great idea. In fact I'd say both phases as the dogs are not under control when they are off leads. My daughter always gets dogs running up to her which petrifies her. Plus when I had a dog he was attacked twice by the same dog who just ran away from its owner. The sheep and people deserve to be safe.

Dogs should be on a lead, and owners should do as they are told.

This should have been done from the start

Its a great proposal, myself and family all support this. Some dog owners do not take responsibility and clearly this now needs to be enforced.

No objection to dogs on leads in this area, on the paths that run through the fields that livestock are in. Do not see why they need to be on a lead along the bridal way running between the fishing lakes and the adjacent lane towards Kislingbury

About time for it to be introduced. Would appreciate if more enforcement as well for not cleaning up their dog mess, especially on the sports fields and paths

The sooner the better for all concerned

I think dogs should be on leads at all times as I walk my 2 year old daughter there and have had lots of dogs not on leads jump at us and it only takes the wrong dog for something bad to happen

Allow dogs of leads on the green areas either side of the car park - enforce leads once you leave that area which is where the sheep are

Too often there are dogs running amok in out park. Usually from owners travelling into the area.

I think the dogs should be on the leads. Its vital this happens for the safety of the sheep.

I walk my two dogs off the lead along the tarmac path from Southview (nr Kislingbury) to Upton Park and back several mornings a week. I never go through a gate onto the fields where sheep are but if i did i would keep my dogs on the lead as the signs tell me. Along this tarmac path, there are 3 signs requiring dogs to be on leads that are in the wrong place. They suggest dogs need to be on the lead on the tarmac path though there are never any sheep on the tarmac path, obviously. I have been shouted at by cyclists, some of whom use the tarmac path as a racetrack, even though there are often young children walking. These 3 signs should be re-positioned so people know it's ok to walk dogs off the lead on the tarmac path. The good cyclists who have lights and a bell give me plenty of warning so I hold the dogs as they cycle past. Simple etiquette I think, both ways. Please consider moving these 3 signs so it's clear my dogs can be off the lead on the tarmac path. I expect to be told off and/or fined if i let my dogs off in an area with sheep

This makes sense, you cannot have dogs killing Sheep!!!!

I think this is an excellent idea and I would extend it to Phase 1 of the country park too. I am a runner who uses this area several times a week and I am frankly fed up of seeing dogs off leads terrorising sheep, runners or other park users with owners who think it's ok and are not in control of their animals.

We have a border collie. She has fantastic recall. It would seem almost cruel to put her on a lead. In open fields with sheep absolutely on a lead but in the paths where the sheep are behind fences them if the owners can control them then it's sad to make them be forced to be on a lead. Out of control dogs should never be off lead. I understand that. But it just doesn't t see fair to force the

majority to keep dogs on lead because if a few selfish owners. But the sheep need protecting. Open field. Dogs on lead. Fenced paths. Well behaved dogs can be off the lead.

I would like this to be extended so that dogs have to be on leads throughout the country park, not just in phase 2.

On the concrete paths where the sheep are not kept I think it's reasonable to have dogs off the lead, but once inside the gated areas / fields with sheep in its reasonable to enforce fines. Its difficult at the moment as those that are not moving into the fields and are just using the paths alongside the fields it doesn't seem reasonable to keep dogs on leads there as they aren't affecting the livestock. Any time you're in a field with livestock dogs should be on leads and fines enforced.

On stretches of the new paths there is fencing so no access to the sheep but once you go through gates there are roaming sheep. The fixed penalty area should be where there is direct access to the sheep, not the entire pathway.

I get very cross at large dogs that are off the lead and knock my two children off their feet. My children are terrified of them. I understand that dogs need to be walked and let of some steam. But they should be on a lead- I worry a dog will attack my daughter as she screams and I worry it would spook a dog and attack as a result. It's a problem that we only really have at country parks.

It is reasonable to expect dogs to be on leads when livestock is present. Loose dogs also disrupt wildlife in the form of small mammals and nesting birds. Loose dogs on shared use paths cause issues with walkers and cyclists. Not everyone is a dog lover!

The area proposed appears to be quite a vast space, it must be signposted sufficiently to ensure that users are aware of the requirements.

Appreciate dogs like to run off the lead. It is okay within the football ground area but not outside.

This survey does not give the option to expand. I feel the path to the north of phase 2 which is fenced off from the sheep field is a safe place for dogs to be off the lead whereas I feel inside the sheep fields they should be on a lead. This is how I walk my dogs. Your map does not give clear details of the extent of the PSPO area. I feel that I would agree with the PSPO for the area inside the fields but not the path outside the fenced off area.

APPENDIX 4 - Equality Impact Assessment.

Part 1: Screening

When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality. A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

1 Name of policy/activity/project/practice	Amendment to PSPO 2020 to prohibit dogs off their leads in the Phase 2 area of Upton Country Park
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2. Screening undertaken (please complete as appropriate)	
Director of Service	Marian Goodman
Lead Officer for developing the policy/activity/practice	Peter Hackett
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Legal Services Finance, LGSS Environmental Health & Licensing Manager, NBC Community Safety & Engagement Manager, NBC

	<p>Northants Police</p> <p>Cabinet Member for The Environment, NBC</p>
<p>3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.</p> <ul style="list-style-type: none"> • A Public Spaces Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined locality. • The proposed PSPO will allow the prohibition of dogs off their leads in the Phase 2 area of Upton Country park. • This is a legal order that can last for up to three years and it will help prevent dog attacks on the sheep grazed in the area. • If an element of this order is breached, the outcome could be that the individual is issued with a fixed penalty notice for £100 or fined up to a maximum of £1000 if at court. 	
<p>4 Relevance to Equality and Diversity Duties</p> <p>A Public Spaces Protection Order is designed to stop all individuals or a specific group of persons committing anti-social behaviour in a public space. This Order allows the prohibition of dogs off their leads in the Phase 2 area of Upton Country Park.</p> <p>If you have indicated there is a negative impact on any group, is that impact:</p> <p>No – all individuals/sections of the community will be dealt with in the same manner. Incidents will continue to be dealt with in line with our equalities framework</p> <p>Legal?</p>	

N/A

Please explain:

5 Evidence Base for Screening

Equality Human Rights Commission

<http://www.equalityhumanrights.com/resources/case-studies-of-how-organisations-are-using-the-duties/case-studies-equality-impact-assessments/>

Section 72 of the Anti-Social Behaviour and Policing Act 2014 requires the Cabinet as decision maker to pay particular regard to rights of freedom of expression and freedom of assembly set out in articles 10 (the right to freedom of expression) and 11 (freedom of assembly and association) of the European Convention on Human Rights in considering the making any such order. The making of the said order is considered to be proportionate and will fulfil a legitimate aim of curbing anti-social behaviour in public places for the benefit of the law abiding majority and hence will not infringe article 11 ECHR.

6 Requirements of the equality duties:

(remember there's a note to remind you what they are at the end of this form and more detailed information at www.northampton.gov.uk/equality)

Will there be/has there been consultation with all interested parties?

A 6 week online public consultation via an open access online survey using 'Survey Monkey' Councils social media accounts was carried out.

- The owner of the sheep with the right to graze on the "Phase 2" area of Upton Country Park.
- Upton Country Park users – Signs will be displayed around the park inviting responses to the On-Line survey monkey questionnaire.
- Upton Parish Council
- Hunsbury Meadows Parish Council
- Marina Park Residents Association
- Community Spaces Northampton
- St James' Residents Association
- Upton Meadows Residents Association
- Friends of West Hunsbury Park
- Northamptonshire County Councillor (Sixfields) Pinder Chauhan
- Northamptonshire Police
- Northamptonshire County Council - corporately
-

Are proposed actions necessary and proportionate to the desired outcomes?

Yes/No Public Spaces Protection Order is designed to stop all individuals or a specific group of persons committing anti-social behaviour in a public space

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/practice/activity?

Yes/No The implementation of the PSPO can be challenged by any interested person within 6 weeks of the making of the Order, the challenge is made at the High Court. Anyone who is directly affected by the making of the PSPO can challenge the

order

Does the proposed policy/practice/activity have the ability to be tailored to fit different individual circumstances?

Yes/No Public Spaces Protection Orders provide the opportunity to address specific problems in specific areas and create an 'Order' to enable appropriate and proportionate action to be taken.

Where appropriate, can the policy/practice/activity exceed the minimum legal equality and human rights requirements, rather than merely complying with them?

The making of the said order is considered to be proportionate and will fulfil a legitimate aim of curbing anti-social behaviour in public places for the benefit of the law abiding majority and hence will not infringe article 11 ECHR.

From the evidence you have and strategic thinking, what are the key risks (the harm or 'adverse impacts') **and opportunities** (benefits and opportunities to promote equality) this policy/practice/activity might present?

	Risks (Negative)	Opportunities (Positive)
Race		There is no evidence that the 'Order' will impact on any specific person based on their race
Disability	Mental Health issues and physical disability will be taken into account by officers. The restriction on the consumption of alcohol could also affect those that are alcohol	There is no evidence that the 'Order' will impact on any specific person due to their disability.

	dependant. The proposed 'Order' will not bring in any new powers in this area and will simply replace the existing Designated Public Spaces Protection Order.	
Gender or Gender Identity/Gender Assignment		There is no evidence that the 'Order' will impact on any specific person based on their gender
Pregnancy and Maternity (including breastfeeding)		There is no evidence that the 'Order' will impact on any specific person based on pregnancy or maternity. If required pregnant women will be referred into safeguarding mechanisms
Sexual Orientation		There is no evidence that the 'Order' will impact on any specific person based on their sexual orientation
Age (including children, youth, midlife and older people)		Young people will be referred into safeguarding mechanisms. In some cases parent/guardian of under 16's will be spoken to
Religion, Faith and Belief		There is no evidence that the 'Order' will impact on any specific person based on their beliefs or religion
Human Rights	Some people may feel the consultation process will provide the opportunity	The 'Order' has been proposed due to there having been several dog

	to capture their views.	attacks which have resulted in serious injury and even death of sheep.
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7 Proportionality

All cases will be treated on an individual basis, and any decisions reached will be within existing legislative guidelines. Use of the PSPO powers and advice given will be recorded in pocket note books and on ECIN's data base. The information will be analysed to determine whether the implementation of the powers has had a disproportionate effect upon the equality factors.

Enforcement action will always be seen as a last resort. Through the multi-agency groups and individual case management, support and intervention will continue to be offered.

8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

Full Equality Impact Assessment is not required as all sections of the community are treated the same. The proposed restrictions will impact positively on people whose protective characteristics are impacted upon by the anti-social behaviour the order is designed to address

Date of Decision: 25 January 2021

We judge that a full impact assessment is not necessary since there are no identified groups affected by these changes.

1. Equality Duties to be taken into account in this screening include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)

*NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.*

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life.

***Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.*

Duty to 'foster good relations between people'

*This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.*

***Lawful Exceptions to general rules:** can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).*

2. National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

3. to improve how services identify and meet needs of adults with autism and their families.

4. Human Rights include:

5. *Rights under the European Convention include not to be subjected to degrading **treatment**; **right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education**; **right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.*

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