



COUNCIL:

15 DECEMBER 2021

Report of: Corporate Director of Place & Community

Relevant Portfolio Holder: Councillor Gareth Dowling

Contact for further information: Paul Charlson (Extn. 5246)

(E-mail: paul.charlson@westlancs.gov.uk)

Cliff Owens (Extn. 5394)

(E-mail: clifford.owens@westlancs.gov.uk)

**SUBJECT: ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014:
PUBLIC SPACE PROTECTION ORDER IN RESPECT OF PIMBO INDUSTRIAL
ESTATE**

Wards affected: Up Holland

1.0 PURPOSE OF THE REPORT

1.1 Following a request from Lancashire Constabulary, to seek support for the introduction of a Public Space Protection Order to deter organised car meets / car cruising on Pimbo Industrial Estate, Up Holland, West Lancashire.

2.0 RECOMMENDATIONS TO COUNCIL

2.1 That Council support the introduction of a Public Space Protection Order to deter organised car meets / car cruising on Pimbo Industrial Estate, Up Holland, West Lancashire.

2.2 If the recommendation at 2.1 is approved, that Council grant delegated authority to the Corporate Director of Place and Community, in consultation with the Portfolio Holder for Communities and Community Safety, to prepare a draft Public Space Protection Order and to consult on its content in accordance with the relevant legislation and guidance, prior to bringing the matter before Council for final ratification and approval.

3.0 BACKGROUND

3.1 Following the easing of Covid restrictions, West Lancashire has seen a significant increase in pre-arranged car meets. One such popular location is

Pimbo Industrial Estate. These car meets are arranged in secret, online and happen without prior warning, making them difficult to pre-empt and police.

- 3.2 This has resulted in a request from Lancashire Constabulary to introduce a Public Space Protection Order (PSPO) to address the problem. The use of PSPOs is considered to be the best way of preventing future problems locally and has been adopted as best practice in other local authorities where similar problems exist.
- 3.3 The local Chief Inspector, on behalf of Lancashire Constabulary, has provided the Council with the following details to support the decision making process. A map of the location is provided at Appendix 1 which includes the proposed boundary within which the PSPO would have affect. This is for indicative purposes only and Members should note that the draft PSPO will prescribe the exact boundary to the Order.
 - (i) People attend the event at Pimbo from across the North West, often with over 300 vehicles in attendance at once. Many of the vehicles are high performance or modified cars with loud exhausts. Weekend evenings have been popular for this event, with high number of vehicles arriving at once. The noise this causes and impact on the local community is significant – not only for residents of the Pimbo area, but also other locations across West Lancashire as the convoy of vehicles make their way to Pimbo.
 - (ii) Following each car meet, numerous complaints are received by the Police and local MP due to the noise and behaviour of those attending. Complaints are not just limited to those residing in Pimbo, but also in residential areas in Burscough due to vehicles driving in convoy and racing on roads en-route to Pimbo. This Pimbo Car Meet has now gained a reputation amongst like car enthusiasts as one of the biggest and favoured North West ‘Max Power’ events, and recently has even started to gain the attention of mobile burger vans and caterers who also attend the area for business.
 - (iii) The scale of these unauthorised and dangerous events is significant. The hostility and disregard shown to the Police is concerning and has escalated. The impact on the community cannot be ignored and is having a damaging effect on people's quality of life. As people leave the area or are dispersed following Police resources being diverted from across the County into the area, the disregard for the area is again apparent by the amount of litter left behind.
 - (iv) Importantly there are also serious and obvious concerns regarding the safety of those who attend, and to members of the local community who may be in the area at the time. At each car meet there have been races involving high performance vehicles, drag racing whilst the road is lined with pedestrian spectators. People have been seen to stand in the middle of the road starting these races and standing at the finishing line.
 - (v) In August 2021 in Lincoln, vehicles racing at a very similar car meet crashed into spectators who had lined the road to watch, causing one

person to be fatally injured and 3 seriously injured. The videos posted online from this event had frightening similarities to the car meets at Pimbo. It is only a matter of time before the same tragedy occurs here.

(vi) Once the vehicles arrive, the behaviour of the majority is unacceptable and there is significant anti-social behaviour and nuisance caused by the manner of driving, races, 'burn outs' and associated noise. Below is a summary of incidents the Police have been made aware of:

- 19/06/21 – 100 vehicles, drivers/passengers described as anti police prior to dispersal
- 03/07/21 – 60 vehicles in attendance with 200+ passengers/spectators
- 10/07/21 – 120+ vehicles 40 of which had been involved in anti social driving on Chancel Lane in Burscough. Vehicles attended from as far away as Wrexham. Section 59 notices issued.
- 18/07/21 – 200+ vehicles in attendance
- 23/07/21 – 60+ vehicles present with an additional 70 passengers/spectators present
- 25/07/21 – 200+ vehicles present. Prior to dispersal officers had to contend with bottles and stones being thrown at them.
- 01/08/21 – reported car meet on car park at the Skelmersdale Asda. 100+ vehicles in attendance. Those present would not engage with police. This was following interventions at Pimbo and the vehicles relocated.
- 15/08/21 – gathering at Gillibrands. 20+ vehicles in attendance
- 15/08/21 – above meet then moved onto Pimbo and vehicle in attendance went up to 200+. Large number described as hostile towards police.
- 30/08/21 – report of a large car meet at Pimbo.
- 13/09/21 – 100+ vehicles in attendance. Significant anti social driving. As well as being verbally abused officers had stones, golf balls and beer bottles thrown at them. Damage to a police vehicle. Vehicles racing with spectators lining the road.
- 27/09/21 – car meet. Not clear re numbers present.
- 03/10/21 – 300+ vehicles in attendance. Significant ant social driving and verbal abuse. 2 tickets for speeding issued. 88 warning letters sent to registered keepers. Two vehicles involved in an accident whilst

racing. Spectators watching as vehicles race in the vicinity of the accident.

- (vii) The Police support the application for a PSPO in order to provide the Police and (should it be necessary) authorised Council officers the power to act quickly and stop these anti-social gatherings of car cruisers and racers who are causing, or likely to cause, nuisance, alarm or distress to local residents. This Order will prevent excessive noise, danger to road users and pedestrians, risk of damage to private property, litter and any nuisance caused to any other person.

4.0 ISSUES

- 4.1 PSPOs are governed by the Anti-social Behaviour, Crime and Policing Act 2014 with consideration also be given to the Home Office's Statutory Guidance Document 'Anti-social behaviour powers: Statutory guidance for frontline professionals'.
- 4.2 A PSPO can be made by a local authority if they are satisfied on reasonable grounds that the anti-social behaviour is having or is likely to have a detrimental effect on the quality of life of those in the locality and the effects of the behaviour are, or are likely to be, of a persistent or continuing nature, such as to make them unreasonable and thereby justifying the restrictions/requirements of the PSPO.
- 4.3 Accordingly, a PSPO imposes conditions on the use of an area which can apply to everyone or can be targeted against certain behaviours by certain groups at certain times. They are designed to ensure the law-abiding majority can use and enjoy public spaces safe from anti-social behaviour.
- 4.4 A PSPO can be applied on any land which members of the public have access to including car parks, shopping centres and parks, and can last for a maximum of 3 years but can be shorter. The Council can extend the order by a further 3 years if necessary, but consultation will have to take place.
- 4.5 The conditions on a PSPO must be justified to address the anti-social behaviour concerned. Therefore, if Members are minded to approve the recommendations contained in this report, a draft PSPO, including any proposed conditions necessary to prevent anti-social behaviour caused by car-cruising and associated activities, will be prepared.
- 4.6 Before the PSPO can be approved, a process of consultation must be carried out. There are no statutory requirements about the length of the consultation process, however it should be ensured that its duration allows sufficient time to meaningfully engage with all those who may be impacted by the Order. For example, the last PSPO issued by the Council (conversion of Dog Control Orders already in place and addition of new locations) involved a 5 week consultation process. Accordingly, a consultation period of 4 to 6 weeks is supported in this case to ensure that the imposition of a PSPO is properly considered by those who it might affect. The duration will be confirmed when

drafting the Order itself in accordance with the recommendations contained in this report.

- 4.7 Available guidance supports using a range of means to reach potential respondents during any consultation. Accordingly, the consultation process will include use of the dedicated consultation processes through the Council's website, supported by social media. Specifically, the consultation will be directed at representatives of the local community (including Up Holland Parish Council), residents and affected businesses, local Councillors, the Chief Constable and Office of the Police and Crime Commissioner and the owners of any affected land, including Lancashire County Council. But beyond these broad requirements, local authorities can determine for themselves what an appropriate consultation process might entail.
- 4.8 Following consultation, Council would be in a position to determine if a PSPO is necessary. The responses to the consultation will be presented to a future meeting of Council accordingly.
- 4.9 Once the PSPO is approved, it will come into effect on a date to be agreed and must be advertised on the Council's website and in prominent places within the area shown at Appendix 1 to this report.
- 4.10 Once the PSPO is in place, it is an offence to breach the terms of the Order without reasonable excuse. Failure to comply can be dealt with by either issuing a Fixed Penalty Notice (FPN) or by prosecution in the Magistrates Court. Depending on the behaviour, an enforcement officer (police officer, police community support officer, or a designated person) can decide if a FPN is suitable.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 A PSPO of this nature has the potential to impact upon the Community in the stated areas. It serves as a means to address crime or the fear of crime through the focus on any potential offences under the PSPO.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are some financial/ resource implications arising from this report in respect of publication / consultation, signage etc., however these will be met using existing resources.

7.0 RISK ASSESSMENT

- 7.1 The Council is not under a duty to introduce a PSPO in this case. However, due to the level of evidence and views provided by Lancashire Constabulary, this matter is presented to Members as a means to address the concerns outlined in this report. The disruptive activities outlined in this report present a risk of serious injury to persons and/or damage to property. There is also a corresponding risk that residents/businesses will continue to be affected. A reasonably enforced PSPO would serve to reduce this risk.

7.2 A further risk is presented in that a PSPO could simply move problem elsewhere in the Borough. However, no evidence currently exists of this issue and so a further report will be presented to Members should any displacement of the problem occur that needs to be addressed.

8.0 HEALTH AND WELLBEING IMPLICATIONS

8.1 The disruptive activities outlined in this report are believed to affect residents and businesses. A reasonably enforced PSPO would also help to reduce any associated stress, disturbance, lack of sleep and/or potential injury by those affected by this problem and thereby help to protect peoples' health and wellbeing.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

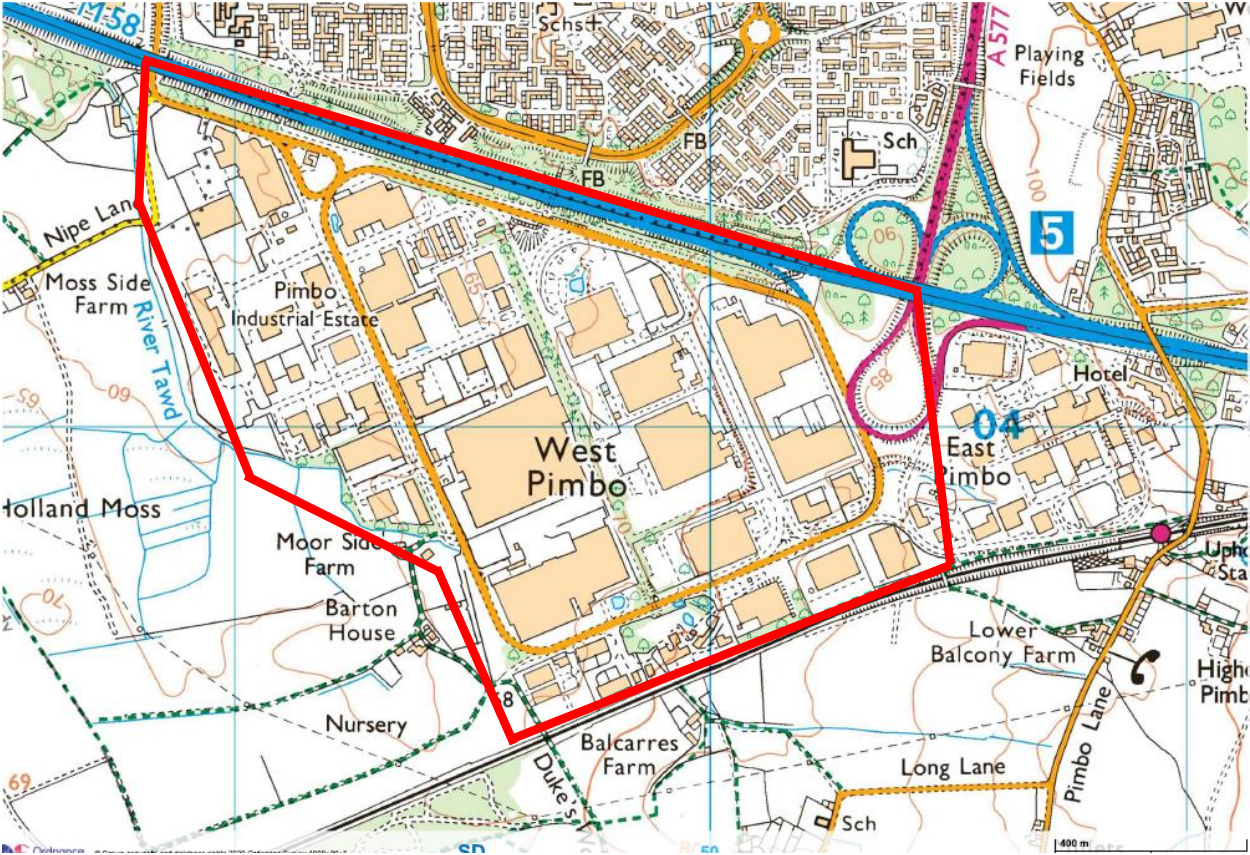
Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

Appendices

1. Map of the Pimbo area and the remit of the proposed PSPO
2. Equality Impact Assessment

Appendix 1
Map of the Pimbo area and the remit of the proposed PSPO



Appendix 2

Equality Impact Assessment Form



Directorate: Housing and Regulatory Services	Service: Community Safety
Completed by: Paul Charlson	Date: 25/11/21
Subject Title: ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014: PUBLIC SPACE PROTECTION ORDER IN RESPECT OF PIMBO INDUSTRIAL ESTATE	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	Proposed PSPO for Piibmo area of Up Holland and surrounding area
<i>If you answered Yes to any of the above go straight to Section 3</i>	
<i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Local community representatives, residents and affected businesses, local Councillors, the Chief Constable and Office of the Police

	and Crime Commissioner, owners of any affected land, including Lancashire County Council.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Local Police: to use the proposed PSPO as a potential enforcement tool to deter the car meets,
What will the impact of the work being carried out be on usage/the stakeholders?	If approved, the draft PSPO will be subject to consultation and the responses will be considered by Council in determining the matter.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	If approved, the draft PSPO will be subject to consultation and the responses will be considered by Council in determining the matter.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	If approved, the draft PSPO will be subject to consultation and the responses will be considered by Council in determining the matter.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.

6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions. <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	A review every 3 years is required.