



### **31 MINUTES FOR NOTING**

- (a) Taxi and General Licensing Sub-Committee – 18 November 2015 (LR.24 15/16)

**RESOLVED** that the minutes of the Meeting of the Taxi and General Licensing Sub-Committee held on 29 January 2016 be received and noted.

### **32 MEMBERS' DECLARATIONS OF INTEREST.**

No declarations of interest were made at this point in the meeting

### **33 MATTERS ARISING SCHEDULE (LR.25 15/16)**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 7 March 2016.

**RESOLVED** that progress on the Matters Arising Schedule as set out in report LR.25 15/16, be received and noted.

### **34 PUBLIC SPACE PROTECTION ORDER APPLICATION – ENDERBY CRESCENT, GAINSBOROUGH (LR.26 15/16)**

The Regulatory Team Manager presented the report which set out the proposal to close the footpath between Enderby Crescent and 'Rec Hill' by use of a Public Spaces Protection Order (PSPO), under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014.

The background history to the request for closure was set out in the report. The police had contacted West Lindsey District Council to determine whether it would be possible for a PSPO to be considered to close the footpath on Enderby Crescent as the evidence suggested that antisocial behaviour was being perpetuated by the ease of movement from Ravendale Road/Enderby Crescent to the recreation ground and vice versa.

The appendices to the report set out the police statistics on criminal and antisocial behaviour incidents, and also the results of the subsequent public consultation. Of the responses to the consultation exercise with both residents and organisations, and also attendance at a meeting held by Gainsborough Town Council, it was clear that there was overwhelming support for the footpath to remain open.

The main issues raised included: the length of the alternative route to town which would need to be taken by residents, which would subsequently generate additional car use; restrictions to emergency access; and the potential displacement of the antisocial behaviour to a different place.

The highway authority was strongly opposed to the closure of the footpath.

Public Space Protection Orders should only be used where it could be shown that persistent anti-social behaviour was expressly facilitated by the use of a particular right of way.

Interested parties could challenge the validity of a PSPO on two grounds:

- a) That the council did not have the power to make the order, or to include particular prohibitions or requirements; or
- b) That one of the requirements (for instance consultation) has not been complied with.

The High Court could decide to suspend the operation of the PSPO pending the verdict in part or in totality. The High Court had the ability to uphold the PSPO, quash it, or vary it.

Following brief discussion, Members of the Committee agreed that the public support for retention of the footpath access was clear, and suggested that other measures such as CCTV would serve as more effective means of addressing the problem. The Regulatory Team Manager affirmed that this was something which was being given consideration.

The recommendation, taking into account the views expressed by members of the public and organisations, that no action be taken to close the footpath, was moved, seconded and on being voted upon, it was agreed unanimously.

**RESOLVED** that no action be taken to close the footpath.

The meeting concluded at 6.48 pm

Chairman