

# Overview and Scrutiny



## Safer Stronger Communities Select Committee Agenda

Tuesday, 27 June 2023

**7.00 pm**

Civic Suite

Lewisham Town Hall

London SE6 4RU

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This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

### Part 1

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# Safer Stronger Communities Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Tuesday, 27 June 2023.

Jeremy Chambers, Monitoring Officer  
Monday, 19 June 2023

## **Members**

Councillor Liam Shrivastava

Councillor Hau-Yu Tam

Councillor Coral Howard

Councillor Mark Jackson

Councillor Ayesha Lahai-Taylor

Councillor Oana Olaru

Councillor Rachel Onikosi

Councillor Rudi Schmidt (ex-Officio)

Councillor Ese Erheriene (ex-Officio)

## Minutes of the Safer Stronger Communities Select Committee Thursday, 2 March 2023 at 7.00 pm

In attendance: Councillors Ayesha Lahai-Taylor (Chair), Liam Shrivastava (Vice-Chair), Mark Jackson, Hilary Moore, Rachel Onikosi, Hau-Yu Tam and Mark Ingleby

Also present: Timothy Andrew (Scrutiny Manager) and Sophie Wickham (Director) (Action for Refugees in Lewisham)

Also present virtually: Councillor Bill Brown, James Lee (Director of Communities, Partnership and Leisure); and Sakthi Suriyaprakasam (Community Development Service Manager)

NB: Those Councillors listed as joining virtually were not in attendance for the purposes of the meeting being quorate, any decisions taken or to satisfy the requirements of s85 Local Government Act 1972

### 1. Minutes of the meeting held on 17 January 2023

- 1.1 It was agreed that the minutes of the meeting held on 17 January be approved as an accurate record.
- 1.2 **Resolved:** that the minutes of the meeting held on 17 January 2023 be agreed as an accurate record.

### 2. Declarations of interest

- 2.1 There were none.

### 3. Responses from Mayor and Cabinet

- 3.1 There were none.

### 4. Borough of Sanctuary update

- 4.1 Sophie Wickham (Director, Action for Refugees in Lewisham) was invited to address the Committee. She provided an overview of AFRILs work; welcoming the adoption of the Borough of Sanctuary Strategy and highlighting the need for senior stakeholders across Council departments to ensure that support for refugees and asylum seekers was standard practice across Council services. She also highlighted concerns about access to healthcare and the operation of asylum hotels in the borough. The cases of several families in poor accommodation (including those who had experienced multiple and complex traumas) were provided to illustrate the failure of support systems both locally and nationally.
- 4.2 Sophie Wickham responded to questions from the Committee – the following key points were noted:
  - It was agreed that longer term strategic work should take place to ensure that there was a response to the needs of families with no recourse to public funds.
  - The concern that the strategy is not embedded across the organisation at every level.

- Messaging from the senior leadership in the organisation and senior service managers regarding the Council's responsibilities (particularly in the case of families with no recourse to public funds) would be a welcome improvement.
- That additional consideration should be given to the temporary accommodation provided for vulnerable families (including those with no recourse to public funds).
- There were leads within the organisation who had started to set up processes to implement the strategy – their effectiveness was yet to be seen but it was a positive move.
- There had been an improvement since the appointment of the Borough of Sanctuary programme manager.
- AFRIL could assess the success of the 500 people it supported but there was a shortage of resources and funding for this work which meant that resources were focused on the frontline rather than reporting, evaluation and research into the sector more broadly.
- Political consideration could be given to the ways in which providers commissioned by central government should be held to account.
- The work of the Borough of Sanctuary team (particularly the new Borough of Sanctuary manager) was welcomed.

4.3 James Lee (Director of Communities, Partnership and Leisure) introduced the officer report – noting the work that was taking place with the migration forum and community and voluntary sector organisations in the borough. He highlighted that the communities, partnership and leisure division had only become recently responsible for the overall delivery of the Borough of Sanctuary strategy – but he felt it was making good progress with implementation.

4.4 James Lee and Sakthi Suriyaprakasam (Community Development Service Manager) responded to questions from the Committee – the following key points were noted:

- It was recognised that more than half of the delivery of the Borough of Sanctuary strategy was about culture – which meant that senior level support for was essential for the effective delivery of the Council's ambitions.
- James was the senior responsible officer for the programme – and would escalate concerns and issues as necessary (including those that had been highlighted at the meeting).
- The original expectation of the division regarding the delivery of the Borough of Sanctuary strategy was that it would entail high level policy development work – it was now recognised that there was much more frontline work, training and intervention required to deliver it successfully.
- There was no dedicated funding for this work – but consideration would be given to how best to use Council budgets.
- Further information would be provided regarding the receipt and spending of the asylum dispersal grant funding.
- Consideration was given to the interrelationship between the vulnerabilities cause by marginalisation, fear and domestic abuse. More

work was required to understand the issues related to families that had no recourse to public funds.

- Work would take place to further consider how best to engage with partners to ensure that providers of hotel accommodation (and the Home Office) were meeting their commitments.
- It was important that the Council worked with other boroughs of sanctuary to ensure that there was a joined-up approach to engaging with central government.

4.5 In the Committee discussion the following key points were also noted:

- Members were concerned about the potential gap between the Council's ambitions to be a borough of sanctuary – and some of the operational practice in service teams at the Council.
- Members would welcome risk assessment of some of the actions in the strategy – and how some of the areas of deficiency highlighted by AFRIL would be addressed.
- There was a recurrent concern amongst Members that the strategy was not fully embedded across all parts of the Council.
- The importance of ensuring that domestic abuse services were available for migrant women.
- The potential for developing a charter for refugees and asylum seekers.

4.6 **Resolved:** that the Committee would share its views with Mayor and Cabinet, as follows:

4.7 The Committee believes that the Borough of Sanctuary strategy is of vital importance to the Council's work supporting the most vulnerable. It welcomes the work being carried out to deliver the strategy and it recognises and commends the work being carried out by community and voluntary sector organisations to ensure that those seeking sanctuary are supported and protected from harm. Nonetheless, there are opportunities to ensure that the sanctuary strategy is more effective. The Committee recommends that:

- Mayor and Cabinet should reiterate and reinforce the Borough of Sanctuary messaging across Council departments. It is important that there is management support for the delivery of the strategy in all parts of the organisation.
- There should be an enhanced focus on the delivery of operational work to deliver the Council's Borough of Sanctuary ambitions. Members are particularly concerned about potential discrepancies in decision-making processes and the delivery of frontline services for those seeking sanctuary.
- An assessment of the training needs for frontline staff in relevant directorates (specifically in social care and housing) should be carried out. The prioritisation and development of this work might include input from community and voluntary sector partners who have experience of engaging with the Council – and of supporting vulnerable families and individuals.
- An update on the use of asylum dispersal funding should be provided to the Committee.

- There should be a risk assessment of the measures needed to ensure that the Council will be successful in its attempts to be recredited as a Borough of Sanctuary.
- A refugee and migrant champion should be appointed by the Mayor to act as a senior stakeholder and critical friend to the Council and its partners.
- Work should take place to communicate with Lewisham's partner organisations (including health, education and community safety) about what the Council expects of them in relation to the Borough of Sanctuary.
- Consideration should be given to the resources available for frontline work. Specific attention should be given to the funding available for community and voluntary sector organisations.
- Lewisham should work with its partners and with other local authorities to highlight the detrimental impacts of the Immigration and Asylum Act (1999) and the costs and harm caused by leaving people with no recourse to public funds.

## 5. Borough of Culture Legacy

5.1 James Lee (Director of Communities, Partnership and Leisure) introduced the report.

5.2 Councillor Mark Ingleby (Chair of Overview and Scrutiny) addressed the Committee – highlighting the importance of creativity and culture and emphasising the focus that he and others had placed on this area of work.

5.3 James Lee responded to questions from the Committee – the following key points were noted:

- Congratulations on the delivery of the borough of culture were welcomed- but James noted that the success was the result of an array of community partners and dedicated Council officers from across the organisation.
- There was lots of positive work in the borough that could be built on in future.
- Consideration would be given to ensuring that all parts of the borough were connected to the benefits of the borough of culture legacy.

5.4 **Resolved:** that the report be noted.

## 6. Select Committee work programme

6.1 The Committee discussed the work programme report – and put forward the following suggestions for consideration by the Committee in 2023-24:

- The single equalities framework and fairer Lewisham duty.
- Borough of Sanctuary: progress and feedback on the committee's recommendations;

6.2 **Resolved:** that the work programme report be noted – and that the suggestions put forward by the Committee be considered by the Committee's new membership in 2023-24.

The meeting ended at 21:05

Chair:

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Date:

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## Safer Stronger Communities Select Committee

### Declarations of Interest

**Date:** 2022-23

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributor:** Director of Law, Governance and Elections

### Outline and recommendations

Members are asked to declare any personal interest they have in any item on the agenda.

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests.

1.2. Further information on these is provided in the body of this report.

## 2. Recommendation

2.1. Members are asked to declare any personal interest they have in any item on the agenda.

### 3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

- (a) Employment, trade, profession or vocation of a relevant person\* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person\* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person\* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
  - (a) that body to the member’s knowledge has a place of business or land in the borough; and
  - (b) either:
    - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
    - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person\* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

\*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

### 4. Other registerable interests

4.1 The Lewisham Member Code of Conduct requires members also to register the following interests:

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

## 5. Non registerable interests

- 5.1. Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

## 6. Declaration and impact of interest on members' participation

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## 7. Sensitive information

- 7.1. There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

## 8. Exempt categories

- 8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-
- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
  - (b) School meals, school transport and travelling expenses; if you are a parent or

guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor

- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).

## **9. Report author and contact**

- 9.1. Jeremy Chambers, Director of Law, Governance and Elections  
[jeremy.chambers@lewisham.gov.uk](mailto:jeremy.chambers@lewisham.gov.uk), 020 8314 7648



## Safer Stronger Communities Select Committee

### Public Space Protection Order

**Date:** 27 June 2023.

**Key decision:** Yes.

**Class:** Part 1.

**Ward(s) affected:** The entire borough of Lewisham.

**Contributors:** Safer Communities Service – Daniel Fish-Halvorsen and Monika Lesniewska; Communities, Partnerships and Leisure - Karen Kemsley.

### Outline and recommendations

The purpose of this paper is to provide the Safer Stronger Communities Select Committee with the consultation findings of the Public Space Protection Order (PSPO) Consultation and provide the Committee with an overview of the next steps in the implementation process. The PSPO (if agreed by Mayor and Cabinet on 19<sup>th</sup> July 2023) will introduce several new powers for use by the Council and partners to address anti-social behaviour (ASB) within the Borough. Public consultation with people living, working and visiting Lewisham evidenced strong support for all measures proposed.

Local issues in scope of the consultation are as follows; alcohol related anti-social behaviour and disorder, amplified music and speech, anti-social behaviour in public spaces and parks, which involves dogs, consumption of drugs and psychoactive substances, illegal encampments and public urination/defecation.

## **Timeline of engagement and decision-making**

02 November 2022: Mayor and Cabinet Public Space Protection Order Consultation – attached as Appendix A

27 February 2023 – 1 May 2023: Consultation period

27 June 2023 – Safer Stronger Communities Select Committee

19 July 2023: Mayor and Cabinet Public Space Protection Order Implementation Paper

August 2023 – December 2023: (If agreed) Implementation of an electronic enforcement equipment

August 2023 – December 2023 (If agreed) Joint action days with police and Council officers

## **1. Summary**

- 1.1. A public consultation on the introduction of a Public Space Protection Order (PSPO) found that people living, working and visiting Lewisham supported the proposed restrictions. As such officers recommend that Mayor and Cabinet agree to the implementation of the PSPO (as defined in the evidence pack) on 19<sup>th</sup> July 2023. The PSPO will introduce new powers for use by the Council and partners to address anti-social behaviour (ASB) within the Borough.
- 1.2. This report outlines the findings of the public consultation and provides an overview of the implementation approach and the high level equalities implications. A full EAA is being prepared to accompany the Mayor and Cabinet report and the Committee's comments on this aspect of the proposals are particularly welcomed.

## **2. Policy Context**

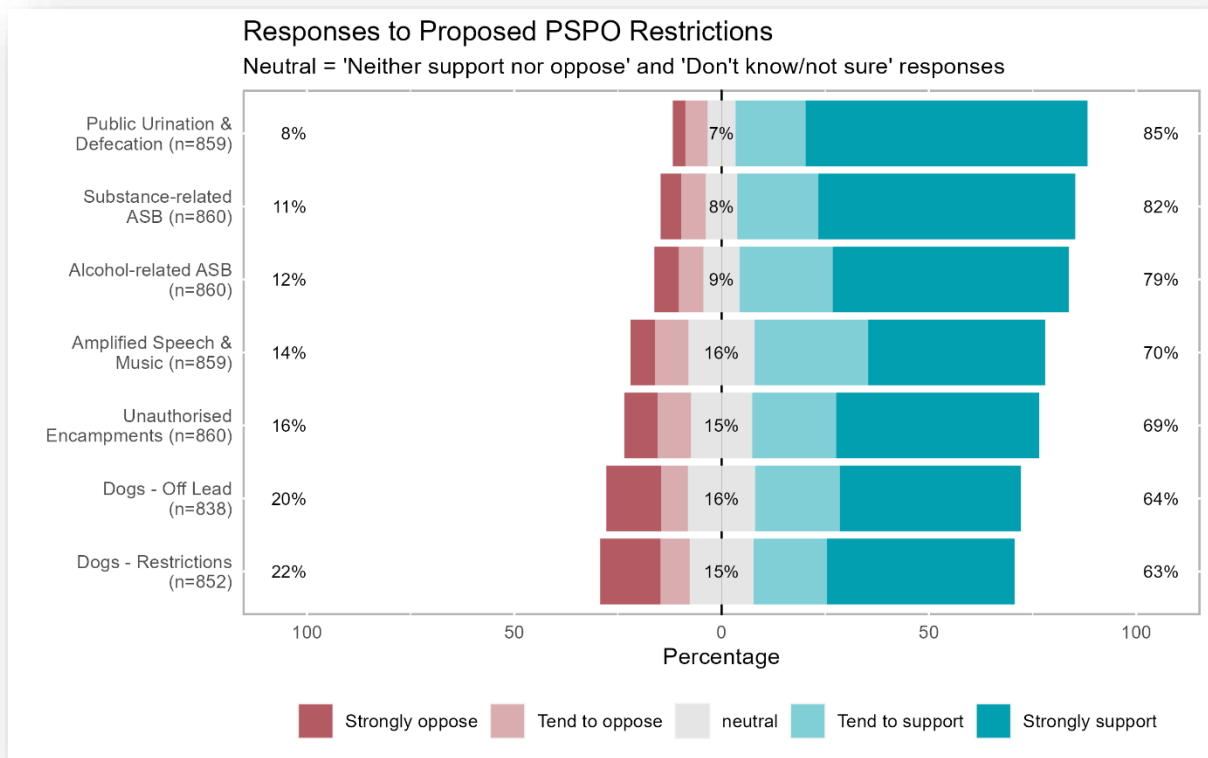
- 2.1. The Anti-Social Behaviour, Crime & Policing Act 2014, places a duty on local authorities to tackle anti-social behaviour by working in partnership with the police, social landlords and other agencies. The Act makes provision for a PSPO, which is intended to be used to control and restrict anti-social behaviour in public spaces. It can also help by giving local Councils and the Police additional powers to tackle anti-social behaviour in specific locations.
- 2.2. The powers contained in the Act will assist the Council in meeting its priority to 'make Lewisham a place for everyone', helping to create visible improvements in parks and high streets by reducing ASB across the borough.

### **3. Background**

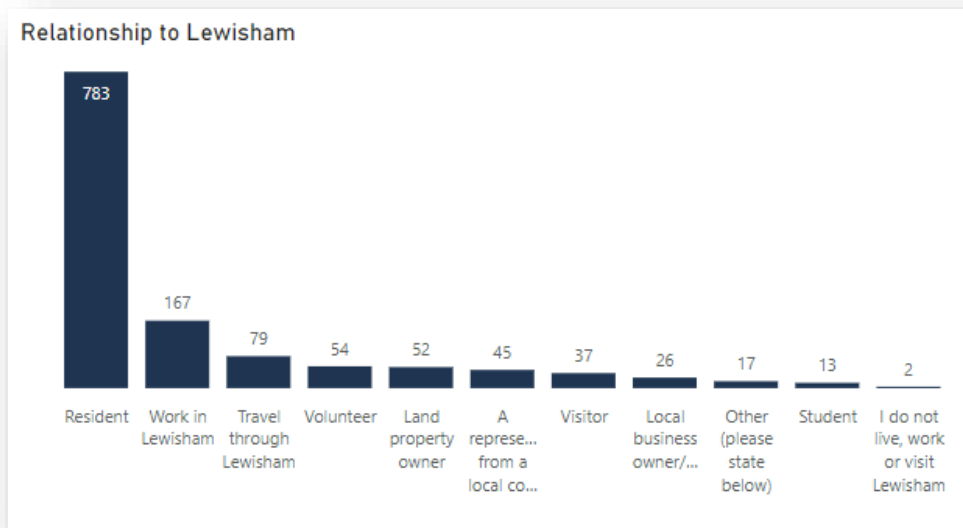
- 3.1. Mayor and Cabinet agreed to undertake a public consultation on the introduction of the PSPO in November 2022.
- 3.2. The exact details of a local PSPO are defined by a local Council, which can include Borough-wide restrictions, a focus on certain types of behaviour at particular times of the day and control of access to public spaces (including some highways) or routes being used to commit anti-social behaviour. Failure to comply with any restricted activity is a criminal offence, subject to a fine not exceeding £1,000 upon prosecution.
- 3.3. The recommendation to deliver this as a borough-wide will allow both the police and council officers the powers to address these issues if and when displacement of ASB occurs, as this has been an issue which has occurred within other boroughs where a targeted approach was used.
- 3.4. Activities in scope of the proposed PSPO are as follows; alcohol related anti-social behaviour and disorder, amplified music and speech, anti-social behaviour in public spaces and parks that involves dog/s, consumption of drugs and psychoactive substances, illegal encampments and public urination on land open to the air.
- 3.5. This paper should be read in conjunction with the evidence pack (attached as Appendix B), which provides detailed analysis of the data utilised to decide on the activities in scope of the proposed PSPO.

### **4. Findings of the public consultation**

- 4.1. The aim of the public consultation was to seek the views of those living, working and visiting Lewisham on the proposed PSPO. The consultation was undertaken via a survey, which was promoted using a number of channels. These included the external Lewisham residents newsletter, Lewisham Council's social media, internal staff newsletters and social media adverts.
- 4.2. The majority of respondents supported each restriction proposed, although in varying proportions.



4.3. Overall, 866 people responded to the consultation, which took place between 27 February 2023 and 1 May 2023. Of the respondents, 90.4% (783) were Lewisham residents; 19.3% (167) worked in Lewisham; and 9.1% (79) travelled through Lewisham.



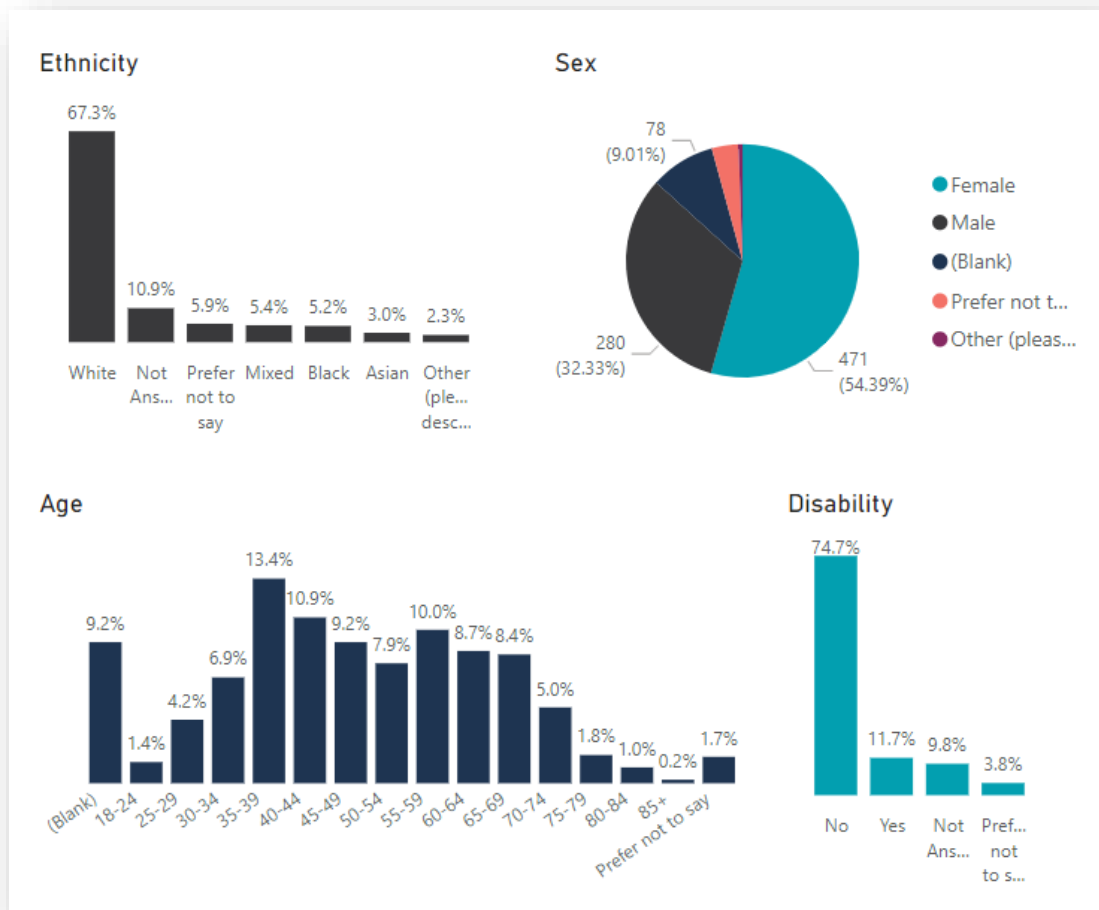
4.4. There was a higher response from those that identified as female and white. Age was distributed evenly between 30-69 years, however responses from age groups outside this range were low. Due to this, Facebook adverts were used to target those who may not usually engage with Council communication channels. The additional targeted adverts reached 21,396 people and engaged 3,042 to click on the advert link and be taken to the consultation page. We do not have the data to



ascertain how many of those who engaged with the advert completed the consultation survey.

4.5. In person ‘pop up’ events in the Borough were used also to diversify the response demographic. Three pop up events were conducted in Lewisham Central, Sydenham and Deptford. The final response rate was as follows;

- Ethnicity: 67.3% selected White, 5.4% selected Mixed, 5.2% selected Black, 3% selected Asian, 2.3% selected Other.
- Gender: 54.3% selected female, 32.3% selected male, 0.6% selected other.
- Age: Just over 20% were aged 30-39, a similar proportion to the 40-49 age group. 17.9% were aged 50-59 and 17.1% aged 60-69. Respondents from younger and older age groups were lower (18-29 6.4%; 70+ 8%).
- Sexual Orientation: 63% selected heterosexual, 10% selected Bisexual, Gay or Lesbian, 11% preferred not to say and 16% did not answer.
- Disability: 11.7% of respondents recorded a disability.

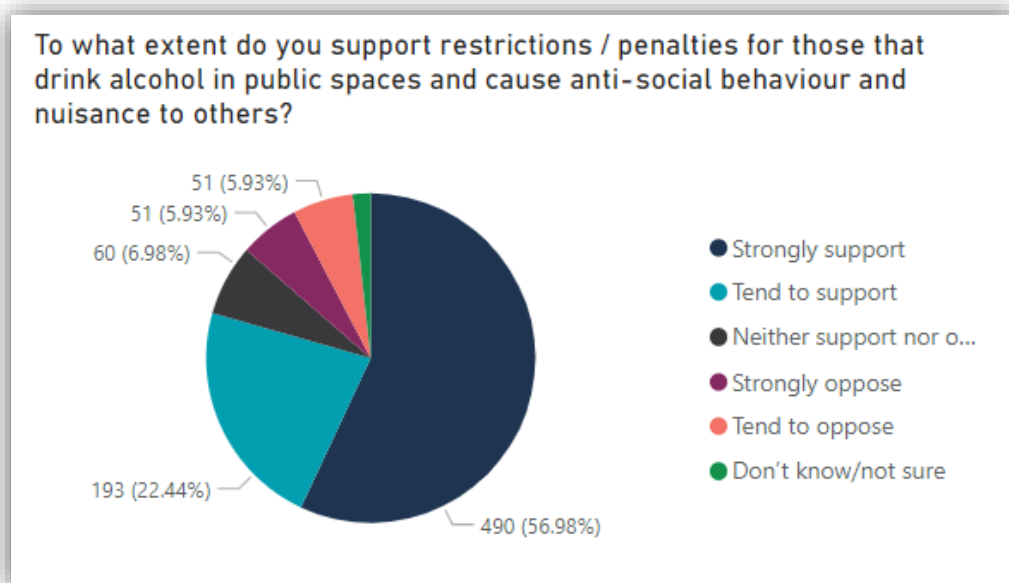


4.6. Officers are mindful that, despite best efforts, the respondents to the consultation do not fully represent the demographics of the borough. The underrepresentation of certain groups who already experience disproportionality within enforcement activity is noted and the implementation approach is designed to be as focused as possible to avoid further exacerbating these issues. The use of the powers will be

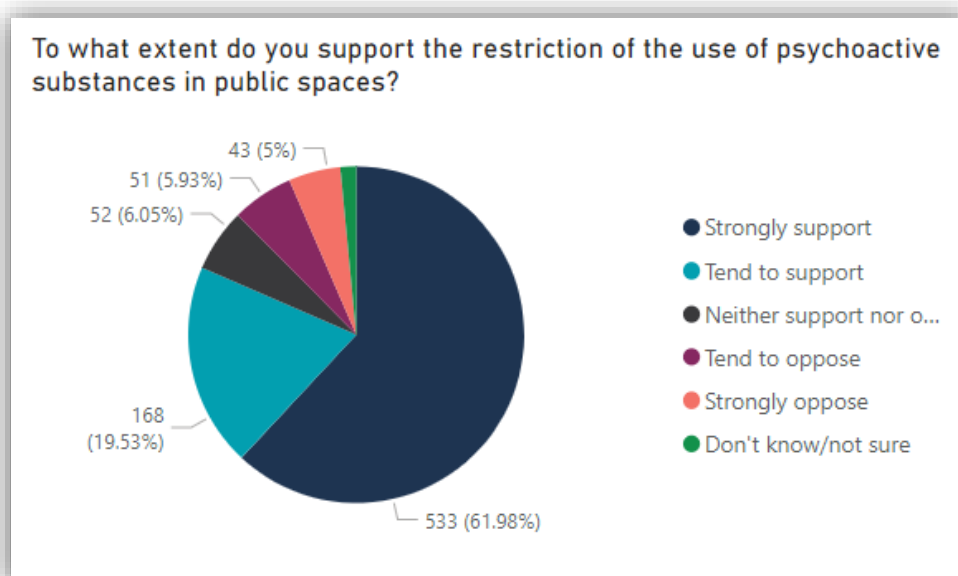
closely monitored and any disproportionality promptly investigated.

4.7. Restrictions related to dogs had the most opposition, whilst those relating to public urination and defecation had the least. The full details and analysis can be found in Appendix C, however a summary follows.

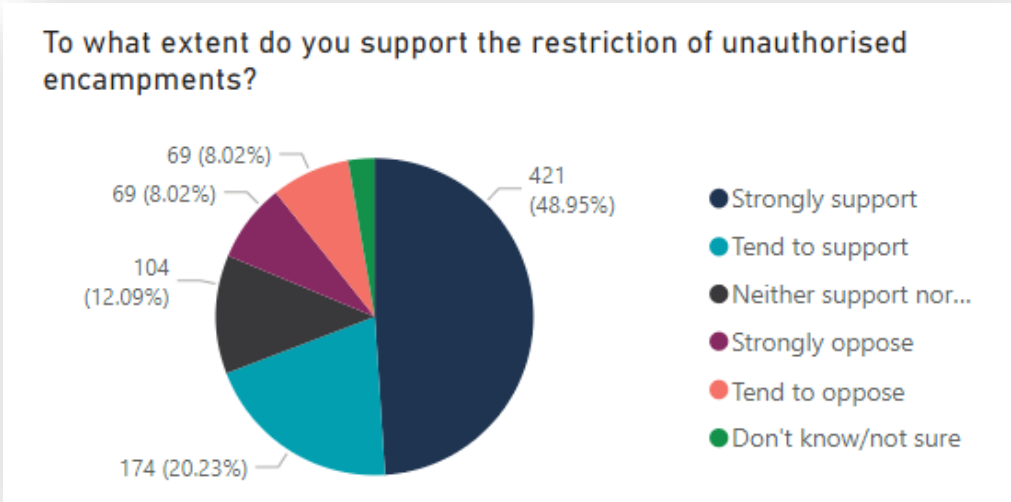
4.8. 79.4% (683) respondents strongly supported or tended to support restrictions/penalties for those that drink alcohol in public spaces and cause anti-social behaviour and nuisance to others; 11.9% (102) respondents strongly opposed or tended to oppose.



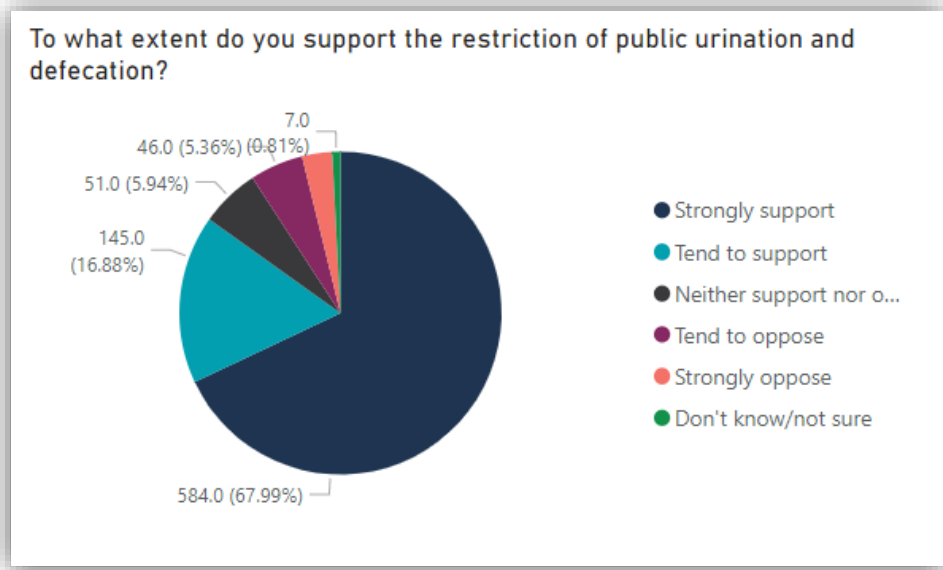
4.9. 81.5% (701) respondents strongly supported or tended to support the restriction of the use of psychoactive substances in public spaces; 10.9% (94) strongly opposed or tended to oppose.



4.10. 69.2% (595) respondents strongly supported or tended to support the restriction of unauthorised encampments; 16.0% (138) strongly opposed or tended to oppose.

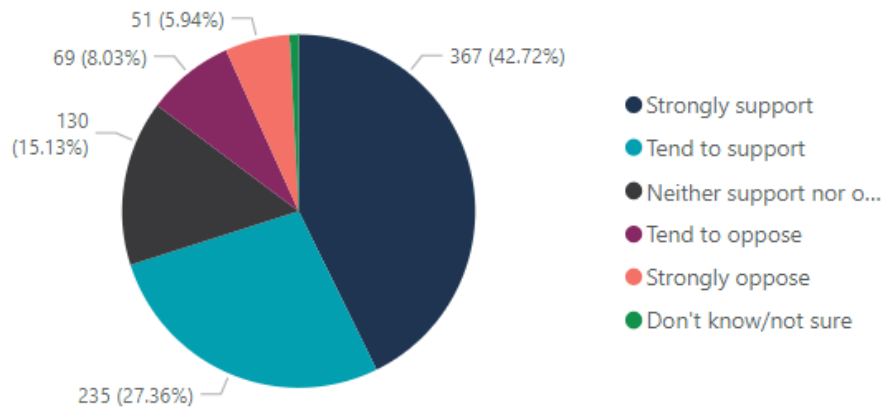


- 84.9% (729) respondents strongly supported or tended to support the restriction of public urination and defecation; 8.4% (72) strongly opposed or tended to oppose.



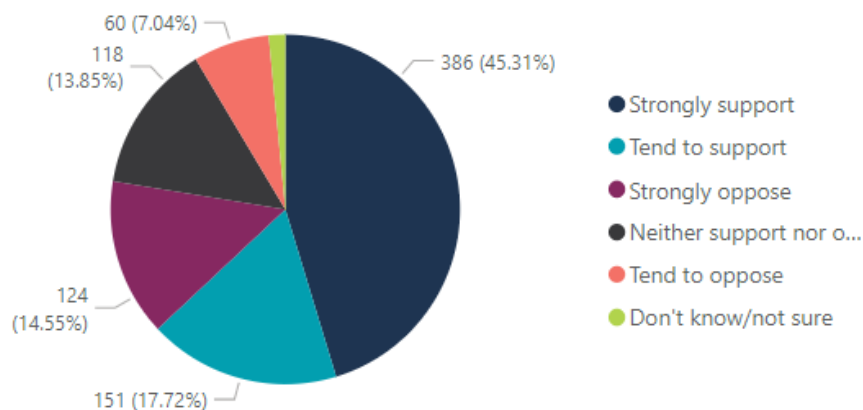
- 70.1% (602) respondents strongly supported or tended to support the restriction of amplified speech and music; 14.0% (120) strongly opposed or tended to oppose.

To what extent do you support restriction of amplified speech and music?

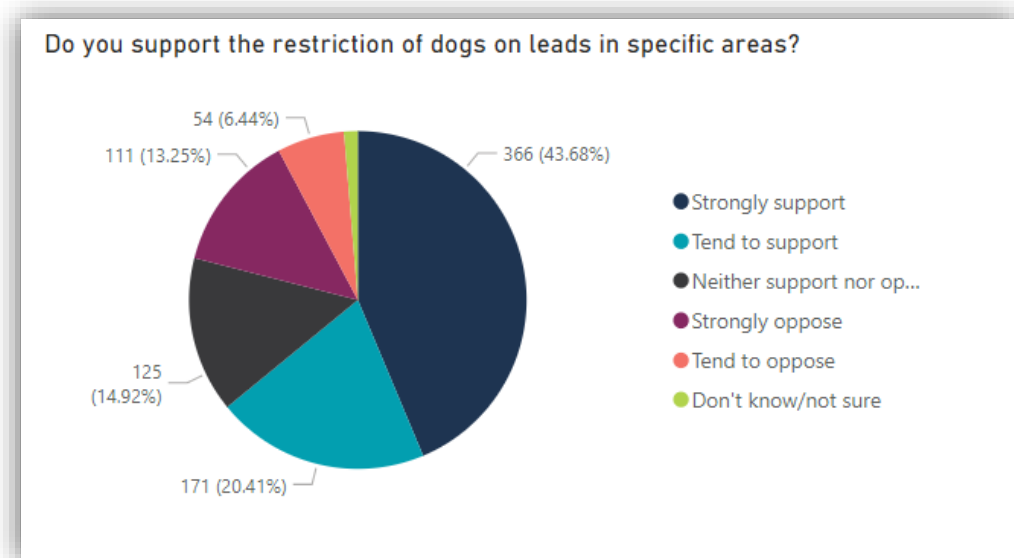


- 63.0% (537) respondents strongly supported or tended to support the restriction of dogs in specific areas; 21.6% (184) strongly opposed or tended to oppose.

To what extent do you support the restriction of dogs in specific areas?



- 64.1% (537) respondents strongly supported or tended to support the restriction of dogs off leads in specific areas; 19.7% (165) strongly opposed or tended to oppose.



- The consultation asked respondents to explain why they opposed or supported the restrictions proposed. Those that opposed the restrictions made the following observations;
  - Enforcement must be paired with safeguarding and should be a supportive approach.
  - The behaviours restricted are too broad and subjective.
  - Individuals with vulnerabilities and additional needs will be disproportionately affected.
  - The recommendations restrict liberty.
  - Laws are already in place to address these behaviours
- The consultation also sought to identify whether the public wanted other items related to ASB to be addressed. The most common suggestions were managing litter and flytipping, the use of electronic scooters, vehicle-related ASB, 'begging', graffiti, vandalism, parking on pavements, engine idling and disruptive congregations.

## 5. Recommendation to introduce the PSPO

5.1. The proposed PSPO includes the following restricted activities (full detail of the extent of the scope can be found in Appendix A and Appendix B):

- Alcohol related anti-social behaviour and disorder.
- Amplified music or speech.
- Anti-social behaviour in public spaces and parks involving dogs. This includes exclusion of dogs from designated areas, not allowing dogs within fenced children's play area's, requiring dog waste to be picked up by owners or any person in charge of the animal on any land, which is open to the air, to which the public have access, requiring dogs to be kept on leads in designated areas and individuals not being in control of more than four dogs at any time in any public space or highway.

- Consumption of Drugs and Psychoactive Substances.
  - Illegal Encampments.
  - Public Urination and Defecation.
- 5.2. Options available to the Mayor and Cabinet following the public consultation are as follows;
- Option 1: Do not implement the PSPO – The Police and Council continue to utilise their existing powers to manage ASB
  - Option 2: Accept and implement the proposed PSPO.
- 5.3. Recommendation: As a result of the data analysis completed (please see evidence pack in Appendix B) and the public consultation findings, Option 2 will be recommended to Mayor and Cabinet on 19<sup>th</sup> July 2023.
- 5.4. Option 2 will involve Enforcement of the PSPO will be undertaken by delegated Council Officers in partnership with Police staff. The management of the Order will be intelligence led through various data sources (Police, stakeholders, council services etc).
- 5.5. The PSPO will be enforced by both the Police and Council officers, who will also work together in targeted operation when tackling a specific issue/activity or geographical areas.
- 5.6. Planned collaborative action days with various Partners will take place across the authority to tackle persistent ASB behaviour, however as specific Council Officers will have delegated powers, these can be used when carrying out day to day business as usual activity i.e. a Parks Officer could enforce a prohibition at any time. If introduced, a PSPO could be enforced by a Police Officer, Police Community Support Officer and any delegated Council officer. The actions days are likely to be monthly, and dependant on the worry this could increase. The Council does not have a warden service or any other related daily patrol service that can deploy Officers solely for the management of the PSPO, which is why it is incredibly important that delegated powers are considered, and targeted deployment of staff is prioritised.
- 5.7. Prior to implementation the Safer Communities Service will develop a local protocol that details enforcement action. It is recognised that some anti-social behaviour can be addressed through different options, thus guidance on the most appropriate legislative tool to use in which circumstance will be outlined. The protocol will also include breach of Order guidance and consideration of 'reasonable excuse', for breach i.e., a medical reason. It is recognised that some of those responsible for the behaviour covered in the Order may themselves be vulnerable and in need of support.
- 5.8. Therefore, referral pathways where safeguarding concerns are identified will be stipulated. It must be noted that whilst the Order will be enforced by Council Officers and the Police, the planned collaborative action days will include Partners whose sole responsibility it is to safeguard i.e., homeless/drug Services.
- 5.9. We will adopt a three month 'soft launch' period, whilst the Order becomes live. This will allow a period of raising awareness within the wider community, ensuring training of Officers is complete/adequate and allows space to test the protocol.

- 5.10. It should be noted that enforcement of the Order will be proportionate to the behaviour identified and its impact on others. All activity will be deemed as causing or likely to cause anti-social behaviour. This assessment would be undertaken by trained Officers utilising knowledge about recent or ongoing complaints of anti-social behaviour.
- 5.11. A breach of the PSPO is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice (FPN) of up to £100, or a fine of up to £1,000 on prosecution. Any income from an FPN is likely to be used to offset the costs of managing the PSPO, for items that include, but are not limited to signage and Court fees for failure to pay fines through to communicating the controls in place.
- 5.12. Once implemented the Safer Communities Operations Manager will conduct regular operational monitoring meetings with stakeholders to assess the effectiveness of the implementation and enforcement of the PSPO. It is important to note that the PSPO is not a revenue raising measure and it is expected that its direct introduction will represent a net cost to Council budgets. However, it is anticipated that this will be offset by opportunity cost benefits across the partnership as we are better able to deal with persistent ASB more quickly and effectively.
- 5.13. Evaluating the impact of a PSPO will be important when considering extending or varying an Order, however assessing the effects, and effectiveness of the Order, will form part of ongoing performance management. Procedures to monitor the impact of the Order will take place to ascertain what is working well and where development is required. A review of the PSPO will be conducted six months post its introduction to evaluate the approach taken, or sooner if there are any concerns.
- 5.14. A PSPO can be implemented for up to three years, after which it must be reviewed. If the review identifies that the concerns remain and the requirements of the PSPO are met, an extension can be granted for a further three years. It must be noted that there is no limit on the number of times an Order may be reviewed and renewed, provided the review supports an extension and all requirements are satisfied. The recommendation to Mayor and Cabinet is that the PSPO be introduced for the full three years and subject to regular review.

## **6. Financial implications**

- 6.1. The financial implications in the introduction of the PSPO will be addressed within already existing budgets. These primarily relate to costs of software and hardware equipment for the issuing and recording of actions & fixed penalty notices issued under the powers provided by the PSPO, training for internal Officers, signage and costs of public notices informing the public of the new PSPO restrictions. No additional funding is being requested.
- 6.2. As noted above the PSPO is not a revenue raising measure and it is expected that its direct introduction will represent a net cost to Council budgets. However, it is anticipated that this will be offset by opportunity cost benefits across the partnership as we are better able to deal with persistent ASB more quickly and effectively.

## **7. Legal implications**

- 7.1. The Anti-social Behaviour, Crime and Policing Act 2014, gives the Council additional tools to address anti-social behaviour, provided such activities are or are likely to be of a persistent nature, unreasonable and justify the restrictions being imposed.
- 7.2. An interested person, for example a person who lives or regularly works in the restricted area, can within six weeks of the Council implementing a PSPO, apply to the High Court to challenge the validity of the PSPO or seek a variation of it on the grounds that the Council had no power to make it or on the basis that requirements had not been correctly followed.
- 7.3. Additionally, the offence of failing to comply with a PSPO requires the failure to comply with the PSPO to be without “reasonable excuse”. This in effect gives an individual the opportunity in the criminal proceedings to both argue their individual circumstances to seek to show that they had some reasonable excuse for the breach, in addition to allowing them to argue that the PSPO could not lawfully be used to prohibit or restrict a particular activity. This includes occupying an unauthorised encampment by rough sleeping, which the Home Office has stated a PSPO should not be used for and is a matter that can give rise to a claim for Judicial Review.
- 7.4. Further, in introducing and enforcing a PSPO, the Council must have regard to rights protected by the European Convention on Human Rights and the guidance to Councils by the Secretary of State that requires that restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect, and are necessary to prevent it from continuing, occurring or recurring.

## **8. Equalities implications**

- 8.1. The proposed PSPO sets out a range of powers available to the Council and the Police and how these will be legally applied. Its use will be determined by the behaviour occurring and is not directed at any protected group. However, we acknowledge there are concerns about its enforcement and possible impact on the protected characteristics and other equalities factors.
- 8.2. It is unlawful under the Equalities Act 2010 to either directly or indirectly discriminate against a disabled person. Therefore, preventing assistance dogs from entering those places otherwise prohibited to dogs may be considered unlawful as it could be considered that someone is being treated unfavourably because of something connected to their disability. Therefore these restrictions will not be applicable to persons using an assistance Dog within the locations identified.
- 8.3. The PSPO could have a significantly higher impact upon the activities of those with alcohol or drug dependency, those from the traveller communities and possibly those with mental health issues. However, the introduction of a PSPO also has the opportunity to impact positively on the Councils duty under the Equalities Act in that the Order (PSPO), aims to tackle behaviour that causes harassment and victimisation of protected groups, such as the elderly and minoritised groups who



are often adversely affected by issues being addressed by the PSPO.

- 8.4. However, as mentioned above, referral pathways where safeguarding concerns are identified will be stipulated to ensure residents facing additional vulnerabilities are not disproportionately affected by the proposed PSPO. In addition, the proposed PSPO will not be used to target people based solely on the fact that someone is homeless or rough sleeping. A safeguarding approach in conjunction with specialist support services will be taken in those cases where safeguarding concerns arise.
- 8.5. In order to assess the full impact of the PSPO, a full Equalities Analysis Assessment is being completed and will be presented alongside the Mayor and Cabinet paper on 19<sup>th</sup> July. The Committee's observations on the potential equalities implications are particularly welcomed.

## **9. Climate change and environmental implications**

- 9.1. There is limited impact on the environment as a result of implementing a PSPO. Some anti social behaviour and street drinking activity may be related to waste, noise or other issues that affect people's quality of life, however the PSPO is principally aimed at improving behaviour rather than the environment.
- 9.2. The introduction of a PSPO can disrupt those who are currently partaking in the restricted activities. This ranges from dog walkers, dog owners walking their dogs off lead in areas we propose are restricted, to vulnerable individuals dependant on substances. The PSPO will impact on their current life pattern and thus potentially their wellbeing. Therefore, combined with enforcement of the PSPO, will be an educational and safeguarding approach to mitigate this impact.

## **10. Crime and disorder implications**

- 10.1. Following the consultation, if the Council decide to introduce the proposed PSPO, this would provide additional powers to Council and Police officers to take action against the restricted activities listed as part of the PSPO. This would directly support the Council in discharging its statutory duty under Section 17 of the Crime and Disorder Act 1998 to exercise its various functions with due regard to the likely effect of the exercise of those functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.

## **11. Health and wellbeing implications**

- 11.1. Existing evidence suggests ASB can result in a range of negative emotional, behavioural, social, health and financial impacts. These include negative mental health effects, avoidance behaviours and decreased economic productivity. Home Office research (2023) found that some types of ASB most likely to have a significant impact on participants' quality of life were problems with out-of-control dogs and loud music/noise, which are addressed by the proposed PSPO.

## 12. Glossary

Term	Definition
ASB	Anti-social behaviour
PSPO	Public Space Protection Order
FPN	Fixed Penalty Notice

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For financial implications: TBC

For legal implications: TBC

## 14. Appendices

Appendix A – Public Space Protection Order Paper for Mayor and Cabinet (November 2022)

Appendix B – London Borough of Lewisham Public Space Protection Order Evidence Pack

Appendix C – Public Space Protection Order Consultation Report



## Mayor and Cabinet

### Public Space Protection Order

**Date:** 2 November 2022

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** The entire borough of Lewisham

**Contributors:** Safer Communities Service – Frank Olaniran, Daniel Fish-Halvorsen; Communities, Partnerships and Leisure - Karen Kemsley

### Outline and recommendations

This report seeks approval to undertake a public consultation on the introduction of a Public Space Protection Order (PSPO). PSPOs sit amongst a broad range of powers and tools to tackle anti-social behaviour locally. A PSPO can be used to prohibit specified activities and/or require certain things to be done by people engaged in particular activities, within a defined public space.

Local issues in scope of the consultation are as follows; alcohol related anti-social behaviour and disorder, amplified music and speech, dog related anti-social behaviour in public spaces and parks, consumption of drugs and psychoactive substances, illegal encampments and public urination on land open to the air.

It is recommended that Mayor and Cabinet agree to a public consultation to seek views on whether the Council should introduce a new PSPO across the borough for three years from the date of commencement.

### Timeline of engagement and decision-making

**2 November 2022:** Mayor and Cabinet

**January 2023 - February 2023:** Public consultation

**April 2023:** Findings to Mayor and Cabinet for review and final decision

## 1. Summary

- 1.1 This report seeks Mayor and Cabinet approval for public consultation on introducing a new Public Space Protection Order (PSPO). The PSPO will introduce several new powers for use by the Council and partners to address anti-social behaviour (ASB) within the Borough.

## 2. Policy Context

- 2.1 The Anti-Social Behaviour, Crime & Policing Act 2014, places a duty on local authorities to tackle anti-social behaviour by working in partnership with the police, social landlords and other agencies. The Act makes provision for a PSPO, which is intended to be used to control and restrict anti-social behaviour in public spaces. It can also help by giving local Councils and the police additional powers to tackle anti-social behaviour in specific locations.
- 2.2 The powers contained in the Act will assist the Council in meeting its priority to 'Build Safer Communities', whereby every resident feels safe and secure living within the borough, working towards a borough that is free from the fear of crime, as set out in the Council's Corporate Strategy.
- 2.3 Building Safer Communities is one of Lewisham's current Corporate Priorities and the proposed PSPO is intended to support the deliver of this priority specifically relating the the commitments that we ensure there is/are:
- Less crime and less fear of crime
  - Less young people involved in, or impacted by criminal behaviour
  - Communities and individuals empowered and supported to work in partnership with the Council and the Police

## 3. Background

- 3.1 Mayor and Cabinet previously agreed to the introduction of a PSPO in 2018, which expired in 2021. Many of the issues identified as a concern were similar to those considered for the proposed consultation, which included anti-social alcohol consumption in public places, dog control, psychoactive substances and unauthorised encampments. Since the expiry of the PSPO in 2021, evidence suggests that these activities have increased and therefore the powers should be reintroduced with the addition of a number of powers, which are outlined for consideration in this paper.

## 4. Public Space Protection Order

- 4.1 As previously stipulated in paragraph 3, the Anti-Social Behaviour, Crime & Policing Act 2014, places a duty on local authorities to tackle anti-social behaviour (ASB) by working in partnership with various stakeholders. The Act introduced several new tools and powers, which included the PSPO. The Act recognised that Councils are often best placed to identify the broad and cumulative impact of ASB, thus these powers allow focus on the identified problem behaviour in a specific location. This means that regardless of the individual or property, the behaviour is addressed.
- 4.2 The exact details of a local PSPO are defined by a local Council, which can include Borough-wide restrictions, a focus on certain types of behaviour at particular times of the day or the powers can be used to control access to public spaces (including some highways) where that route is being used to commit anti-social behaviour.

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- 4.3 Once agreed, a PSPO can be enforced by a Police Officer, Police Community Support Officer and delegated Council officers. A breach of the PSPO is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice (FPN) of up to £100, or a fine of up to £1,000 on prosecution. Any income from an FPN is likely to be used to offset the costs of managing the PSPO, for items that include, but are not limited to signage and Court fees for failure to pay fines through to communicating the controls in place.
- 4.4 A PSPO can be implemented for up to three years, after which it must be reviewed. If the review identifies that the concerns remain and the requirements of the PSPO are met, an extension can be granted for a further three years. It must be noted that there is no limit on the number of times an Order may be reviewed and renewed, provided the review supports an extension and all requirements are satisfied.
- 4.5 The recommendation for consultation is a PSPO, which spans three years, with a review set at 30 months.

## **5. Why the introduction of a PSPO?**

- 5.1 When considering whether a PSPO is necessary, consideration of other enforceable actions and/or powers are compulsory as is the balance between introducing items that people identify as making them feel safer and happier in the borough, and the restriction of enjoyment for others.
- 5.2 The Council can make a PSPO if satisfied on reasonable grounds that the following conditions are met in relation to the activities sought to be regulated:
- That they are or are likely to be carried out in a public place within the Borough;
  - That they have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
  - The effect, or likely effect, of the activity is likely to be persistent or continuing in nature;
  - Is or is likely to be such as to make the activities unreasonable; and
  - Justifies the restrictions sought to be imposed by the Order.
- 5.3 Due to a number of anti-social behaviour reports received by the Council, a Council scoping exercise was undertaken during 2022, which included the analysis of anti-social behaviours across the Borough, using various data sets from the Police, Council departments and other stakeholders. Also considered were complaints from residents, those that work in the Borough and Councillors.
- 5.4 The following concerns were identified:
- Alcohol related anti-social behaviour and disorder
  - Amplified speech or music in open spaces
  - Dog related anti-social behaviour in public spaces and parks
  - Consumption of Drugs and Psychoactive Substances
  - Illegal Encampments
  - Public urination and defecation
- 5.5 The results are described in Appendix A, London Borough of Lewisham Public Space Protection Order Evidence Pack, and summarised in each of the following sections.

## **6 What is proposed for the PSPO?**

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6.1 The Council proposes the following measures based on the data received from the scoping exercise:

**Alcohol related anti-social behaviour and disorder**

6.2 Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles, vomiting and urination in public spaces. There are often further concerns linked to underage drinking, sexual activity, criminal damage and/or substance misuse.

6.3 A PSPO would not ban the consumption of alcohol in a public place, but address alcohol related anti-social behavior/nuisance. It would not be an offence to consume alcohol in a public space; the offence would be failing to comply with an officer's request to stop the consumption of alcohol or failing to surrender containers when requested to do so. Authorised officers could only request that alcohol consumption cease on the grounds that anti-social behavior is or is likely to occur. The attached evidence pack summarises the data supporting these measures.

6.4 In summary, complaints made to the Council about this issue evidence that street drinking associated with rubbish, drugs and noise, affect a variety of areas such as roads, parks and residential areas. While there were pockets of higher activity around town centres, they were not confined to these areas showing the need to address the issue borough-wide. There were also a high number of alcohol-related incidents reported by the Police and ambulance services.

**Amplified music or speech**

6.5 The noise generated from amplified music and speech can cause alarm and distress to those in the vicinity. Evidence suggests a 26% increase of complaints in relation to noise in a public place between 2020 and 2021, with reports of members of the public using portable and vehicle speakers. Over the same period, the Police received over 1,000 calls reporting noise-related anti-social behaviour. The attached evidence pack summarises the data supporting this measure.

6.6 Due consideration must be given to peoples' right to assembly and expression, under the Human Rights Act 1998 Articles 10 and 11, which allow Freedom of Expression and Freedom of Assembly and Association. Therefore, whilst it is proposed that amplified music be addressed through the proposed PSPO, the right to assemble, associate or express a point of view would not be enforceable through this measure.

**Dog related anti-social behaviour in public spaces and parks**

6.7 There is a need to enforce dog controls to ensure public spaces are clean and safe for all to enjoy. Responsible dog ownership enforcement via a PSPO will aid the reduction of risk to the general public from catching toxocarasis from dog waste; potential animal attacks and dog related accidents. It is proposed that both the public and wildlife will be safeguarded via the 'dog on a lead', 'dog exclusion' and 'maximum number of dogs' elements.

6.8 In relation to dogs and their owners, the PSPO will continue to enforce existing dog control Orders including:

- Excluding dogs from designated areas, not allowing dogs within fenced children's play areas, cemeteries, ball courts, tennis courts, recreational areas and outdoor gyms.
- Requiring dog waste to be picked up by owners or any person in charge of the animal on any land, which is open to the air to, which the public have access.

- Requiring dogs to be kept on leads in designated areas; or placed on a lead if considered to be out of control upon request by authorised officers.
- Persons should not be in control of more than four dogs at any time in any public space or highway.

6.9 This PSPO would also like to introduce additional restrictions including:

- Dogs on leads within designated area,

6.10 The attached evidence pack summarises the data supporting these measures. In summary, a significant number of complaints regarding dog-related anti-social behaviour were made to the Council during 2020 and 2022 covering a widespread area of the Borough. Residents were particularly concerned about dog waste and control in parks close to where children play, and dog waste left on streets and pavements, particularly close to schools. Council employees who work in public parks and cemeteries also report issues with dog waste creating an unpleasant environment for all users of public spaces.

### **Consumption of Drugs and Psychoactive Substances**

6.11 Consumption of drugs and psychoactive substances has been highlighted as a concern by Councillors and residents and data suggests that the issue is Borough wide. A PSPO would allow a designated officer to ask for the person in question to surrender any such substance in their possession and leave the area.

6.12 The attached evidence pack summarises the data supporting this measure. In summary, review of drug related complaints to the Council show incidents related to noise, smell, smoke, public urination and rubbish. A wide area of the borough was affected, which included parks, roads and residential areas. The Police reported a large number of substance-related incidents and local Police officers have provided statements which support a PSPO to tackle this issue.

### **Illegal Encampments**

6.13 Unauthorised encampments occur relatively infrequently, but have a high impact in the areas they are located. Issues observed include no sanitary facilities for human waste; disposing of rubbish illegally; noise; alcohol or drug-related anti-social behaviour and open fires.

6.14 The PSPO would give additional powers to a designated officer to remove people who are illegally encamped on land, which does not belong to them. The main enforcement power currently falls to the Police through the Criminal Justice and Public Order Act 1994. However, a PSPO would allow the serving of a Fixed Penalty Notice, Community Protection Warning and Community Penalty Notice. It must be noted that if this power did not resolve the matter, there are other options such as seeking an injunction at a Magistrates Court, however the implementation of a PSPO would save time and resource.

### **Public Urination and Defecation**

6.15 It is proposed that the Order prohibit urination or defecation without reasonable excuse within the Borough on land open to the air. Police Officers and authorised Council officers would be able to issue an FPN for this behavior. As with other measures, this would be a criminal offence for a person without reasonable excuse to breach this Order.

6.16 The attached evidence pack includes a review of the complaints to the Council. In 2021 there were approximately 70 complaints, a 25% increase from 2020. They suggest public urination is more common where groups congregate, such as street drinkers and drug

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users, and where rubbish has been discarded previously. Concerns are also raised about the smell and potential impact on health. Please refer to the evidence pack for more details.

## **7 Area - Specific Measures**

7.1 In addition to the Borough-wide measures, the following measures would be proposed within the boundaries of the designated areas outlined below:

### **Dog Exclusion**

7.2 No person in charge of a dog would be permitted to take the dog onto or to enter or to remain on any land to which the PSPO applies.

7.3 Area applies to:

- Children's play areas within parks, dens and open spaces within the London Borough of Lewisham
- Children's play areas on housing estates within the London Borough of Lewisham
- Fenced sports areas within parks, gardens and open spaces within the London Borough of Lewisham
- Devonshire Road Nature Reserve – SE23 3SZ
- Garthorne Road Nature Reserve – SE23 1AA
- Dacres Wood Local Nature Reserve – SE23 2NR
- Besson Street Multi Cultural Garden
- Brookmill Local Nature Reserve – SE8 4JJ
- Queenswood Nature Reserve (Sydenham Gardens) – SE23 2LW
- Chinbrook Allotments - SE12 9SB
- Grove Park Library Gardens
- Telegraph Hill Park – lower
- Friendly Gardens – upper
- Brookmill Park - SE8 4JJ
- Horniman's Play Park
- Frensbury Gardens – SE4 2BL
- Broadway Fields – east of the river
- Central Field in Mayow Park
- Central Field in Northbrook Park
- Cornmill Gardens – waterway link exempted
- Manor House Gardens
- Iona Close Orchard Nature Reserve – SE6 4RN
- Burnt Ash Pond Local Nature Reserve – SE12 0AL

7.4 It is unlawful under the Equalities Act 2010 to either directly or indirectly discriminate against a disabled person. Therefore, preventing assistance dogs from entering those places otherwise prohibited to dogs may be considered unlawful as it could be considered that someone is being treated unfavorably because of something connected to their disability. Therefore these restrictions will not be applicable to persons using an assistance Dog within the locations identified.

### **The Dogs on Leads**

7.5 All persons in charge of a dog must keep the dog on a lead on any land to which this Order applies.

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Area applies to:

- All roads within the London Borough of Lewisham at all times (as defined by Section 142 of the Road Traffic Regulation Act 1984)
- In Cemeteries and Crematoriums within the London Borough of Lewisham
- Grove Park Local Nature Reserve – SE12 0UW
- Hare & Billet Pond – SE8 0RB
- Sydenham Cottages Nature Reserve – SE12 9PW
- London Squares green spaces within Rushey Green
- Beckenham Place Park (smaller area delineated red appendix III)
- Sue Godfrey Nature Park Local Nature Reserve – SE8 3DT
- Pepys Park Nature Area – SE8 3GD
- Bridgehouse Meadows Nature Area - SE14 XB
- Downham Woodland Walk Local Nature Reserve

## 8 Financial implications

- 8.1 There are no cost implications to the Council regarding enforcement as these services are in place. However, given that the Safer Communities Service can issue a fine, there may be some income generated from this enforcement. This is not expected to be a significant income across the financial year as the service are not a 'patrolling' or 'responsive' Service, and will only be exercising powers where it is more appropriate for the Service to do so instead of the Police.

## 9 Legal implications

- 9.1 As stated in this Mayor and Cabinet Report, the Council is empowered by the Anti-Social Behaviour, Crime and Policing Act 2014 to make a PSPO in Order to tackle activities carried on in a public place which have a detrimental effect on the quality of life of those in its locality, however this is provided such activities are or likely to be of a persistent nature, unreasonable and justify the restrictions being imposed.
- 9.2 An interested person for example a person who lives or regularly works in the restricted area, can within six weeks of the Council making the PSPO, apply to the High Court to challenge the validity of the PSPO or seek a variation of it on the grounds that the Council had no power to make it or on the basis that requirements have not been correctly followed.
- 9.3 Additionally the offence of failing to comply with a PSPO requires the failure to comply with the PSPO to be without "reasonable excuse". This in effect gives an individual the opportunity in the criminal proceedings to both argue their individual circumstances to seek to show that they had some reasonable excuse for the breach, in addition to allowing them to argue that the PSPO could not lawfully be used to prohibit or restrict a particular activity, for example, occupying an unauthorised encampment by rough sleeping, which the Home Office has stated a PSPO should not be used for and is a matter that can give rise to a claim for Judicial Review.
- 9.4 Further in making and enforcing a PSPO, the Council must have regard to rights protected by the European Convention on Human Rights and the guidance to Councils by the Secretary of State requires that restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect, and are necessary to prevent it from continuing, occurring or recurring."

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## 10 Equalities implications

- 10.1 Anecdotally we believe that this PSPO is likely to have a more significant impact upon the activities of those with alcohol or drug dependency and those from the traveller communities and possibly those with mental health issues. However, the introduction of a PSPO also has the opportunity to impact positively on the Council's duty under the equalities act in that the Order (PSPO), aims to tackle behaviour that causes harassment and victimisation of protected groups, such as the elderly and minority groups who are often adversely affected by issues being addressed by the PSPO. As part of the consultation a full equalities analysis assessment will be undertaken.

## 11 Climate change and environmental implications

- 11.1 There are no environmental implications in this report.

## 12 Crime and disorder implications

- 12.1 Crime, disorder and anti-social behaviour can have devastating effects on individuals, families and communities. The Council has a duty to respond to issues of crime and anti social behaviour, and by exercising these powers correctly the Council is taking steps to improve the quality of life of residents in the Borough.

## 13 Health and wellbeing implications

- 13.1 In general the implementation of the PSPO for health and wellbeing should be seen as a positive step forward for the majority of the Borough's residents as the aim of the actions from these powers is to create an environment free of ASB related to alcohol and drugs, but we should also consider that this may cause some disruption to those who are dependent on these substance and as such it may effect their life system and thus their view of their wellbeing. As part of our and our partners enforcement we will look to signpost users to the appropriate services

## 14 Glossary

- PSPO            Public Space Protection Order
- FPN            Fixed Penalty Notice
- CPW            Crime Protection Warning
- CPN            Crime Protection Notice
- NR             Nature Reserve
- LNR            Local Nature Reserve

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## **16 Appendices**

- *Appendix A – London Borough of Lewisham Public Space Protection Order Evidence Pack*

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# London Borough of Lewisham Public Space Protection Order Evidence Pack

# What is a Public Space Protection Order?

- The Anti-Social Behaviour, Crime & Policing Act 2014 ('Act'), places a duty on local authorities to tackle anti-social behaviour (ASB) by working in partnership with the police, social landlords and other agencies. The Act makes provision for Public Space Protection Orders (PSPO) which are intended to be used to control and restrict anti-social behaviour in public spaces. They can also help by giving local councils and the police additional powers to tackle anti-social behaviour in specific locations.
  - The exact details of a local PSPO can be defined by a local council. They can be blanket restrictions, or they can just be targeted towards certain groups or types of behaviour at certain times of the day. They can also restrict access to public spaces (including some highways) where that route is being used to commit anti-social behaviour.
  - Once agreed, PSPOs can be enforced by a police officer, police community support officer and delegated council officers. A breach of the PSPO is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice (FPN) of up to £100, or a fine of up to £500 on prosecution for consumption of Alcohol in breach of the PSPO and £1,000 on prosecution for other breaches of the PSPO. Any income from an FPN is likely to be used to offset the costs of managing the PSPO, for items that include but are not limited to signage, court fees for failure to pay fines through to communicating the controls in place.
- A PSPO can last for up to three years, after which it must be reviewed.

# Why introduce a PSPO in Lewisham?

- When considering whether a PSPO is necessary and the subsequent inclusions, we know that there should be a balance between introducing items that people identify as making them feel safer and happier in the borough, whilst at the same time not restricting the enjoyment of others, or introducing rules and regulations that cannot be enforced.
- The council undertook a scoping exercise which included the analysis of anti-social behaviours across the borough, using various datasets from the police, council departments and other stakeholders. We also considered complaints from residents, those that work in the Borough and councillors.
- The following issues were identified:
  - **Alcohol-related anti-social behaviour and disorder**
  - **Consumption of drugs and psychoactive substances**
  - **Amplified speech or music in open spaces**
  - **Dog-related anti-social behaviour in public spaces and parks**
  - **Illegal encampments**
  - **Public urination and defecation**

# Proposed Measures and Evidence Base



# Data Sources

- Complaints relating to anti-social behavior across the borough are made to a multitude of agencies. This evidence pack includes data gathered from the sources below, covering the period January 2020 to September 2022 unless otherwise stated.
  - Cleaner Lewisham, a Lewisham Council website where residents can log environmental issues
  - Lewisham Council Complaints Team
  - Lewisham Council Enforcement Team
  - Lewisham Council Dog Unit (years 2020 and 2021 only)
  - Lewisham Homes (years 2020 and 2021 only)
  - London Ambulance Service (LAS) data from SafeStats
  - Metropolitan Police Service (MPS) data from SafeStats
  - MPS anti-social behaviour call-log data (years 2020 and 2021 only)
- Statements were also sought from council employees and police.

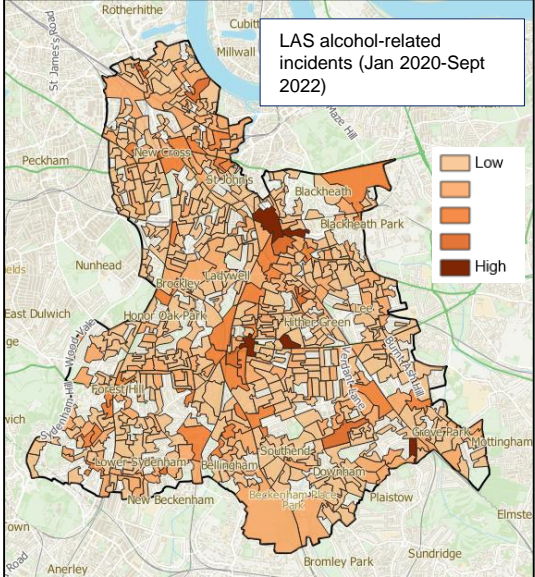
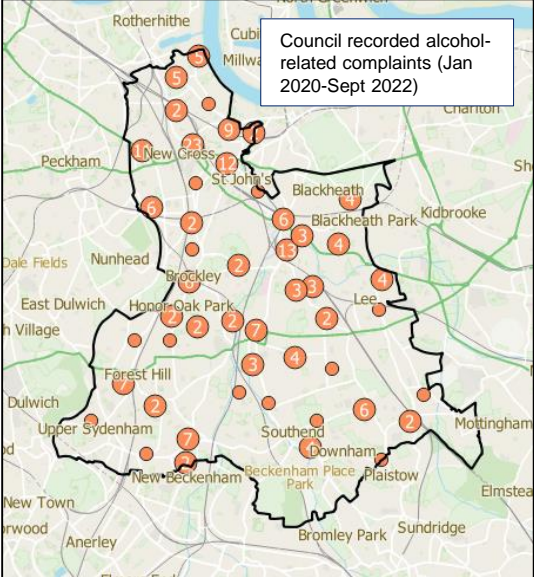
# Alcohol-related ASB and Disorder

**Proposed Measure: Authorised police and council officers may request alcohol consumption cease and any container be surrendered where anti-social behaviour is taking place. Under The Anti-Social Behaviour, Crime and Policing Act 2014.**

- Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles, vomiting and urination in public spaces. There are often further concerns linked to underage drinking, sexual activity, criminal damage and/or substance misuse.
- A PSPO would not ban the consumption of alcohol in a public place, a PSPO would address alcohol related anti-social behaviour/nuisance. It would not be an offence to consume alcohol in a public space; the offence would be failing to comply with an officer's request to stop the consumption of alcohol or failing to surrender containers when requested to do so. Authorised officers could only request that alcohol consumption cease on the grounds that anti-social behaviour is or is likely to occur.
- The enforcement of these powers would support the wider strategy in Lewisham to address alcohol related harm. This strategy includes signposting individuals with alcohol and substance misuse related concern to drug and alcohol treatments services in order to ensure appropriate support/treatment was available. The Strategy also includes engagement with local licensed premises to reduce the availability of high strength beers and ciders as well as ensuring that licensing objectives were promoted through responsible retailing of alcohol; and work by Public Health to promote responsible drinking, in partnership with health partners such as the NHS.

# Alcohol-related ASB and Disorder

- There were 231 complaints identified involving alcohol from 2020 to September 2022. Analysis of comments show these complaints associated with rubbish, drugs and noise and affecting a variety of areas such as roads, parks and residential areas.
- The cluster map shows the known locations of these reports across the borough, with main hotspots in New Cross and Deptford in Lewisham Central. The Deptford hotspot is adjacent to one across the border identified by Royal Borough of Greenwich.
- The LAS reported 1335 alcohol related incidents in 2021, a 31% increase from 2020. There were 968 incidents reported in 2022 to September.
- The map shows the issues are wide-spread across the borough, with increased activity (darker colours) around the Lewisham Central to Catford corridor, Downham and New Cross Gate.



# Consumption of Drugs & Psychoactive Substances

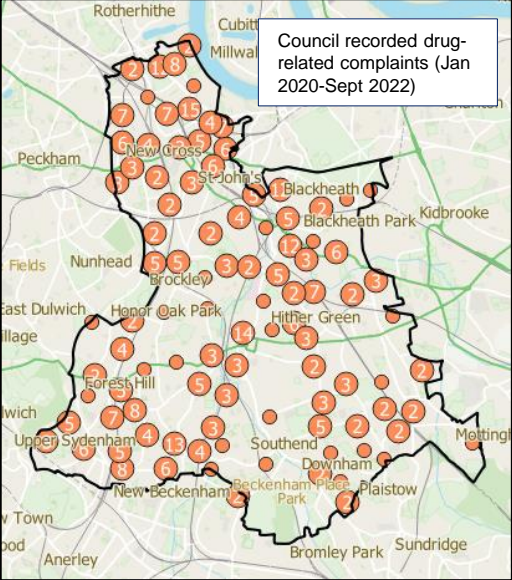
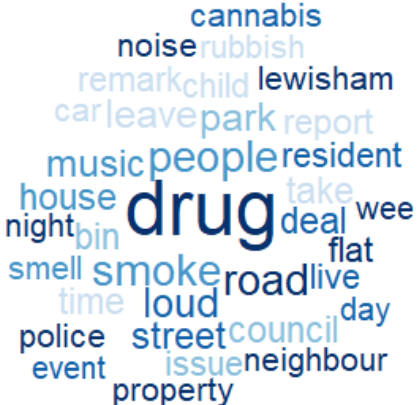
**Proposed Measure:** Any person who, without reasonable excuse, fails to surrender any such substance in their possession, and if requested, leave the area and not return for 48 hours when asked to do so by a Constable, Police Community Support Officer (PCSO) or Council Officer, commits an offence and may be liable to prosecution or may be issued a Penalty Notices for Disorder or arrested, either under the Misuse of Drugs Act 1971 or issued an Fixed Penalty Notice for failure to comply with a PSPO (local authority FPN).

- Consumption of drugs and psychoactive substances has been highlighted as an issue by Councillors and residents. The MPS have also reported a large number of substance-related incidents and local police officers have provided statements which support a PSPO to tackle this issue.
- The PSPO would allow a designated officer to ask for the person in question to surrender any such substance in their possession and leave the area.

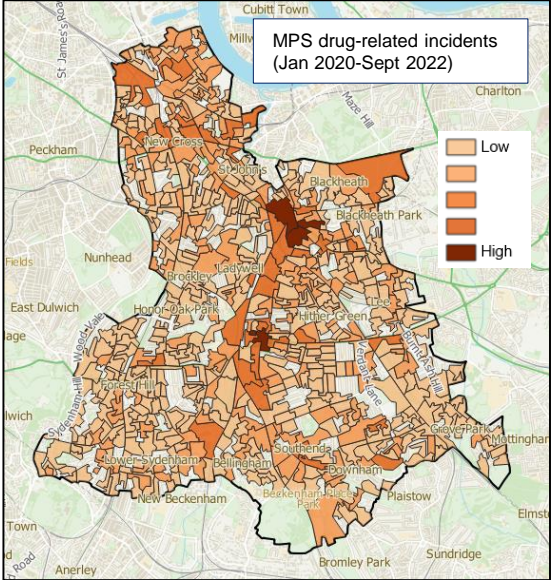
# Consumption of Drugs & Psychoactive Substances

- There were 499 complaints to the council involving drugs from 2020 to September 2022. Analysis of comments show incidents were related to noise, smell/smoke, public urination and rubbish, and affecting areas such as parks, roads and residential areas.
- The cluster map shows the locations of these reports across the borough, with hotspots around New Cross and Deptford, Lewisham Central and Catford, as well as around Sydenham in the south west of the borough.
- The LAS reported 162 drug-related incidents from 2020 to September 2022; the MPS reported 4,172 over the same period.
- The locations of the MPS incidents are shown on the map. These are wide-spread across the borough, with increased activity along the Lewisham Central to Catford corridor, and north-west wards.

Word cloud showing popular words from council-recorded complaints



Council recorded drug-related complaints (Jan 2020-Sept 2022)



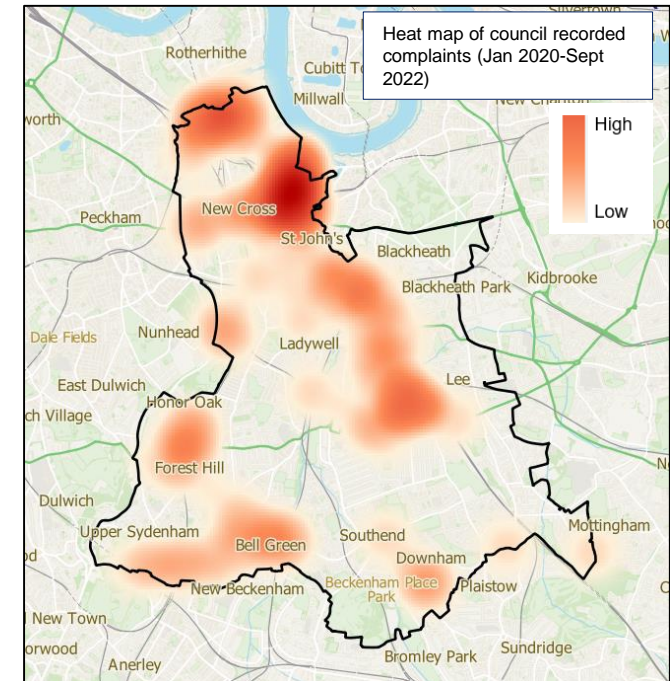
MPS drug-related incidents (Jan 2020-Sept 2022)



# Amplified music or speech

**Proposed Measure: No person shall, after being requested to desist by an authorised officer, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in any space open to the public.**

- The use of amplified music and speech may cause offence to many members of the public when persistent and unreasonable, having a detrimental effect on the quality of life of those in the vicinity.
- Lewisham Council recorded a 26% increase in complaints relating to noise in a public place between 2020 and 2021. The number of complaints recorded to September 2022 has already passed previous years.
- This includes noise from buskers, noise using amplification for music or preaching, noise from car speakers, noise from disruptive congregations and noise from loud speakers.
- The map shows the location of these, with highest intensity (darker red) across the north, central and south west areas of the borough.



Over the period 2020 to 2021, the MPS reported 1067 noise-related anti-social behavior calls.

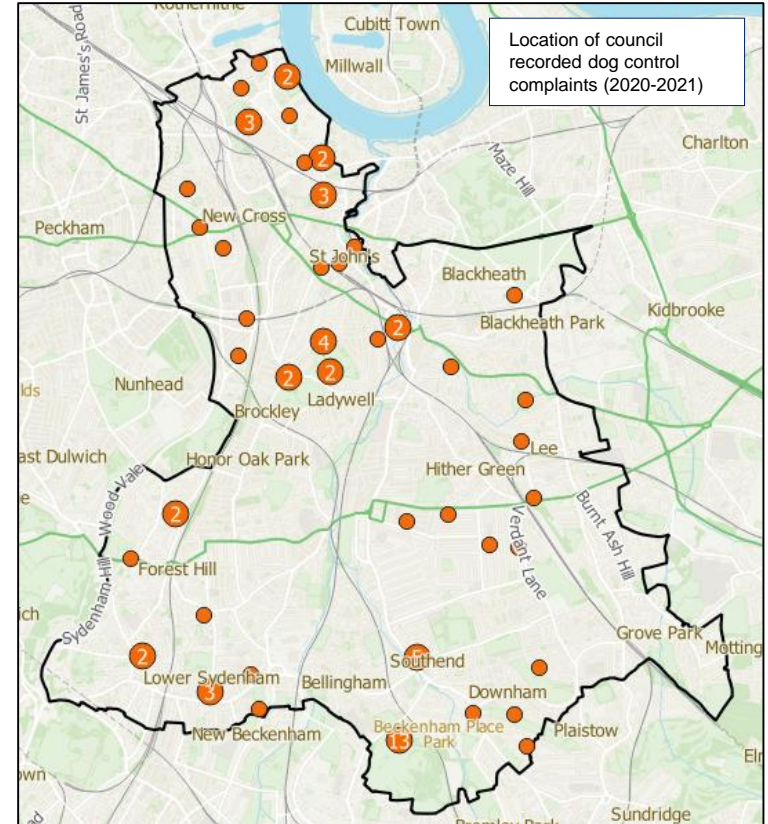
# Dog-related ASB in Public Spaces and Parks

## Proposed Measures:

- **Dog Fouling:** No person is permitted to leave dog waste deposited by any dog under their control or ownership in any public place, except in a designated dog waste bin. Owners and dog-walkers must remove dog waste deposited by dogs under their control, care or ownership.
  - **Dogs on Leads by Direction:** When required by an authorised officer of the Council, any person in control of a dog/s must place the dog/s on a lead.
- 
- There is a need to enforce dog controls to ensure public spaces are clean and safe for all to enjoy. Responsible dog ownership enforcement via a Public Spaces Protection Order will aid the reduction of risk to the general public from: catching toxocariasis from dog waste; potential animal attacks; and dog related accidents.
  - Both the public and wildlife will be safeguarded via the 'dog on a lead', 'dog exclusion' and 'maximum number of dogs' elements.

# Dog-related ASB in Public Spaces and Parks

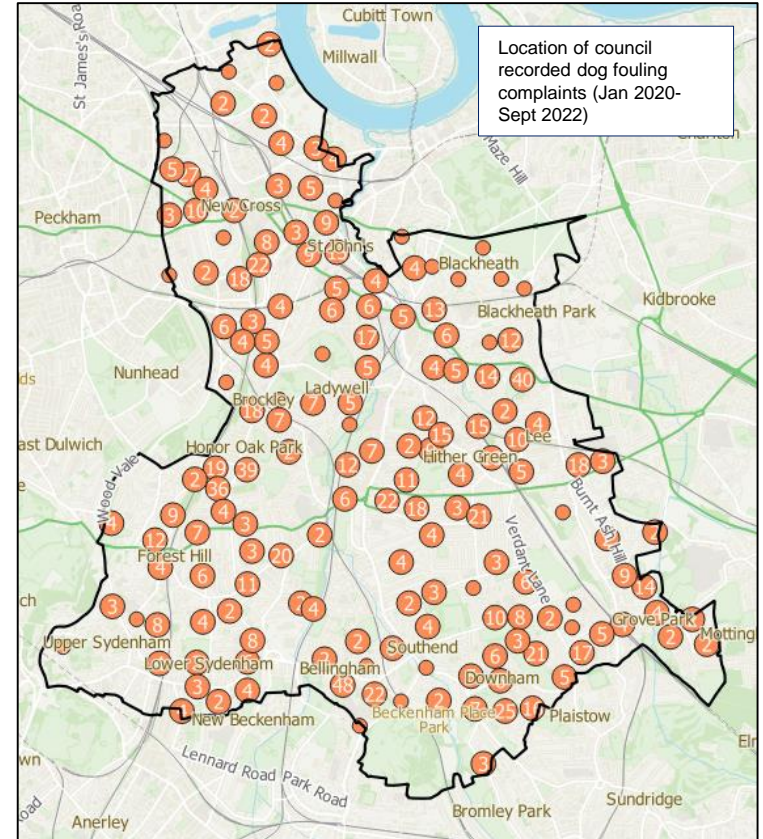
- Over 2020 and 2021, the council dealt with a number of complaints about dog control and dog attacks. The location of these are shown on the map.
  - There were at least 32 incidents in 2020 and 49 in 2021, a 53% increase. Some complaints received relate to reoccurring issues with dogs.
  - Analysis of comments show concerns in parks, particularly around where children play.
  - Quote from local resident: *“I’m a father with young kids living right next to Beckenham Place Park. As much as we love the new facilities of the park, it is still completely wasted by the out of control dog situation in the park! we never feel safe here and just today I had to raise another dog attack that ruined our day...”* (Source: Cleaner Lewisham website.)
  - Observation from Beckenham Place Park worker: *“Dogs are off lead in the formal gardens and playground and Homestead courtyard (regularly)”*.
  - The MPS recorded 91 Dog Attack offences in Lewisham over the 12 months to September 2022, a 50% increase to the previous 12 months.
- There were an additional 38 reports of ‘animal bites / attacks’ logged by LAS between January 2020 and September 2022.





# Dog-related ASB in Public Spaces and Parks

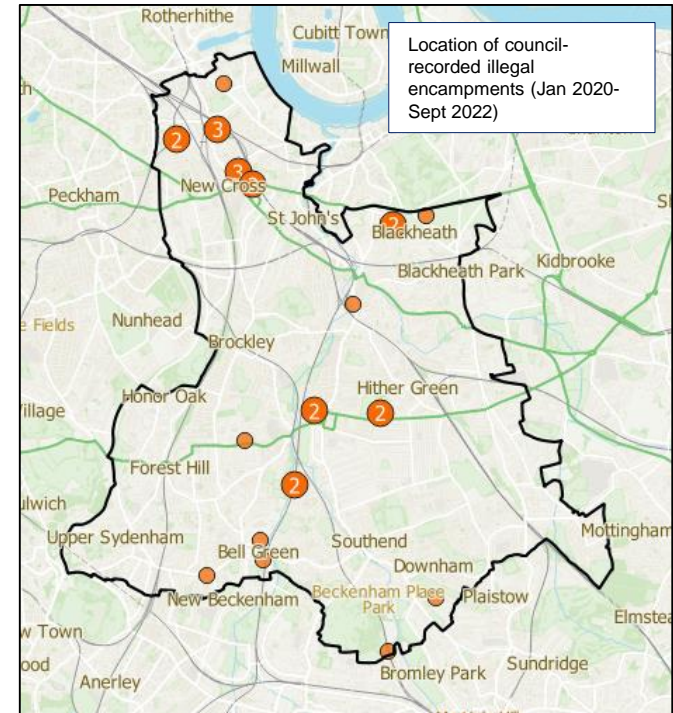
- The council received a significant number of complaints about dog fouling between January 2020 and September 2022. There were 1,159 complaints over this period, with a marked increase in 2021, 2.5 times higher than the number in 2020.
  - It is an issue which affects a widespread area of the borough. The map shows the location of complaints over 2020 and 2021.
  - Analysis of the comments show pavements, streets (particularly around schools) and parks (particularly where children play) are frequently mentioned.
  - In addition to the incidents reported by the public, parks and cemetery workers observe issues and receive direct complaints.
  - Council workers and volunteers in Beckenham Place Park experience incidents first hand and report stepping in dog mess, mess in the gardening beds and close to the cafe facilities, a large amount of dog poo in the southern grassland areas of the park, bagged dog mess hung from a branch or dropped in the undergrowth, unpicked dog mess around the entrances to the park with the smell of faeces creating a really unpleasant welcome.
- Council workers also report issues when strimming long grass within the cemeteries, with dog poo often caught up in the process and splattering clothes and nearby surfaces.



# Illegal Encampments

**Proposed Measure: Any person who, without reasonable excuse, occupies any vehicle, caravan, tent or other structure on public land owned or managed by the London Borough of Lewisham, without prior authorisation from the London Borough of Lewisham, commits an offence.**

- Unauthorised encampments occur relatively infrequently to other forms of ASB, but have a high impact in the areas they are located.
- The main issues include health hazards due no sanitary facilities for human waste; issues of disposing of rubbish illegally; noise; alcohol or drug-related ASB; and open fires.
- There have been approximately 30 cases reported between January 2020 and September 2022, a similar level to previous years.
- The PSPO would give additional powers to a designated officer to remove people who are illegally encamped on land which does not belong to them.





# Supporting Statements

# Supporting Statements

- PC Gosling, attached to the Rushey Green Safer Neighbourhoods Team since 2019:

*Whilst in this role I have been aware of persisting anti-social behaviour issues generated from Catford Broadway. As the dedicated ward officer for the area, I am in full support of a PSPO to help tackle the ongoing anti-social behaviour. The issues in question are drug dealing, drug use and street drinking.*

*As a team, we have conducted operations in the past to help combat the anti-social behaviour evident on the Broadway. We have been able to move the drug related anti-social behaviour on and away from the Broadway using stop and search powers and arrest. However, the Broadway is inundated with street drinkers throughout the day and into the night. The street drinking and alcohol related anti-social behaviour is not specific to a single area or a time of day. There are different groups in different areas of Catford Broadway from early morning, all the way into the night. This includes groups of drinkers outside the Black Cat pub on the junction of Catford Broadway and Winslade Way who will often use a sound system. As well as anti-social behaviour, this is also ruining business for the Black Cat pub.*

*A PSPO would grant officers enhanced powers to effectively and robustly tackle anti-social behaviour that is being generated from this location. It would make moving on street drinkers and taking their open alcohol containers away from them. This ongoing behaviour is having a detrimental effect on the local community including businesses and so a PSPO would help us make the Broadway a more desirable place to visit.*

- Sergeant Langley, attached to the Downham, Catford and Hither Green Safer Neighbourhoods Team, has indicated support for the PSPO to help address various anti-social behaviours including street drinking, particularly around shopping areas and surrounding roads.
- Sergeant Foreman of Bellingham and Sydenham Safer Neighbourhoods Team has indicated support for a PSPO covering the whole of these wards to assist with tackling a range of ASB in the area. She was particularly concerned about ASB surrounding Bell Green retail park and in Beckenham Park Place park, particularly during warmer weather.

# Supporting Statements

- PC Pearce, Licencing Officer for Lewisham Borough, previously Safer Neighbourhood Officer on Perry Vale Ward:

*I write this statement concerning the Anti Social Behaviour and street drinking that is occurring in Catford Broadway and the surrounding area.*

*Since I have joined the Licensing Team I have witnessed first hand the street drinkers harassing the local shop keepers and making the shop keepers fear for their safety. They congregate outside shops and in walk ways which is intimidating to the general public. They also sit on the benches that are in the area and for general use which prevents them being used by the general public. This occurs during the day as well as in the evening and into the night.*

*The licensing team have been working with the local shop keepers and asking them not to sell cans of alcohol which have an alcohol content or more than 6%. This has largely been successful but there is still work to do around this and venues cannot be forced to stop selling the alcohol.*

*There are also several night time economy venues in the locality and we have seen numerous incidents of alcohol related violence that have resulted in one of the venues being taken to review (October 6th) and another where the Brewery have been asked to attend meetings with the council and the police at Offices in Holbeach Road. Both venues are currently being monitored by the police licensing team and the council licensing team.*

*There have also been robberies in the locality. Patrons of the night time economy venues have found themselves being the victims of robbery. There are numerous homeless persons sleeping rough in shop door ways and begging outside shops on a daily basis. When I was on Safer neighbourhoods I worked with the council, outreach and street link to try and find accommodation for homeless persons in Catford but sadly not everyone will take the help that is offered to them.*

*We are working with the Council CCTV Team in Eros house to monitor crime and disorder that is occurring in Catford and try to deal with incidents as we are made aware of them. We are working with the shop keepers and night time economy venues to try and reduce alcohol related crime and anti social behaviour but any assistance in this would be greatly received.*

# Supporting Statements

- PS Loveday, Safer Neighbourhood Sergeant for the wards of Crofton Park, Forest Hill and Perry Vale:

*This statement is in relation to a request from Lewisham Council with regards to the nature of regular police interactions within the borough of Lewisham. I am the Safer Neighbourhood Sergeant for the wards of Crofton Park, Forest Hill and Perry Vale. I have been in this role for around ten (10) months. In that time the continuing theme across these three wards is one of anti-social behaviour and the impact this has on the day to day lives of local residents. Each ward has a similar yet distinct issue under this umbrella.*

*Crofton Park has an issue with street drinkers/drug users begging outside the train station and Co-op convenience store on Brockley Road. Complainants state that this appears at times to be an organised/structured endeavour however they are also concerned about open drug use by these people at all times of day. A familiar report is that people with children now actively avoid walking past this store as they do not want their children subjected to the begging/drinking. Additionally, there have been two protracted cases of homeless males causing a nuisance. One, on Agnew Road, resulted in a male being arrested for exposure before being released but eventually being resolved by liaison with mental health services and another on Ballina Street which is still ongoing. This male has mental health issues and is homeless. He is partially blocking an alleyway where he is staying with all of the property he has collected. This male has just been issued a Community Protection Warning. Both of these males are linked to Honor Lea Hostel as they were evicted immediately before causing issues.*

*Forest Hill receives complaints about homelessness/begging in two main areas. The most prominent is in the foot tunnel underneath the railway line. This tunnel runs from Devonshire Road to Perry Vale and is used by main commuters each day. Again, residents complain that the presence of homeless people within the tunnel is off putting for them and they feel intimidated by it. There are also reports that these people are begging. This matter has been referred to the council before and was recently subject to a joint police and council visit. Officers have recently issued 3 Community Protection Warnings here. The main protagonist here did for a period have a place at Miriam Lodge but rather chose to sleep in the tunnel with her partner until he recently died, as they couldn't stay together at Miriam Lodge. The other area for begging is outside Sainsburys. This does not cause many complaints however and is actually encouraged by security within the store who are hostile to police intervention. This was also recently the subject of a joint police and council visit with referrals made to outside agencies. The root of these issues appears to be Miriam Lodge and the people associated with it.*

*Perry Vale has two main anti-social issues which affect the community. One is the foot tunnel mentioned above, which is on the border between Forest Hill and Perry Vale but it does generate more feedback from the Perry Vale community. The other area of concern is the area around Church Vale, junction with Perry Vale. This involves open drug taking on council land at all times of day. I'm told that the area was previously the subject of a closure order but cannot confirm this from first hand knowledge.*

# Summary



# Proposed borough-wide measures

The following measures would apply to all areas within Lewisham where the public have access:

## **A. Control of Alcohol Consumption**

- Authorised police and council officers may request alcohol consumption cease and any container be surrendered where anti-social behaviour is taking place. Under The Anti-Social Behaviour, Crime and Policing Act 2014.

## **B. Dog Fouling**

- No person is permitted to leave dog waste deposited by any dog under their control or ownership in any public place, except in a designated dog waste bin. Owners and dog-walkers must remove dog waste deposited by dogs under their control, care or ownership.

## **C. Dogs on Leads by Direction**

- When required by an authorised officer of the Council, any person in control of a dog/s must place the dog/s on a lead.

## **D. Maximum Numbers of Dogs Under a Person's Control**

No person is permitted to have under their control more than 4 dogs in a public place.

# Proposed borough-wide measures

## **E. Consumption of Drugs & Psychoactive Substances**

- Any person who, without reasonable excuse, fails to surrender any such substance in their possession, and if requested, leave the area and not return for 48 hours when asked to do so by a Constable, Police Community Support Officer (PCSO) or Council Officer, commits an offence and may be liable to prosecution or may be issued a Penalty Notices for Disorder or arrested, either under the Misuse of Drugs Act 1971 or issued an Fixed Penalty Notice for failure to comply with a PSPO (local authority FPN).

## **F. Illegal Encampments**

- The Council and the Police have additional powers to take action but the PSPO would allow the serving of PCW, PCN & FPNs. If these fail to resolve the matter under the PSPO the Council could go to magistrates Court to seek an injunction with a view to requesting the power to evict the occupiers from the land

## **G. Amplified music or speech**

- No person shall, after being requested to desist by an authorised officer, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in any space open to the public. Environmental protection Act 1990 section 79 part GA and H. For Parks Spaces Act 1906 sections 12 and 15 of the Open Spaces Act 1906

# Area-specific Measures

In addition to the Borough-wide measures, the following measures would apply within the boundaries of the designated areas outlined below:

## H. Dog Exclusion

No person in charge of a dog is permitted to take the dog onto or to enter or to remain on any land to which this PSPO applies. Area applies to:

- Children's play areas within parks, dens and open spaces within the London Borough of Lewisham
- Children's play areas on housing estates within the London Borough of Lewisham
- Fenced sports areas within parks, gardens and open spaces within the London Borough of Lewisham
- Devonshire Road Nature Reserve – SE23 3SZ
- Garthorne Road Nature Reserve – SE23 1AA
- Dacres Wood Local Nature Reserve – SE23 2NR
- Besson Street Multi Cultural Garden
- Brookmill Local Nature Reserve – SE8 4JJ
- Queenswood Nature Reserve (Sydenham Gardens) – SE23 2LW
- Chinbrook Allotments - SE12 9SB
- Grove Park Library Gardens
- Telegraph Hill Park – lower
- Friendly Gardens – upper
- Brookmill Park - SE8 4JJ
- Horniman's Play Park
- Friendsbury Gardens – SE4 2BL
- Broadway Fields – east of the river
- Central Field in Mayow Park
- Central Field in Northbrook Park
- Cornmill Gardens – waterway link exempted
- Manor House Gardens
- Iona Close Orchard Nature Reserve – SE6 4RN
- Burnt Ash Pond Local Nature Reserve – SE12 0AL

# Area-specific Measures

In addition to the Borough-wide measures, the following measures would apply within the boundaries of the designated areas outlined below:

## I. The Dogs on Leads

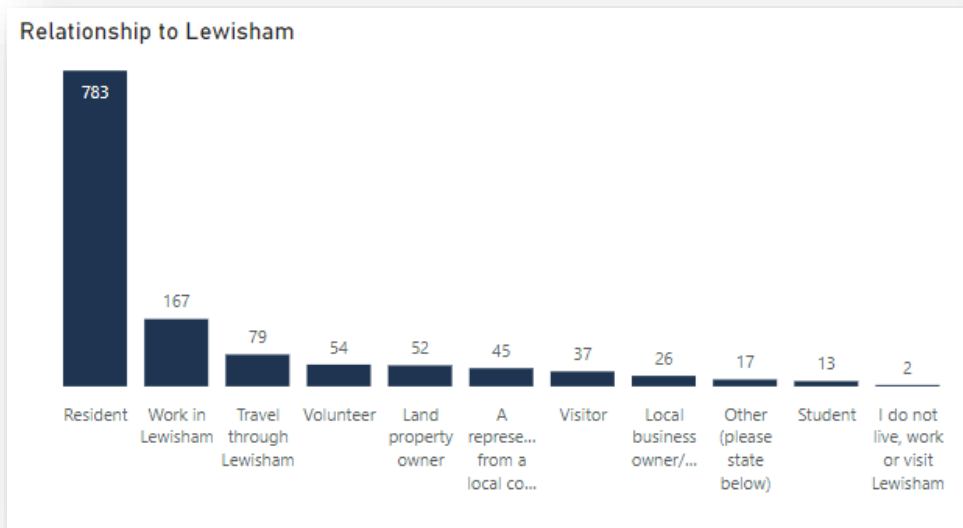
All persons in charge of a dog must keep the dog on a lead on any land to which this PSPO applies:

- All roads within the London Borough of Lewisham at all times (as defined by Section 142 of the Road Traffic Regulation Act 1984)
- Cemeteries and Crematoriums within the London Borough of Lewisham
- Grove Park Local Nature Reserve – SE12 0UW
- Hare & Billet Pond – SE8 0RB
- Sydenham Cottages Nature Reserve – SE12 9PW
- London Squares green spaces within Rushey Green.
- Beckenham Place Park (specific areas)
- Sue Godfrey Nature Park Local Nature Reserve – SE8 3DT
- Pepys Park Nature Area – SE8 3GD
- Bridgehouse Meadows Nature Area - SE14 XB
- Downham Woodland Walk Local Nature Reserve

## PSPO Consultation Responses

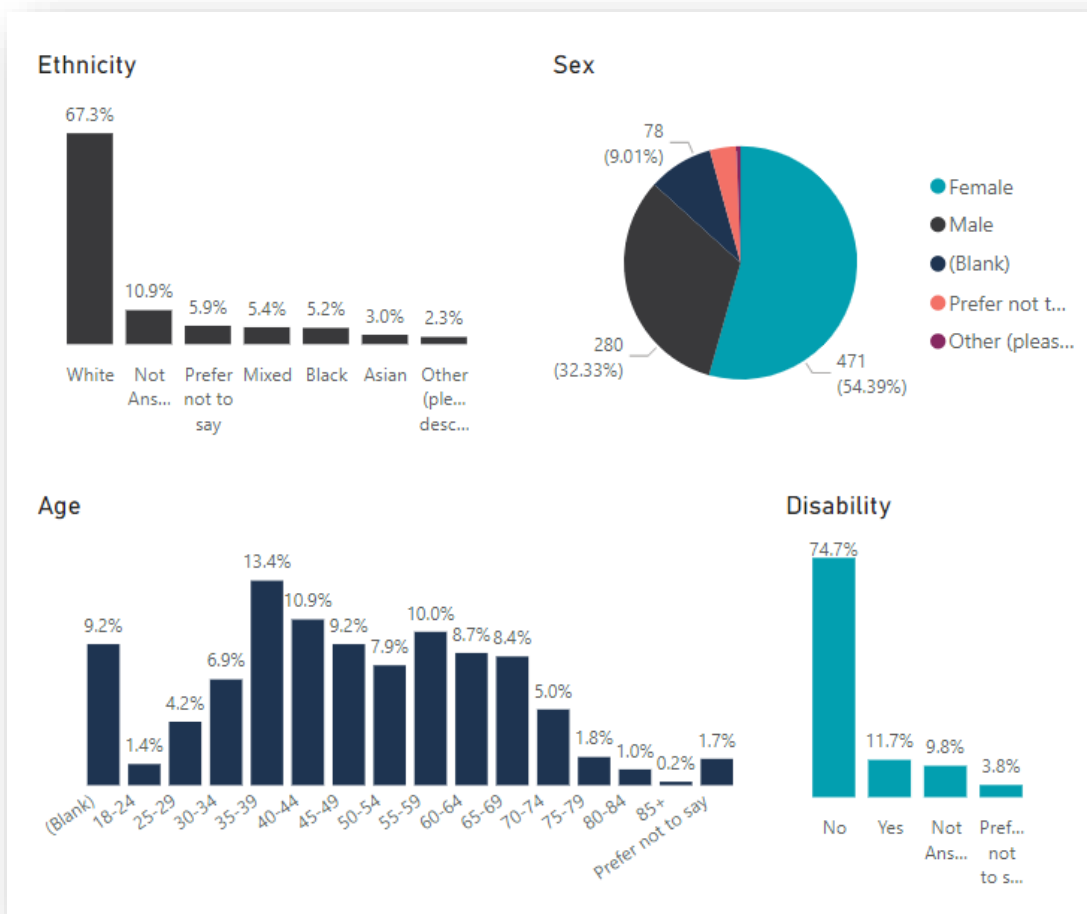
### Respondents

866 people responded to the consultation which took place between 27 February and 1 May 2023. 90.4% (783) of respondents are Lewisham residents; 19.3% (167) work in Lewisham; and 9.1% (79) travel through Lewisham. Of those who are not a resident, most work in or are visitors to Lewisham.



There was a disproportionately high response from females and white respondents. Ages were distributed fairly evenly between 30-69 but responses from age groups either side this were low.

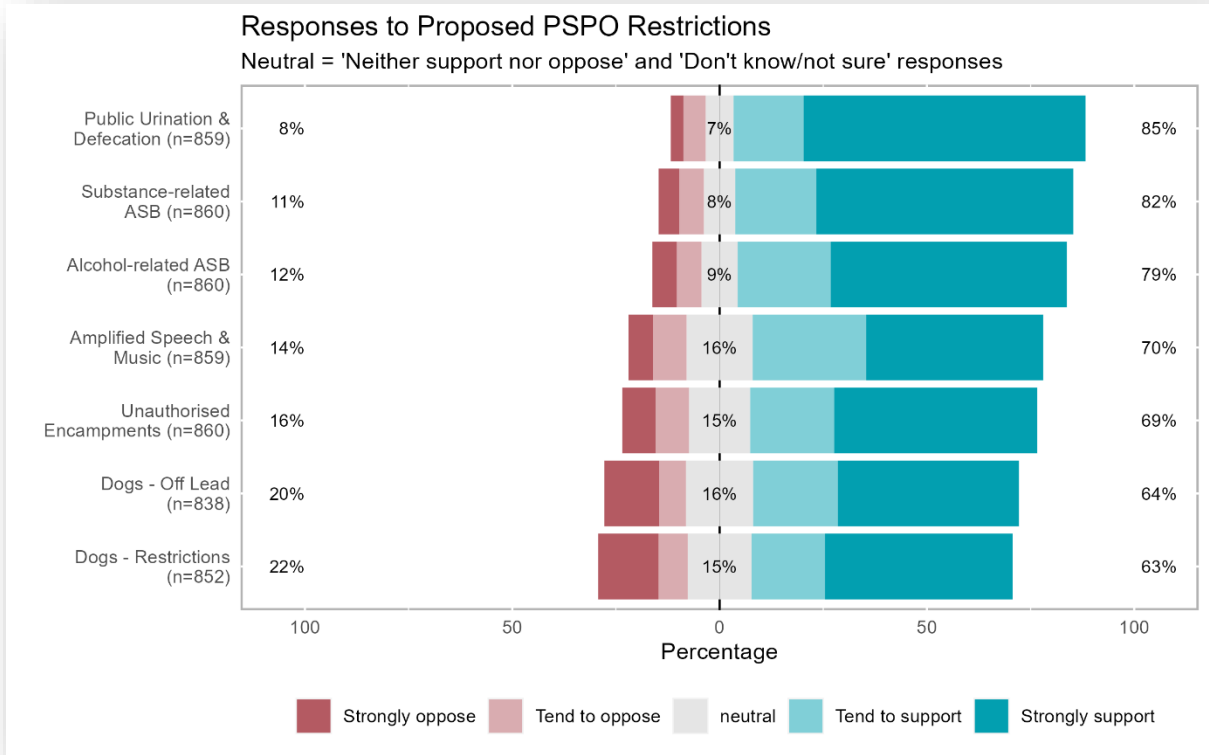
- Ethnicity: 67.3% selected White, 5.4% selected Mixed, 5.2% selected Black, 3% selected Asian, 2.3% selected Other.
- Gender: 54.3% selected female, 32.3% selected male, 0.6% selected other.
- Age: Just over 20% selected 30-39, a similar proportion to the 40-49 age group. 17.9% selected 50-59 and 17.1% selected 60-69. Respondents from younger and older age groups were lower (18-29 6.4%; 70+ 8%).
- Sexual Orientation: 10.4% selected Bisexual, Gay or Lesbian.
- Disability: 11.7% responded that they consider they have a disability.



## Summary

The majority of respondents supported each restriction proposed, although in varying proportions. Restrictions related to dogs had the most opposition, while those relating to public urination / defecation had the least:

- 79.4% (683) respondents strongly support or tend to support restrictions / penalties for those that drink alcohol in public spaces and cause anti-social behaviour and nuisance to others; 11.9% (102) respondents strongly oppose or tend to oppose.
- 81.5% (701) respondents strongly support or tend to support the restriction of the use of psychoactive substances in public spaces; 10.9% (94) strongly oppose or tend to oppose.
- 69.2% (595) respondents strongly support or tend to support the restriction of unauthorised encampments; 16.0% (138) strongly oppose or tend to oppose.
- 84.9% (729) respondents strongly support or tend to support the restriction of public urination and defecation; 8.4% (72) strongly oppose or tend to oppose.
- 70.1% (602) respondents strongly support or tend to support the restriction of amplified speech and music; 14.0% (120) strongly oppose or tend to oppose.
- 63.0% (537) respondents strongly support or tend to support the restriction of dogs in specific areas; 21.6% (184) strongly oppose or tend to oppose.
- 64.1% (537) respondents strongly support or tend to support the restriction of dogs off leads in specific areas; 19.7% (165) strongly oppose or tend to oppose.

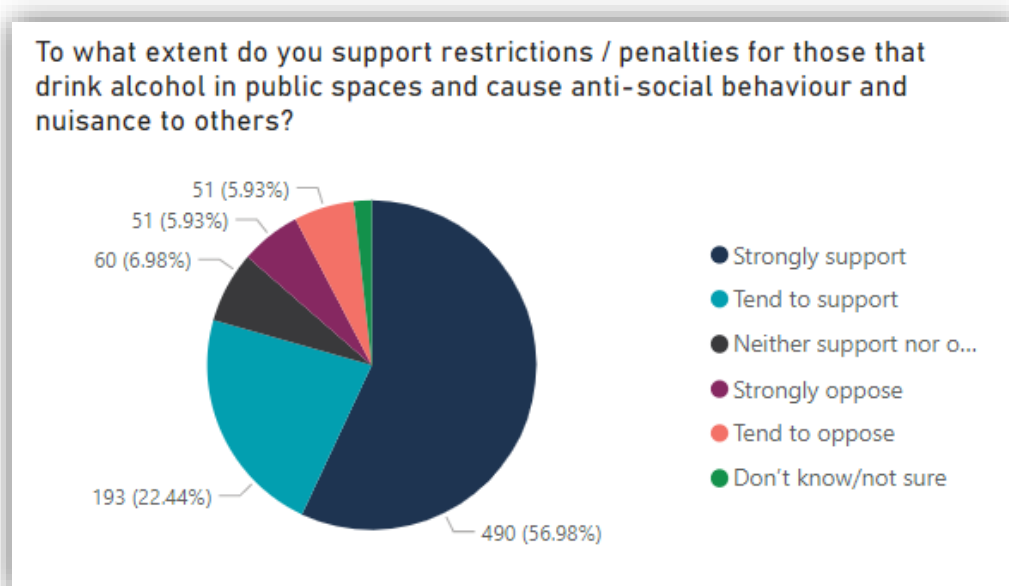


Responses tended to be similar between females and males in all categories. However, there was a consistent variation of support by age, with a lower proportion of younger people supporting measures than older people. About two thirds (583) of the responses were from people of White ethnic groups while the number from other ethnic groups was much lower (Mixed 47; Black 45; Asian 26; Other 20); for this reason, the latter groups have been combined. Support between these two groups was fairly similar in each category except for restrictions relating to dogs where a lower proportion of people from White ethnic groups supported the proposals.

## Responses by Category

### Restrictions / penalties for alcohol-related anti-social behaviour

860 people answered this section. Over half the respondents (56.6%) strongly support restrictions for alcohol-related anti-social behaviour; a further 22.3% tend to support. 11.8% oppose or tend to oppose measures.



The proportion supporting measures was similar between male and female respondents (81.5% and 79.6%, respectively), and the same between White (81%, 582 respondents) and Black, Asian, Mixed and Other ethnic groups (81%, 137 respondents). Support varied by age, with a lower proportion of younger people supporting measures (<40 years: 68.8%, 154 respondents; 40+ years: 84.5%, 462 respondents).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Response
<b>Will not be effective unless the underlying issues are addressed (mental health, substance misuse, homelessness, addiction etc); may exacerbate said issues for some.</b>	“Restrictions/penalties will disproportionately affect vulnerable people who might be facing untreated addiction, significant mental health illness, homelessness – the list goes on. In the same vein, punitive measures do nothing to address the root causes of violence or drug/alcohol-related ‘anti-social’ behaviour which are numerous and complex, e.g., failings of government, budget cuts to frontline services, lack of access to treatment, systemic inequality. There are already examples of this, as reported by The Big Issue, which cites how PSPOs are being misused to disproportionately criminalise homeless people, who cannot pay fines and so end up in court: <a href="https://www.bigissue.com/news/housing/homeless-people-targeted-police-pspo-anti-social-behaviour/">https://www.bigissue.com/news/housing/homeless-people-targeted-police-pspo-anti-social-behaviour/ ...</a> ”



	<p>“Alcoholism is a health condition disproportionately affecting houseless and homeless people, this requires a public health response. Criminalisation does nothing to address the underlying issues and simply displaces the problem.”</p>
<p><b>The definition is too broad and subjective; chance already marginalised groups will be discriminated against (trust in police raised).</b></p>	<p>“The wording of this question is incredibly broad. Define Nuisance? Whilst I agree that people who drink alcohol and commit crimes, defecate, etc should be penalised. The term nuisance is far too broad, and gives police carte blanche to define 'nuisance' on the spot.”</p> <p>“Why alcohol-related only? Also, what constitutes anti-social and a nuisance is subjective unless you specify exactly which behaviours are outlawed.”</p> <p>“...We know from anecdotal testimony from Council officers, residents, police officers - and it has been covered in many research publications and reports - how historically and currently, enforcement is often racialised. This is to say it disproportionately harms minoritised communities particularly young people, Black, Muslim and GRT people, disabled people and people with irregular citizenship status. This contradicts our important work as a Borough of Sanctuary upholding a public health, trauma-informed approach to equalities and youth justice, and as a Borough standing against racism and violence in all its forms.”</p>
<p><b>Penalties should exist because of the anti-social behaviour, not just because it is alcohol-related.</b></p>	<p>“Why just specifically target alcohol? Surely we have laws already around anti-social behaviour. Target the root cause of anti-social behaviour instead, not just what may or may not have been consumed at the time of the causing of nuisance.”</p> <p>“Because you drinking in public spaces is not the same as necessarily behaving in an anti-social manner. If someone wants to have a quiet drink in the park, for example, why shouldn't they? I'd support curbing anti social behaviour, but that can be caused by all manners of things and is not necessarily linked to drinking in public.”</p>
<p><b>Penalising the many because of the few.</b></p>	<p>“Restrictions tend to affect the quiet recreational activities of the law abiding more than those who cause anti-social behaviour and nuisance. I have no objection to a group of people bringing a picnic and a bottle or two of beer or wine to a park on a nice day. Enforcing a no alcohol rule is likely to ban 20 quiet picnics in order to stop 1 loud drunken gathering, which will probably go ahead anyway because the anti-social, by their very nature, tend to ignore the rules.”</p>

	<p>“Treat the causes of drinking and not the drinking. Blanket bans are not the answer. What’s wrong with a small gathering with friends in a park and a can or two?”</p>
<p><b>Concerns over where people will go if displaced, and limiting socialisation of vulnerable.</b></p>	<p>“You can’t restrict the consumption of alcohol in public places without providing alternative spaces and places for people to gather. In the current economic crisis especially, it is crucial not to penalise people for connecting with other people.”</p> <p>“For those on limited incomes there are very limited spaces available to socialise and be with others. Most people can’t afford to drink in pubs and may not have safe or adequate space at home for relaxing. The majority of people I see who are social drinking in Catford are not harassing people but are socialising. I think this also disproportionately discriminate against people from other ethnic backgrounds.”</p>
<p><b>Better to spend time / resources on measures to reduce the behaviour through other means</b></p>	<p>“I believe that the education, short-term and long-term support needs for the individual who both drinks alcohol in public spaces and cause anti-social behaviour and nuisance to others, should be assessed first by fully trained staff, and implemented with them in mind (a people-centred, compassionate approach).”</p>

## Support

Theme	Response
<p><b>Not opposed to drinking in public spaces, opposed to the antisocial behaviour that sometimes accompanies it.</b></p>	<p>“I would not want to stop the use of alcohol in public spaces but I would welcome controlled drinking in the form of small parties or gatherings. However, I would be in favour of measures aimed at prevention of anti social behaviour especially overly loud music, litter dropping etc.”</p> <p>“I 100% agree to restrictions on alcohol + antisocial behaviour. But I have seen many times families having picnics/birthday parties in the parks and having a beer or a glass of wine etc - so I don’t know if alcohol needs to be completely banned. I’ve not seen these events end in disorder.”</p>
<p><b>Reports of alcohol exacerbating ASB, leading to people (particularly women and children, and elderly residents) feeling vulnerable or unsafe, plus witnessed associated litter / drugs / aggressive behaviour / cat calling / urination.</b></p>	<p>“Sometimes the behaviour of people who are drunk can be quite threatening. As an older female resident perhaps I feel this more strongly and feel more vulnerable. Being drunk can reduce inhibitions and people can behave in more antisocial ways. It can prevent enjoyment of open spaces and parks, and can make me feel uncomfortable when walking home alone after dark, especially in winter when it's dark.”</p> <p>“It can be frightening when you are in the vicinity of people who are drinking/behaving antisocially in public as their actions can</p>

	<p>be volatile and innocent bystanders can be caught up in dangerous situations. It is also unacceptable that law abiding citizens have to endure the actions of those who drink and cause antisocial behaviour/nuisance to others.”</p> <p>“I have had many bad experience with anti social behaviour in the area where I live. People consumed alcohol and drugs on the street right under my windows, left terrible mess behind (excrements, vomits, rubbish...) On the pavement. There were numerous fights happening outside one of the places that offers a Hall for celebration, funerals etc...and their customers do not respect any residents in the area. Parking where they weren't allowed (pavement, red lines...) And when confronted about their behaviour, they got violent. We would welcome the police having power to discourage antisocial behaviour”</p>
<p><b>Support but as long as a more holistic approach to enforcement taken (e.g. to help those with underlying issues / educating about community cohesion).</b></p>	<p>“ASB harms community cohesion - however it needs treating as a community problem and not solely as an individual problem. For some reason many (not all) those being anti social have not learnt the rules of behaviour in the community. Penalties and enforcement need to ensure that the act of enforcement supports the learning of the importance of social behaviour - the rules of living together.”</p> <p>“No issue with controls on nuisance behaviour fuelled by drink - enforcement officers could provide guidance to support service to those having drink taken away - particularly if they are street drinkers/homeless rather than just a rowdy group of students for example”</p> <p>“I want us as a borough is to understand why this happens. To deal with it in a manner that just doesn't move from one area to another. I'd like to see a team working with those on the streets in an understanding and gentle manner.”</p>
<p><b>Believe it will prevent the anti-social behaviour &amp; make the borough safer</b></p>	<p>“Anti-social behaviour and nuisance to others appears to go hand in hand with people who drink in public spaces, I feel that restriction and fines would hopefully stop this.”</p> <p>“Would help me feel safer in the community”</p>
<p><b>Enforcement concerns – who / what training / effectiveness of fines.</b></p>	<p>“I agree in principle specifically with regards to anti-social behaviour but I am concerned about the way the rules can be interpreted by enforcement. The wording is vague.”</p> <p>“I don't see how you are going to enforce this - the police are already overstretched. Are you recruiting? and if so, how do you ensure the quality of your recruits, and their training, when the police have so many problems in an established workforce?”</p>

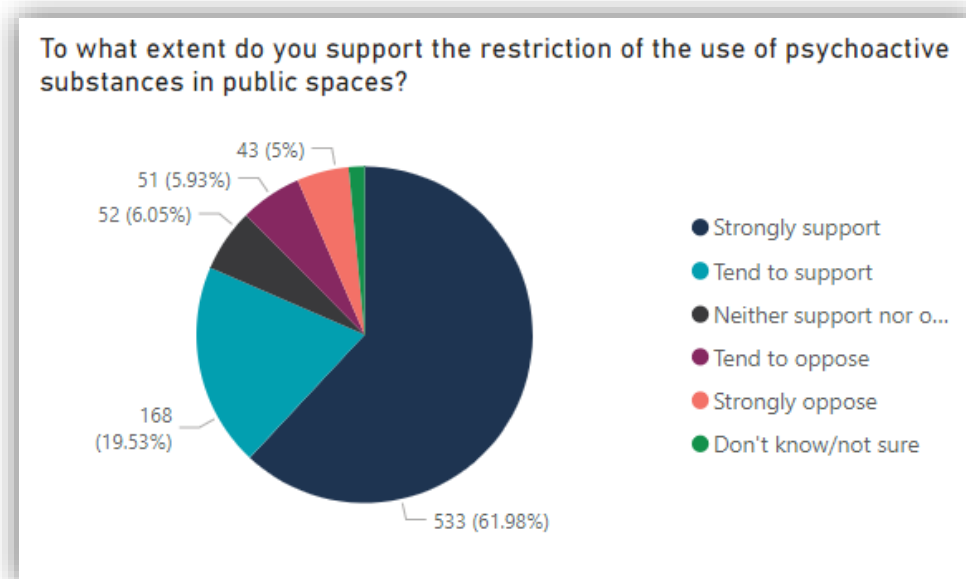
**Protecting the many because of the few**

“The behaviour of a few negatively affects the enjoyment and safety of the majority. Excess alcohol consumption can lead to violence, abusive behaviour, and public urinating, I have witnessed all of this locally. Unfortunately, there is no effective way of controlling the safe and socially acceptable use of alcohol in public without licensing and effective monitoring”

“Public spaces are for everyone enjoyment and people should not feel that they cannot use them because they are taken over by few people that do not respect others.”

## Restrictions / penalties for substance misuse related anti-social behaviour

860 people answered this section. Nearly two thirds of respondents (61.5%) strongly support restrictions for substance-misuse related anti-social behaviour; a further 19.4% tend to support. 5.9% tend to oppose, and a further 5% strongly oppose.



The proportion supporting measures was marginally higher for female respondents than male (84.4% to 81.0%), and slightly higher for respondents of Asian, Black, Mixed and Other ethnicities than White respondents (85.5% to 81.4%). There was a larger variation by age, with a lower proportion of younger people supporting measures (<40 years: 68.3%, 153 respondents; 40+ years: 87.4%, 478 respondents).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Response
<b>Will criminalise and/or discriminate against the most vulnerable or particular groups, e.g. young people, ethnic minorities, people with addiction problems.</b>	<p>"I work with vulnerable adults who have substance misuse issues. Further discrimination against those with additional support needs creates an imbalanced approach where the focus is on peoples deficiencies rather than a unified approach to delivering support and maintaining tolerance within our communities."</p> <p>"This is a very broad proposal which appears to lend itself toward a range of interpretations. There are many psychoactive substances, not all of which necessarily linked to anti social behaviour. Stop and searches related to suspected drug possession are common, ineffectual and often applied with prejudice. I am concerned that a control order including this provision would lead to disproportionate and abusive application of police powers against working class and BAME people on spurious grounds"</p>

<p><b>Will not be effective unless the underlying issues are addressed (mental health, addiction etc); may exacerbate said issues for some.</b></p>	<p>“Addiction and drug use isn’t an issue that can be resolved by issuing penalties, again this doesn’t deal with the root cause of the problem. As before, direct funding to support/community services rather than enforcement.”</p> <p>“Again, criminalising addiction when our prison system is anti-reform and works to largely impact those who are from more vulnerable groups within society is not helpful. If you want to genuinely offer support or help then the proven method is acceptance, awareness, education, control, and support. It is impossible at present to get support for a mental health or addiction crises on the nhs without waiting one year. At least. Sending these people to prison in the meantime or giving the police more authority to be as violent to minority communities as they have proven is not the answer and is a violent inaction in itself.”</p>
<p><b>Laws are already in place to address these issues.</b></p>	<p>“...There are already laws in place in relation to drug use which can be used if needed.”</p> <p>“Why just specifically target psychoactive substances? Surely we have laws already around anti-social behaviour. Target the root cause of anti-social behaviour instead, not just what may or may not have been consumed at the time of the causing of nuisance.”</p>
<p><b>The psychoactive substances need to be defined; different drugs affect behaviour in different ways; varying approaches needed.</b></p>	<p>““Psychoactive substances” is a broad term that covers a wide range of substances – everything from class A to class C drugs, which have variable effects on users and their behaviour. I cannot support blanket restrictions because I believe efforts to restrict public usage should be nuanced and the framing of this question gives no indication that would be the case. Specifically, enforcement of restrictions should consider the harm posed by the substance to the user and the way the substance in question affects the user's behaviour. Some commonly used psychoactive substances don't make their users aggressive or violent and so I do not think formal (and more specifically, police-led) intervention is necessary. I am also opposed to enforcement of restrictions that could result in the criminalisation of (or the levying of civil penalties on) users of these psychoactive substances. The misuse of these substances is a social issue and punitive action won't solve it. In fact, there's evidence that this could make the problem worse. Lastly, I am concerned that any police-led intervention would disproportionately affect the young and people of colour.”</p> <p>“Depends if behaviour becomes disrespectful as a consequence of psychoactive use. For example, usually a big difference in users’ behaviour following smoking marijuana (peaceful) and snorting cocaine (agitated).”</p>

<b>Penalties should exist because of the anti-social behaviour, not just because there are substances present.</b>	“Same goes for this as for alcohol. If someone is behaving in a way that endangers the safety and well-being of others in public, they should be subject to restrictions and penalties, whatever the cause of that behaviour. Use of drugs in itself isn’t the problem.”
<b>Preference of provision of safe spaces for people over punishment; where people will go if displaced; and limiting socialisation of vulnerable.</b>	“For the same reason as previous, there are limited spaces where young people and adults can socialise, the majority are not harming others when participating in these activities and therefore the PSO seems disproportionate to the issue”

## Support

<b>Theme</b>	<b>Response</b>
<b>Takes away the enjoyment of the area (smell of weed, intimidating behaviour, feeling unsafe, litter of nitrous oxide canisters and needles, public urination).</b>	<p>“I want to be able to enjoy the area without having to inhale substances that are illegal in the first instance. The smell in the Woodland Walk for instance is incessantly strong and off putting. It’s associated with criminal activity and you just don’t know how safe the group or individual taking the substance are so inevitably you choose not to enter that public place.”</p> <p>“Psychoactive substances adversely affect individuals behaviour, often resulting in provocative and/or threatening behaviours. This ultimately negatively impacts others who do not engage in these activities, and causes worry and concern especially for children and vulnerable people who simply want to enjoy green spaces.”</p> <p>“I want to enjoy public spaces without this”</p> <p>“It impacts on other peoples enjoyment of open spaces”</p>
<b>Drugs are illegal and should not be allowed in public.</b>	<p>“Taking drugs is illegal I support the enforcement of this.”</p> <p>“It’s illegal and should not be tolerated”</p> <p>“Illegal drugs ruin lives and add unnecessary cost to public services, especially the NHS, police and social services.”</p> <p>“They are illegal and no one should be using these substances anyway. The mess they leave is a danger to animals and children”</p> <p>“For a start they're illegal and they lead to violent and harassing behaviour.”</p>
<b>Variation in drugs: should focus on non-cannabis related or have different approaches.</b>	“I think there is a great difference in the nuisance individual substances may generate and it is more the severity of use that tips it into asocial behaviour. Groups who drink moderately or

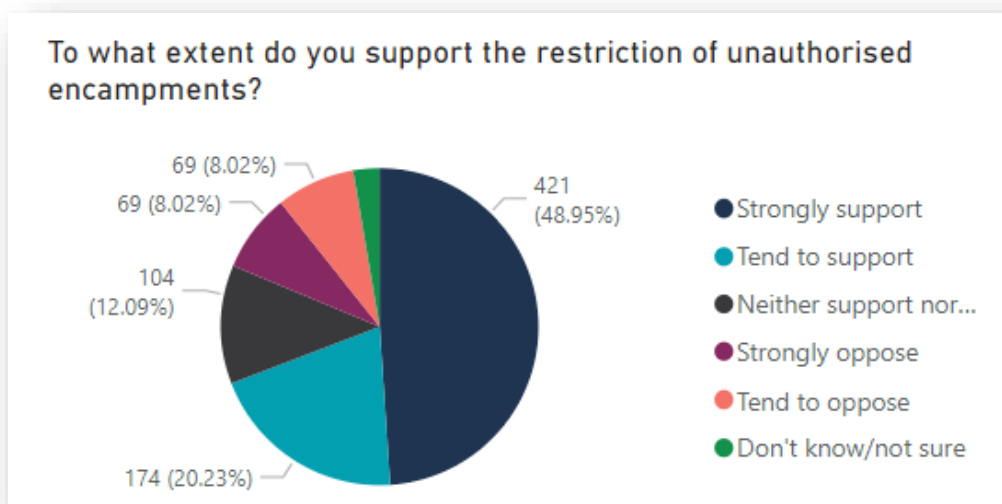
	<p>smoke ganja often are relatively calm and still can be negotiated with. They even at times support members of the public in distress acting as a bit of a watchdog as they know a lot of faces round the area. Not saying it is all honky dory but we need to keep a differentiated view and multi pronged approach. A measured and informed approach needs to be taken to not tarnish everyone with the same brush and push them further out of the community and into less caring about their impact. I am not saying they are angels or unproblematic but we often achieve better results if we form alliances, however fragile or even questionable at times but we found that their presence is a fact we cannot change and 'keep your enemies closer' as it were has been quite successful at times and turned some individuals into helpful friends. A strategy also used by the market traders btw, where they employ individuals to help with set up/ clean up. We also don't want certain communities, ie black Caribbean men to be further alienated when they actually have lived in the community for a life time while Eastern European drinkers may come and go. It would seem disproportionate if those smoking as part of their culture and being relatively calm would be criminalised more than those using a legal but more harmful substance like alcohol due to the often very aggressive behaviour."</p> <p>"Where visibly under the influence and behaving in a way that is threatening or antisocial. Unpredictability of their behaviour then makes it feel unsafe. Don't want it to be an excuse for a pointless crackdown on cannabis use (should and eventually will be legalised like in many other parts of the world)."</p> <p>"I agree however people that smoke cannabis are harmless and have brought great joy to the community. This is coming from someone that is not a cannabis user and I also don't drink alcohol it's forbidden in my life."</p> <p>"I agree in principle for illegal substances, though I disagree on possession for legal highs (because they are legal), weed (I believe in decriminalisation) and paraphernalia for those categories."</p>
<p><b>Drug dealing / taking in front of children and families, sets a bad example; risk children will pick up something dangerous.</b></p>	<p>"This behaves prevents families from enjoying the parks freely for fear of what children might pick up (disused paraphernalia) or be subjected to witnessing anti-social behaviour."</p> <p>"Some areas are open to people trading drugs and this needs to be stopped as much as possible. young children use our parks and can be influenced by this. All illegal trading or using drugs need to be stopped as much as possible and if it means on the spot fines or police dealing with it I am all for it."</p>



	<p>“When did it become acceptable for children to breathe in cannabis smoke whilst going to the park or in a green space? It is not acceptable.”</p>
<p><b>Enforcement</b></p>	<p>“No issue with controls on nuisance behaviour fuelled by psychoactive substances - enforcement officers could provide guidance to support service to those having substances and paraphernalia taken away - particularly if they are street drinkers/homeless rather than just a rowdy group of students for example. Need guidance to officers if a person has made themselves insensible and has passed out in public e.g. like with spice”</p> <p>“As with alcohol consumption and anti social behaviour, it really depends how this is implemented. There are clearly a lot of people struggling with different issues, trying to enforce restrictions without providing the relevant support these people need isn't going to solve the problem”</p>

## Restrictions / penalties for illegal encampments

860 people answered this section. Just under half of respondents (48.6%) strongly support restrictions for unauthorised encampments; a further 20.1% tend to support restrictions. 8% tend to oppose restrictions while a further 8% strongly support them.



The proportion supporting measures was marginally higher for male respondents than female (72.5% to 69.6%), and slightly higher for White respondents than Asian, Black and Mixed respondents (70.0% to 67.8%). There was a larger variation by age, with a lower proportion of younger people supporting measures (<40 years: 53.1%; 40+ years: 76.4%).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Response
<b>Criminalisation of marginalised homeless or traveller people who have no alternative</b>	“This is the worst of the proposed restrictions. As of last year, the Police, Crime, Sentencing and Courts Bill has given police unprecedented, unconstitutional powers. All legal precedent suggests that the new powers given to police to deal with unauthorised encampments violate the human rights of one of the most marginalised groups in society - Gypsy, Roma, Traveller people. Their way of life, which has existed for thousands of years has now been made illegal, because this community is misunderstood and scapegoated. When housing is so unaffordable, more and more people will move be forced to live in this way. Having lived in Lewisham all my life, this is the only way I can afford to live here still. The council must support those on the edges, rather than continuing the cycle of making poor people homeless. I am ashamed that Lewisham is even considering such propositions.”

	<p>“This is to target homeless and the traveller communities. Both are groups of marginalised people who are targeted by unfair legislation, negative stereotypes and bigotry”</p> <p>“I am strongly against this policy as I think it has a strong potential to disproportionately target and criminalise homeless and destitute people. Homelessness is a serious and growing problem in England and our borough is no exception. The criminalisation or the levying of civil penalties in the form of fines is not the way to address the fallout of homelessness. In most cases "trespassers" that set up "unauthorised encampments" are doing so out of desperation. Again, this strikes me as a social issue (caused by a combination of austerity and chronic underinvestment in the development and maintenance of public housing stock) that needs structural, social solutions not criminalisation and/or other punitive measures.”</p>
<p><b>Root causes addressed and support provided</b></p>	<p>“People experiencing homelessness and houselessness need housing, health and social support, not criminalisation. People literally have to sleep somewhere.”</p> <p>“Would hope that we can support those who don't have access to safe housing rather than criminalise them”</p> <p>“Homeless people didn't choose to occupy these spaces out of fun. It is a necessity, a desperate act. Therefore, restricting encampments does not solve the issue as it doesn't address the root cause of homelessness. It could be done together with other support measures. Just restricting where people can camp isn't nearly enough.”</p>
<p><b>Private land</b></p>	<p>“Trespassers can cause damage to private land and cause huge expense and stress to owners”</p> <p>“As before I think having an order that can be applied in multiple different situations in a blanket way is concerning. For example what provision is there for travellers / people who live in vehicles? I think that occupation and squatting can be a political and necessary action. I am more concerned about the practices of some private landowners”</p> <p>“Land owners should be compelled to use their existing powers and responsibilities to prevent access to land and ensure it is properly maintained. The local authority should not be doing the job of private landowners for them. I would also suggest a PSPO (public spaces after all) is not relevant to privately owned land - you move the risk away from private land owners and leave the council liable”</p>

<b>Definition needs clarity</b>	<p>“It’s hard to understand what illegal encampment really means here. I would be deeply uncomfortable with the idea that Lewisham would issue penalties to rough sleepers. Equally with traveller communities, they already experience a huge amount of marginalisation and I think there must be better ways to resolve issues - such as community engagement and mediation.”</p>
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## Support

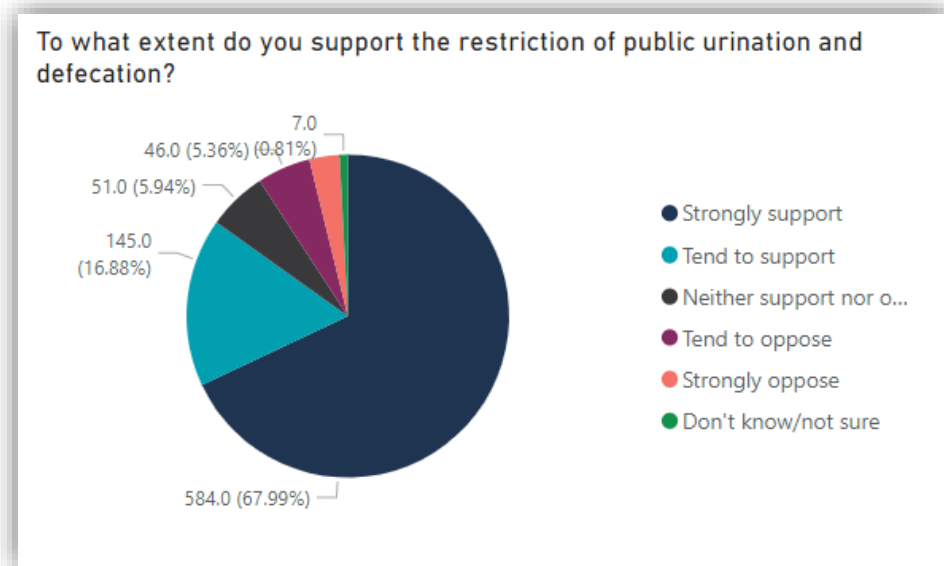
Theme	
<p><b>Associated anti-social behaviour (e.g. rubbish and fly-tipping, urinating/defecation in public areas, noise, destruction of green-space) distressing for residents nearby and users of the space. Less likely for the rest of the community to use the public space (feeling intimidated, less enjoyable)</b></p>	<p>“Unauthorised encampments can be intimidating for others and rubbish, litter and urination/ defecation obviously end up in public areas. I would strongly support helping rough sleepers into safer accommodation”</p> <p>“I have seen people camping / living in Mountsfield park and there is evidence of drug use and they leave rubbish, glass and needles there. It is so dangerous and they particularly liked to go in a children’s play area where they had built a den - which was horrible.”</p> <p>“Beyond being an eyesore, it increases rubbish, prevents people from enjoying parts of public places, nurtures a feeling of insecurity”</p> <p>“Unauthorised encampments are relatively common in our local park and the adjoining nature reserve. They create health and safety risk with human waste; disturb the wildlife in this minute haven for birds and other wildlife; they create litter which has to be cleared up.”</p>
<p><b>Support measures but alternative places to stay / designated areas need to be provided; compassionate approach</b></p>	<p>“They should be supported and found a place to stay safely. Often they can’t help but leave rubbish and faeces around which can make the environment very unpleasant.”</p> <p>“This affects the area in which this occurs, noise, litter, flytipping There should be designated areas for travellers with the right facilities required”</p> <p>“Proper spaces are needed for groups of travellers, with sanitation and monitoring. Illegal camping usually creates mess and noise and tension with those living nearby.”</p> <p>“The Council should be helping these people so they don't have to live in unsafe places on the streets.”</p>
<p><b>Cost to the council / landowners to clear up</b></p>	<p>“Disruption of local communities, debris and rubbish accumulation, cost to local taxpayers in clean up operations, threatening behaviour.”</p>

“Such encampments are completely unfair on landowners. They tend to create a health hazard; flytipping; complete disregard; they cost a huge amount of money to deal with, and there is little legal protection or help for those impacted. Crime is also known to increase in areas where encampments spring up.”

“Again, it increases rubbish, costs money to deal with them. Also, policing is diverted from core duties to deal with this”

## Restrictions / penalties for public urination and defecation

859 people answered this section. 67.4% strongly support restrictions for public urination and defecation; a further 16.7% tend to support restrictions. 5.4% tend to oppose, and a further 3% strongly oppose.



The proportion supporting measures was higher for female respondents than male (88.1% to 82.1%), and slightly higher for Asian, Black and Mixed respondents than White respondents (89.0% to 84.7%). There was a larger variation by age, with a lower proportion of younger people supporting measures (<40 years: 74%; 40+ years: 89.6%).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Response
<b>Need to define 'reasonable excuse'; what about medical reasons / children?</b>	<p>"Again, please note that my opposition does not mean that I believe no action should be taken. This is not at all the case, I just query whether we are taking a holistic approach which encourages the person committing the offence to get healthier and more well. The PSPO document reads "The Order prohibits urination or defecation without reasonable excuse within the borough on land open to the air. Authorised police and council officers may issue an FPN for this offence". Could we also define 'reasonable excuse'?"</p> <p>"This needs to be reworded to ensure that public urination is allowed in designated toilet facilities. I would also suggest that it specifically excludes children under 5 (or makes it very clear that parents will be prosecuted)."</p>
<b>Already covered by law</b>	<p>"You don't need new regulations it's already covered in the law. Do please provide adequate toilets."</p>

	<p>"I really really dislike people urinating in the street and particularly when it's not discrete, however there are already laws to deal with this ie public decency. I don't think that more restrictions are helpful in changing the behaviour of a few."</p> <p>"The current criminal law covers this already and is satisfactory."</p>
<b>Needs to be sufficient public toilets available</b>	<p>"In very wild spaces it's ok for children for example to take an outside wee when they have to. Proper facilities should be provided rather than punishing people who get caught short."</p> <p>"I can imagine who will be getting fined and who won't. I don't like the idea of public urination and defecation. I've come across during volunteering sessions and as the paid for people from council manage to ignore it, we as volunteers have dealt with it. We loathe it and the attitude that people think it can be left. But if it had been done and buried or covered in suitable place, we'd have more sympathy. Lewisham's provision of public conveniences is hopeless. we are told to get outdoors and criticised for not making sure children are out in the parks etc, but unless you can rush home, what other options are you giving people. You can't just keep making everything worth a fine but doing nothing to keep help. Even if there are WCs in parks, they are attached to the cafés and close when the café shuts up shop. Have you really thought this through, bringing in fines. I bet the people enforcing won't be stopping the scary man peeing in the doorway."</p>
<b>Disproportionally affect and criminalise marginalised / disadvantaged groups, like people experiencing homelessness</b>	<p>"Similar to my previous answers, such a measure will disproportionately target marginalised groups and people experiencing multiple disadvantages."</p> <p>"I think there is a distinction between antisocial behaviour by people who have a choice and homeless members of the community who don't. Will vulnerable groups be penalised and criminalised?"</p> <p>"Again, I think these 'activities' are already covered by legislation - its just not enforced. To support such legislation I'd again need persuading that it wouldn't be used disproportionately to harass vulnerable/ homeless people."</p>

## Support

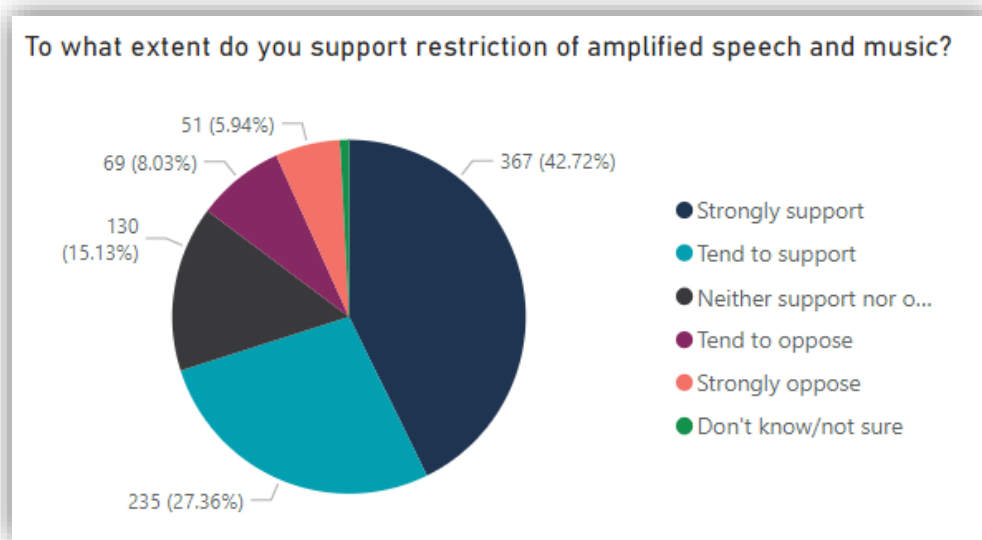
Theme	Response
<b>Leads to indecent exposure / flashing</b>	"This is just a matter of good hygiene. No one wants to be confronted by the smell of urine or the presence of human faeces in public places. It poses a health risk as well as an aesthetic problem. There is also the risk of bodily exposure if "caught in the act" which can be at the very least embarrassing.

	<p>It should be noted however that some of the issues of unacceptable behaviour are caused by a lack of suitable and appropriately sited toilet facilities”</p> <p>“This provides a health hazard and public urination can be used as an excuse by those whose intention is to expose themselves to others, especially women. However, there needs to be better access to and provision of public toilets.”</p> <p>“Making it illegal would help keep our streets clean and less smelly and reduce incidences of indecent exposure.”</p>
<p><b>Hygiene and health reasons; unpleasant to witness / smell / tread in / find</b></p>	<p>“For reasons of hygiene and public health”</p> <p>“This behaviour leaves very ugly, disgusting and unhygienic area in public places, spreading diseases - there should be more public toilets with well managed cleaning programs around the clock as there are people around and needing somewhere to go to toilets for 24 hours a day”</p> <p>“Men and occasionally women urinate freely on any wall, house walls and doors, junction boxes, corners, on flower beds and shops. They also defecate on flower beds and in corners. The alley of Douglas Way is in frequent use for both and really smells. It is not only drinkers or drug users. It is unhygienic and obscene. This is done publicly whether people are walking by or not.”</p> <p>“It's absolutely disgusting, I shouldn't have to worry when I walk home in the dark from work, that I don't tread in poo. It's a health hazard.”</p>
<p><b>Support but toilet facilities must be provided</b></p>	<p>“Would strongly support if there were available public facilities in the area.”</p> <p>“Whilst I think nobody should be doing either of these things in public, I don't strongly support because I worry that extremely vulnerable and homeless people will be impacted most. Ultimately, though, public toilets should be available and businesses should allow people to use their facilities to prevent any public urination and defecation”</p> <p>“It's clear that this behaviour in itself alone does present a hazard to others (unlike alcohol drug use, or setting up home in a tent or caravan somewhere) so people should be stopped from doing so. However, the loss of our public toilets, which used to exist on every high st I can think of in the borough, might well have something to do with any increase there might have been in it.”</p>



## Restrictions for amplified speech and music

859 people answered this section. 42.7% strong support restriction of amplified speech and music; a further 27.4% tend to support this. 5.9% strongly oppose and 8% tend to oppose restrictions.



The proportion supporting measures was slightly higher for male than female respondents (72.7% to 69.6%). 64.5% of people from Asian, Black, Mixed and Other ethnic groups supported measures, lower than those from White ethnic groups (71.4%). There was a large variation by age, with a lower proportion of younger people supporting measures (<40 years: 56.5%; 40+ years: 75.6%).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	
<b>Worried about impact on right to protest</b>	<p>“Given the government overreach in the police and crime bill against noise for protests I am concerned at any greater impositions.”</p> <p>“Freedom of speech. Right to protest. Fun, song, dance. These are all being squeezed. Lewisham should find itself on the right side of history.”</p> <p>“The restriction of amplified speech could be used to stifle the right to protest, therefore I oppose it.”</p>
<b>Already have laws which can deal with this; definition too broad.</b>	<p>“This is far too broad terminology and gives the police the power to shut down whatever they want, music makes an area better. We already have laws to protect against excessively loud music. A PSPO just gives police too much power to make up rules on the go.”</p> <p>“I strongly oppose the restriction of amplified speech and music on the basis that "it is likely to cause a nuisance" because this is too broad a basis on which enforce restrictions. It gives those</p>

	<p>enforcing such restrictions too much discretion and will almost certainly result in inconsistent and unfair enforcement. We already have clearly defined laws and guidelines about noise pollution and I believe those be sufficient.”</p> <p>“There is existing environmental health laws that deal with this, I’ve seen first hand that environmental health officers and police are quick to shut down sources of noise that are a nuisance. I think the existing perception of music is problematic and as a borough of culture we should be supporting cultural activity not penalising it... “</p>
<p><b>Disproportionally effect certain groups</b></p>	<p>“... This seems like it would disproportionately affect certain groups of people, who are loud because of their culture, situation, household composition, age and beliefs, so no, i don't think there should be restrictions on this until there is a clearer definition of what 'amplified' means and to whom. What i consider loud, someone else may not. There has to be a balance struck, which currently, with the wording of the above question, i do not see being struck”</p> <p>“It is unclear how an 'amplified speech or music' is being defined here. There needs to be further clarification on the guidelines around this and if this is primarily down to the discretion of the police officer. If so, this will, again, disproportionately target marginalized groups, by a police force that has been found to be institutionally racist, misogynistic and homophobic. It will also disproportionately target young people.”</p>
<p><b>Would support between certain hours</b></p>	<p>“I think there should be reasonable restrictions after a certain time of night - such as past 1am. but a lively atmosphere at events, music festivals etc. should be encouraged. it should be easier to get a licence for music at outdoor events and even private parties.”</p> <p>“Total ban is wrong. However time limitations or time framing will be ideal”</p> <p>“In the right environment and with time restrictions this is acceptable, could be for good reasons, charity event for example.”</p>
<p><b>Enjoyment of music</b></p>	<p>“I’m not sure where this has been a problem. I usually enjoy buskers. Amplified speech is generally unpleasant and uncalled for. No one needs to be harangued. But going after buskers isn’t right.”</p> <p>“Music and sound system culture is part of the cultural heritage of Lewisham which was championed as part of borough of culture, banning music in this way will negatively impact the musical culture in Lewisham”</p>

	“Music is a form of expression, it brings people together, unites a community”
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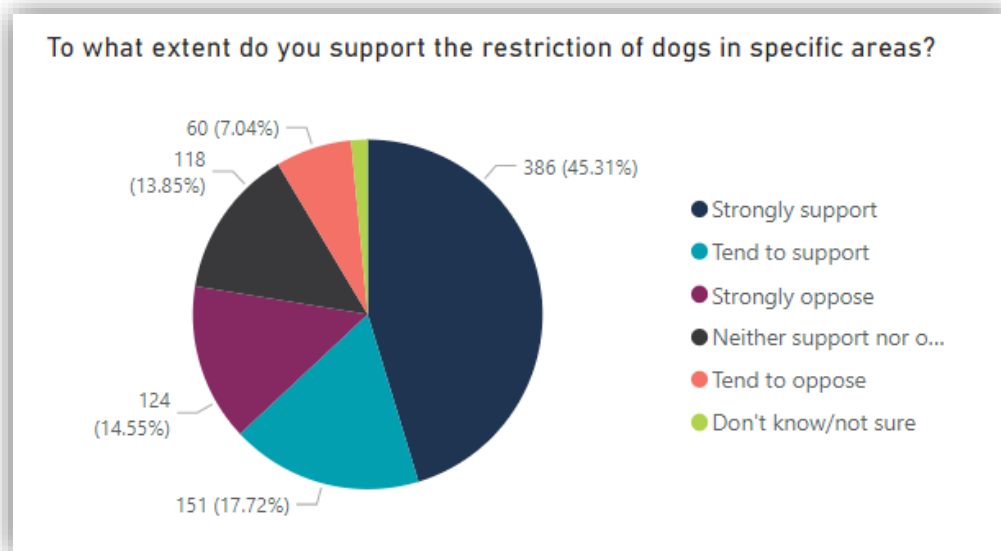
## Support

Theme	Response
<b>Can impact quality of life at home, including sleep</b>	<p>“Can adversely impact quality of life and health of many residents”</p> <p>“Public nuisance, often stops people sleeping, interferes with rights of local people to quiet enjoyment of their own homes.”</p> <p>“Sleep deprivation is extremely stressful and can cause all kinds of mental health problems. In residential areas loud music should be banned. We are in a modern city with some awful behaviour from a small percentage of ignorant neighbours. And Lewisham have dropped the ball on this subject. Please reintroduce a decent sized noise abatement team with proper enforcement powers.”</p>
<b>Offended by preachers</b>	<p>“...I particularly object to amplified street preaching. I do not want to have someone's religious views rammed down my throat while I am trying to shop. I avoid certain shopping areas because of this!”</p> <p>“Walking down Lewisham High Street, you are subjected to a number of religious groups/ preachers with mega phones or playing music/ singing religious songs. It's wrong to push your religion/ views onto others. It is also an issue during election or strike actions”</p> <p>“I am not a religious person and I strongly object to being lectured on religious practice in an area that is public for all to use. I understand it is their faith, I would argue that their belief in the need to speak in public should not be allowed to be amplified by mechanical means. I would rather not be subjected to their rants.</p>
<b>Prevents enjoyment of shared spaces</b>	<p>“It prevents the full enjoyment of public spaces”</p> <p>“Impedes ability of people in general to enjoy spaces peacefully if they wish to”</p> <p>“It's really selfish It erodes a sense of communal ownership of public spaces”</p> <p>“Interferes with others right to enjoy leisure time or rest”</p>

	<p>“Catford and Lewisham town centres and smaller hubs like Brockley and Crofton Park are blighted by such antisocial and intimidating behaviour especially loud music from parked cars”</p>
<p><b>Support to a certain extent</b></p>	<p>“If it is particularly loud and disruptive yes, but there needs to be common sense applied. People playing music at a respectful level shouldn't be penalised.”</p> <p>“Yes and no with this one. I don't want this to be used to curb such things as the communities right to protest, but I do feel that the amount of religious preachers and the station has got out of control. As a gay man I generally feel really unsafe in those areas as a lot of the speech used is homophobic and anti lgbtq+”</p> <p>“Not sure about amplified speech because there is scope for that to be disproportionately abused with some groups of people. Amplified music yes, and would be great if this would extend to neighbours playing amplified music as currently little recourse for application of sanctions.”</p> <p>“The occasional party etc is acceptable but continued loud music is not”</p> <p>“Private households playing loud music should not be tolerated. I'm in favour of music played in parks, festivals etc. that embrace everyone”</p>

## Restrictions / penalties for dogs

852 people completed this section. 45.3% strongly support restrictions of dogs in specific areas; a further 17.7% tend to support restrictions. 14.3% strongly oppose the restrictions, and 6.9% tend to oppose.



The proportion supporting measures was similar for male and female respondents (64.4% to 66.2%). There was more variation by ethnicity, with a higher proportion of Black, Asian, Mixed and Other ethnic groups (71.5%) supporting the restrictions than White (62.5%) respondents. There was also a large variation by age, with a lower proportion of younger people supporting measures (<40 years: 47.7%; 40+ years: 70.6%).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Response
<b>Impact on disabled people with support dogs</b>	As a disabled person with an assistance dog this would impact on my ability to exercise my dog off-duty (which is essential for him to be able to work). Disabled people living in there area's may not have other accessible options for accessing spaces in which they can exercise an assistance dog or emotional support animal. Assistance dogs and emotional support animals are not registered, and therefore you have no way of knowing how many disabled people implementation of these restrictions would affect. This proposal does not address the problem of irresponsible animal ownership (which i support controls on) and may infringe on the Equality Act.
<b>Concern over excluding dogs from entire parks: Dogs need space to exercise; some people may not be able to reach further afield; may increase</b>	"Dogs are part of peoples lives and need space to exercise and play. Public spaces should be for all to use and not exclude dog owners. People should act responsibly within current laws"

**aggressive behaviour if not exercised.**

“Dogs are beneficial to mental health and need space to exercise”

“Diversity and inclusion is an important issue. AGEISM however, is not included and it seems OK to exclude the elderly. lots of old people have dogs for company and can only walk a certain distance to exercise their dogs. Restricting the areas cited would seem to me to be discriminatory against this group. How can you justify this?”

“There aren't many big green local spaces to take dogs to easily. If people have larger dogs they need to run off the lead to ensure they don't become frustrated or aggressive as a result. I do not mind dogs, but see many people going in well known dog parks and running away or becoming aggressive to dog owners if their dog goes near them, which is entirely ridiculous. There are plenty of dog restricted areas for them to visit, or certain times where dogs are less likely to be in that particular park.”

“The map indicates large dog exclusion areas, not just children play areas, which already are largely fenced off and/or clearly signposted as no dog zones. Local green spaces need to benefit all users. Excluding certain areas will only divert dog owners to the remaining available spaces, increasing traffic and potential dog-related incidents and I am certain it will not be followed by the increase of resources dedicated to maintain the dog areas. I'm far more in favour of regulating ownership of large/dangerous breeds that pose threat to community in hands of untrained and irresponsible owners. Education and promotion of responsible dog ownership could be another way.”

**Few spoil it for the many responsible dog owners**

“This ‘blanket rule’ obviously negatively impacts the freedom of responsible dog owners such as myself. Nature reserves and parks should be enjoyed by anyone and everyone, provided they treat the place and people with consideration. We do not need some nanny-state operation, oppressing everyone - at the expense of a few ‘undesirables’. Many people like myself are very considerate in public parks - and should therefore be allowed to continue doing so. I for one, will be continuing to walk my dog in my usual considerate manner, irrelevant of any law your Council intends to impose.”

“People should be allowed to walk their dogs where they feel comfortable and safe. Well behaved dogs should be welcome off lead in these areas. I appreciate that badly behaved dogs are a nuisance, and I am in support of these being dealt with on a case by case basis. Not all dog owners should be punished because of the actions of a few.”

**RSPCA Feedback**

“The RSPCA acknowledges the value of PSPOs for local authorities to ensure that sections of open space may be dog-free, for example, children's play areas, sports fields, etc. Dogs enjoy interacting and playing with other people and animals and it is important that they're able to express this and normal behaviour off the lead. It's therefore imperative that local authorities use PSPOs sparingly and in a manner that's proportionate to the problem, in accordance with Defra's guidance.

Local authorities should be aware that, under Section 9 of the Animal Welfare Act 2006, owners are required to ensure they meet their pets' welfare needs, which includes the freedom to express normal behaviour and regular and appropriate exercise. It's for this reason, that where dogs are excluded or restricted in open spaces, it's essential that local authorities ensure that other open spaces in close proximity remain accessible to dogs on and off leads to allow owners to fulfill their responsibilities.

It's the RSPCA's view that local authorities should promote responsible dog ownership through the encouragement of training, proper care, microchipping, and neutering, as well as ensuring owners clean up after their dogs. The RSPCA sees this as a better means of tackling the problem of dog control in the long term than issuing Orders - which could prove a strain on resources with regard to policing and enforcement, particularly if they are widely applied across the authority area.

Therefore, the RSPCA hopes that local authorities, including Lewisham LBC, issue PSPOs cautiously and not as a blanket power that punishes the responsible majority in an effort to tackle problems created by an irresponsible few.

As such, the RSPCA opposes the proposed PSPO in relation to dog control.”

**Some support around play park restrictions**

“Seriously ?? you’re intending to exclude dogs totally from the majority of open spaces in Lewisham? This is unacceptable and draconian. Families who have young children and a dog will effectively be banned from the vast majority of Lewisham open spaces. Areas that do allow dogs will become overcrowded with dogs. Dogs on leads in play areas I absolutely support and dog free areas in each park I support but total exclusion is wrong. Those dog owners pay taxes too.”

“Play parks are fenced off so dogs should not be in there but the rest of park area should be shared...”

“I understand if it’s just areas like playgrounds but otherwise I feel dogs have just as much right as humans”

	<p>“As someone who owns a dog and pays their taxes I feel it's unfair to exclude dogs especially as someone who has trained and picks up after them. From actual playgrounds I tend to agree but not large open fields such as in Mayow Park.”</p>
<b>Already laws in place</b>	<p>“If the dog isn't dangerous or mistreated then there's no issue, if it's either there are already laws on it.”</p> <p>“What areas? Parks? Where else are you supposed to walk your dog? Lots of parks also have bylaws that restrict where and how dogs can be walked. Again, there are already powers that can be used to tackle nuisance dogs. I don't think we need more bans.”</p> <p>“I haven't seen any evidence that this is a problem I think there are already sufficient restrictions in place”</p>

## Support

Theme	Response
<b>Dogs can be dangerous, particularly for children; dog excrement hazardous; not everyone likes or feels comfortable around dogs.</b>	<p>“Twice in the last year dogs have run barking at me and jumped up unprovoked. One time ripping my clothes. I think a number of people bought dogs during COVID lockdown who were inexperienced or didn't train them, so spaces where they are not allowed are more necessary than ever.”</p> <p>“It is very important that dogs and other animals that may harm or threaten children are kept out of specific play areas. It is also important that there is no animal urination or faeces in those areas”</p> <p>“Nuisance, detrimental, compromised safety with aggressive dogs and public health risks with dog fouling.”</p> <p>“It's important that children have safe spaces to play, and I remain concerned about the growing number of dog-related attacks on children, and adults, and therefore feel the proposed measures seek to protect children in particular.”</p> <p>“Big aggressive dogs, often off a lead in and around Catford is scary and inappropriate.”</p>
<b>Dog fouling is a problem</b>	<p>“Any restriction on dogs is to be welcomed. The borough is suffering an epidemic of dog fouling at the moment. In our local park many dog owners allow their dogs to run free in the dog restricted areas. These areas suffer from persistent dog fouling.”</p> <p>“The extent of dog fouling on street pavements is shocking.”</p>

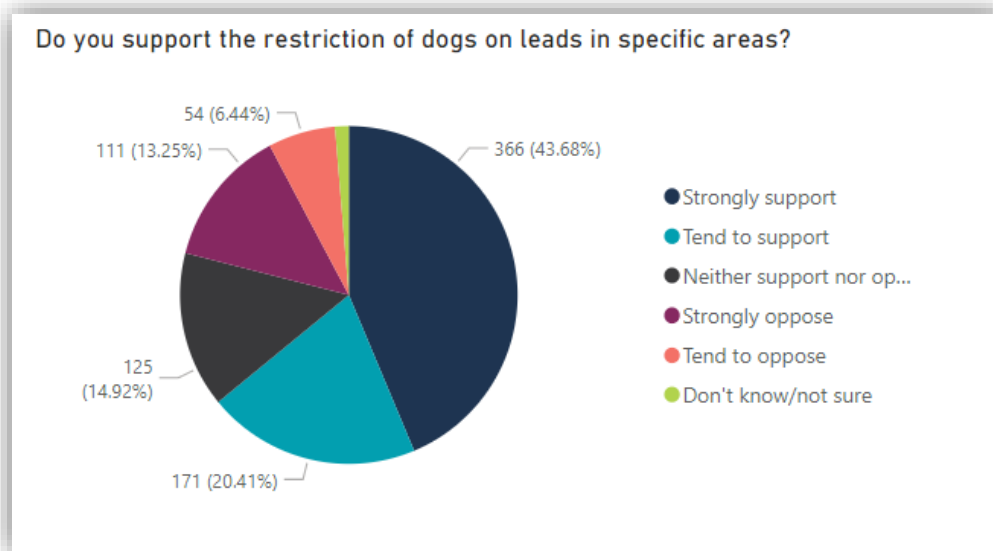


	<p>“There are so many people who don’t follow rules and don’t pick up after their dogs. They absolutely shouldn’t be allowed in children’s play areas or cemeteries. I’ve also seen people distracted by their children who then don’t notice their dog fouling and don’t pick it up.”</p> <p>“I have young children and they have a right to explore certain places fully and without having to worry about encountering dog poo...”</p>
<p><b>Particularly bad issue in cemeteries</b></p>	<p>“I extremely support a ban of dogs in cemeteries, they use Ladywell Cemetery like a dog walking park. I have been approached so many times by dogs there, where they are not on a lead. Not to mention the amount of times I have trod on dog poo in the cemetery where they are not picking it up. I have seen them let their dogs wee on graves which is so disrespectful. Dogs need banning in Ladywell Cemetery. It's a place of rest for the dead, not a park.”</p> <p>“Dog walkers should not be permitted access to Cemetery ground, this is giving rise to a huge increased in dogs off leads which is causing anti-social behaviour, staff are cutting grass covered in dog fouling and local wildlife is being harassed and chased away.”</p> <p>“Being a resident and with children I have seen unnecessary urination near children’s play areas. Also in my local cemetery where I have 2 relatives buried I have seen dogs urinating and pooing near graves of loved ones and others at rest. Brockley cemetery had become a dog park.”</p>
<p><b>Agree but:</b></p> <ul style="list-style-type: none"> <li>- <b>must provide alternative exercise areas;</b></li> <li>- <b>presence of dog walkers provides feeling of safety against mugging etc.</b></li> <li>- <b>is such a broad ban necessary?</b></li> </ul>	<p>“I strongly agree however it is the council's responsibility to provide exercise facilities for dogs as it is their responsibility to provide facilities for humans”</p> <p>“Although I agree with restrictions in children's play areas-I thought those were already in place. As someone who likes to walk (when I get the chance) dog walkers give me a sense of safety. I know there are irresponsible people who don’t care for their dogs properly or clean up mess but we shouldn’t want to exclude dogs friends too many places. If that happens then there’ll be places I won’t feel able to walk in. Dog walkers provide a presence that helps deter the even worse behaviour of mugging SS or other physical threat. PLEASE TAKE NOTE”</p> <p>“This needs to be thought about carefully. Restricting every dog owner because of a few irresponsible owners is not the best course of action. A more proactive and visible approach to dealing with irresponsible owners would better prevent any issues rather than merely banning all owners and their dogs.</p>

	This simply shifts problems elsewhere. This is why park keepers had such an important role.”
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## Restrictions / penalties for dogs on leads

838 people completed this section. 43.7% strongly support the restriction of dogs on leads in specific areas; a further 20.4% tend to support restrictions. 13.3% strongly oppose the restrictions, and 6.4% tend to oppose.



The proportion supporting measures was fairly similar for male and female respondents (68.7% to 65.2%). A higher proportion of respondents from Black, Asian, Mixed and Other ethnic groups supported the measures than those from White ethnic groups (71.5% to 63.7%). There was also variation by age, with a lower proportion of younger people supporting measures (<40 years: 50.9%; 40+ years: 70.8%).

Comments from respondents who supported and opposed measures were reviewed and grouped into themes. These are shown below with example responses.

### Oppose

Theme	Quote
<b>Measures will make the issues worse if dogs are unable to exercise: they will not be able to burn off energy and may become more aggressive or bark more.</b>	<p>“It strikes me that Lewisham Council are proposing a large scale of dog exclusion areas on places where dogs are currently allowed. Are places where dogs CAN be exercised off-lead going to be provided to allow for the reduction in places one can exercise one's dog? Dogs are much more likely to develop behavioural problems if they cannot express their dog behaviour properly. That includes exercise off-lead. Proposals such as this will mean an increase in dogs with problems such as aggression and fear as a result of frustration from being unable to release energy in appropriate exercise. This is contrary to the Animal Welfare Act.”</p> <p>“Majority of dogs that are off leash are well behaved. If we keep restricting access to areas to walk off leash our dogs won't get the sufficient amount of exercise they need which will cause frustration to the animal making them more likely to misbehave. Dogs that are well trained should be able to have</p>

	<p>free range of the park. Also a friendly dog is not a well behaved dog so that doesn't go in conjunction to this ."</p> <p>"According to your maps, there will be no parks where dogs can enjoy off lead running - this is going to increase the risk of them becoming frustrated, trying to play with other dogs on leads and getting into trouble with other peoples. Overall, it will lead to more dogs becoming distressed because they can't run properly and naturally, meaning they are more likely to bark and have behavioural problems at home, leading to noise complaints!"</p>
<p><b>Limiting many because of the actions of a few; should be dealt with on a case-by-case basis</b></p>	<p>"Dogs have an enormously positive impact on mental health, social connections and community, and physical health for their families. There are already too few spaces where dogs can be exercised off the lead which is beneficial for both dogs and humans. Concerned parties should focus on better, responsible integration and socialisation of both humans and dogs, not implement further restrictions on public freedoms which limit the many in reaction to the few."</p> <p>"It's unrealistic to expect owners with well-behaved dogs to walk or drive them to parks other than their local in light of this restriction. This measure punishes all dogs and their owners, rather than incentivising good training and social responsibility."</p> <p>"Dogs should be able to be free as long as the owner as control over the situation"</p> <p>"I strongly oppose well behaved dogs being forced to walk on leads because of the actions of a minority of dogs. Poorly behaved dogs should be dealt with on a case by case basis. Green spaces in the borough are sparse, and should be enjoyed by all. Please do not impose these restrictions on those who have put time and effort into ensuring their dogs are well trained."</p>
<p><b>Restrictions go too far - support in a limited sense, e.g. cemeteries and children's play areas</b></p>	<p>"For many dog owners in the Borough these green spaces are the only places we can walk and exercise our dog I cannot back the full exclusion of dogs in these spaces but do accept that in some areas dogs should stay on leads. If the council is going to exclude dogs from certain areas then there needs to be more DOG ONLY areas like those in Forster Memorial Park and Manor House and Gardens. Dog only areas in Mountsfield Park and Ladywell Fields would be the ideal solution."</p> <p>"In general dogs are fine, however there are places like playing fields and children's play areas where they can be a nuisance."</p>

	<p>"I believe dogs should have the freedom to have walks but if there are areas that require food or children play areas to use lead but shouldn't be on lead for entire park. Greenwich park has a balance because it has restricted flower gardens that dogs can't use but have space for dogs off lead as well which works well."</p> <p>"This depends on the area. Some areas e.g. new cemeteries and children's play areas makes sense, but parks in general or shared usage areas makes less sense."</p>
<b>Owners should be targeted, not the dogs.</b>	<p>"Again, people should have trained their dogs to behave off a lead. If the dog isn't able to be off the lead the owner is responsible."</p> <p>"Again this is about trained dogs and responsible owners"</p> <p>"Dogs do need to be off lead sometimes. Usually the problem is the owner."</p> <p>"How on earth do you stop dogs in a park such as Mayow not going in the big bit in the middle - ridiculous. Control bad dog owners, not good ones with well behaved mutts."</p>
<b>Already restrictions in place</b>	<p>"I am for restrictions around this but there are already existing police powers. It's not clear why further restrictions are needed nor the evidence behind these."</p> <p>"Instead of creating new rules to police just police and enforce current ones. Exterminate dangerous animals that are proven to have attacked other animals or people. The law already exists."</p> <p>"I think this can be done with bylaws and doesn't need new sweeping, borough-wide powers."</p>

## Support

Theme	Response
<b>Would make spaces feel safer; limit incidents of dog attacks (dog on person, dog on dog, dog on animal).</b>	<p>"Dogs need to be on leads, for public safety."</p> <p>"Safety reasons, specially for children and vulnerable people (e.g. people with anxiety)"</p> <p>"I strongly agree that dogs should be on leads in certain areas and would like to see this at the back of the Viney Road estate backing onto Algernon Road where they currently let unmuzzled and unleashed aggressive dogs run around bark constantly and snap at the resident cats."</p>

	<p>“As before - possible danger to others human and animals. Also, some people are inherently afraid of dogs rational or not.”</p> <p>“Many dog owners do not have full control of their dogs. if the dogs are on leads it minimises dog on dog attacks and dog on human attacks or incidents.”</p> <p>“Too many people have dogs with no recall or they don’t watch what their dog is doing. I have a reactive dog who likes to be left alone. He is only reactive due to being attacked by out of control dogs. People need to be educated if their dog has no recall please keep it on a lead or ask another owner for permission before allowing their dog to approach another or people”</p>
<p><b>Feeling unsafe and nervous around dogs off the lead</b></p>	<p>“Some people are really frightened of dogs and some dogs are uncontained by their owners / dog walkers. In areas where dog walkers tend to walk many dogs at a time it can feel unsafe.”</p> <p>“As with previous answer there are so many dog owners letting dogs run wild in parks etc that can be extremely unsettling for small children putting them at risk and making families feel unsafe. We have witnessed dogs jumping up at prams, jumping at toddlers barking in their faces etc, and often when asked to put dogs on lead the owners can become very offensive and abusive.”</p> <p>“Safety issue. You might love your dog but some people are frightened of dogs. This might affect where they go.”</p> <p>“Not everybody likes dogs and many are afraid of them. Owners can be irresponsible. By having dogs on leads in specific areas all can enjoy those spaces. Since lockdown the number of dogs in the borough has increased considerably.”</p> <p>“Dogs off leads are very frightening especially when you have young children and the dogs are bigger than them. I have had to leave many times when dogs are loose as my children are frightened. Children are more important than dogs and should be a priority.”</p>
<p><b>Observed or experienced incidents</b></p>	<p>“Since lockdown I have noticed a marked increase in dogs off leads and people not controlling their dogs well in public areas, particularly parks and green spaces. I have witnessed near incidents between cyclists, walkers, children and dogs who are not under their owner's control. It is also detrimental to wildlife. I am proud of the green spaces in Lewisham and restricting dog access to nature reserves is a very positive step towards protecting our wildlife and biodiversity. I do like dogs</p>

and will probably get one myself in the future, but I agree 100% with these restrictions.”

“My partner has been chased by dogs during his morning run - they are not friendly dogs and seemed dangerous. Cases of dangerous dogs biting other dogs or humans often appear on Nextdoor App and other media reports. Dog owners should be putting dangerous [ones] on their leads.”

“There have been far too many incidents of dogs off leads, mostly illegal variants attacking smaller at risk dogs and people. The council must implement onlead AND muzzles for larger dogs. The police are responsible for sorting out any problems. Of course they need to be empowered and actually turn up quickly to solve these issues. My wife has direct experience of suffering an attack by a larger illegal type dog which also severely hurt our small dog.”

“Myself, my dog and my family have all been attacked by off lead dogs in parks and public places in the borough in the last 12 months. Please make the borough safer by not allowing dogs off leads in public areas/parks/areas.”

## Suggestions for other restrictions

Comments were grouped into themes:

The most common suggestion was for restrictions to help reduce **litter** and **fly-tipping**. These were mentioned approximated 160 times (28% of comments overall).

Comments around **enforcement** were made 36 times (6% of the suggestions). This included enforcement of the PSPO, but also greater presence of police and community officers in public spaces to help people feel safe and to deal with issues as they occurred.

A similar number of comments were made about **dog fouling** (mentioned approximately 36 times, 6% of overall suggestions). This included fining people who did not clear up after their dog and general observations of the amount of dog poo in streets and public spaces.

Complaints about **electric scooters** occurred approximately 33 times (5.8% of overall suggestions). This included requests to restrict and enforce scooters on pavements, and complaints about ignoring road traffic rules. Similar complaints were made about cyclists (18 times, 3.2%) and, to a lesser extent, mopeds.

Comments mentioned **motor offences and vehicle-related ASB** approximately 34 times (6.0%). This included vehicles which were speeding and not stopping at pedestrian crossings, those which created loud noise from the exhaust, and those playing music loudly.

Observations of **begging** and associated harassment and occasional aggression were made 24 times (4.2%).

Issues regarding **graffiti** and **vandalism** were mentioned approximately 17 times (3%).

**Parking on pavements** resulting in the obstruction of walkways occurred approximately 17 times (3%).

Engine idling and related pollution was mentioned 15 times (2.6%).

ASB associated with **groups of people** were mentioned about 15 times (2.6%), with a further 14 (2.5%) people mentioning ASB associated with **groups of school children**.

**Drug dealing** occurring overtly was mentioned 14 times (2.1%), as well as people taking **drugs** in public, the unpleasant smell associated with it and related criminal activity (10 times in total, 1.8%).

Other mentions included: the presence of rough sleepers, tackling crime and harassment, ASB noise (private and generated by business), bins blocking the pavement, requests for more public toilets, restrictions of BBQs, fireworks, spitting, drones, mopeds on pavements, parking on park land, smoking in public, hire bikes, cleaner streets,

There were also comments about community engagement encouraging good behaviour instead of punitive action, and better lighting / CCTV to improve safety. A few people mentioned feeling unsafe following a recent spate of muggings.





## Safer Stronger Communities Select Committee

### Report title: Select Committee Work Programme Report

**Date:** 27 June 2023

**Key decision:** No.

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Director of Law and Corporate Governance (Scrutiny Manager)

### Outline and recommendations

To ask members to discuss the Committee's priorities for the 2023/24 municipal year and to agree an annual work programme.

The Committee is asked to:

- Consider the potential items set out in the draft work programme at **Appendix D**.
- Consider the policy context: the corporate strategy priorities.
- Discuss the Committee's priorities and agree a work programme for 2023/24.
- Note opportunities for public engagement, site visits and expert witnesses.

### Timeline of engagement and decision-making

The Safer Stronger Communities Select Committee is scheduled to meet on the following dates in the municipal year 2023-24:

- Tuesday 27 June 2023
- Thursday 14 September 2023
- Tuesday 7 November 2023
- Tuesday 16 January 2024
- Wednesday 20 March 2024

## 1. Summary

- 1.1. This report asks members to discuss and agree priorities for the Select Committee's work programme for the year ahead and describes the process for its approval by the Overview and Scrutiny Committee and ongoing monitoring by the Select Committee.

## 2. Recommendations

- 2.1. The Committee is asked to:
  - Consider the potential items set out in the draft work programme at **Appendix D**.
  - Consider the policy context: the corporate strategy priorities.
  - Discuss the Committee's priorities and agree a work programme for 2023-24.
  - Note opportunities for public engagement, site visits and expert witnesses.
- 2.2. The Committee may wish to consider appointing a climate champion as suggested by the Overview and Scrutiny Committee.

## 3. The role of the Select Committee

- 3.1. The Select Committee's role is set out in its terms of reference at Appendix A.
- 3.2. The Committee is the council's crime and disorder scrutiny committee in accordance with section 19 of the Police and Justice Act 2006. It is thus responsible for scrutinising the decisions and actions taken by the council and its partners in connection with the discharge of their crime and disorder functions – the formulation and implementation of strategies to reduce crime and disorder, the misuse of drugs, alcohol and other substances, reoffending, and serious violence.
- 3.3. The Committee also has a role in a number of other areas including community partnership and consultation, equalities and libraries.

## 4. Different types of scrutiny

- 4.1. It's important to think early on about the most effective way to scrutinise each item on the work programme. Some issues may only require an initial briefing, circulated by email, for information, some may require site visits and public engagement, and others may require detailed questioning at a formal committee meeting and input from stakeholders.
- 4.2. The *Effective Scrutiny Guidelines* at **Appendix C** set out 5 key principles to take into account when carrying out scrutiny: *Prioritise; Be independent; Work Collectively; Engage; make SMART recommendations*. This will help the Committee decide on the most appropriate approach for the issue at hand.
- 4.3. Members should also note the comments in the [Local Democracy Review](#) about how scrutiny can be even more effective, participative and open. Suggestions included:
  - Focusing on fewer issues more closely linked to council priorities
  - More engagement with the public outside of formal meetings
  - Individual scrutiny members leading on defined topic areas
  - Contributing to new policy proposals at an early stage
- 4.4. Some of the most common scrutiny methods are described below, but members are encouraged to try new ways of gathering evidence and engaging the public and these categories are not absolute or necessarily discrete from one another.

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- 4.5. The majority of work programme items tend to involve the below mentioned activities, where scrutiny is carried out as part of a single meeting with members:
- agreeing in advance the information and analysis needed
  - receiving an officer report presenting the relevant information
  - gathering additional evidence via activities outside of meetings
  - asking questions of the presenting officers or external witnesses
  - agreeing recommendations to Mayor and Cabinet and partners.

#### Pre-decision scrutiny

- 4.6. This is scrutiny undertaken in connection with a forthcoming decision. It may entail reviewing the policy area and issues to which the decision relates and making recommendations to inform the development of the executive's proposals or reviewing the executive's draft or final proposed decision and making recommendations regarding the proposals.

#### Policy review and development

- 4.7. This is where a committee reviews an issue and any relevant policy and develops policy recommendations to address the issue or improve any related policy.

#### Performance monitoring

- 4.8. Scrutiny can request a wide range of performance information to examine the effectiveness of council services. This includes monitoring data on key performance indicators and outcomes, financial performance and assessing the delivery of particular programme or projects against set targets, budgets or timescales.

#### Task and Finish Groups

- 4.9. For issues that require more extensive evidence gathering, members may put forward a proposal for a Task and Finish Group (TFG). The Overview & Scrutiny Committee will agree which TFGs should be established, their membership, terms of reference and duration. TFGs are independent of select committees and make recommendations directly to Mayor & Cabinet.

#### Information items

- 4.10. Some low-priority items may only require a briefing report to be circulated to committee members by email, with questions put to the report author for written response. There is no provision for discussion of information items at committee meetings.

## **5. Agreeing the Committee's work programme**

- 5.1. A draft work programme is attached at Appendix D. It currently includes:
- suggestions made by the Committee at the last meeting of 2022-23
  - issues arising as a result of previous scrutiny
  - suggestions from Committee members, Cabinet Members and council officers (further detail is set out in sections below).
- 5.2. It is for the Committee to set its own work programme and agree the priority issues it would like to include – the Committee does not have to look into everything officers, the public or other members suggest.
- 5.3. When deciding on issues to include in the work programme, the Committee should consider the key services and programmes within the Committee's remit, the criteria for selecting and prioritising topics (see flowchart below), upcoming Mayor & Cabinet decisions (Appendix E) and avoid duplicating the work of any agreed task and finish groups (TFGs).

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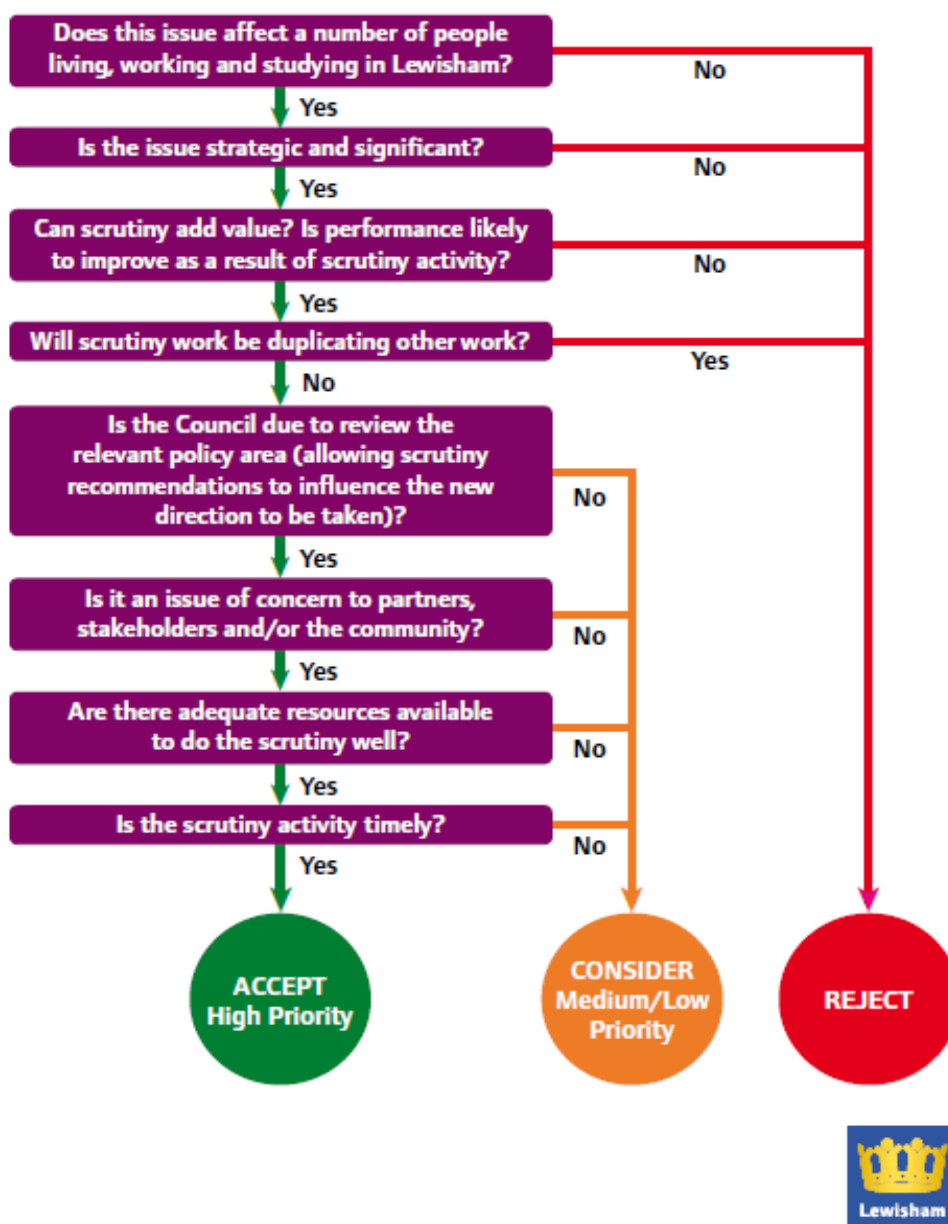
- 5.4. The Corporate Strategy 2022-26 sets out how the Council will deliver for its residents up to 2026. The Corporate Strategy provides an overarching framework and focus for all council business; and items within the Committee's work programme should be linked to the priorities in the strategy (Appendix B).
- 5.5. The Committee is recommended to schedule no more than **two substantive items per meeting** to allow enough time for detailed discussions and the involvement of any invited witnesses or guests and to leave space for any Mayor & Cabinet responses that may arise throughout the year. The Committee should be responsive and if urgent business arises throughout the year the work programme can be amended with urgent business added and lower priority business removed.
- 5.6. Provision is made for meetings to last for up to 2.5 hours, but the Committee should aim to **manage its business within 2 hours**. In exceptional cases the Committee may decide to suspend standing orders and extend the meeting for a further 30 minutes to conclude any urgent business.
- 5.7. The Committee should specify the information it would like for each item to ensure that officer reports and other evidence meets its needs. This should be done under the work programme item at every meeting.
- 5.8. There is no provision at Committee for the discussion of information items (reports to note). If required, they will be circulated to members by email with questions put to the report author for a written response.
- 5.9. It is the Chair's responsibility to keep abreast of developments within the Committee's remit, liaise regularly with the relevant cabinet member(s) and escalate any issues that require action by the Committee to the work programme as appropriate.

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## Scrutiny work programme – prioritisation process



## 6. Approval and ongoing monitoring of the work programme

- 6.1. Each select committee is required to submit its work programme to the Overview and Scrutiny Committee for approval. This is to ensure a coordinated overview and scrutiny work programme across select committees that avoids duplication of effort and supports effective scrutiny. The Overview and Scrutiny Committee will meet on 4 July 2023.
- 6.2. The Committee's work programme can be reviewed at each meeting to allow urgent items to be added and lower priority issues to be removed. Any potential items should be considered against the priority criteria outlined earlier in this report. If a high-priority item is included, a lower-priority item should be removed. The Committee's work programme must be achievable in the time available.

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## **7. Financial implications**

- 7.1. There are no direct financial implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme will have financial implications and these will need to be considered as part of the reports on those items.

## **8. Legal implications**

- 8.1. In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Overview and Scrutiny Committee at the start of each municipal year.

## **9. Equalities implications**

- 9.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2. The Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 9.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

## **10. Climate change and environmental implications**

- 10.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. An action plan to achieve this target was subsequently agreed by Mayor and Cabinet (following pre-decision scrutiny by the Sustainable Development Select Committee)<sup>1</sup>. The plan incorporates all areas of the Council's work. Items on the work programme may well have climate change and environmental implications and reports considered by the Committee should acknowledge this.
- 10.2. The Committee may wish to appoint a climate champion as suggested by the Overview and Scrutiny Committee.

## **11. Crime and disorder implications**

- 11.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have crime and disorder implications and these will need to be considered as part of the

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<sup>1</sup> See <https://lewisham.gov.uk/TacklingTheClimateEmergency> for a summary of the Council's work in

reports on those items.

## **12. Health and wellbeing implications**

- 12.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have health and wellbeing implications and these will need to be considered as part of the reports on those items.

## **13. Report author and contact**

- 13.1. If you have any questions about this report please contact:  
Ben Awkal, [benjamin.awkal@lewisham.gov.uk](mailto:benjamin.awkal@lewisham.gov.uk)

## **14. Appendices**

Appendix A – Committee terms of reference (see below)

Appendix B – Council corporate priorities (see below)

Appendix C – Effective scrutiny principles (see below)

Appendix D – Draft Work Programme for Safer Stronger Communities Select Committee 2023-24 (see attached)

Appendix E – Forward Plan of Key Decisions (see attached)

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## **Appendix A – Safer Stronger Communities Select Committees Terms of Reference**

The following roles are common to all select committees:

### **(a) General functions**

- To review and scrutinise decisions made, and actions taken in relation to executive and non-executive functions
- To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function
- To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents
- The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up-and-coming decisions

### **(b) Policy development**

- To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate
- To conduct research, community and/or other consultation in the analysis of policy options available to the Council
- To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

### **(c) Scrutiny**

- To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time
- To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas
- To question members of the Executive or appropriate committees and executive directors personally about decisions
- To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented
- To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance
- To question and gather evidence from any person outside the Council (with their consent)
- To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

### **(d) Community representation**

- To promote and put into effect closer links between overview and scrutiny members and the local community
- To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people

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- To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.
- To keep the Council's local ward assemblies under review and to make recommendations to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced
- To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary
- To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters).

**(e) Finance**

- To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

**(f) Work programme**

- As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.
- The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

**The Safer Stronger Communities Select Committee has specific responsibilities for the following:**

- (a) To fulfil all overview and scrutiny functions in relation to the discharge by responsible authorities of their crime and disorder function as set out in Sections 19 and 20 Police & Justice Act 2006, as amended from time to time, and all other relevant legislation. This shall include the power:
- to review or scrutinise decisions made, or other action taken, in connection with the discharge by responsible authorities of their crime and disorder function,
  - to make reports or recommendations to the local authority or the executive with respect to the discharge of those functions; and
  - to make reports and/or recommendations to the local authority with respect to any matter which is a local crime and disorder matter in relation to a member of the authority. A local crime and disorder matter in relation to a member means a matter concerning crime and disorder (including, in particular, forms of crime and disorder involving anti-social behaviour or other behaviour adversely affecting the environment), or the misuse of drugs, alcohol and other

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substances, which affect all or part of the electoral area for which the member is elected or any person who lives or works there.

- (b) make proposals to the Executive to promote equality of opportunity within the borough, including issues of discrimination based on race, ethnic origin, gender, disability, sexuality, age and/or class, including the following matters:-
1. to recommend to the Executive, the Council or an appropriate committee, proposals for policy development in relation to equalities issues;
  2. to analyse policy options as necessary to inform the proposals to be made to the Executive or other appropriate committee;
  3. to advise the Executive or other committee on all matters relating to equality of opportunity both in terms of policy, service provision, employment and/or access to public services;
  4. to enhance and develop existing and innovative consultative and/or advisory work for equality of opportunity and to consider issues of inequality and discrimination cross the borough;
  5. to consider and recommend to the Executive, ways in which participation by disadvantaged and under-represented sections of the community might be more effectively involved in the democratic processes of local government;
  6. to pilot methods of consultation and involvement and to report back to the Executive or appropriate committee on their effectiveness with recommendation if appropriate;
  7. to establish links with and liaise with external organisations in the borough which are concerned with the promotion of equality of opportunity.
- (c) Overview & Scrutiny functions (excluding call-in) in relation to library provision.

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## **Appendix B: Corporate Priorities 2022-2026**

### **Cleaner and greener**

- We will do everything we can to ensure that over the next four years we make the borough cleaner and greener for our residents. Working to tackle the climate crisis through every area of council policy, we will ensure Lewisham is rated as a ‘top tier’ council for our work on climate action.
- We will continue the excellent work we have done over the last four years on tree planting. By 2026 we will have planted more street trees, tiny forests and community orchards across our borough.
- We will strive to maintain our status as having the best parks in London, continuing to invest in our much-loved parks and using our upcoming Play Strategy to create exciting environments for children within them.
- We will enable more active travel, and aim to reduce reliance on cars, introducing new walking paths to connect our borough, making it easier and more pleasant to get about Lewisham by foot or bike.
- We will keep our high streets cleaner by supporting residents to do what they can and increasing our prosecutions for fly-tipping and street littering.

### **A strong local economy**

- We will continue to expand our apprenticeship programme into new areas of work, building on the 260 apprentices that we placed during the 2018–2022 administration.
- We will invest in our high streets and create more pedestrianised spaces, doing what we can do ensure our borough is the best place in London for entrepreneurs to start their businesses.
- We will continue to promote Lewisham’s Shop Local Campaign, providing support for our independent businesses as well as protecting and improving our local street markets.
- We will actively work to attract jobs and businesses to Lewisham, building on the success of Lewisham Works and creating more spaces for pop-up stores and markets in shops that are temporarily empty.
- We will continue to work with businesses across the borough, encouraging them to become London Living Wage employers.

### **Quality housing**

- We will deliver more social homes for Lewisham residents, working to provide as many people as possible with safe, comfortable accommodation that they can be proud of and happy living in.
- We will aim to improve the conditions in the borough’s housing stock, working with all housing providers to encourage retro-fitting as part of our drive to be carbon-neutral by 2030, and to develop a Lewisham Rent Repairs Charter that improves the quality and timeliness of repairs.
- We will provide more support to renters through further landlord licensing and enforcement of poorly managed homes, holding landlords to account and giving a voice to renters across the borough.
- We will safeguard our heritage by preserving and restoring our historic buildings and landmarks, ensuring Lewisham’s history is preserved and maintained for future generations.

### **Children and Young People**

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- We will continue the fantastic work of the last four years, supporting our schools to improve and increasing the opportunities for young people in Lewisham.
- We will relentlessly focus on pupil achievement, working with our schools and communities to build on our inclusive and high-achieving system of local comprehensive schools.
- We will ensure the most vulnerable children are protected from harm, driving improvement in children's social care and aiming to reduce the number of children coming into care through earlier targeted support for families in crisis.
- We will help to create new breakfast clubs at schools and continue to lobby the government to expand their free school meals programme.

### Safer Communities

- We will work with the police to implement our Violence Against Women and Girls strategy. This will include developing a new reporting tool that allows residents to map areas where they don't feel safe, and feed that back to the Council and police.
- We will continue to support the Mayor of London's Have a Word campaign, which encourages men to reflect on their own behaviour and the way they see, treat and talk about women.
- We will reduce the number of young people who enter the criminal justice system, focusing on prevention and expanding our trauma-informed approach, championed by our Youth Offending Service.
- We will continue to focus and develop our successful public health approach to youth violence, aiming to tackle knife crime and reduce sexual exploitation across the borough.

### Open Lewisham

- We will celebrate Lewisham's diversity, ensuring we are a representative and inclusive council and workforce.
- We will maintain our status as a Borough of Sanctuary and London's leading borough for refugee resettlement.
- We will develop plans to build on our legacy as London's Borough of Culture, celebrating the diverse and creative communities within Lewisham. This will include creating a new Culture and Live Music Strategy and bringing artists, community groups and businesses together to launch a Black Arts Festival.
- We will maintain and strengthen the Lewisham Way of working in collaboration with our voluntary and community sectors and seek new areas where we can partner together.
- We will actively listen to our residents, being responsive to their concerns and communicative in our approach. We will co-design services with those affected by them and ensure strong consultation processes that reach out to people whose voices are seldom heard.

### Health and Wellbeing

- We will partner with local food banks, food growing groups, schools and communities, through our joint Lewisham Food Action Plan. Together, we will ensure that everyone can access food and other essentials.
- We will learn from our Birmingham and Lewisham African and Caribbean Health Inequalities Review, aiming to mitigate and ultimately end, structural racism and discrimination as a driver of health inequalities.

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- We will progress towards a fairer social care system, improving conditions for care workers to ensure they feel valued, and that Lewisham is known as an exemplary employer.
- We will work with the local NHS to deliver the services Lewisham residents need and create the Lewisham Health Care and Wellbeing Charter.
- We will collaborate with other organisations to deliver the places, activities and programmes our residents need to feel empowered to live a physically active lifestyle.

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## **Appendix C – Effective Scrutiny Guidelines**

**At Lewisham we:**

### **1. Prioritise**

It is more effective to look at a small number of key issues in an in-depth way, than skim the surface of everything falling within scrutiny's remit. We try to focus on issues of concern to the community and/or matters that are linked to our corporate priorities. We only add items to the work programme if we are certain our consideration of the matter will make a real and tangible difference.

### **2. Are independent**

Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme, and, for every item, we specify what evidence we require and what information we would like to see in any officer reports that are prepared. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

### **3. Work collectively**

If we collectively agree in advance what we want to achieve in relation to each item under consideration, including what the key lines of enquiry should be, we can work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party-political objectives.

### **4. Engage**

Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

### **5. Make SMART evidence-based recommendations**

We make recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes. We recognise that recommendations are more powerful if they are:

- Specific (simple, sensible, significant).
- Measurable (meaningful, motivating).
- Achievable (agreed, attainable).
- Relevant (reasonable, realistic and resourced, results-based).
- Time bound (time-based, time limited, time/cost limited, timely, time-sensitive).

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**Safer Stronger Communities Select Committee work plan 2023-24**

Item	Type	Priority	27-Jun	14-Sep	07-Nov	16-Jan	20-Mar
Public Space Protection Order	Pre-decision scrutiny	CP7, CP4, CP6 and CP1					
Equalities: external review; SEF 21/22 & 22/23 reviews; and staff profile.	Performance monitoring and policy development	CP1					
Budget reductions report	Pre-decision scrutiny	All					
Neighbourhood Community Infrastructure Levy and Local Asemblies	Performance monitoring	CP1					
Safer Lewisham Plan	Performance monitoring and pre-decision scrutiny	CP7					
Performance and direction of library provision	Performance monitoring and policy development						
Borough of Sanctuary Strategy progress	Performance monitoring	CP1					
Lewisham Disabled People's Commission response implementation	Performance monitoring	CP1 and CP5					

**Information reports, briefings, events and visits**

Warm hubs evaluation	Performance monitoring	CP5					
Police Service update inc. Casey review and Turnaround Plan	Performance monitoring	CP7				In run up to Jan. meeting	
Fire Brigade update	Performance monitoring	CP7				In run up to Jan. meeting	
Fire station	Site visit	CP7			November/December		
Home Office plans for asylum seekers and asylum seeker accommodation in the borough.	For information	CP1					

**Suggested items for 24/25 municipal year**

Culture Strategy implementation	Performance monitoring						
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## FORWARD PLAN OF KEY DECISIONS

### Forward Plan July 2023 - October 2023

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Emma Aye-Kumi, the Local Democracy Officer, at the Council Offices or [emma.aye-kumi@lewisham.gov.uk](mailto:emma.aye-kumi@lewisham.gov.uk). However the deadline will be 4pm on the working day prior to the meeting.

A “key decision”\* means an executive decision which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates;
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards.

January 2023	<b>Adventure Playgrounds: Procurement of Play Service and Site Maintenance and Development Service</b>	21/06/23 Mayor and Cabinet	and Councillor Chris Barnham, Cabinet Member for Children and Young People		
April 2023	<b>Amersham Rd and Northover Conversion and Refurbishment Project Contract Award</b>	21/06/23 Executive Director for Housing, Regeneration & Environment	Stephen Sealy and		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
April 2023	<b>Annual Complaints Report</b>	21/06/23 Mayor and Cabinet	Maxine Gordon, Director of Resident and Business Services and		
April 2023	<b>Decision on the proposal to open a new SEN provision at Launcelot Primary School</b>	21/06/23 Mayor and Cabinet	Matthew Henaughan, Head of Business, Infrastructure, Compliance and Education and Councillor Chris Barnham, Cabinet Member for Children and Young People		
April 2023	<b>Distribution of the government's household fund</b>	21/06/23 Mayor and Cabinet	Mick Lear, Service Manager, Benefits and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
April 2023	<b>Housing Futures progress report</b>	21/06/23 Mayor and Cabinet	Nazeya Hussain and Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety		
April 2023	<b>Permission to award Maximising Wellbeing at Home contracts (Lots 1-4, 7)</b>	21/06/23 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
April 2023	<b>Permission to award Maximising Wellbeing of</b>	21/06/23 Mayor and Cabinet	Tristan Brice, Associate Director, Community		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	<b>Unpaid Carers contract</b>		Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
April 2023	<b>Permission to procure Integrated Community equipment Services</b>	21/06/23 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
April 2023	<b>Refugee Programme contract extension</b>	21/06/23 Mayor and Cabinet	and		
April 2023	<b>Supported Accommodation sites and leases</b>	21/06/23 Mayor and Cabinet	Iain McDiarmid, Assistant Director - Adult Integrated Commissioning and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
April 2023	<b>Pay Policy Statement for 2023/24</b>	05/07/23 Council	Claudia Menichetti, Head of Employee Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
April 2023	<b>2023/24 Capital Programme for Highways and Transport - Borough-wide Footway Improvements &amp; Carriageway Resurfacing and Local</b>	19/07/23 Mayor and Cabinet	Seamus Adams, Parking Service Manager and Councillor Louise Krupski, Cabinet Member for Environment and		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
	<b>Implementation Programme</b>		Climate		
April 2023	<b>Affordable Workspace Strategy</b>	19/07/23 Mayor and Cabinet	Joe Lee, Small Business and Enterprise Officer and Councillor Kim Powell, Cabinet Member for Businesses, Jobs and Skills		
May 2023	<b>Afghan and Ukraine Refugee Housing Acquisition Programme (AURHAP)</b>	19/07/23 Mayor and Cabinet	fnugent, Strategic Housing and Growth Manager • Strategic Housing and Growth and		
March 2023	<b>Approval of a 5 year Physical Activity Strategy and implementation plans</b>	19/07/23 Mayor and Cabinet	Neville Graham, Sports and Leisure Service Manager and		
March 2023	<b>Approval of the councils updated Homelessness &amp; Rough Sleeping Strategy 2023-26</b>	19/07/23 Mayor and Cabinet	Fenella Beckman, Director of Housing and Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety		
	<b>Articles of Association - transition of Lewisham Homes</b>	19/07/23 Mayor and Cabinet	Jeremy Chambers, Director of Law, Governance & Elections and Councillor Sophie Davis, Cabinet Member for Housing Management, Homelessness and Community Safety		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
April 2023	<b>Cultural Strategy</b>	19/07/23 Mayor and Cabinet	James Lee, Director of Communities, Partnerships and Leisure and Councillor Andre Bourne, Cabinet Member for Culture, Leisure and Communication (job share)		
	<b>Delegated Authority for use of school premises</b>	19/07/23 Mayor and Cabinet	Matthew Henaughan, Head of Business, Infrastructure, Compliance and Education and Councillor Chris Barnham, Cabinet Member for Children and Young People		
	<b>Delegated decision to award Care Leavers Medium to High Support Supported Housing contract (Pt 1&amp;2)</b>	19/07/23 Executive Director for Community Services	Jonathan Scarth and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
March 2023	<b>Dementia Strategy</b>	19/07/23 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
May 2023	<b>Excalibur Phase 4 and 5 updates (Parts 1 &amp; 2)</b>	19/07/23 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Member for Housing Development and Planning		
May 2023	<b>Financial Monitoring Period 2</b>	19/07/23 Mayor and Cabinet	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
June 2022	<b>Home Park and Edward Street Development Budget and Programme Update Report</b>	19/07/23 Mayor and Cabinet	James Briggs, Head of Strategic Housing and Growth and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
April 2023	<b>Medium Term Financial Strategy 2024/25 - 2028/29</b>	19/07/23 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
April 2023	<b>Millwall FC Lease</b>	19/07/23 Mayor and Cabinet	Patrick Dubeck, Director of Inclusive Regeneration and		
May 2023	<b>New Procurements for Oracle support and enhancement services</b>	19/07/23 Mayor and Cabinet	Mark Froud, IT Procurement Manager - Digital Solutions and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		

**FORWARD PLAN – KEY DECISIONS**

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May 2023	<b>Permission to award Maximising Wellbeing at Home contracts (Lots 5,6,8,9)</b>	19/07/23 Mayor and Cabinet	Tristan Brice, Associate Director, Community Support and Care and		
April 2023	<b>Permission to Establish a Dynamic Purchasing System (DPS) for the provision of travel assistance services</b>	19/07/23 Mayor and Cabinet	Paul Creech, Senior Joint Commissioner • Joint Commissioning FQC and Councillor Chris Barnham, Cabinet Member for Children and Young People		
March 2023	<b>Public Space Protection Order consultation outcome</b>	19/07/23 Mayor and Cabinet	James Lee, Director of Communities, Partnerships and Leisure and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
March 2023	<b>Sustainable Transport and Parking Improvements programme - recommendations for Phase 1</b>	19/07/23 Mayor and Cabinet	Martha Lauchlan, Transport Planner and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
May 2023	<b>Update on the Annual Besson Street Business Plan</b>	19/07/23 Mayor and Cabinet	Katharine Nidd, Head of Strategic Finance, Planning and Commercial and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
	<b>Delegated decision to award Mental Health Supported Housing Higher Needs</b>	08/23 Executive Director for Community Services	Jonathan Scarth and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care		
May 2023	<b>Adventure Playgrounds Grant of Leases and Contract Award</b>	20/09/23 Mayor and Cabinet	Harsha Ganatra, Joint Commissioner (FQC) and Councillor Chris Barnham, Cabinet Member for Children and Young People		
June 2022	<b>Approval to appoint operator for concessions contract at Beckenham Place Park Lake</b>	20/09/23 Mayor and Cabinet	Peter Maynard, Contract Officer, Green Scene and Councillor Andre Bourne, Cabinet Member for Culture, Leisure and Communication (job share)		
May 2023	<b>Approval to procure: School Minor Works Programme 2023 (SMWP 23)</b>	20/09/23 Executive Director for Children and Young People	Lemuel Dickie-Johnson, Project Manager Capital Delivery Programme and Councillor Chris Barnham, Cabinet Member for Children and Young People		
February 2022	<b>BfL Programme - Approval to enter into contract Valentines Court</b>	20/09/23 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing		



**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Development and Planning		
May 2023	<b>Children Centre commissioning</b>	20/09/23 Mayor and Cabinet	Harsha Ganatra, Joint Commissioner (FQC) and Councillor Chris Barnham, Cabinet Member for Children and Young People		
November 2022	<b>CIL Governance Proposals</b>	20/09/23 Mayor and Cabinet	Julia Robins, BLE Planning Manager and		
March 2023	<b>Contract award for Council Insurances</b>	20/09/23 Executive Director for Corporate Services	Karen Eaton, Group Manager, Insurance and Risk and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
	<b>Contract Award for Council Insurances</b>	20/09/23 Executive Director for Corporate Services	Karen Eaton, Group Manager, Insurance and Risk and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2023	<b>Contract Award Report for School Minor Works Programme 2023 (SMWP 23)</b>	20/09/23 Children and Young People Select Committee	Lemuel Dickie-Johnson, Project Manager Capital Delivery Programme and Councillor Chris Barnham, Cabinet Member for Children and Young People		
May 2023	<b>Contract Award to a Registered</b>	20/09/23	Chloe Vergara, CLA		

<b>FORWARD PLAN – KEY DECISIONS</b>					
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	<b>Provider for Supported Accommodation for Young People -Site 1 and Site 2</b>	Executive Director for Children and Young People	Placements Contract Manager and		
April 2023	<b>Lewisham and Lee Green LTN monitoring update</b>	20/09/23 Mayor and Cabinet	and Councillor Louise Krupski, Cabinet Member for Environment and Climate		
May 2022	<b>On Street Advertising Contract Variation and Extension</b>	20/09/23 Mayor and Cabinet	and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
May 2023	<b>to approve the annual Besson Street Business Plan</b>	20/09/23 Mayor and Cabinet	Luke Riley, Head of New Initiatives and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
	<b>Treasury Management Strategy Mid-Year Review</b>	20/09/23 Mayor and Cabinet	Katharine Nidd, Head of Strategic Finance, Planning and Commercial and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy		
April 2023	<b>Approval to enter into contract - Drakes Court development</b>	01/11/23 Mayor and Cabinet	Eleanor Davies, Associate Director Joint Mental Health Commissioning and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development		

<b>FORWARD PLAN – KEY DECISIONS</b>					
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			and Planning		
April 2023	<b>Grant of Leases for Adventure Playground Sites</b>	01/11/23 Mayor and Cabinet	Harsha Ganatra, Joint Commissioner (FQC) and Councillor Chris Barnham, Cabinet Member for Children and Young People		
December 2022	<b>Ladywell - Budget requirement</b>	06/12/23 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
December 2022	<b>Mayfield - Budget Requirement</b>	06/12/23 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Brenda Dacres, Deputy Mayor and Cabinet Member for Housing Development and Planning		
January 2023	<b>Annual progress update on the Autism Strategy Action Plan</b>	24/01/24 Mayor and Cabinet	and		

**FORWARD PLAN – KEY DECISIONS**

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