

Appendix 7 PSPO Consultation Report Responses

Following the expiration of the Public Space Protection Order (PSPO) for Wick Woodland in June 2022, the Council's Cabinet agreed for a consultation exercise to be undertaken to renew the PSPO and to extend it to cover other parks and green spaces where there have been numerous complaints of antisocial behaviour and unauthorised music events, which have detrimental impacts on the environment and residents in the localities. The areas the proposed Order will cover are Wick Woodland, Hackney Marshes, Millfields Park, Daubeney Fields and Mabley Green.

Consultation on the new PSPO ran for a period of 7 weeks, from 31 May 2022 to 19 July 2022, with a total of 296 respondents.

The Council has taken account of the issues raised by respondents to the consultation, and have set out below a detailed response.

[Draft Order](#)

[Draft Wick Woodland/Hackney Marshes PSPO Consultation Report](#)

[Draft EIA](#)

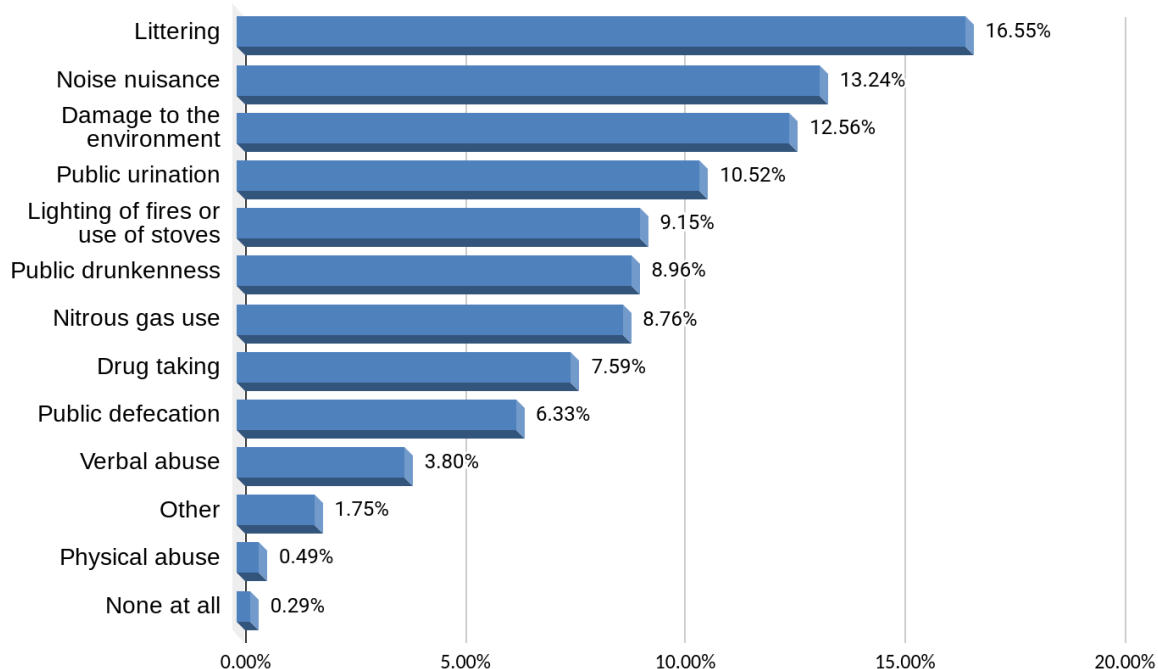
[Park Bylaws](#)

The activities prohibited by the proposed Public Space Protection Order (PSPO) are

- I. unlicensed music events and/or raves;
- II. the destruction or damage of trees, shrubs, plants or any other flora, fauna, woodland or wildlife;
- III. the possession, consumption or sale of nitrous oxide, laughing gas or CO₂, save when used for a valid and demonstrable medicinal purposes or is given to an animal as a medical remedy;
- IV. the playing of loud music, whether or not amplified, through the use of equipment which includes but is not limited to musical instruments, free-standing speakers, sound systems, loudspeakers, microphones, DJ sets or generators;
- V. the lighting of fires, stoves and/or naked flames (with the exception of a cigarette lighter)
- VI. the entry of vehicles, including any engine or generator, onto any of the Restricted Areas, with the exception of vehicles/engines/generators belonging to the emergency services or to the Council's employees, agents or contractors.

Should the proposed PSPO be implemented, this would provide authorised officers additional powers to tackle anti-social and/or nuisance behaviour. It will be a more effective tool to protect residents and prevent environmental and wildlife damage in the area.

What types of antisocial behaviour have you experienced? (Base 1027 responses)



The table below exhibits some of the key themes and types of anti-social behaviour experienced by respondents to the consultation.

Key Theme	Count
Dangerous & reckless driving - Motorbikes, e-scooters, quad bikes & cyclists	12
antisocial, aggressive behaviour & harassment	6
Raves & unauthorised music events	4
Littering	3
Behaviour of dogs and dog fouling	3
Wild swimming & environmental damage to rivers	3
Skateboarding	2
Vandalism & graffiti	2
Women's safety	2
Barbeques	1
Drinking	1
Petrol remote control cars	1
Public defecation	1
Public indecency	1

Below is an outline of the action the Council and other partners can take to address the issues raised by respondents currently and in the future should the PSPO be implemented:

1. Dangerous & reckless driving - Motorbikes, e-scooters, quad bikes & cyclists

Respondents stated that they had experienced antisocial behaviour such as “*Riding of scooters (both electric and liquid fuel) and similar vehicles*” as well as “*Cycling in non cycling areas*”.

While quad bikes, three-wheeled bikes, trail bikes and some other two-wheeled vehicles are built for off-road use, it is against the law to ride them in public parks or on publicly-owned land without permission from the local authority. The London Borough of Hackney does not grant permission for these vehicles to be used on their land.

As with unlicensed powered vehicles, these can only be used on private roads or land with the road or land-owner’s permission.

Strictly, the offence of dangerous driving is when driving falls far below the minimum standard expected of a competent and careful driver. Examples of dangerous driving are speeding, racing, or driving aggressively, ignoring traffic lights, road signs or warnings from passengers, overtaking dangerously, driving under the influence of drink or drugs (including prescription drugs), and using a hand-held phone or other equipment.

Anyone affected by Dangerous Driving should report this to the Police by calling 101, or by calling 999 in the case of an emergency. Penalties for those involved in dangerous driving include fines, points on the driver’s licence, driving bans and/or imprisonment.

Under section 33 of the Road Traffic Act 1988 (Control of the use of footpaths, bridleways and restricted byways for motor vehicle trials), a person must not promote or take part in a trial of any description between motor vehicles on a footpath, bridleway or restricted byway, unless the holding of the trial has been authorised (under this section) by the local authority. A person who contravenes the above, or fails to comply with any conditions subject to which an authorisation under this section has been granted, is guilty of an offence.

Under the Road Traffic Act 1988, joy riding on motorcycles or in other motor vehicles, or learning to ride motorcycles or drive other vehicles anywhere on ‘any common land, moorland or land of any other description not ... part of a road’, including any public footpath or bridleway crossing it, is an offence.

Antisocial behaviour can result from misusing vehicles or using them inconsiderately, and can include: repairing vehicles; noise late at night; inappropriately using parking facilities; parking in areas you shouldn’t, such as on grass verges and pavements; driving dangerously or riding vehicles on footpaths, grass and so on; noise from car alarms; and riding of off-road motorcycles (includes ‘pee wees’ and ‘quads’).

In instances where complaints are received about motor-bikes, e-scooters and other motorised vehicles involved in ASB and/or being illegally used in our parks, Officers

will support the Police and local Safer Neighbourhood Teams in order to identify those responsibly and assist with enforcement action where possible. Our actions may include but are not limited to, joint patrols with the Police Safer Neighbourhood Team(SNT), obtaining perpetrator identification and issuing ASB warnings.

Advice on how to report vehicle nuisance to the Police can be found at the following link

<https://www.met.police.uk/advice/advice-and-information/asb/asb/antisocial-behaviour/vehicle-nuisance-involving-cars-bikes-and-mopeds/>.

Residents who witness, or are affected by crime or antisocial behaviour on the streets, public spaces, and parks can report this by email to asbteam@hackney.gov.uk or calling 020 8356 3310. The Parks and Green Spaces Team can also be contacted by telephone at 020 8356 8428 or by email parks@hackney.gov.uk.

Additionally, there are approximately 370 cameras on highways and in other public places across Hackney, which are primarily used to help with people's safety and security. If there are CCTV cameras nearby that residents think might be useful to stop antisocial behaviour, this can be reported by contacting the Civil Protection control centre by telephone at 020 8356 2323 or emailing cctv.leader@hackney.gov.uk. Public Space Surveillance (PSS) cameras: dissuade crime and anti-social behaviour, provide evidence to help prosecute offenders and to help the emergency services.

The Proposed PSPO will prohibit *the entry of vehicles, including any engine or generator, onto any of the Restricted Areas, with the exception of vehicles/engines/generators belonging to the emergency services or to the Council's employees, agents or contractors* which enables Council Enforcement Officers to carry out enforcement action against a matter that would traditionally be dealt with by the Police. Primacy for problems of a criminal nature, such as dangerous driving and road traffic offences, rests with the Police and a police response would be expected. The Police and Local Authorities agree that the 4E's enforcement approach (Engage, Explain, Encourage, Enforce) should be adopted across all enforcement-related activities and form the basis of any joint enforcement plans or joint patrolling.

2. Anti-social, aggressive behaviour & harassment

Respondents stated that *'they had experienced antisocial and aggressive behaviour, including verbal harassment and Intimidation from large groups of people.'*

Antisocial behaviour can take many forms, from aggressive, noisy or abusive behaviour, to neighbourhood disturbances involving drugs or animals. The definition of Anti-social behaviour (ASB) is set out in the Antisocial Behaviour, Crime and Policing Act 2014, which states that antisocial behaviour includes- *'Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, Conduct*

capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or Conduct capable of causing housing-related nuisance or annoyance to any person.'

Types of antisocial behaviour include actions directed at people (such as Harassment, Hate Crime, Intimidation, Verbal abuse, Domestic violence and abuse); Ignoring the community and a person's well-being (which includes issues such as noise, Damage to the environment including arson, littering and dumping rubbish). Misusing public spaces is also a type of ASB and includes animal-related nuisance, vandalism and graffiti.

Harassment is an offence committed against a person to intimidate them and make them feel uncomfortable. Examples of harassment include calling people names and making threats to people or to their homes.

If a person has been a victim of stalking or harassment it can be reported to the police who can charge someone with criminal harassment if:

- the person has harassed an individual more than once;
- the harassment made them feel distressed or alarmed.

More information on how to report harassment to the police and what the police can do to tackle harassment can be found at <https://www.police.uk/advice/advice-and-information/sh/stalking-harassment/how-to-report-stalking-harassment/>.

Noise can include noise from parties; playing musical instruments; shouting; television sets, radios and hi-fi equipment; DIY activities; car repairs; burglar alarms; and children.

Residents that witness or are affected by public antisocial behaviour can report it to the police online or call 101. If it feels like the situation could get heated or violent very soon or if someone is in immediate danger or needs support right away, please call 999.

Residents who witness, or are affected by crime or antisocial behaviour on the streets, public spaces, and parks can report this to Hackney Council by email to: asbteam@hackney.gov.uk or by calling 020 8356 3310. The Council will investigate all reports of anti-social behaviour. Residents have the right to live in their homes without fear of intimidation, nuisance or harassment. Antisocial behaviour is a major concern to individuals and communities. It damages and destroys lives, and the Council is committed to tackling it effectively.

Our approach to dealing with antisocial behaviour is focused on achieving positive results and building confidence in communities by

- preventing and discouraging people from acting in an antisocial way;
- taking quick and appropriate action when needed; and
- supporting people to make positive changes to their behaviour.

Officers will assess each report when deciding whether it is antisocial behaviour, considering factors such as frequency and circumstances.

Officers will investigate all reports of antisocial behaviour professionally and objectively. This means that we will, unless it is not appropriate to do so (for example it would put people at risk), get proof to show whether or not the incident was antisocial behaviour. Before Officers make a decision, they will obtain the necessary evidence by contacting other residents and witnesses; by contacting the person who is said to have behaved in an antisocial way; and where required by contacting other agencies such as the Police or registered social landlords.

The Council is committed to reducing antisocial behaviour in our streets, public spaces and parks. Where we have cause to believe that a serious crime has or may be committed we will bring the matter to the attention of the police.

Supporting witnesses and people who suffer from antisocial behaviour is at the centre of the Council's work for dealing with antisocial behaviour. If a person is a witness or is affected by antisocial behaviour, Officers will support them where possible by dealing with their reports quickly and an Officer will be allocated to the case. They will keep those who report issues up to date with any developments and refer them to appropriate support and advice services if needed.

Some of the enforcement actions available under the Antisocial Behaviour, Crime and Policing Act 2014 to the council to tackle ASB include,

- Civil Injunctions
- Criminal Behaviour Orders
- Public Spaces Protection Orders
- Community Protection Notices
- Dispersal Powers
- Closure Powers

The Council employs threat, harm-risk matrix approach for our investigative decision making. The following steps are generally taken

1. Determine the Key Hazards/Risk Factors.
2. Identify Who may be Harmed & How.
3. Assess the Risks.
4. Evaluate Risks.
5. Add Controls and Record and Review.

The purpose of this PSPO is to provide Council and Police Officers with additional tools and powers to tackle specific anti-social behaviour and does not prohibit them from taking other enforcement actions to remedy the ASB.

3. **Raves & unauthorised music events.** Council Officers and the Police have an existing record of responding to concerns about unauthorised events using existing powers. Introducing a PSPO gives us a more effective tool to take action. The proposed PSPO prohibits amplified music without written permission from the Council. We consider this proportionate, considering the Council's existing evidence base relating to resident concerns about noise from this prescribed area. Council Officers have visited various addresses

where residents complain of noise nuisance emanating from Wick Woodland and Hackney Marshes; it is itself is pretty remote from residential properties, and although some noise is heard, it is often at a level that is not a statutory nuisance or is not repetitive to make it a "Statutory Nuisance" (which has to meet specific requirements), even though it is causing a nuisance, annoyance and disturbance to residents. Council Officers have spoken to those participating in the 'events' and often those participating or organising have complied in turning the music down. Still, Council Officers have no powers to require persons to give details, names and addresses, so further enforcement is difficult without Police assistance. The Council could serve an abatement notice under section 80 EPA 1990 to the persons participating and then seize items if they were causing a Statutory Nuisance, but that is questionable as they are often some distance from residential properties, so this power has not been used.

Bye-Law 39 states; No person shall in any open space, without consent of the Council in writing under the hand of its Clerk, operate, play or make sounds on any musical or other instrument including gramophone or radio apparatus, or without such consent sing any sacred or secular song except on the site or sites mentioned in the preceding by-law.

It is important to note that Hackney's bylaws for its parks, gardens and open spaces were approved by the Secretary of State in 1932 - they are now largely out of date, difficult to enforce and not fit for purpose.

The Council's Parks and Green Spaces service intends to review the current bylaws for the borough's parks and green spaces.

Any process for review (and any other action) in relation to the Byelaws is one that takes time to implement and can often be fraught with challenges - it is therefore anticipated that it will take at least 12 months.

Instances of nuisance and disorder have continued, but the proposed PSPO will provide enforcement teams additional powers to stop unlicensed events and 'raves' from taking place without the requirement for the Metropolitan Police to be present.

The Council believes that introducing a Public Space Protection Order (PSPO), will help to reduce the ongoing nuisance caused by groups of people gathering, bringing generators, lighting, sound systems and decorations in Wick Woodland, Hackney Marshes and surrounding areas. It will also enable Community Safety and Enforcement Officers and Police Officers to issue warnings and fixed penalty notices to those not complying with the requirements of the proposed PSPO.

4. Littering

Respondents commented on littering in the proposed areas and the impact of this on their use of the space.

Under section 87 of the EPA 1990, a person is guilty of an offence if he/she throws down, drops or otherwise deposits any litter in any place (such as the areas covered

by the PSPO) and leaves it. A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Currently, authorised officers of the Council are empowered to issue litter fixed penalty notices in the full amount of £150 and/or instigate legal action. Officers undertake frequent proactive and reactive patrols to identify those engaged in littering and other antisocial behaviour and to take enforcement action. The areas covered under the extended PSPO are not excluded.

Council records show that over the period that the previous PSPO was implemented, there has been an overall reduction in the number of illegal raves, drinking and/or other activities associated with this. Banning illegal raves and the sale and consumption of laughing gas in these areas should result in a reduction of the waste and litter associated with these activities, all things being equal.

While a PSPO can be used to address a number of anti-social behaviours, the proposed PSPO will not include littering as an activity prohibited by this order, given that we have a specific power that we use to deal with such activities and does act as a deterrent.

5. The behaviour of dogs and dog fouling

The London Borough of Hackney currently operates Dog Control Public Spaces Protection Orders (PSPOs) to control a number of issues which arise as a result of people failing to exercise proper control of dogs in public places. The Activities prohibited by the Order are:

Failing to remove dog faeces from land within the Restricted Area immediately; Allowing dogs to enter or remain on land identified as exclusion areas; Failing to keep a dog on a lead at all times when on land specified in the order; Failing to comply with a direction given by an Authorised officer of the Council to put and keep a dog on a lead; and Failing to keep a dog under proper control.

Dog fouling remains one of the highest complaints received by the Council. It is an offence if dog owners do not remove their pet faeces from land within Hackney that is open to the air and accessible to the public. This includes public roads, footpaths, cycle paths and verges adjacent to these roads, parks and recreational spaces, cemeteries and Council-owned allotments, school playing fields, playgrounds and any land surrounding schools and colleges and council-owned housing estates.

Failure to comply with the dog fouling control order may result in the issue of a £100 penalty and/or prosecution with a maximum fine of up to £1,000. People who are registered as blind, disabled, or otherwise rely on dogs are exempt from this order.

Dog exclusion order - This enables Officers to stop dogs from entering certain areas, including children's playgrounds, sports courts, multi-use games areas, marked pitches where games are in play and dog-free areas in parks.

Dogs on leads order - this stops owners from exercising dogs off-lead on: roads, car parks, churchyards, communal areas on estates, public parks and gardens under half a hectare in size and Shepherdess Walk. This order excludes canal towpaths.

Dogs on leads by direction order - this gives authorised council officers the power to request that dogs be put on leads where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively.

To read more about dog control PSPO, you may visit the link below <https://drive.google.com/file/d/1i1AowOF6a9uHm0qK7FzISbghvWfj1aL-/view>.

6. Wild swimming & environmental damage to rivers

Hackney Council discourages swimming in the River Lea, which runs next to Hackney Marshes. Swimmers in the River Lea ignore the serious risk the polluted water causes to health. Furthermore, there is a significant and lasting impact on the environment from swimmers, barbecues, fires, litter, heavy footfall damage to the riverbank and human waste in and around the water.

The Council has recently written to the Environment Agency to ask for an update on their work to tackle pollution in the river. Additionally, Officers and Councillors from Hackney council have met with the Environment Agency, Thames Water and the Canal and River Trust so that a plan of action can be developed to address these issues. Hackney Council is also considering the best approach with neighbouring boroughs, where the River Lea runs through. It is clear there is no quick fix to this problem. It will take a concerted and collaborative effort.

The proposed PSPO is another tool that will be available to the Council and the Metropolitan Police to tackle, reduce and prevent antisocial behaviour and other activities that result in environmental damage to our parks, green spaces, rivers, river banks and wildlife habitats.

The London Borough of Hackney continues to work with the London Borough of Waltham Forest, Lee Valley Regional Park and other partners to address antisocial behaviour along the borders of Lea River.

7. Skateboarding

The Council recognises the importance of the balance of sociable and cultural use of space against the need to ensure inclusive, respectful use that doesn't cause nuisance or harm.

Skating in a skate park is not an offence. Related issues are occasional drinking/parties in the skate park. Officers have received complaints relating to the noise from people skating on the pavement to and from the skate park. However, like motor vehicle noise and aircraft noise, this is not something Hackney Council currently enforces.

Official skate parks are located in Clissold Park and Daubeney Fields. Individuals wishing to skate are free to use these areas during park hours.

The proposed PSPO is another tool that will be available to the Council and the Metropolitan Police to tackle, reduce and prevent antisocial behaviour and other activities that result in environmental damage to our parks, green spaces, rivers, river banks and wildlife habitats however it will not be amended to address skateboarding specifically.

8. Vandalism & graffiti

The Council is committed to reducing and removing undesirable graffiti. We will remove all graffiti on Council owned property; we will remove all graffiti on any property that is deemed to be offensive; if your property has been graffitied, we may be able to clean it free of charge.

We will remove street art or graffiti if we believe it spoils the local environment or will prevent people from enjoying the area. When deciding whether to allow it, we consider whether it is: offensive, gang-related, insulting or against the public interest, likely to encourage more graffiti or tagging, inappropriate for the location or out of keeping with the surrounding area, a cause of complaints to the Council, on a listed building or in a conservation area, libellous or potentially libellous and/or intimidating.

Information on how to report graffiti and Hackney's Graffiti Policy can be found at <https://hackney.gov.uk/graffiti>.

The proposed PSPO is another tool that will be available to the Council and the Metropolitan Police to tackle, reduce and prevent antisocial behaviour and other activities that result in environmental damage to our parks, green spaces, rivers, river banks and wildlife habitats. Police and Council Officers already have powers to deal with vandalism and graffiti, and the proposed PSPO will not be amended to include prohibitions around this particular issue.

9. Women's safety

The Community Safety Partnership is committed to women's safety. Further information can be found in the objectives of the VAWG strategy and the Women's Safety Charter. Primacy for problems of a criminal nature, such as assaults, robbery and sexual offences, rests with the Police. It requires Police action, and residents should report this directly to the Police on 101 and, in the case of emergency, call 999 as this allows the area to become identified on the Police heat map. Additional resources can then be explicitly directed to deal with issues of crime.

These could include providing victim support to those involved in these traumatic incidents, analysing the crimes to identify trends and patterns associated with a series, forensic capture and analysis, CCTV interrogation, and increased covert and overt patrols.

The Council has set out problem locations/areas as a priority for Enforcement Officers to patrol. We plan our resource deployments to ensure appropriate and sufficient coverage during critical times likely to gather evidence or intel information and, when appropriate, use the evidence to take action against offenders or perpetrators.

The Council's Intelligence Hub ensures performance analysis, intelligence requirements and monitoring. This team ensures that changing patterns in crime / ASB are considered to help fill gaps in knowledge. Furthermore, the Council's Intelligence Hub ensures the legal basis of sharing data to prevent/detect crime and ASB and sharing information under Common Law.

10. Barbeques

The Council currently doesn't permit fires or barbeques to be lit in any of its parks unless it is with the prior and express permission of the Council. The Parks and Green Spaces Service has no issues with the proposed PSPO excluding them from the prescribed area, as it is consistent with the current position in all other parks and green spaces.

Bye-Law 31 states; No person shall in any open space discharge any gun, syringe, squirt, catapult or other instrument, or shall wantonly or recklessly throw or discharge any stone or missile, or make any bonfire or let off a firework.

It is important to note that Hackney's bylaws for its parks, gardens and open spaces were approved by the Secretary of State in 1932 - they are now largely out of date, difficult to enforce and not fit for purpose.

The Council's Parks and Green Spaces service intends to review the current bylaws for the borough's parks and green spaces

In the fullness of time, the bylaws will need to be updated to enable Hackney to manage its parks and green spaces in a more appropriate way, with the support of bylaws that are relevant to the 21st century.

However, the process for adopting new bylaws is a statutory one that takes time to implement and can often be fraught with challenges - it is therefore anticipated that it will take at least 12 months to adopt new bylaws (the process is also subject to approval by MHCLG, that may also delay the process).

In March 2021, a new team of six Enforcement Officers (EOs) commenced working throughout Hackney's parks for the summer to tackle antisocial behaviour and ensure the borough's green spaces remain places for everyone to enjoy. In London Fields, the EOs were joined by six security guards and supported by the Council's wider team of Enforcement Officers when needed.

In the summer of 2020, over 300 Fixed Penalty Notices (FPNs) were issued in London Fields alone for antisocial behaviour. To help manage additional litter, barbeques, wildfires and other ASB issues that proliferate during the summer, EOs and authorised officers of the Council undertake additional patrols. Further additional signage regarding banning fires and barbeques has been displayed in parks and open spaces across the borough. Large commercial-style bins have also been placed across parks, and volunteers and park staff undertake regular litter picks to address litter and other remnants left behind from barbecues and large gatherings in the parks and green spaces.

The proposed PSPO would give the council powers to address BBQs and fires in the prescribed area that would not be enforceable under the bylaws currently in place. BBQs and fires in our parks and open spaces cause considerable damage and harm and present a real danger, especially during the summer months.

11. Drinking

The Council introduced a new PSPO in March 2022 which gives the Police and authorised officers of the Council borough-wide authority to confiscate alcohol from a minority of drinkers whose excessive drinking causes problems for others in public spaces.

Drinkers can be fined if they cause anti-social behaviour whilst consuming alcohol in public anywhere in Hackney, though a graduated enforcement approach is taken in accordance with the Council's Enforcement Policy. The borough-wide Public Space Protection Order (PSPO) is designed to address antisocial behaviour linked with alcohol. The PSPO does not make it illegal to carry alcohol or drink it in a public place if it is done responsibly. Instead, it is used to deal with anti-social behaviour or disorder and continue to ensure that our parks and public spaces remain inclusive and accessible places for everyone.

Police have the power to stop people from drinking alcohol and confiscate it if drinkers are causing problems. The council can issue an FPN in the full amount of £100 (discounted to £60 for early payment) and a fine of £1,000 can be imposed by Magistrates if a case proceeds to Court.

12. Petrol remote-control cars

The Proposed PSPO will prohibit *the entry of vehicles, including any engine or generator, onto any of the Restricted Areas, with the exception of vehicles/engines/generators belonging to the emergency services or to the Council's employees, agents or contractors* which enables Council Enforcement Officers to carry out enforcement action against petrol remote controlled cars.

13. Public defecation -

Urinating as well as public defecation is an antisocial behaviour, however, this can also be considered as littering and covered under the provisions of section 87 of the Environmental Protection Act 1990 (EPA). A person witnessed urinating or defecating in public can be issued with a fixed penalty notice in the full amount of £150 and/or legal action can be taken by authorised officers or the police.

The Council takes public urinating and defecation seriously. A significant number of fixed penalty notices are issued daily for issues such as littering, public urinating and defecation. Hackney Council is committed to ensuring that our streets, parks and green spaces remain clean, safe, open and accessible to all.

14. Public indecency - Bylaws, ASB Powers & MPS

Indecent exposure and outraging public decency must be reported to the Police in all circumstances. It requires Police action, and residents should report this directly to the Police on 101 and, in the case of emergency, call 999 as this allows the area to become identified on the Police heat map. Additional resources can then be explicitly directed to deal with issues of crime.

These could include providing victim support to those involved in these traumatic incidents, analysing the crimes to identify trends and patterns associated with a series, forensic capture and analysis, CCTV interrogation, and increased covert and overt patrols.

The Council has set out problem locations/areas as a priority for Enforcement Officers to patrol. We plan our resource deployments to ensure appropriate and sufficient coverage during critical times likely to gather evidence or intel information and, when appropriate, use the evidence to take action against offenders or perpetrators.

The Council's Intelligence Hub ensures performance analysis, intelligence requirements and monitoring. This team ensures that changing patterns in crime / ASB are considered to help fill gaps in knowledge. Furthermore, the Council's Intelligence Hub ensures the legal basis of sharing data to prevent/detect crime and ASB and sharing information under Common Law.

Opposed to PSPO

The consultation ran for 7 weeks from 31 May 2022 to 19 July 2022, with a total of 296 respondents. Approximately 19% (59 respondents) opposed the extension of the PSPO for another three years or opposed elements of it. The table below provides a breakdown of this.

OPPOSED	59
Opposed: Legitimate use of space	33
Opposed: Concern about policing (including systemic racism)	14
Opposed: Broad comments	8
Opposed: Unnecessary to extend PSPO	8
Opposed: Alternative solution proposed	7
Opposed: Lack of evidence or justification for PSPO	4
Opposed: Litter problem only	1
Opposed: Fires	1
Opposed: Complaints during Covid don't represent typical usage	1

A total of 296 respondents took part in this consultation, from 31 May 2022 to 19 July 2022. The majority of respondents were Hackney residents from the "E9" postcode area. The table below shows the number of respondents opposing elements of the PSPO segmented into key themes.

Key Theme	Count
Remove all proposals	22
Amend proposals related to music & use of space	18
Happy with proposed PSPO	13
Against policing & limiting use of public space	9
Allow small fires	4
Amend proposals for fines	4
Greater focus on litter & waste management	4
Amend proposals for N ₂ O canisters	4
Clarify proposals related to plant damage & removal of plants	3
More enforcement needed	3
Amend proposals for fires & barbeques	1
Amend ban on vehicles	1
Most proposals already covered by existing legislation	1
Do not ban alcohol	1
Do not include Mabley Green	1
(Add) Higher Fines/Issue warnings before fines	3
Other/NA	15

The key themes are discussed below with more detailed responses and further consideration.

Remove all proposals

37% of the 59 respondents who opposed the PSPO, were in favour of the removal of all proposals.

The Council successfully introduced a Public Space Protection Order (PSPO) covering the area known as Wick Woodland on 13th June 2019. Since this date, there has been a significant decrease in the number of reported incidents of 'raves' or parties in the area of Wick Woodland; however, they have been displaced to other parks and green spaces in the localised area, including Hackney Marshes, Millfields, Daubeney Fields and Mabley Green since the PSPO was enacted. This PSPO expired on the 12th of June 2022.

Hackney Council seeks to introduce this PSPO on evidence that the Community Safety and Enforcement Team continues to receive complaints from residents about an ongoing nuisance caused by people gathering, bringing generators, lighting, sound systems and decorations in the Hackney Marshes and surrounding areas. They are often reportedly consuming alcohol and other substances, and also playing music at unreasonably late hours and at a volume that impacts others in their homes.

Additionally, there is an environmental impact from large unpermitted gatherings in parks and open spaces where proper measures have not been put in place. This has resulted in damage to wildlife in Wick Woodland, river banks and protected

species in Hackney Marshes, as well as other issues in Millfields Park, Daubeney Fields and Mabley Green. The aftermath of these 'illegal raves' are visible in remnants of small fires damaging grassy and other lands, the damage and pollution to wildlife, plants and trees, litter deposited and left as well as urination and in many cases, faeces.

The area to be covered by the proposed PSPO includes the Transport for London land near the A12, Hackney Marshes, Millfields, Daubeney Fields and Mabley Green.

The proposed PSPO is designed to ensure people can use and enjoy our public spaces safely from anti-social behaviour. This will foster good relations between people by enabling those with protected characteristics and those without to enjoy the council's open spaces without being detrimentally affected by the behaviours prohibited by the order. It is believed that the proposed PSPO will positively impact people's ability to use public spaces safely and without fear of nuisance, annoyance or other anti-social behaviour.

The Council has evidence to show that generally, PSPOs have had invaluable and beneficial impacts on the local environmental quality and have helped to deter and prevent ASB in areas where they have been implemented. For example in Wick Woodlands and Hackney Marshes, there was a significant decrease in the number of illegal raves taking place in the location when compared to the summer period before the PSPO.

Taking all these factors into consideration Hackney Council does not consider that the suggestion for 'removing all proposals for the PSPO' is the appropriate action to take.

Amend proposals related to music & use of space

30% of the 59 respondents opposing the PSPO were in favour of amendments to the proposal relating to music and use of the area.

Currently, playing music is not allowed in Hackney's parks unless it is part of an authorised event.

It is relevant to note however that those people are welcome to hold an event in Hackney's parks. They will however need to discuss the event feasibility and space availability with an officer prior to making an application. To do this people need to contact the events office by telephone at 020 8356 4309 or email hackney.events@hackney.gov.uk. Anyone is welcome to use the parks and open spaces in Hackney as long as they do not contravene PSPO and Bylaws.

With reference to Article 11 of the Human Rights Act 1998, Hackney Council agrees that people have a right to protest and to come together with others and peacefully express their views. As the local authority, we work in partnership with the Police and other agencies to ensure that measures are put in place and reasonable steps are taken to allow people to participate in marches, protests, demonstrations,

counter-demonstrations, and so on, in a peaceful manner and without disruption from others.

The proposed PSPO takes the rights to freedom of expression and the rights to protests, marches and demonstrations into consideration, and does not restrict these activities from taking place in our parks and public spaces.

Please note, however, that there are some situations where Hackney Council, as the local authority, can restrict people's rights to freedom of assembly and association. For example, where the police or local authority can show that its action is lawful, necessary and proportionate in order to:

- protect national security or public safety
- prevent disorder or crime
- protect health or morals, or
- protect the rights and freedoms of other people.

The proposed PSPO will provide the Police and authorised officers additional tools to tackle ASB and other issues from protests that become violent in parks and open spaces where the orders apply. In all cases, we will ensure that our action is fair and proportionate to address the issue concerned.

Happy with the proposed PSPO

A total of 13 respondents were happy with the proposed PSPO, citing the benefits that have been observed and perceived such as deterring ASB and crime as well as improving the local environmental quality.

Against policing & limiting the use of public space

15% of the 59 respondents opposing the proposal were against policing & limiting use of public space.

As the local authority, Hackney Council is passionate about encouraging the safe and proper use of the parks and green spaces across the borough. We welcome applications for large and small events that encourage cultural cohesion and exposure to new experiences in Hackney.

Residents and members of the public can apply to hold an event in Hackney's parks. Please note however that before doing so they will need to discuss the event feasibility and space availability with an officer prior to making the application. To do this people should contact the events office by telephone at 020 8356 4309 or email hackney.events@hackney.gov.uk. For more information on holding events in Hackney's parks, please go online to: <https://hackney.gov.uk/park-events>.

Implementing the PSPO will not result in limited use of the public space, but instead discourages and prevents anti-social behaviours in parks, reduces the detrimental impact on the environment, and ensures that the areas can be used and enjoyed by all.

Allow small fires

The 'no barbecue / no fire' rule follows concerns about grass fires. Barbecues, bonfires and even small open flames all pose fire hazards, as they can easily get out of control and destroy areas of our parks and delicate ecosystems. Dry vegetation also increases the dangers.

Many fire hazards start due to carelessness, for example leaving barbecues and campfires unattended. The deliberate setting of wildfires is illegal and is a criminal offence.

If a person sees a fire in the park, they should report it immediately to the Fire and Rescue Service by telephone on 999. If you see someone setting a fire, report it immediately to the Police Service by calling 101.

Open fires put lives at risk, as it can lead to wildfires which can result in tragedy because they put people in the line of the fire at risk, including people lighting the fire, barbecues or bonfires in the local area and those living nearby. They endanger the firefighters who tackle them and put the lives of the local community at risk as dealing with these types of incidents can mean firefighters are diverted from other emergencies.

Park users are reminded that barbecues are not allowed in the borough's parks, with other protective measures being taken to minimise the risk of fire such as litter picking in targeted locations (where a problem has been identified) to minimise materials which could burn, with 'fire breaks' also being created where possible. Parks visitors are reminded not to litter and to make sure any cigarettes are put out properly and safely disposed of. 'No barbecue' signs have been erected in some parks. Barbecue use in London Fields will continue to be suspended as a result of damage, high volumes of rubbish and the increase of air pollution in the park, particularly during the summer months.

Since barbecues and fires are not normally permitted in any of the other parks and greenspaces across the borough, there are no signs in these areas.

Smoke from barbecues and fires, such as bonfires, contribute to air pollution. It can also stop neighbouring residents from enjoying their gardens, hanging out washing or even opening their windows. Burning your rubbish is the worst way to get rid of it. Bonfires release toxic chemicals such as carbon monoxide, dioxins and hydrocarbons into the air. Burning plastic, rubber, painted materials, and treated wood can create carcinogenic compounds, including arsenic, benzene, and chlorine compounds as well as metals such as lead and cadmium that pollute the air and contaminate the soil.

To read more about how the Council can deal with bonfires, please visit <https://hackney.gov.uk/report-a-bonfire-problem> or contact us at 020 8356 4455 or email pollutionsupport@hackney.gov.uk.

If the fire is still burning, Officers will visit the site to see whether it is causing or is likely to cause a statutory nuisance. If it is causing a nuisance, we can serve an abatement notice under the [Environmental Protection Act 1990](#). Failure to comply with a notice can lead to prosecution and a fine. If the bonfire is on an industrial, commercial or construction site, it may be an offence under the Clean Air Act 1993,

which could lead to prosecution and a fine. You can also take direct action under the Environmental Protection Act 1990 by placing a complaint in the magistrates' court.

Amend proposals for fines

Hackney Council has limited powers to determine and/or change the amount to be paid for a fine and the maximum limits. Fines are set by parliament, and Hackney Council has no discretion regarding this. In some cases, however, Hackney Council, as the local authority, can offer a discounted rate to encourage early payment of fixed penalty notices.

The table below shows a breakdown of the applicable FPNs and the rate of the fines.

Fixed Notice	Penalty	Early Payment (discounted rate) £	Full Amount £	Maximum Fine £
Breach of PSPO		60	100	1,000
Breach of CPN		60	100	2,500 for individuals & 20,000 for businesses
Littering / Urinating		95	150	2,500
Fly-tipping		250	400	Unlimited
Illegal Street Trading (N20)		150	150	1,000
Breach of condition of trading licence		50	100	1,000

Greater focus on litter & waste management

Park visitors are reminded not to litter. Signs have been erected in our parks, and bins are provided for park users to dispose of their waste properly. Litter picking in targeted locations is part of the non-enforcement approach to addressing our parks' litter and waste management issues.

A person who drops and leaves litter and waste in our parks and other public places is guilty of an offence and can be issued with a fixed penalty notice for £150. Officers undertake proactive and reactive litter patrols to reduce and prevent littering. Enforcement Officers work in partnership with the Behaviour Change Team and waste operatives to advise and support residents with their waste disposal issues and to take enforcement action where problems are identified.

Officers are also empowered to issue fixed penalty notices for the full amount of £400 and/or take legal action in cases of fly-tipping, where waste is deposited on any land, including parks, without permission.

Amend proposals for N₂O canisters

Nitrous oxide (N₂O) is normally treated as a “psychoactive substance” under the Psychoactive Substances Act 2016. Producing, supplying and importing/exporting psychoactive substances for human consumption is illegal. It's not illegal to possess psychoactive substances unless it is with the intent to supply.

Section 5 provides for two separate offences: supply of a psychoactive substance and offering to supply a psychoactive substance. The conduct element is satisfied for the supply offence if a person supplies a substance to another person. That substance is psychoactive ('supplying' for these purposes covers distribution). The transaction does not need to result in payment or reward and would include social supply between friends.

The maximum penalty on summary conviction in England and Wales for the offences of supplying a psychoactive substance and offering to supply a psychoactive substance is six months imprisonment (rising to 12 months once section 154(1) of the Criminal Justice Act 2003 is commenced), an unlimited fine, or both. The maximum penalty on conviction on indictment is seven years' imprisonment, an unlimited fine, or both.

Hackney Council and the local police warn sellers of the potentially lethal 'legal high' nitrous oxide that they won't be tolerated on its streets, public places and parks.

Inhaling nitrous oxide is not illegal. However, Hackney Council is combating the illegal sale and supply using Section 38 of the London Local Authorities Act 1990. This allows local authorities to enforce unauthorised street trading. As well as having their canisters seized, perpetrators can be issued a £150 fixed penalty notice for unauthorised street trading. If the canisters are deposited and left on the public highway, the offenders can also be fined £150 for littering. Failure to pay fixed penalty notices may lead to prosecution and a fine of up to £1,000 upon conviction.

Officers will investigate reports of illegal street trading and take appropriate enforcement action against those witnessed littering with N₂O canisters or selling N₂O in public places.

Clarify proposals related to plant damage & removal of plants

Hackney Council encourages and welcomes the use of our parks and open spaces as long people do not contravene the PSPOs and By-laws.

Sections 2 - 5 of the by-laws relating to parks and open spaces vested in or under the control of the Council state that:

- 2. No person shall remove, injure, or in any way deface or disfigure any property under the control of the Council in or enclosing any open space, or post thereon or affix thereto in any way bill, placard or notice.**
- 3. No person shall remove, uproot, destroy or injure any tree, shrub or plant, or pluck any flower, bough or leaf, or dig, cut or take any turf, sod, gravel, sand clay or other substance in any open space.**
- 4. No person shall climb on any tree or on or over any gate, fence or railing on or enclosing any open space.**
- 5. No person shall in any open space go upon any land specially enclosed or the entry on which is prohibited by notice, or go upon any shrubbery or flower bed.**

Authorised officers of the Council and the police can take lawful action to remove or exclude any person committing anti-social behaviour. The proposed PSPO, with conditions prohibiting activities such as *the destruction or damage of trees, shrubs, plants or any other flora, fauna, woodland or wildlife*, would enable enforcement officers and the police to issue on-the-spot fines to offenders. The proposed PSPO will also help to address residents' concerns regarding damage to wildlife in parks and green spaces and help to improve the local environment quality by deterring ASB and damage to woodlands and wildlife.

As a result of illegal raves taking place in Hackney Marshes and Wick Woodlands particularly, significant damage to the woodland and wildlife has occurred, and residents in the locality have experienced disturbances due to loud music. The illegal raves, which have been known to continue until the early morning, have resulted in environmental damage such as fly-tipping, fire damage, breaking of branches, uprooting of trees and damage to plants.

Our records show that in June 2019, no reports were received regarding illegal raves in Wick Woodlands over the weekend after the PSPO came into force. The database also shows that there was also a significant decrease in the number of illegal raves in Wick Woodlands/Hackney Marshes over the three years since the PSPO was introduced when compared to the three years before the PSPO.

No action will be taken against anyone using the park if they do not engage in ASB or breach the park by-laws or the PSPO, such as damage to or removing plants.

More enforcement is needed

Council Officers and the Police have an existing record of responding to concerns about unauthorised events using existing powers. Introducing a PSPO to provide us with a more effective tool to take action more effectively.

The Council currently has an hour's service on Thursday, Friday, Saturday and Sunday. It should be able to respond to complaints received of illegal raves subject to prioritisation should the PSPO be approved. In enforcing this, Police Officers and

Enforcement Officers can issue Fixed Penalty Notices for breaches of the proposed PSPO.

Enforcement Officers are tasked weekly at the internal weekly tasking meeting co-ordinated by the Intelligence Hub, the purpose of which is to

- Coordinate deployment of staff using an evidence-based approach to provide targeted action and patrols, including planning for upcoming events and seasonal peaks of activity that require action on a cyclical basis.
- Highlight emerging patterns and trends and plan targeted early interventions and activities.
- Provide a staff briefing.
- Enable a more joined-up and efficient use of Service provision in Hackney.
- Provide a transparent and auditable decision-making process that will stand up to scrutiny and justify how / why decisions have been reached. Provide a full list of all actions/taskings completed and actions taken to resolve issues.

Partnership Tasking takes place monthly and is aligned more closely with the Police tasking process. The Intelligence Hub raises issues with the Police (as a by-product of the weekly tasking). Any requests to or from the Police for assistance will either be discussed at this meeting if a multi-agency problem-solving approach is better suited.

Officers will only enforce the proposed PSPO when the behaviour of persons using the Woodland is not in line with other parks and green spaces around the borough. In this example, if a family sits with a small speaker linked to a mobile phone, playing at low volume during the daytime, officers would likely allow it. However, enforcement action will be taken if a large speaker system arrives.

Amend proposals for fires & barbeques - Hackney Council does not allow fires or barbeques in any of our parks unless it is with the prior and written permission of the Council. This is one of the protective measures taken by the Council to minimise the risk of fire in parks and open spaces and to minimise the risk of damage to plants, wildlife and preservation areas.

With the support of the police, the Council is proposing to introduce a revised extended Public Space Protection Order (PSPO) to ensure that our parks and public spaces can continue to be enjoyed and protected free from anti-social behaviour and damage.

Amend ban on vehicles

Sections 12-17 of the London Borough of Hackney by-laws relating to parks, gardens, and open spaces deal with traffic and the general use of vehicles in Hackney's parks. These by-laws were approved in 1932, transferred to Hackney in 1971 and are still applicable.

12. No person shall, except in case of accident or unavoidable cause, land in any open space or take off therefrom in any aircraft ; provided that this by-law shall not apply

to the use by members of Air Defence units of such landing or taking off grounds and on such occasions as may be approved by the Council in writing under the hand of its Clerk

for purposes of Air Defence exercises.

13. No person shall in any open space, except on roads or other place approved for the purpose by the Council, ride or drive any horse or other beast of draught or burden or any bicycle, tricycle, or any vehicle drawn or propelled by any animal or by mechanical power.

14. No person shall in any open space drive any vehicle, bicycle or tricycle or ride any animal at a rate exceeding twelve miles an hour or so as to endanger the public.

15. Any person driving any vehicle in any open space shall, when called upon to stop

by signal or otherwise by an officer of the Council acting in execution of his duty, stop, and

if he refuses or wilfully fails to do so shall be guilty of an offence.

16. No person shall in any open space drive or in any way use any motor vehicle for the purpose of giving or receiving instruction in driving, managing or repairing such a vehicle.

17. No person shall leave any mechanically propelled vehicle

(a) unattended in any open space except at such places as are approved by the Council as standing or parking places ;

(b) on any road in any open space after having been requested by a duly authorised

officer of the Council or a police constable to remove it.

The Council continues to receive complaints from residents in the 'E9' postcode area about an ongoing nuisance caused by groups of people gathering, bringing generators, lighting, sound systems and decorations in Wick Woodlands, Hackney Marshes and nearby parks.

Some of the actions taken by the Council and the Police include installing bollards, logs and natural fencing to make the area difficult to access with machinery using motor vehicles, carrying out proactive and reactive patrols to identify vehicles in the locality and with the support of partner agencies such as DVLA, we can contact the registered keeper of the vehicle and take action.

Using vehicles to transport and fly-tip in our parks and open spaces is also a concern for the Council, as this can be detrimental to human health and the environment.

Residents also often want to be able to stop cars, motorcycles, mopeds and vehicles from being driven and/or parked in their local open space. These spaces are valued for recreation and exercise.

Parking by residents, businesses, employees, customers, or visitors is not a legitimate use of any open space land and is unlawful in many cases.

The Council has erected signs and notices displaying park by-laws or the conditions of the previous PSPO at major points in Wick Woodlands and Hackney Marshes.

Under the Criminal Damage Act 1971, if a rider or driver causes damage to the land or anything on it, intentionally or recklessly, they could also be prosecuted. However, introducing the PSPO would enable officers to issue on-the-spot fines to those breaching the conditions of the PSPO regarding vehicles accessing parks and green spaces.

The proposed PSPO will allow vehicles/engines/generators belonging to the emergency services or the Council's employees, agents or contractors to access the land.

Most proposals are already covered by existing legislation.

Some laws cover ASB and many environmental offences. Despite the action taken by the local authority and the police using the existing legislation, the council continues to receive complaints regarding large anti-social parties that cause significant noise disturbance and environmental and wildlife damage in Hackney Marshes and Wick Woodlands. Therefore, the local authority sets out to ensure that there are provisions for environmental governance, protection, and clean air and that appropriate enforcement action can be taken. The PSPO is intended to fill that space.

Laws are rules that bind all people living in a community, protect our general safety, and ensure the rights of citizens against abuses by others.

The newly proposed and extended PSPO will deal with a particular problem in an area that is detrimental to the local community's quality of life by imposing conditions on the use of that area that applies to everyone. It is designed to ensure people can use and enjoy public spaces safe from anti-social behaviour. The PSPO aims to promote a consistent, effective and fair approach to enforcement to protect the environment for the benefit of the community and provide a safe place to live, work and visit.

Do not ban alcohol

Hackney Council initially implemented a borough-wide DPPO (which was automatically converted to a PSPO under the Anti-Social Behaviour, Crime and Policing Act 2014) on 24th May 2010. This aim was to reduce the amount of anti-social street drinking occurring within Hackney and therefore lower the number of residents' complaints. It aims to ensure that our public spaces are safe, improving the quality of life for residents and visitors. The Order was approved following a public consultation during the last three months of 2009.

Cabinet approved the current PSPO concerning alcohol control in October 2021. It does not make it illegal to carry alcohol or to drink alcohol in a public place, as long

as drinking is done responsibly. The PSPO is used to tackle alcohol-related anti-social behaviour or disorder.

Under these circumstances, Police will have the power to stop people from drinking alcohol and seize or confiscate alcohol within the controlled area. Council Enforcement Officers will also have powers to stop people from drinking alcohol and confiscate it if drinkers are causing problems. They can issue fixed penalty notices to those refusing to stop.

The Council wants to ensure our parks and public spaces are places everyone can enjoy.

The borough-wide alcohol controls have seen complaints about alcohol-related antisocial behaviour drop by approximately 94% in the last ten years. We want to ensure that we protect residents' quality of life. Complaints about antisocial behaviour from street drinking also declined from a high of 609 in 2010 to 38 in 2019.

Our records show that the cost of managing antisocial behaviour at London Fields alone is more than £300k per year. This money could be allocated to add and improve other much-needed park facilities.

We believe that extending these conditions across the parks in the borough would reduce ASB and improve the quality of life for park users and those living in the locality.

There is no proposal for a ban on alcohol within the proposed PSPO.

Do not include Mabley Green

Our records show that between June 2020 and May 2022, Police dealt with more than six incidents of unauthorised music events, loud music and ASB on Mabley Green. This shows that we need to include Mabley Green to ensure no spillover into this green space due to restrictions from the PSPO in other parks and green spaces.

(Add) Higher Fines/Issue warnings before fines

In 2019, The Department for Environment, Food and Rural Affairs (DEFRA) published enforcement guidance as part of the Code of Practice on Litter and Refuse, which advises on best practices for litter enforcement.

The guidance explains that councils are expected to combine enforcement with education to change behaviour and balance the need for consistency with an approach which remains targeted and proportionate. A blanket 'zero-tolerance' approach is unlikely to achieve this when issuing penalties. In particular, enforcement action should not be taken if it would be disproportionate to the offence, for example, against accidental littering.

In addition to enforcement action, authorities should aim to reduce littering and other environmental offences through communications and the provision and regular emptying of litter bins.

More information regarding the enforcement guidance can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1054015/Part_1A_-_Effective_enforcement.pdf.

Concerning adding higher fines, it has been mentioned above that the amount for a fine is determined by statute and not by the local authority.

Verbal and written warnings and advisory letters are normally issued before fixed penalty notices are issued. This includes litter FPNs where Officers can give a verbal warning or use the opportunity for education and behaviour change. Generally, however, no warnings are given for commercial fly-tipping offences where businesses pass on the cost of disposing of waste to taxpayers. Fly-tipping can also cause environmental damage and harm to human health.

There are wide-scale national and local advertisements around 'Do Not Litter' and 'Recycling'. Hackney Council spends more than £1 million to clear litter and refuse from our streets and has taken measures to ensure that there are a large number of street-level litter bins to reduce litter. The Do Not Litter message is affixed to most street litter bins.

Engaging in activities such as littering, fly-tipping and graffiti on public land is usually done knowingly and wilfully, and perpetrators usually know they are committing an offence. In all circumstances, however, our enforcement process will be fair, firm and proportionate.

Other/NA

In June 2020, following an unprecedented increase in anti-social behaviour, the Council successfully applied to the High Court for an Injunction in Hackney Marshes, which was in place until it expired in February 2022. This has positively dissuaded person(s) or groups from gathering throughout the night with amplified music, alcohol and often open fires. Our records show 12 reported events between June 2020 and December 2021, a considerable reduction from the 30-plus incidents in 2016 and 2017.

The Council recognised the impact COVID-19 may have had on these numbers as large gatherings were prohibited during the lockdown. Despite this, we are confident that the PSPO, which covered Wick Woodlands and Hackney Marshes, as well as increases in the number of proactive and reactive patrols, are factors resulting in a decrease in the number of unauthorised music events in these parks and open spaces when compared to the twelve to eighteen month period before. This indicates that the PSPO, along with the other measures, are positively impacting the quality of life for those residing in the E9 area.

In early 2020 a group of stakeholders gathered together to work out what challenges the parks and green spaces in Hackney are facing, who the Council should be

talking to, and what areas our new strategy should focus on. There are three main themes of the strategy within parks and green space that we commit to working with communities, creating more welcoming spaces and being more environmentally sustainable.

Extending the proposed PSPO to other nearby parks and green spaces will greatly improve the quality of life for those residing in these localities by deterring and preventing litter, noise nuisances and the associated ASB.

Concerning our parks and green spaces, the Council has an existing Parks and Green Spaces Events Policy which welcomes applications for large and small events that encourage cultural experiences.

The events to which the current PSPO relates, however, are unauthorised, potentially unsafe and have a significant impact where they are held as there are no ancillary facilities, i.e. toilets, waste services etc.

Should an event organiser want to hold an event in a park or green space in the borough, a formal application process should be followed to ensure such events are appropriate for the space, organised safely, and the local community are involved in the approval process.

Council Officers and the Police have an existing record of responding to concerns about unauthorised events using existing powers. Introducing a PSPO will provide the Council and the Police with a more effective tool to take action.

Officers will only enforce the proposed PSPO when the behaviour of persons using the Woodland is not in line with other parks and green spaces around the borough, for example, if a family is sitting down with a small speaker linked to a mobile phone playing at low volume during the day Officers would allow it. However, if large speaker systems arrive, enforcement action would be taken.

The Council recognises the importance of taking the risk of displacement activity into account. Given the current, evidenced concerns linked to the prescribed area, the recommendation is to proceed with the existing area proposed. However, we recognise the need to continue to monitor the impact on neighbouring areas with the option to consider further expansion of its geographic scope should the evidence support it.

The performance of the proposed PSPO will be reported to the Corporate Committee annually to ensure a balance between proportionate enforcement and acceptable behaviour in the area.