

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
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**AGENDA**

This meeting will be recorded and the video archive published on our website

**Regulatory Committee**

Thursday, 12th September, 2019 at 6.30 pm  
Council Chamber - The Guildhall

**Members:**

- Councillor Mrs Jessie Milne (Chairman)
- Councillor Mrs Angela Lawrence (Vice-Chairman)
- Councillor Liz Clews
- Councillor David Cotton
- Councillor Timothy Davies
- Councillor Mrs Caralyne Grimble
- Councillor Paul Howitt-Cowan
- Councillor Mrs Cordelia McCartney
- Councillor Mrs Judy Rainsforth
- Councillor Jim Snee
- Councillor Lewis Strange

**1. Apologies for Absence**

**2. Public Participation**

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

**3. Declarations of Interest**

Members may make declarations of Interest at this point or may make them at any point in the meeting

**4. Minutes of Previous meetings**

i) Regulatory Meeting held on 6 June

To approve the minutes of the meeting held on 6 June 2019.

(PAGES 3 - 6)

ii) Regulatory Sub-Committee held 4 July

To note the proceedings from 4 July 2019.

(PAGES 7 - 8)

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

5. **Public Reports for approval**
6. **Public Space Protection Orders - Gainsborough** (PAGES 9 - 23)  
**Cemeteries**
7. **Regulatory Workplan** (PAGE 24)

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

4 September 2019

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Council Chamber - The Guildhall on 6 June 2019 commencing at 6.30 pm.

**Present:** Councillor Mrs Jessie Milne (Chairman)  
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Timothy Davies  
Councillor Mrs Caralyne Grimble  
Councillor Paul Howitt-Cowan  
Councillor Mrs Cordelia McCartney  
Councillor Jim Snee  
Councillor Mrs Angela White (from item 5a)

**In Attendance:**  
Andy Gray Housing and Enforcement Manager  
James Welbourn Democratic and Civic Officer

**Also in attendance:** 2 members of the public

**Apologies:** Councillor David Cotton  
Councillor Mrs Judy Rainsforth

**Membership:** Councillor Angela White substituted for Councillor David Cotton.

### 1 PUBLIC PARTICIPATION

**Note:** Before the first order of business, the Chairman sought, and gained agreement to vary the order of the agenda. Therefore, the item 'Gainsborough Town Council – Public Space Protection orders' was taken as item 5a, rather than item 5b.

There was one member of the public who made a statement related item 5a – public space protection orders. She raised the following points:

- Regular visits were made to the general cemetery. It had been noticed that people were exercising their dogs at the cemetery, and there had been dogs urinating on gravestones;
- This had been quite distressing; people could become abusive if approached;
- Elderly people that visit a grave were respectful;
- Some walkers have stated that the 'can do what they like'. There was photographic evidence of this.

## **2 DECLARATIONS OF INTEREST**

Councillor Paul Howitt-Cowan declared an interest in item 5a as a founder member of the 'Friends of Gainsborough Cemeteries'. This did not prevent him from taking part or voting on the item.

Councillor Tim Davies declared an interest in item 5a as he was a Member of Gainsborough Town Council. He had not taken part in any discussions at the Town Council on this subject.

## **3 MINUTES OF PREVIOUS MEETINGS**

The minutes of the annual meeting held on 14 May 2018 were approved as a correct record.

The notes from the Regulatory Panels held on 18 May 2018, 11 October 2018, 28 January 2019 and 11 April 2019 were noted.

## **4 MATTERS ARISING**

The matters arising attached to the agenda pack were noted.

## **5 PUBLIC REPORTS FOR APPROVAL**

### **5a GAINSBOROUGH TOWN COUNCIL - PUBLIC SPACE PROTECTION ORDERS**

The Housing and Enforcement Manager introduced a report on public space protection orders (PSPOs).

The following points were raised:

- PSPOs have been a power available to Members since 2016. They have a range of uses;
- They were currently in place for a number of scenarios, including dog fouling across the District, and the consumption of alcohol outside the Trinity Arts Centre. There was also a PSPO in place at Hemswell Cliff limiting the use of vehicles such as quad bikes;
- An item on the topic of PSPOs in Gainsborough had previously come to committee in 2017 but it had been felt that PSPOs in this area were not required;
- A consultation on this topic would last for six weeks, with a possible end result of a further report to Regulatory Committee asking for a final decision on the matter;
- Many of the sites listed in the report did not have any logged issues against them which would merit a PSPO;
- Officers were asking that consultation take place for the cemeteries in Gainsborough in relation to dog control. If during the consultation other issues arose, they would be reflected in the final PSPO proposal;

- Currently, Gainsborough Town Council (GTC) were looking for some restrictions around dogs, quad bikes and motorised vehicles;
- West Lindsey District Council (WLDC) does enforce PSPOs based on information from the public. Certain sites were patrolled; however due to staffing levels it was impossible to patrol large numbers of sites.

**Note:** Councillor Angela White arrived during this item.

Following this introduction, Members and officers provided further comment on the item:

- If a number of dog users went elsewhere then additional dog bins may be required in other locations;
- There had been a concentration of enforcement at Hemswell Cliff. Resources were stretched but the general cemetery could warrant this extra resource;
- The proposed approach of officers would be to spend time making sure orders were in place, supported by signage and maps;
- Educating people on where and how they walk dogs would be beneficial;
- GTC do not have the resource to train their own staff on site. However, it could be something that GTC assist with financially.

**RESOLVED to:**

- (1) Consult upon a Public Space Protection Order (PSPO) to cover the general cemetery and North Warren Cemetery within the next 3 months;
- (2) Liaise with Gainsborough Town Council and the Police to review the evidence relating to the other sites proposed in order to determine whether any further PSPOs should be consulted upon. This should include liaison on any resource implications.

**5b FOOD AND HEALTH AND SAFETY WORK PLAN 2019/2020**

The Housing and Enforcement Manager introduced the Food and Health and Safety Work Plan for 2019/20.

The following points were highlighted:

- WLDC had responsibility for food safety and hygiene;
- Last year there had been an audit across food safety and environmental protection which received 'limited assurance'. There had been a number of resource and staffing issues. The audit identified those issues and allowed actions to be put in place;

- In the summer of 2019 there would be a new member of staff available for food inspections;
- Through Progress and Delivery reports there had been additional information available on food safety performance;

Following questions from Members, further information was provided:

- There had been no random food sampling taking place. Sampling was where, following an inspection of premises, a random sample of food was taken and sent to a laboratory. When officers visit premises with poor standards it was hoped to make this common practice;
- Benchmarking of other authorities suggested that there had been an average of 56 samples over the course of a year collected by Local Authorities;
- The risk of not sampling was not high; however if this wasn't standard practice there was a risk of professional standards not being maintained;
- The aim would be to increase the level of sampling at WLDC;
- An abortive inspection would be where, for example, an owner was away during a planned visit. It could also be where there was no access to premises;
- Food inspections were a statutory obligation for WLDC set by the Food Standards Agency (FSA). The FSA set out the frequency of inspections; category A would be every 6 months, whereas a lower risk inspection could be every 36 months. No additional financial burden was received as a result of these inspections, however some parts of the service could be charged for.

A re-inspection would be subject to a fee. The first year where re-visits were charged for was 2018, and this produced around £3,000 in income. This year, £5,000 was scheduled for income; this did not cover the cost of food safety, but did help to offset some other costs.

**RESOLVED** to approve the Food and Health and Safety Work Plan 2019/20.

The meeting concluded at 7.18 pm.

Chairman

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Sub-Committee held in the Trent Meeting Room  
- The Guildhall on 4 July 2019 commencing at 12.30 pm.

**Present:** Councillor Paul Howitt-Cowan  
Councillor Mrs Angela Lawrence  
Councillor Mrs Jessie Milne

**In Attendance:**  
Phil Hinch                                      Licensing & Local Land Charges Manager  
Tracy Gavins                                    Licensing Enforcement Officer  
Andy Goldsborough                          Lincolnshire Legal  
DS Andrew Kirk                                Lincolnshire Police  
PC Rob Newbould                              Lincolnshire Police  
James Welbourn                                Democratic and Civic Officer

### 1 TO ELECT A CHAIRMAN FOR THIS MEETING ONLY.

**RESOLVED** that Councillor Milne be elected Chairman of the Regulatory Sub-Committee for this meeting only.

Councillor Milne took the Chair for the remainder of the meeting and round the table introductions were made.

### 2 MEMBERS DECLARATIONS OF INTEREST

All Members present declared that they had sat on a Regulatory Panel that considered a previous case concerning the applicant, and were familiar with some of the history of the case.

### 3 PROCEDURE

The Chairman welcomed all present to the meeting. The Principles of Natural Justice were to be followed, and the procedure attached to the agenda pack was repeated to those present.

### 4 EXCLUSION OF PUBLIC AND PRESS

**RESOLVED** that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to an individual.

## 5 THE RENEWAL OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

Members considered a report on the renewal of a Hackney Carriage/Private Hire Drivers' Licence.

The Licensing Manager introduced the report and asked Members to consider whether the applicant was a fit and proper person to be carrying passengers?

The Police outlined their case against the applicant to Members, citing information that they had compiled. At various points in proceedings, the Legal representative present asked the officers from the Police to clarify certain points they had made.

Questions were posed of the Police, the Licensing Manager and the Legal representative by the Panel members.

**Note:** The meeting adjourned at 1328 to allow Members to reach a decision in private.

**Note:** The meeting reconvened at 1344.

**RESOLVED** to refuse the application for renewal of a Hackney Carriage/Private Hire licence, for the reasons outlined in the decision notice.

The meeting concluded at 1.45 pm.

Chairman





**Regulatory Committee**

**12<sup>th</sup> September 2019**

**Subject: Public Space Protection Orders (PSPO) - Gainsborough Cemeteries**

Report by:

Executive Director of Operations

Contact Officer:

Andy Gray  
Housing and Environmental Enforcement  
Manager

[andy.gray@west-lindsey.gov.uk](mailto:andy.gray@west-lindsey.gov.uk)

Purpose / Summary:

To provide Committee with the results of the consultation relating to the PSPO and to recommend a designation for the Gainsborough Cemeteries.

## **RECOMMENDATION(S):**

### **Elected Members are asked to:**

- a) Approve the making of a Public Space Protection Order for the Gainsborough Cemeteries as outlined in Appendix 2.
- b) Approve that this order will come into effect on Monday 14<sup>th</sup> October 2019 for a three year period.

## IMPLICATIONS

### **Legal:**

These Orders are made under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. The legislative consultation requirement has been met.

Power to make a PSPO is within the Terms of Reference of this Committee.

Breach of a PSPO may be dealt with by a fixed penalty notice or prosecution. Delegated powers are in place for service of fixed penalty notices.

Appeals against the making of a PSPO can be made in the High Court within 5 weeks of the PSPO being made, on the grounds that the process has not been followed, or that the Council did not have the authority to make the Order or put certain restrictions in the Order.

### **Financial : FIN/74/20**

There will be a small amount of revenue funding required in relation to signage on the sites, for which there is provision within an existing budget.

Any income derived from Fixed Penalties is received directly by the Council.

### **Staffing :**

The existing staffing resource is able to carry out duties that will ensure that any PSPO is effective.

### **Equality and Diversity including Human Rights :**

The PSPOs will not disadvantage any social groups over another, and the process will be applied fairly. Exemptions for fixed penalty notices for reasons of physical or mental impairment are shown in the corporate enforcement policy.

The amendments made following on from the consultation also highlight how different groups have been considered and are aimed at ensuring that no one group is disadvantaged.

It is not believed that the restrictions will prohibit any specific group from accessing the cemetery.

### **Data Protection Implications :**

### **Climate Related Risks and Opportunities:**

**Section 17 Crime and Disorder Considerations:**

**Health Implications:**

**Title and Location of any Background Papers used in the preparation of this report :**

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**Risk Assessment :**

Reputational: this risk relates to the Authority's ability to address the issues present, whilst at the same time acting fairly and equitably. The proposed approach will not negatively impact on any person who wishes to use the cemetery for its functional purpose.

Ability to enforce: resources are in place to enforce this PSPO and it is believed that this, along with enhanced signage will have a positive impact in addressing the issues.

## **1. Introduction**

1.1. West Lindsey District Council held a consultation on a proposal to make a Public Space Protection Order.

1.2. These Orders can be made on any land open to the air that the public have a right or entitlement of access to. This means that the legislation can apply to land belonging to local authorities, as well as, for example, Church grounds and land belonging to a resident owned management company.

1.3. To make an Order, the local authority needs to be satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:

- Have had, or are likely to have a detrimental effect on the quality of life of those in the locality
- Is, or is likely to be persistent or continuing in nature
- Is, or is likely to be unreasonable
- Justifies the restrictions imposed

1.4. In considering the determination of the proposed PSPO the Council have had regard relevant guidance including the revised statutory guidance, which can be found here

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/823316/2019-08-05\\_ASB\\_Revised\\_Statutory\\_Guidance\\_V2.2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

## **2. Scope of the PSPO proposed**

2.1. The proposed order within the consultation relates to land at Gainsborough General and North Warren Cemeteries. It is proposed that within the boundaries identified, dogs must be kept on leads at all times, the consumption of alcohol or possession of an open container of alcohol be prohibited along with the use of motor vehicles for recreational purposes.

2.2. The proposal to consult on this matter was considered and approved at the Regulatory Committee meeting held on Thursday 6<sup>th</sup> June 2019.

## **3. Consultation**

3.1. Public consultation was held from 24<sup>th</sup> June 2019 to 5<sup>th</sup> August 2019. This exceeded the statutory minimum consultation period of 30 days and is in line with the Authority's standard consultation period of 6 weeks.

3.2. A Public Notice, as required in legislation, was placed in the local media on the 23<sup>rd</sup> June 2019.

- 3.3. The PSPO proposals have received coverage on various media channels including the television, radio and local written press. The item also featured as a discussion item on BBC Lincolnshire's morning breakfast radio show on the 24<sup>th</sup> of June. The consultation has also been widely publicised via the Authority's social media outlets.
- 3.4. Consultation documents, including the proposed order and the electronic consultation questionnaire were available on the website. Paper copies were made available at West Lindsey District Council's offices alongside a large number being provided to Gainsborough Town Council for distribution.
- 3.5. Statutory consultees were notified by direct email. These included the local Police Inspector and the Police and Crime Commissioner.
- 3.6. The Authority has also been advised of a petition organised locally in relation to the use of the Gainsborough General Cemetery. The petition is not included directly within the results that have been put to the Committee, however it has been recognised that over 500 signatures were gathered.

#### **4. Consultation Outcome**

- 4.1. There were 970 responses to the survey - the full version can be seen at Appendix 1.
- 4.2. The key findings from the consultation are as follows
- 89% of respondents would support a requirement for dogs to be kept on a lead within the cemeteries.
  - 36% of respondents would support the banning of dogs entirely from the cemeteries
  - 46% of respondents felt there should be a restriction to limit the number of dogs that can be walked by a person at any one time, with 2 cited as the highest scoring preferred maximum
  - 59% of respondents felt that there was sufficient open space within Gainsborough to exercise dogs. Over 50 different sites were listed within the responses.
  - 54% of respondents felt that Anti-Social Behaviour was a problem at the cemetery. A variety of topics were mentioned when detailing this.
  - Over 60% of respondents felt that alcohol and recreational use of motor vehicles should be banned.
- 4.3. Alongside the overall results, a large number of additional comments were received. The topics within these have been categorised in the table below and the number of comments relating to each identified in brackets:

Pro Dogs Linked to Mourning (63)
General (50)
Information on Other Locations (48)
Vehicles (34)
Responsible Dog Ownership (29)
Against Complete Dog Ban (28)
Pro Alcohol (18)
Complete Dog Ban (18)
Anti-Social Behaviour (ASB) (17)
Irrelevant (13)
Dog Fouling (6)

## 5. Considerations

- 5.1. In making its final proposals the Authority has considered the consultation results and attempted to ensure that the actual issues faced and identified can be addressed via the PSPO.
- 5.2. The original proposal in relation to keeping dogs on a lead is supported by the consultation results. It is also very clear from the consultation results that responsible dog ownership is something that the public feel strongly about. The consultation also identifies that there are numerous other sites within the area that can be used to exercise dogs.
- 5.3. There is a clear link within the comments to the role that dogs play in part of the grieving and mourning process and on that basis it is felt that an outright ban is unnecessary.
- 5.4. During the consultation period, officers have witnessed the recreational exercising of dogs within the cemetery area and have taken steps to address this with the individuals concerned. This issue does not appear to be isolated.
- 5.5. In relation to recreational use of motor vehicles, a number of comments were received in relation to mobility scooters. These scooters do not form part of this definition and therefore are not prohibited under a PSPO. The PSPO is aimed at vehicles such as mopeds, mini motorbikes and quadbikes.
- 5.6. The question on alcohol has also identified that many persons “raise a glass” to their loved ones whilst visiting the cemetery. For that reason it is proposed that the consumption of alcohol is not included within the PSPO as it is likely to be very difficult to enforce. It also does not appear to be reasonable to prohibit this type of activity in the context of the locations. If any person is drunk and disorderly within the sites there are existing powers held by the Police that can address this.
- 5.7. There were a number of other issues relating to ASB that were raised in regards to the cemeteries and other sites across Gainsborough. The

majority of these cannot be dealt with via a PSPO therefore it is not proposed to include any additional requirements within the proposal.

5.8. Issues relating to dog fouling and litter can already be dealt with under the existing fixed penalty powers that the Authority have.

## **6. Other Information**

6.1. The Authority has requested that Gainsborough Town Council take steps to update all of their relevant signage within the cemetery areas to ensure that any visitors are reminded to behave in a respectful manner whilst within the area. This is essential in order to ensure the effectiveness of the PSPO.

6.2. Comments were received within the consultation regarding other sites within Gainsborough and the surrounding area, which suggest there may be similar issues that require addressing. These relate to dogs, alcohol and general anti-social behaviour.

6.3. At this stage, the Authority is proposing to review its approach to PSPOs relating to dogs and alcohol during 2020 in order to ensure they are fit for purpose. The existing PSPO relating to dog fouling expires in June 2020 therefore its review is timely and provides an opportunity to look at other issues that could be addressed via a PSPO within the District.

## **7. Final Proposals**

7.1. The final order will propose that dogs are kept on leads within the site and that the recreational use of motor vehicles is prohibited.

7.2. It is proposed that the PSPO comes into effect on Monday 14<sup>th</sup> October 2019 for a three year period. This will allow sufficient time for internal preparations, signage to be produced and for the order to be publicised.

7.3. The full details of the final order is shown in Appendix 2.

# West Lindsey District Council

## Public Spaces Protection Order (PSPO)

Consultation on use of a Public Spaces Protection Order (PSPO), under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014

This proposal is with reference to the PSPO proposed for Gainsborough General Cemetery and North Warren Cemetery. These proposals have been put forward by Gainsborough Town Council to keep the areas accessible and well maintained for the majority of users and to address particular issues that have occurred on the sites.

Consultation open from Monday 24<sup>th</sup> June 2019 till Monday 5<sup>th</sup> August 2019. In total 970 responses were received. The results from this consultation are:

1. Would you support the requirement for dogs to be kept on leads at both cemeteries in Gainsborough?  
857 Yes  
(89.1%)  
92 No  
(9.6%)  
13 No opinion  
(1.4%)
2. Would you support the banning of dogs entirely from both Gainsborough Cemeteries? (except guide or medical alert dogs)?  
353 Yes  
(36.6%)  
598 No  
(62.0%)  
14 No opinion  
(1.5%)
3. Do you believe there should be any restrictions in place to limit the number of dogs that can be walked by any person at one time?  
435 Yes – Move to q4  
(46.3%)  
505 No – Move to q5  
(53.7%)
4. What do you believe the maximum number should be?  
409 responses received:  
  
0 – 41 responses  
1 – 45 responses  
2 – 217 responses  
3 – 71 responses  
4 – 28 responses  
5 – 6 responses  
6 – 1 response

Where a respondent gave a range of numbers depending on the size of the dog the lowest number has been taken for this question.



5. Do you believe there is sufficient open space within Gainsborough to exercise your dogs?
- |         |            |
|---------|------------|
| 315     | Yes        |
| (58.9%) |            |
| 151     | No         |
| (28.2%) |            |
| 69      | Don't know |
| (12.9%) |            |

6. What open spaces to walk a dog are you aware of?

269 responses received. Each location has only been mentioned once below:

- Aisby Walk
- Beckingham Village Hall
- Blue Bell
- Blyton
- Carr Lane
- Castle Hill Woods
- Dog Island
- Dunstall Walk
- Field at Elsham Walk
- Field near Queen Elizabeths
- Field near skatepark
- Fielding Way
- Fields
- Fields past Golf Club
- Foxby Hill Woodlands
- Gainsborough Old Hall
- Heapham Road
- Industrial estates
- Knaith Fields
- Land by Middies
- Laughton Woods
- Lea Park
- Leisure Centre Field
- Levellings
- Love Lane
- Mercers Wood
- Middlefield Lane Park
- Morton Fields
- Open green spaces
- Owlet Woods
- Park by Roper Road
- Park near North Parade
- Parks
- Paths adjacent to Cemetery's
- Pathways
- Pit Hills
- Pringle Hill
- Queensfield

- Rev Hill
- Richmond Park
- River Bank
- Roses Sports Field
- Rugby Field
- Scotter
- Scouts Hill
- Skate Park
- St Georges Park
- Streets
- The Rec
- Thonock Hill
- Unused park at back of cemetery
- Whitewoods Lane
- Whittons Gardens
- Willingham Woods
- Woods
- Wreck Hill

7. Do you believe that anti-social behaviour (in any form) is a problem at the Gainsborough Cemeteries?

517 Yes  
(53.5%)

132 No  
(13.7%)

317 Don't know  
(32.8%)

8. Please state what anti-social behaviour you have experienced/are aware of:  
412 comments received and the topics included:

- Abuse from travellers
- Abuse when asking people to keep dogs on leads
- Abusive dog walkers
- Bullying and intimidating behaviour by youths
- Car damage
- Cars damaging headstones
- Couples having sex
- Damage to fence
- Destroying/damaging graves and property on graves
- Disrespect to the area
- Distress caused
- Dog Fouling
- Dog fouling on graves
- Dogs attacking other dogs
- Dogs off leads
- Dogs playing off lead
- Drinking
- Drug taking
- Fighting
- Flashers

- Fly tipping
- Following People
- Graffiti
- Groups of young people - intimidating
- Homeless sleeping there
- Intimidation from those visiting graves shouting at dog walkers
- Knife crime
- Littering
- Mini motorbikes in the middle of the night
- Muggings
- Noise pollution from cars and music
- Playing football in the cemetery
- Posing for selfies
- Residents using the Cemeteries for general recreation activities.
- Riding of cycles/motorbikes on cemetery with no helmets
- Robberies
- Smoking
- Stealing from graves and benches
- Theft
- Trespassing on derelict buildings
- Vandalism
- Vandalism of play equipment
- Vehicles blocking access routes
- Verbal abuse
- Videoing people while visiting graves
- Young people misbehaving

9. Do you think the use of alcohol and recreational use of motor vehicles should be banned at both Gainsborough Cemeteries?

611	Yes - both
(63.4%)	
229	Alcohol use only banned
(23.8%)	
44	Recreational motor vehicle use only
(4.6%)	
45	No - neither
(4.7%)	
34	No opinion
(3.5%)	

10. Please add any other comments below, including any other areas of town you think this would be useful for?

336 comments received. Full list supplied separately.

## Appendix 2

### WEST LINDSEY DISTRICT COUNCIL

#### Anti-Social Behaviour, Crime and Policing Act 2014, section 59 Public Space Protection Order

This order may be cited as the West Lindsey District Council – Gainsborough Town Council Land Public Space Protection Order 2019.

West Lindsey District Council (“the Council”), being satisfied that the conditions set out in Section 59(2) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) have been met in relation to this order, namely that the Town Council have reported numerous problems being caused by the misuse of alcohol and recreational use of vehicle on its land. Also that the off lead exercising of dogs has caused concerns of fouling, safety and has prevented the full use of land for its proper purpose by other residents. Accordingly, these activities have had a detrimental effect on the quality of life of those in the locality, or it is likely that those activities will be carried out in the area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and these activities are unreasonable and justify the restrictions imposed by the notice, and that it is in all circumstances expedient to make this order for the purpose of reducing crime and/or anti-social behaviour in a public place.

The Council in exercise of its powers under Sections 59, 64 and 72 of the Act and under all other enabling powers, hereby makes the following order:

1. That within the boundaries of Gainsborough General Cemetery and North Warren Cemetery outlined in red in Schedule 3, dogs must be kept on leads at all times and the use of motor vehicles for recreational purposes will be prohibited.
2. Exemptions to this order are listed in Schedule 1

#### Schedule 1

Alcohol and recreational vehicle use as part of an event organised by or with the permission of Gainsborough Town Council will not be a breach of the PSPO.

#### Schedule 2

1. It is an offence for a person without reasonable excuse to fail to comply with this order.
2. A person found to be in breach of this order is liable on summary conviction to a maximum penalty of a level 3 fine or to a fixed penalty notice of £75.
3. An authorised officer will be an officer of the District council, or any other suitably trained person, to whom the council has delegated powers under this legislation to demand the surrender of alcohol and to issue fixed penalty notices. Warranted police officers and PCSOs in Lincolnshire are also authorised officers under this legislation.

#### Schedule 3

Found at the end of the proposed order.

The Order shall come in to operation on [            ] and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Councils statutory powers.

If any interested person requests to question the validity of this order on the grounds that the Council did not have the power to make the order or that a requirement under the Act has not been complied with, then he or she may apply to the High Court within six weeks from the date in which the order is made.

GIVEN under the Common Seal of West Lindsey District Council on the

..... Day of ..... 2017

The Common Seal of  
West Lindsey District Council  
was hereunto affixed  
in the presence of

**Authorised Officer**

**Schedule 3**

**Areas affected**

Gainsborough General Cemetery



North Warren Cemetery



**Regulatory Committee Workplan to June 2020**

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**Purpose:**

This report provides a list of reports due to come to Regulatory Committee in the 2019/20 municipal year and beyond.

**Recommendation:**

1. That members note the workplan.

Date	Title	Lead Officer
<b>5 DECEMBER 2019</b>		
5 Dec 2019	Public Space Protection Orders - Gainsborough Town Council Land	Andy Gray, Housing and Enforcement Manager
7 Dec 2019	Contaminated Land Strategy	Andy Gray, Housing and Enforcement Manager
<b>JUNE 2020</b>		
14 June 2020	Food and Health and Safety Work Plan 2020/2021	Andy Gray, Housing and Enforcement Manager

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