



## **Healthy Communities Policy Advisory Group**

**Wednesday, 22 January 2020 at 6.00 pm**

**Room 6 - Capswood, Oxford Road, Denham**

### **A G E N D A**

This Policy Advisory Group meeting is not open to the public

#### Item

1. Evacuation Procedure

2. Apologies for Absence

3. Minutes (*Pages 3 - 8*)

To approve the minutes of the Healthy Communities PAG held on 30 September 2019.

4. Declarations of Interest

5. Reports from Members

6. Public Spaces Protection Order - Eton Dorney Rowing Lake (*Pages 9 - 14*)

*Appendix 1 (Pages 15 - 18)*

*Appendix 2 (Pages 19 - 36)*

*Appendix 3 (Pages 37 - 42)*

*Appendix 4 (Pages 43 - 52)*

*Appendix 5 (Pages 53 - 56)*

7. Healthy Communities Update Report (*Pages 57 - 66*)
8. Affordable Housing Contributions Update (*Pages 67 - 72*)

*Appendix 1 (Pages 73 - 74)*

**Note:** All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

**Membership: Healthy Communities Policy Advisory Group**

Councillors: P Hogan (Chairman)  
D Anthony  
P Bastiman  
M Bezzant  
Dr W Matthews  
D Pepler

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## HEALTHY COMMUNITIES POLICY ADVISORY GROUP

### Meeting - 30 September 2019

Present: P Hogan (Chairman)  
D Anthony, P Bastiman, Dr W Matthews and D Pepler

Also Present: J Jordan

Apologies for M Bezzant  
absence:

#### 8. MINUTES

The minutes of the Healthy Communities PAG held on 4 June 2019 were approved.

#### 9. DECLARATIONS OF INTEREST

Cllr Pepler declared an interest in item 6 as a trustee of Burnham Youth Centre.

#### 10. REPORTS FROM MEMBERS

Cllr Pepler reported that he had attended a meeting of the Buckinghamshire Health Care Trust held at the end of July and a report would be submitted to the Council meeting in November 2019.

#### 11. HEALTHY COMMUNITIES UPDATE REPORT

The Housing Manager provided an update to Members of the PAG and particularly made reference to the following information:

- The period of July and August saw significant turnover within the temporary accommodation units due to the completion of both the new temporary accommodation units at 1-12 Walters Court and the new affordable rented homes on the Denham Media Park development. This had helped to reduce the number of households that SBDC was placing in nightly booked accommodation. As a comparison in April last year SBDC had 36 households in nightly booked units and this had reduced to 10 households in August 2019.
- The new units at 1-12 Walters Court were completed and leased to Bucks Housing Association from August 2019. Lettings commenced during that week with the flats being occupied in phases over subsequent weeks. Two flats in 801 Bath road adjacent have been completed and will be available for temporary accommodation shortly.
- There were indications that SBDC was seeing an upturn in homelessness applications during the first months of 2019/20 which could be related to the measures introduced by the Homelessness Reduction Act.

## Healthy Communities Policy Advisory Group - 30 September 2019

- Denham Film Studios had provided 63 flats for affordable rent and 27 for shared ownership. 30 affordable rented flats were being advertised by Buck Home Choice in April 2019 and the remaining 33 were let during August/September 2019.
- SBDC and three other District Councils had jointly commissioned with Community Impact Bucks a Handy Helpers Scheme as a one year pilot to deliver minor repairs, adaptations and help with day to day tasks to older and vulnerable people. This Scheme was separate to the Disabled Facilities Grant. The Principal Leisure and Communities Officer also made reference to the Outreach Programme which provided additional support.
- In relation to Environmental Health, 509 people had registered to use the Noise App; 37 cases were under investigation, 246 were resolved and 19 pending a response.
- Legislation relating to Unauthorised Encampments was pending. The Council had agreed not to proceed with the use of injunctions last November. Wycombe District Council had applied for and tested an injunction for over 100 sites it owns. The partnership has agreed to take a watching brief on the impact of the injunction to consider whether a county wide injunction was practicable for the new Buckinghamshire Council.
- The Leisure and Community Manager referred to the small grants application process; there had been a record number of 38 valid applications following the deadline being extended to 30 September 2019. All wards had attracted at least one application with some wards such as Iver attracting very high numbers. The next step would be to decide which applications were to be allocated funding.

Members asked a number of questions and the following points were noted:-

- London and Quadrant Housing had paused new development because of the downturn in the housing market. There were still developments in the pipeline but they were not looking at future development. The Council had a liaison meeting with L&Q later this week and would have more detail on their business plans. However, the Council were not concerned about this issue. The Housing Manager reported that there were a number of alternative providers who were active in Buckinghamshire such as Paridigm and Hightown.
- A Member made reference to the topping up ceremony which was being held for the redevelopment of Gerrards Cross Police Station Site on 4 October 2019 which included 14 affordable homes.
- In relation to the Noise App, Members noted that pre-registration was required to capture data on the Noise App although residents could still record without registering. Some residents would have downloaded the Noise App for future use; it did not necessarily mean that there were cases to investigate. The Noise App made it easier for officers to close down cases quickly that could not be resolved by the Council.

- A Member referred to the interventions in unauthorised encampment sites in South Bucks and the number of incursions which wasted officer time. The Housing Manager referred to the county-wide injunction above which would be discussed along with other options in the work streams for the new Buckinghamshire Council. Reference was made to the incursion into the Council's car park, near Sainsbury and travellers accessing the car park despite the height barrier.
- With regard to grant applications Members noted that if some wards did not have enough valid applications for their area then some of the funding could be transferred to other areas but this would need to be decided by Members.

*Cllr Bastiman entered the meeting at 6.30pm.*

## 12. **COMMUNITY AND WELLBEING PLAN ANNUAL REVIEW**

The PAG received a report on the positive work being undertaken through the Council's Community and Wellbeing Plan during 2018/19 which was adopted by the Cabinet in May 2017. The Leisure and Community Manager outlined the diverse range of projects which had been delivered in partnership with town and parish councils, the voluntary and community sector and partners such as GLL, Thames Valley Police and the Clinical Commissioning Group.

With reference to the 50 plus programme at the Beacon Centre the Leisure and Community Manager agreed to check whether this was also available at the Evreham Leisure Centre.

A Member asked a question on the Flexible Home Improvement Loan Scheme which remained available for local residents although no new loans were approved during 2018/19. The Housing Manager reported that this was a Thames Valley wide scheme and there was no specific budget for South Bucks. Funding would be drawn down by the individual client and the Council paid an annual membership fee. A Member asked whether this Scheme was publicised and the nature of the Scheme. In response it was noted that this scheme provided a low interest rate for residents who were asset rich but who did not have access to any significant savings who may not be able to pay for any major repair work. Members were also reminded of the Disabled Facilities Grant which could also help finance adaption works; however this would be means tested. Following a question the Housing Manager agreed to check whether there was a minimum or maximum amount available for the loan. The loan would be secured against the property.

Members made reference to the work of the Citizen's Advice Bureau which had supported 2,253 clients and prevented 127 people from being homeless and securing £195,986 in benefits. A Member asked about legal aid and was informed by the Housing Manager that they would be directed to specialist legal advice on housing and other areas.

With reference to the World War One Special Small Grants Scheme a Member referred to VE celebrations in 2020. The Principal Leisure and Communities Officer reported that he would look at the budget to see if any funding could be made available to local organisations.

Members congratulated officers on the number of projects which were wide ranging and met the aims of the Plan.

### 13. **AIR QUALITY MANAGEMENT AREA IN IVER UPDATE**

The PAG received a report which sought Members views on the draft Air Quality Action Plan, which set out how stakeholders would work to improve air quality in the Iver Air Quality Management Area (AQMA). The Action Plan would be subject to public consultation over a 12 week period via the website, local and social media. Included in the document was a source apportionment calculation which identified the main sources of the pollution, which was road traffic. The main source of Nitrogen Dioxide on Thorney Lane South was HGVs, whilst HGVs and Diesel Cars have shared responsibility on the High Street.

Members noted that the key plan elements included the uptake of cleaner vehicles, minimising the impact of the National Infrastructure Projects on Iver, improving car parking provision in Iver and to introduce car parking restrictions on the Highway, carrying out a feasibility study for a Clean Air Zone in Iver and developing a relief road that would take HGVs away from the High Street. They also noted the update on the two air quality projects.

Some Members expressed concern that these actions were not enough to address pollution. The relief road would only impact on one zone but could increase traffic elsewhere and make the air quality worse and there were no powers to get vehicles to use cleaner fuels which would impact on small businesses. The Senior Environmental Protection Officer reported that they working with Bucks County Council to include this in their Freight Strategy and had already met with a number of businesses to offer assistance where possible. The Environmental Health Manager reported that all these actions put together would reduce pollution. This Action Plan could be built upon once information was available on which measures were successful. Having an AQMA did provide the Council with some power and there was a legal responsibility to implement the Action Plan with partners. DEFRA could also intervene if actions were not being implemented.

Another Member expressed concern that no action had been taken with regard to using the car park in The Swan to prevent double parking in the High Street. The Environmental Health Manager referred to discussions with Bucks County Council on improving car parking provision and introducing car parking restrictions and commented that he would pursue this. Members also mentioned the footway which was flooded which meant that pedestrians had to walk on the road, which was dangerous because of HGVs. There was also funding for a cycleway but this had been

withdrawn and the funding allocated to another area. A Member also commented that the walking crocodile to Iver Infants School had been cancelled and it would be helpful to see if this could be reinstated.

Reference was made to a recent announcement from Sajid Javid for additional funding for road infrastructure and whether any bids could be made. Members noted that bids would be submitted through the Lead Growth and Strategy Officer at Bucks County Council.

Members agreed that the draft Air Quality Action Plan should be sent out for consultation and if Members were not satisfied with the response from Bucks County Council they should invite a representative to attend the next PAG meeting. Members also asked for a refining of the priorities in the Plan.

Having considered the advice of the PAG, the Portfolio Holder **RESOLVED** that the draft Air Quality Action Plan be approved for formal consultation and following consultation and feedback that the action plan be finalised for approval by Cabinet and DEFRA.

#### 14. **FOOD SAFETY AND HEALTH AND SAFETY SERVICE PLAN**

The PAG considered the joint Food and Health and Safety Service Plan and Food and Health and Safety Enforcement Policies for the year 2019/20. The Action Plans contained within the appendices highlight key areas which would be focussed on in the coming year to increase performance standards. This included guidance on Brexit and preparing for the new Buckinghamshire Council.

Members noted that since the introduction of the national Food Hygiene Rating Scheme, the percentage of all eligible food premises (rating of 3 or better) continued to increase and was currently 96% for Chiltern and 97% for South Bucks District Councils, higher than the national average of 95.3%. In 2018/19 significant enforcement activity took place and four food businesses were successfully prosecuted with fines being issued in the Crown Court of up to £33,000 and substantial costs being awarded.

Whilst health and safety remained a priority for the Government, there would be a reduction in inspections of businesses and officers would only inspect where there was a specific need, either due to local or national intelligence and the national strategic priorities. Therefore there were more food inspections. Members noted that there was one fatality a couple of years ago relating to someone who was working at a height. Other potential accidents included the use of inflatables and guidance had been produced to local businesses.

The Principal Environmental Health Officer reported that the policies had been slightly amended for Cabinet with reference to the Scheme of Delegation.

A Member referred to food labelling and chemical contamination and was informed that this was the responsibility of trading standards. Members also noted that Hampshire Scientific Services provided sampling.

Following a question it was noted that businesses were inspected according to the HSE's national priorities based on national accident statistics and locally identified concerns. Recent projects included guidance on inflatables, gas safety in catering establishments and bottled gas in pubs.

**RECOMMENDED** to Cabinet that the joint Food and Health and Safety Service Plan and the Food and Health and Safety Enforcement Policies be approved.

15. **ARMED FORCES COVENANT**

The PAG received a report on the projects and activities supporting the Buckinghamshire Armed Forces Covenant over the last 12 months. The 2018/19 Buckinghamshire Armed Forces Covenant Action Plan detailed various projects and initiatives that South Bucks District Council had supported. The National Armed Forces Community Covenant action plan had five work strands that support four key objectives; Recognise, Remember, Integrate and Support. On Monday 24 June 2019 there was a joint 'Raising the Flag' ceremony which paid tribute to the British Armed Forces community during Armed Forces week.

A Member asked where residents should be directed if they needed assistance. The Active Communities Officer responded that they could contact their office and in addition there was the South Bucks Armed Forces Champion Councillor Duncan Smith. There was also a Covenant Steering Group meeting which included member organisations and military personnel.

PAG Members recognised the positive work undertaken over the last 12 months across South Bucks supporting the Buckinghamshire Armed Forces Covenant and noted the action plan.

The meeting terminated at 7.30 pm

<b>SUBJECT:</b>	<i>Public Spaces Protection Order (PSPO) Dorney Rowing Lake</i>
<b>REPORT OF:</b>	<i>Councillor Patrick Hogan - Portfolio Holder for Healthy Communities</i>
<b>RESPONSIBLE OFFICER</b>	<i>Martin Holt, Head of Healthy Communities</i>
<b>REPORT AUTHOR</b>	<i>Ian Snudden, Principal Environmental Health Officer, 01494 732057, isnudden@chilternandsouthbucks.gov.uk</i>
<b>WARD/S AFFECTED</b>	

## 1. Purpose of Report

To propose the introduction of a Public Spaces Protection Order (PSPO) and to consider the responses to the consultation on the proposal.

The PAG is asked to advise the Portfolio Holder in order for the Portfolio Holder to make the following recommendation(s) to Cabinet:

### RECOMMENDATIONS

1. **To consider the outcome of the consultation on the proposed PSPO for Dorney Rowing Lake**
2. **To approve the draft Public Spaces Protection Order and associated map of the 'Restricted Area'**
3. **To undertake the three yearly review of the Public Spaces Protection Order , and implement any changes as required, through delegated authority.**

## 2. Executive Summary

Following a high number of incidents of anti-social behaviour at Dorney Rowing Lake, Dorney during the summer of 2019, Thames Valley Police requested that Dorney Rowing Lake be subject to a Public Spaces Protection Order. Eton College, as landowner, has supported this. A draft Order has been consulted upon. The consultation process has been completed and Members are asked to consider the consultation responses (summarised as Appendix 4) and to approve the draft Public Spaces Protection Order, attached as Appendix 3.

## 3. Reasons for Recommendations

Dorney Rowing Lake is privately owned but is a public place as it is open to the public (during the day time and provided rowing events are not taking place) by express permission of the landowner. In September 2019, Thames Valley Police requested that Dorney Rowing Lake be subject to a Public Spaces Protection Order (PSPO) in order to prevent and control the anti-social behaviour that local residents and other lake users were experiencing as a result of groups of people gathering at the lake during periods of warm weather and causing harassment and alarm to local residents and lake users by their behaviour. A PSPO is an effective tool to manage anti-social behaviour and puts in place certain restrictions which can be enforced either by issuing a Fixed Penalty Notice or by prosecution.

Once introduced, a PSPO has to be reviewed within three years, at which time a PSPO can be extended, varied or discharged. A similar consultation process has to be undertaken at that time. For effective administration, it is recommended that if there are no changes as to the extent and nature of the PSPO and it is still considered appropriate for it to remain in effect; or for it to be discharged following the review and consultation carried out within the three years, that the PSPO is extended or discharged, as appropriate, through delegated authority. In other circumstances approval will be sought from Cabinet.

#### 4. Content of Report

Public Spaces Protection Orders (PSPOs) are one of a number of powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. They are designed to stop individuals or groups committing anti-social behaviour in a public space which is having or is likely to have a detrimental effect on the quality of life of people in the area.

For a Public Spaces Protection Order to be introduced to deal with particular behaviour, the behaviour being restricted has to meet a test which is designed to be broad and focused on the impact anti-social behaviour is having on victims and communities. A PSPO can be made by the council if satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

When assessing what is 'unreasonable' activity, local authorities need to balance the rights of the community to enjoy public spaces without experiencing anti-social behaviour with the human rights of individuals and groups who may be affected by any restrictions imposed. Therefore, local authorities must have regard to the freedoms guaranteed under the Human Rights Act 1998 in terms of freedom of expression and freedom of assembly and association. An Equality Impact Assessment has been undertaken [**Appendix 1**]. Members will note that a negative effect has been identified on the basis of age and race. Whilst the majority of complaints received relate to youths gathering at the lake and causing anti-social behaviour and one report concerned behaviour by people from the travelling community, the PSPO is not targeted at either young people or those sharing a protected characteristic, but the anti-social behaviour that is being demonstrated. However, it is recognised that there is an unintentional impact on young people and potentially upon a group with a protected characteristic, but this adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, and its prevention will be to the benefit of the safety and well-being of all members of the public enjoying the public space.

In September 2019, a request was received from Thames Valley Police for a new PSPO which placed restrictions on people and vehicle misuse at Dorney Rowing Lake, Dorney. This was as a consequence of significant reports of anti-social behaviour to the police from local residents, Eton College (the land owner) and other lake users. Evidence has been submitted in the form

of police reports of anti-social behaviour from individuals and CCTV images and reports from Eton College. **[Appendix 2]**.

Thames Valley Police sought the following restrictions:

- No littering
- No swimming in the lake
- To surrender alcohol on request
- No noise nuisance
- No Anti-Social Behaviour to included abusive, intimidating and alarming behaviour
- Zero tolerance on the mis-use of drugs

In the following areas:

- Dorney Lake
- Court Lane, Dorney.
- Court Lane, Dorney (inclusive) to the junction of Lake End Road
- Within the boundary of Lake End Road to within the Boundary of Dorney Common.
- Marsh Lane Dorney (inclusive) to the junction of Court Lane, Dorney (Inclusive)
- Marsh Lane Dorney (inclusive) to the junction of Harcourt Road (inclusive).
- Harcourt Road (inclusive) to the junction of Dorney Reach Road (inclusive)
- Authority to run along the Chiltern and South Bucks side of the River Thames from Harcourt Road to Eton and Dorney Rowing Club/College.
- Authority to run from the Eton and Dorney Rowing Club to Lock Path from Lock Path to within boundaries of Boveney Road.
- Within boundaries of Boveney Road to Common Road
- Within the boundaries of Common Road to Lake End Road.

Whilst it is recognised that some of the reported incidents are criminal in nature and subject to direct police action, some of the issues are clearly anti-social and could be dealt with through the use of a PSPO. On the basis of the evidence provided a draft PSPO was produced together with a map of the area to be covered by the proposed Public Spaces Protection Order (to form the appendix to the PSPO). These are at **Appendix 3**.

## 5. Consultation

Local authorities are obliged to consult with the local chief officer of police, the Police and Crime Commissioner, owners or occupiers of land and appropriate community representatives. The county council and town and parish councils must also be notified. Additional requirements apply where public rights of way over a highway are restricted or where the PSPO affects 'common land'.

A consultation was undertaken between 4<sup>th</sup> November and 13<sup>th</sup> December 2019. An email was sent containing a link to the consultation web page, inviting opinions on the proposed introduction of the PSPO. The consultation page included the draft PSPO and maps of the affected areas. The email was sent out to Dorney Parish Council, District Councillors, Thames Valley Police, the Police and Crime Commissioner and Eton College. Notices displaying the draft Order and restricted area map were also posted around the lake for the benefit of lake users. A link was also put on the main South Bucks District Council website and the accompanying plan was made available for public inspection.

Responses were received from a range of people including residents living adjacent to the lake, lake users, Thames Valley Police, councillors and Eton College. The responses from the consultation, together with relevant comments are in **Appendix 4**.

All the responses were positive and in support of the proposed PSPO. Some of the responses included requests to include issues that are criminal activities e.g. possession of weapons and Class A drugs and exposure. It is the intention that where there is specific legislation to deal with criminal acts, then the police will take the necessary action. Reference is made within the PSPO to the consumption and possession of psychoactive substances (legal highs) because the offence under the Psychoactive Substances Act 2016 only relates to possession with the intent to supply. Therefore, by including consumption and general possession within the PSPO, there is no need to prove any intent to supply and a contravention can be more easily enforced.

The area of land owned by Eton College and detailed in the Title Deeds for the lake follows the zig zag red line at the North West end of the lake. However, this does not follow the natural boundary of the land nor does it include all of the car park. It is therefore recommended that the Restricted Area not only includes the land within the Title Deed but is also extended up to the natural boundary and to include the whole of the car park, the access road from the junction with Marsh Lane/Court Lane and the footpath from the access road to the River Thames. An amended plan is at **Appendix 5**.

Thames Valley Police initially requested that the PSPO covered a far greater area beyond the boundaries of the lake. However, the evidence suggests that the main issues are within the curtilage of the lake rather than outside. Whilst it is recognised that parking in adjacent roads is of concern to local residents, parking restrictions have been put in place and these would be enforced accordingly under the Highway Act.

The issue of enforcement has been discussed with both the police and Eton College. The penalty for a breach of the restrictions of a PSPO within the Restricted Area is either by the issue of a Fixed Penalty Notice of £100 or prosecution, the maximum fine for which is £1000. A Fixed Penalty Notice can be issued by a police constable, Police Community Support Officer or an authorised person authorised by the local authority. The intention is for the police and college staff to publicise the introduction of the PSPO to lake users, to have an increased presence at the lake in the run up to the summer months and to take a robust approach to anti-social behaviour. The issuing of Fixed Penalty Notices will be administered by the local authority and be based on the receipt of suitable evidence from officers of Thames Valley Police and Eton College staff. Training on the content of the PSPO and the level of evidence to be expected will be given to college staff.

## 6. Options

Following the consultation and the evidence provided, there is overwhelming support for the introduction of a Public Spaces Protection Order for restrictions on vehicle use and individual behaviour to address complaints of anti-social behaviour at Dorney Lake. The initial draft PSPO is unchanged and the 'Restricted Area' slightly increased. The final draft PSPO is appended at **Appendix 5** and incorporates the outcome of the consultation and takes account of legal advice.

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**7. Corporate Implications**

- 7.1 Financial: There are financial implications in setting up the PSPO, not expected to exceed £2,000 depending on the amount of signs required. Signs will have to be erected in areas with restrictions. Costs will be met from existing resources and Eton College have committed to contributing towards this cost. If FPNs are issued, then there may be a small amount of income received.
- 7.2 Legal: The legal requirements for the introduction of a new public spaces protection order have been followed.
- 7.3 Crime and Disorder: The PSPO should deter anti-social behaviour from taking place and will enable the effective control and enforcement of anti-social behaviour.
- 7.4 Environmental Issues: There is likely to be an improvement in terms of anti-social behaviour experienced by local residents and reduced anti-social behaviour within the site itself providing a safer environment for users.
- 7.5 Partnership: An extensive consultation has taken place with relevant parties and amendments made where appropriate.

**8. Links to Council Policy Objectives**We will deliver cost effective, customer focused services

Listen to our customers

- Consult with you on key issues and respond to results

We will work towards safe, healthy and cohesive communities

Improve community safety

- Work with partners to reduce crime and antisocial behaviour and to improve community safety

We will strive to conserve the environment and promote sustainability

Promote sustainability

- Promote a healthy, sustainable and safe built environment

**9. Next Steps**

If approved the Public Spaces Protection Order will be published on the Council's website and will come into force for an initial three-year period. Signage will be produced advertising the nature of the PSPO and the consequences of breaching it and protocols will be developed between the Council, Eton College and Thames Valley Police in terms of enforcement. It is intended that these measures will be put in place in time for the Easter Bank Holiday weekend.

Anyone who lives in, or regularly works in or visits the area can question the validity of a PSPO by an appeal to the High Court within six weeks of the Order being made.

**10. Appendices**

Appendix 1 – Equality Impact Assessment

Appendix 2 – Initial evidence of anti-social behaviour incidents submitted by Thames Valley Police and Eton College

Appendix 3 – Draft PSPO and associated map of the 'Restricted Area' (to form the Appendix to the PSPO)

Appendix 4 – Table of consultation responses

Appendix 5 – Proposed Public Spaces Protection Order and associated map of the 'Restricted Area' (to form the Appendix to the PSPO)

Draft

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**Chiltern**  
District Council



**South Bucks**  
District Council

### Equality Impact Assessment Screening Tool – Step 1

To be completed for all policy, strategy or new service proposals to determine whether a full impact assessment is required, where the item has already been identified as not requiring an integrated impact assessment. (See IIA guidance)

<b>Document/Policy Title</b>	<b>Public Spaces Protection Order – Eton Dorney Lake</b>		
<b>Author or Lead Officer</b>	Ian Snudden	<b>Date</b>	7 <sup>th</sup> November 2019
<b>1.</b>	<b>Does the policy/proposal have any negative effect on the basis of:</b>		
		<b>Yes/No</b>	<b>Reason</b>
	<ul style="list-style-type: none"> <li>Age</li> </ul>	Yes	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the car parks in question.</p> <p>Whilst the majority of complaints received relate to youths gathering at the lake and causing anti-social behaviour, the PSPO is not targeted at young people but the behaviour that is being demonstrated.</p> <p>However it is recognised that there is an unintentional impact on young people but this adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all.</p>
	<ul style="list-style-type: none"> <li>Disability</li> </ul>	No	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question. Where there is potential for misunderstanding due to learning difficulties or inability to read/understand the signage, officers will explain the nature of the PSPO and the consequences of breaching it.</p>
	<ul style="list-style-type: none"> <li>Gender reassignment</li> </ul>	No	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.</p>
	<ul style="list-style-type: none"> <li>Marriage or civil partnership</li> </ul>	No	<p>The PSPO attempts to only manage anti-social behaviour and does not intend to</p>

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			prevent or impact upon the legitimate use of the facility in question.
	<ul style="list-style-type: none"> <li>• Pregnancy or maternity status</li> </ul>	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.
	<ul style="list-style-type: none"> <li>• Race</li> </ul>	Yes	<p>A number of incidents refer to groups of people from the travelling community fighting and causing anti-social behaviour. The report refers to one incident and no other reference is made regarding the travelling community.</p> <p>The PSPO is not targeted at any specific ethnic or cultural group or protected characteristic but the behaviour that is being demonstrated.</p> <p>The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.</p>
	<ul style="list-style-type: none"> <li>• Religion or belief</li> </ul>	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.
	<ul style="list-style-type: none"> <li>• Sex</li> </ul>	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.
	<ul style="list-style-type: none"> <li>• Sexual orientation</li> </ul>	No	The PSPO attempts to only manage anti-social behaviour and does not intend to prevent or impact upon the legitimate use of the facility in question.

If all responses to Section 1 are No, a full Impact Assessment is not required. If you have answered yes to any question, proceed to Section 2.

2.	In respect of any particular group, is the negative effect:	Unintentional?	High impact?	
		Yes/No	Yes/No	Reason
	<ul style="list-style-type: none"> <li>• Age</li> </ul>	Yes	No	This adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all rather than targeting any specific group of people

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	• Disability			
	• Gender reassignment			
	• Marriage or civil partnership			
	• Pregnancy or maternity status			
	• Race	Yes	No	This adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all rather than targeting any specific group of people.
	• Religion or belief			
	• Sex			
	• Sexual orientation			

If all responses to Section 2 are No, a full Impact Assessment is not required. If you have answered yes to any question in Section 2, proceed to Section 3.

3.	Are any negative effects listed in Section 2 illegal or potentially illegal?*	*i.e. contrary to anti-discriminatory legislation	
		Yes/No	Reason
	• Age	No	The adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all rather than targeting or being discriminatory against any specific group of people
	• Disability		
	• Gender reassignment		
	• Marriage or civil partnership		
	• Pregnancy or maternity status		
	• Race	No	This adverse impact is objectively justified by the fact that it only seeks to prevent anti-social behaviour, to the benefit of the safety and well-being of all rather than targeting any specific group of people

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	• Religion or belief		
	• Sex		
	• Sexual orientation		

If all responses to Sections 1, 2 and 3 are No, a full Impact Assessment is not required.

If you have answered yes to any question in Section 3, or if any negative effect has a high impact on a particular equalities group, consider the following:

4.	Can any negative effect be avoided?	Yes/No	How?
5.	Can we reduce the impact by taking different action?	Yes/No	How?

Now repeat this rapid assessment in the light of any new information.

If the outcome is the same, then you have identified a potential discriminatory impact of this policy/proposal, and you will need to complete a full Equalities Impact Assessment before it can be submitted for approval to the relevant committee or PAG.

**Full EIA to be now undertaken?**      **No**      (delete as applicable)

<b>Lead Officer</b>	<i>Ian Snudden</i>	<b>Date Reviewed by Director</b>	
<b>Date of decision</b>		<b>Outcome of Director Review</b>	<b>Agree/Not agree</b> (delete as applicable)

**Please submit this completed form to Democratic Services along with your PAG or Committee papers for formal approval or, where a report is not involved, to the Chief Executive's office.**

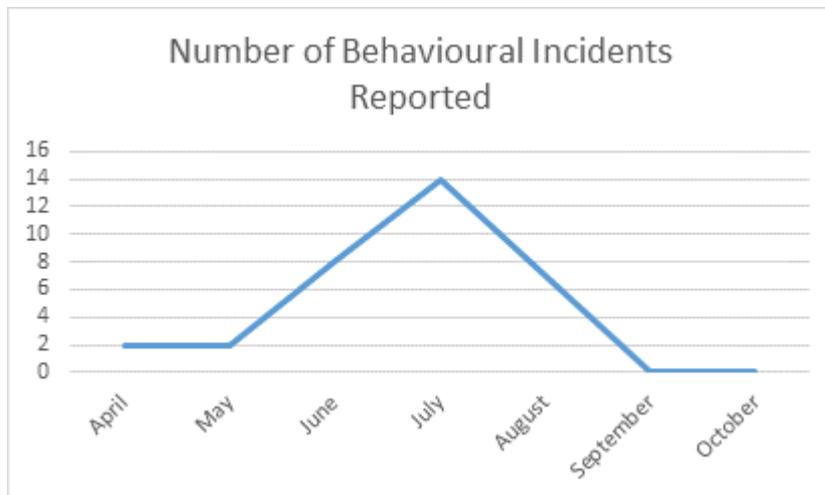
Classification: OFFICIAL

Dorney Lake is a purpose built rowing lake in Dorney, Buckinghamshire and owned by Eton College. The lake is close to the Thames and Jubilee River. The public are allowed to use the grounds of Dorney Lake when private events are not being run, which attracts people from the community and surrounding areas to enjoy. During the summer months we have seen a notable increase in the number of people that attend the areas to enjoy the Lake and the surrounding area. This number of people coming to the Lake also brings further traffic issues, parking, dangerous/anti-social driving, littering, ASB and within the Lake itself, non-prohibited swimming, drug misuse, alcohol consumption which leads to ASB and other criminal offences. The demand on Police this year during the summer months was high, leading to Police having to allocate two officers per day to the Lake alone to prevent and deter crime. This does not include the number of officers deployed to individual reports of disorder. Due to the levels of Anti-Social Behaviour and crimes reported, Police were required to put a Section 34 in place as a dispersal tactic as a contingency.

Below outlines the reports made to Police and associated crimes recorded. The general feel from the community whilst Police attended these incidents were that they have stopped reporting the issues and just avoid the Lake at peak times to save them from being a victim or a witness to these types of incidents.

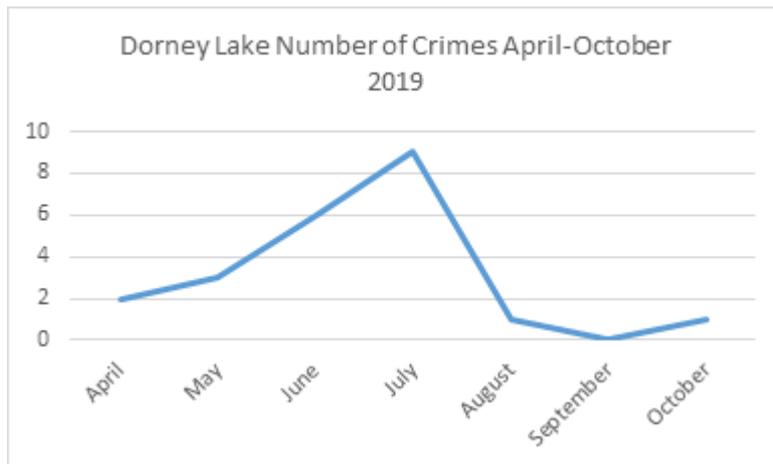
- 26/08/2019 Report of 3 youths riding motor bikes around lake pedestrian paths.
- 25/08/2019 Caller sounded panicked stating lots of shouting and guns and knives seen - security guard assaulted. Believed to be travellers
- 25/08/2019 Motorbikes riding around the lake
- 25/08/2019 Report of travellers running around with bottles
- 22/08/2019 Youth jumping from bridge had their bike stolen by other youths
- 23/07/2019 Third party report of male being bottled at Dorney Lake, reported males with knives too
- 23/07/2019 Report of emergency Dorney Lake, request for Police. No further contact could be made.
- 23/07/2019 Reporting 40 people from travelling community fighting and smashing bottles
- 25/07/2019 Third party report of stabbing = suspected hoax call
- 24/07/2019 Third party report of a fight planned between school age children at Dorney Lake
- 22/07/2019 Group of 30 people being drunk and disorderly
- 06/07/2019 Report group of abusive girls throwing food and salad cream, threatening to stab callers dog
- 02/07/2019 Report of youths taking safety boat onto lake and racing around lake
- 30/06/2019 Group of travellers driving erratically, getting high inhaling nitrous from balloons
- 29/06/2019 Youths jumping in lake and driving at him
- 29/06/2019 Youths jumping in lake and smashing bottles on path
- 12/05/2019 Report of youths smoking drugs

- 07/04/2019 Youths smoking weed and throwing stones at birds an being generally intimidating
- 27/03/2019 Report of drone flying around lake filming. Called us for public safety concerns



Recorded Crimes from April to October 2019:

<b>Crime Classification</b>	<b>Count</b>
Assault ABH	1
Assault W/O Injury	1
Commercial Burglary	1
Dangerous Dog	2
Personal Robbery	6
Theft from Motor Vehicle	6
Theft of a Motor Vehicle	2
Theft of a Pedal Cycle	2
Other - Theft Relating to a Boat	1



Following the summer months, we have spoken to various members of public and although their main issues are the number of people attending and the parking obstructions, this in turn brings the ASB, littering and crimes. The majority of the community will not attend or enjoy the lakes because of this.

- **Marsh Lane Resident - Complaining about litter in the surrounding roads and in the lake itself. Huge amounts of it, doesn't go to the lake during busy times because of this.**
- Marsh Lane Resident - Commented on dangerous parking and dangerous driving caused by the rowing lakes. Also, the white lines are so faded so cars are crossing the path.
- Harcourt road resident- Dangerous and inconsiderate parking. Also the closure of the bridge over the M4 will cause further issues.
- Harcourt Road resident - Complaining about parking. Many occasions when parking has caused issues. Especially bad when lake closes car park and this pushes cars onto road.
- Harcourt Road resident - During the summer months couldn't walk down the footpaths because of cars completely blocking the footpath. She feels it is only a matter of time before there's an accident caused by poor / double parking. Also concern for horses and riders as there are fields either side of the rowing lake.
- Harcourt Road resident - Dangerous and aggressive driving, grid locked during the summer months and was stuck for 340 minutes without being able to reverse or go forward. Also, concern the yellow lines scheme will force the traffic further afield and into the surrounding roads, ie Harcourt road.
- **Harcourt Road resident - Not happy that lake does not provide more parking. Now that they charge there is more parking on the road which gets worse when car park is closed? Doesn't go there when it's busy.**
- Concerns raised with regards of the closing of the motorway bridge and the route parents will be forced to use to get the children to Dorney School. All traffic will be coming down Lake End Road, then turning right in court lane.

- **Harcourt Road resident - Not happy about the parking. The lake has been closing their gates to not allow cars on and this has made it worse. Doesn't go now as lots of rubbish left and unpleasant atmosphere.**
- Harcourt Road resident - Once got stuck in road for 30 minutes with the traffic not moving. Has got worse since lake has started charging for parking. Some of the approach roads have overhanging branches which force cars to drive more centrally.
- Harcourt Road resident - Dangerous bend made even worse when cars are parked on both side reducing the width of the road.
- Harcourt Road resident - Dangerous parking and the situation will only get worse when the motorway bridge is demolished. Pavements blocked by cars.
- Harcourt Road resident - Parking issues, people leaving cars everywhere.
- Harcourt Road resident - Dangerous parking on the bends close to the rowing lakes. And unable to walk on the pavements due to cars blocking. This is of particular concern for the church goers. Also concerned there will be no parking for the church goers if yellow lines are put down. Overgrown shrubs reducing visibility further.
- Harcourt Road resident - Nightmare. Cars parking blocking the road, litter being left in road and the lake. Car parking charges have made issues worse.
- **Harcourt Road resident - Parking a problem. NOS canisters being left in road and surrounding areas. Big groups in lake quite intimidating and dangerous driving.**
- Harcourt Road resident - Driving around the corner dangerous. It has been worse since lake has been charging for parking.
- **Harcourt Road resident - Parking on road has been worse since lake has been charging for parking. Sometimes gets kids on scooters causing a nuisance.**

The Lake is surrounded by residential houses and wildlife which have been impacted by the numbers and the ASB.

### **Consideration for PSPO**

- The public have access unless there is a private event
- The activities do happen within the area to where the public have access
- The behaviours are persistent over the summer months and escalates in better weather

### **Consultation with Eton College Security.**

Consultation with Brendan O'Dowda Head of Eton College Security. Positive consultation and supportive of a PSPO.

**Restrictions to be considered:**

No littering

No swimming in the lake

To surrender alcohol on request

No noise nuisance

No Anti-Social Behaviour to included abusive, intimidating and alarming behaviour

Zero tolerance on the Mis-use of drugs

**Powers to enforce:**

Fixed Penalty Notice, considerations for on-site security to manage (as per Burnham Beeches, for example)

**The areas where we are seeing the above issues are as follows:**

Dorney Lake

Court Lane, Dorney.

Court Lane, Dorney (inclusive) to the junction of Lake End Road

Within the boundary of Lake End Road to within the Boundary of Dorney Common.

Marsh Lane Dorney (inclusive) to the junction of Court Lane, Dorney (Inclusive)

Marsh Lane Dorney (inclusive) to the junction of Harcourt Road (inclusive).

Harcourt Road (inclusive) to the junction of Dorney Reach Road (inclusive)

Authority to run along the Chiltern and South Bucks side of the River Thames from Harcourt Road to Eton and Dorney Rowing Club/College.

Authority to run from the Eton and Dorney Rowing Club to Lock Path from Lock Path to within boundaries of Boveney Road.

Within boundaries of Boveney Road to Common Road

Within the boundaries of Common Road to Lake End Road.

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# Timeline of Incidents 2019

Date	Time	Location	Description of Incident/s	Back-up Media	URN Number
23/04/2019		500m Timing Hut	IT/timing equipment vandalised and thrown from the inside of the hut smashing through the window		43190120849
		Public Car Park	A perimeter post in the Public Car Park is attempted to be lifted, in order to gain vehicular access to site. X1 vehicle (Mini) did gain access through the posts		
24/04/2019			Reports from the public of large amounts of litter across site following the Easter Weekend		
21/05/2019	18.15hrs	Start end Bridge	X2 men jumped from a bridge just missing an Eton College Colts rowing boat. The remainder of the group were heard discussing to jump on other rowing boats still in the lake's Return Lane.		

28/06/2019	13.05hrs	Main Gate/ Entrance	X2 SPA Events staff, whilst managing vehicle flow and parking for a large sporting event taking place on site, asked a white Vauxhall Astra driver to stop. The driver ignored the 1st SPA staff member and continued at speed. The vehicle proceeded to drive directly at the 2nd staff member causing him to leap out of the way to avoid being run over. This caused a significant back injury. The Police were called but did not attend.		
29/06/2019		18.00hrs	Members of the public call Eton College Security to report an 'on-going' emergency on site and requested assistance. DL Duty Manager phoned and alerted		
		19.15hrs	Member of the public called Eton College Security to report that a group of males had smashed approx. X40 glass bottles.		

		19.19hrs	TVP call Eton College Security to report a large group of males causing a disturbance on site. No one from Eton College was able to attend, but Dorney Lake's Duty Manager was alerted		
02/07/2019	19.38hrs	Pontoons/Lake at Boathouse end	Orange Pioneer Safety Launch stolen, X5-6 youths involved. They joyrode the boat around the lake at speed and then made off on push bikes via Andrew's High Performance Centre onto the Thames tow path. Dorney Lake's Operations Manager discovered them, and chased them, but was unable to catch them. This incident was reported to the Police.		1678020719
06/07/2019		Start end, Start end Bridge	Members of the public reported vast amounts of litter. X2 full bags of litter including offensive items were collected		

07/07/2019			Members of the public report X6 children aged 9-13yrs jumping off bridges to swim. Upon discussion with the youths, they stated that their parents had dropped them off and had given them consent to swim		
12/07/2019			Dorney Lake - Water Safety Guidelines, including Dorney Lake site rules of no swimming and no jumping off bridges, etc. was sent out to all local schools and posted on social media and posters and signs around site		
15/07/2019			PCSO Angela O'Connell called in to Dorney Lake Reception to advise of 3 recent robberies ranging from watches to bikes taken from members of the public walking on site		
16/07/2019	Between 10.00hrs-12.00hrs	British Canoeing Compound	A bike was stolen from British Canoeing's locked compound		

21/07/2019	21.24hrs	Main Car Park adjacent to Boathouse	Dorney Lake's onsite coffee van ( ) was broken into in the main car park. CCTV footage shows X1 male on a push bike approaching the vehicle and gaining forced entry via front window	CCTV	Obtainable from
22/07/2019	16.44	Main Car Park adjacent to Boathouse	X3 males were seen acting suspiciously around 's coffee van with hoods drawn over faces	CCTV	
22/07/2019	Between 22.00hrs-00.00hrs	Main Car Park adjacent to Boathouse	A bike was stolen by X2 males on push bikes approaching from Ramblers car park. The bike was locked to a rowing boat trailer	CCTV	
23/07/2019	All Day	Middle Island Roads and all Bridges, Start end pontoons, Presentation Pontoon	150-200 youths entering site via the Main Entrance on foot and on push bikes carrying inflatables, inflatable boats, crates of alcohol and BBQ's, etc.		
		Middle Island Roads and all Bridges, Start end pontoons, Presentation Pontoon	150-200 youths on site swimming, jumping from bridges amongst Eton College Rowing Courses and general rowing sessions		

		Presentation Pontoon	Presentation Pontoon being used to 'exercise' lurcher-type dogs by appearing to forcibly keep them in the lake, walking them up and down pontoon whilst suspended in the water on a lead		
		Whole Site	Youths on mopeds turned away from the main entrance to site by SPA Events. The same youths found alternative entry to site via the Emergency Gate and proceeded to ride around site at speed		
			At the time of the hundreds of youths and incidents occurring, the Operations Admin Manager contacted Eton College Security for back-up as staff were feeling over-run, vulnerable and unsafe at work		
			Decision made to cancel all Dorney Boat Club sessions by the Rowing Manager as site deemed unsafe		

		Return Lake	Pontoon untied from the bank and youths proceeded to float on top of and jump from the pontoon into the return lake and into rowing traffic. They are apprehended by Dorney Lake Staff		
		Olympic Bridge	Cornish Gig boat untied from under the Olympic Bridge where youths proceeded to attempt to swim off with it into the main lake. They are apprehended by Dorney Lake Staff		
	Evening	Main Gate / Entrance to site, Start end	Large numbers of youths start running from site towards and out of the main entrance. Report of a bottling and/or stabbing having taken place around the Start end bridge area		
		Main Gate / Entrance to site, Start end	Further reports of someone carrying a knife causing demonstrable fear and threat		

24/07/2019	19.34hrs	Main Gate / Entrance to site, Court Lane and Marsh Lane	Movable security barriers are put in place at the entrance of site by SPA Staff to prevent any vehicles on site. These are forcibly moved by a white van containing X3 men to gain entry on to site. SPA staff are verbally abused and intimidated in the process		
25/07/2019	All Day	Whole Site	Public Car Park rapidly fills during the morning and parking overflows onto Court Lane and Marsh Lane		
			500+ people including traveller groups on site. Swimming, jumping off all bridges, jumping off start end pontoons, consuming alcohol/drugs, intimidating staff/public/students. Large amounts of litter and smashed glass bottles accumulates		
	14.00hrs approx.	Main Gate / Entrance to site	Decision made to close the main gates as the site is becoming overcrowded with people and vehicles		
		Main Gate / Entrance to site	Aggressive behaviour shown towards SPA Events staff located at main gate reported		

		Main Gate / Entrance to site, Court Lane and Marsh Lane	Parking on Marsh Lane and Court Lane becomes so congested to the extent that no vehicle (including emergency vehicles) could pass through		
		Main Gate / Entrance to site, Court Lane and Marsh Lane	A coach containing Eton College Summer School students becomes stuck within the parked cars and is unable to move forwards or backwards and blocks the road completely		
		Main Gate / Entrance to site, Court Lane and Marsh Lane	Reports of neighbouring horse owners in the surrounding fields are verbally abused and intimidated. Cars were parked across gated entrances preventing any access to fields		
		Main Gate / Entrance to site, Court Lane and Marsh Lane	Parking cones are thrown at horses and into neighbouring fields		
	Evening	Main Gate / Entrance to site, Court Lane and Marsh Lane	A second coach containing Eton College Summer School Students attempts to enter site, but the coach is 'rocked' and staff and students aboard are verbally abused		

26/07/2019		Marsh Lane and Court Lane	Large amounts of litter reported		
			Report to Dorney Lake's Facebook page and across other Facebook pages of a 15yr old male being robbed of his watch, bike and sweatshirt by a 17yr old Eastern European sounding male. He was told that if he was to 'grass' he would be found and killed.		
27/07/2019			Paul Austin from Thames Valley Police contacted Eton College Security over concerns of numerous robberies, parking issues on Court Lane and Marsh Lane, and of ASB regularly taking place at Dorney Lake		
28/07/2019		Olympic Bridge	Graffiti painted on the Olympic Bridge and all other bridges		
02/08/2019	Early hours of the morning	The Barn (Boveney Road)	The Eton College Barn on Boveney Road was broken into and several items of grounds equipment were stolen. Reported to the Police		

25/08/2019	16.37hrs	Start End, Start end Bridge	A large fight took place in the pay and display car park involving approx. 100 people from the travelling community. Reports of pick axes and bottles being used as weapons to smash car windows and youths car chasing from members of the public and reported over social media.		
		Main Gate / Entrance to site	SPA staff made the decision to close the main gates to contain the group who were fighting in the car park with axe handles for when the Police arrived		
		Main Gate / Entrance to site	<p>██████████ (member of SPA Staff) purposefully run over by a vehicle who reversed into him (in an attempt to re-open the main gates to allow fellow vehicles to leave site). ██████████ was hit with such force that he was knocked to the ground and sustained significant injury. He was left injured and stunned on the road. Full CCTV footage available for this incident</p>		

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**SOUTH BUCKS DISTRICT COUNCIL**  
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**THE SOUTH BUCKS DISTRICT COUNCIL (DORNEY LAKE)**  
**PUBLIC SPACES PROTECTION ORDER 2020**

1. **THIS ORDER** is made by South Bucks District Council (“the Council”) in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:
  - 1.1 activities carried out, or likely to be carried out, in the public place set out in paragraph 2 below (which are within the Council’s area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
  - 1.2 the effect, or likely effect, of the activities –
    - a. is, or is likely to be, of a persistent or continuing nature,
    - b. is, or is likely to be, such as to make the activities unreasonable, and
    - c. justifies the restrictions imposed by this Order
  
2. The public place within which the activities set out in paragraph 3 below are prohibited (“**the Restricted Area**”) is shown edged in red on the plan(s) in the Appendix to this Order and comprises:
 

**Dorney Lake (and surrounding land, to the north of the River Thames),  
Court Lane, Dorney, Buckinghamshire SL4 6QP**
  
3. The activities which are to be **prohibited** are:
  - 3.1 the consumption of alcohol in breach of an authorised officer’s request to cease its consumption;
  - 3.2 having an unsealed container of alcohol, in breach of an authorised officer’s request to surrender the alcohol or container;
  - 3.3 the consumption of any psychoactive substance<sup>1</sup>(colloquially known as a legal high) or possessing a psychoactive substance in breach of an authorised officer’s request to surrender it ;
  - 3.4 using behaviour towards another person (whether on the land or in the lake) which may reasonably be perceived to be threatening, aggressive or intimidating;
  - 3.5 entering the lake in a manner which is reasonably likely to harm any other person in the water;
  - 3.6 using foul or abusive language;

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<sup>1</sup> A psychoactive substance is defined in section 2 of the Psychoactive Substances Act 2016 as any substance capable of stimulating or depressing the central nervous system of a person who consumes it, other than an exempt substance (listed in Schedule 1 of that Act as controlled drugs, medicinal products, alcohol or alcoholic products, nicotine and tobacco products, caffeine products and food).

- 3.7 gathering or loitering with any other person(s) in a manner which is (or may reasonably be perceived to be) intimidating or threatening to any other member of the public;
- 3.8 driving a motor vehicle in such a manner that puts any other member of the public at risk of harm;
- 3.9 performing any motor vehicle stunts; and
- 3.10 racing a motor vehicle with any other motor vehicle, or exceeding the speed limits displayed on any sign within the Restricted Area.

#### 4. Period for which this Order Has Effect

This Order will come into force on [ 2020 ] and will continue in force for three years expiring on [ 2023 ].

#### 5. Consequences of Failure to Comply with Restrictions Contained in this Order

5.1 In respect of the carrying out of an activity prohibited by paragraphs 3.1 or 3.2 above, a police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming or intends to consume alcohol in the Restricted Area to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol, and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol, or a container for alcohol.

5.2 It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 5.1 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

5.3 It is an offence under section 67 of the Act for a person, to carry out, without reasonable excuse, any of the activities prohibited by paragraphs 3.3 to 3.10 of this Order and a person guilty of an offence under that section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

5.4 Under section 68 of the Act an authorised officer may issue a **Fixed Penalty Notice** ("FPN") to anyone he or she has reason to believe has committed an offence under section 63 or section 67 in relation to this Order requiring payment of a fixed penalty in the sum of £100. Provided that fixed the penalty is paid within 14 days, a prosecution will not be brought for that offence.

#### 6. Appeals

Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested

person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

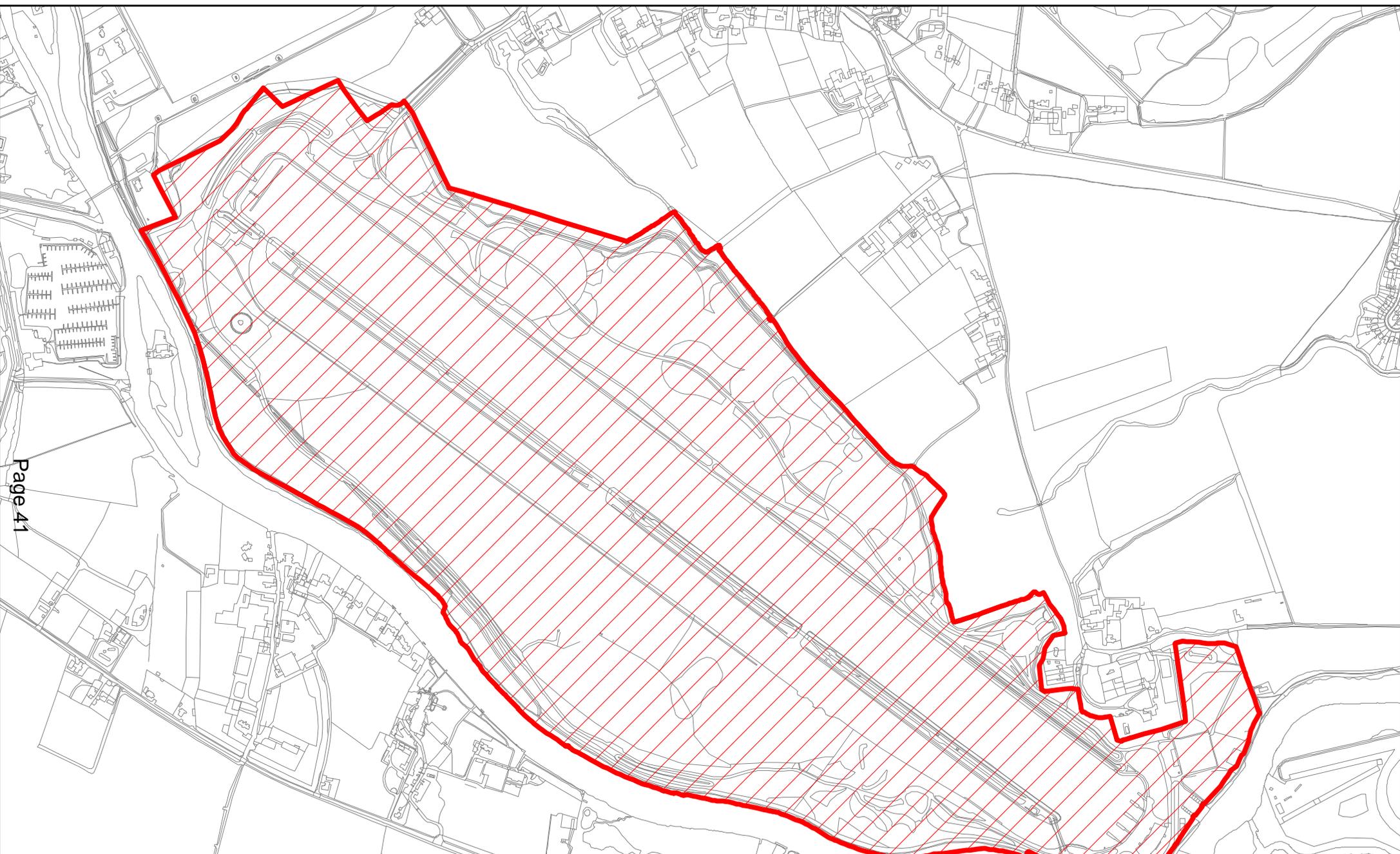
Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **2020**

Signed: .....  
**Joanna Swift**  
**Head of Legal and Democratic Services**

On behalf of **South Bucks District Council**  
**Council Offices, Capswood, Oxford Road, Denham, Buckinghamshire, UB9**  
**4LH**

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# Dorney Lake

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	Date	Content of Email	Type of User	Comments regarding the PSPO
1.	01/11/2019	I wholeheartedly support a PSPO being placed upon the land as described surrounding Dorney Lake.	Councillor	Positive and supportive
2.	13/11/2019	I've read the proposed order and, as an occasional user of Dorney Lake and the surrounding area to the north of the River Thames, I'm fully supportive of it.  Thank you for proposing this action to protect the rights of members of the public using this facility.	User	Positive and supportive
3.	13/11/2019	I wanted to email to whole heartily support this. I am a local resident to the lake and last summers anti social behaviour was appalling. Drunken youths, large groups arranging meet ups after dark, and the associated letter and parking issues outside ruined the otherwise peaceful lake for the rest of us. I am just surprised that there wasn't a death in the lake with hundreds of people forcing their way into the lake to swim during the hot weather.  It's just a shame that this will only last 3 years! The concer I have is how well it can be enforced and then how do you keep those offenders away?	Resident	Positive and supportive. The PSPO will be reviewed after 3 years in terms of its effectiveness in dealing with the anti-social behaviour

		Please feel free to contact me should you seek further details or information.		
4.	14/11/2019	Please add a clause forbidding the carrying of items which could be used as weapons, particularly knives.  Thank you	Unknown	The PSPO is associated with the management and control of anti-social behaviour. The possession of weapons is a criminal offence and would be controlled by the Police
5.	14/11/2019	<b>**Formal Response on behalf of Janet Walker, Bursar, Eton College**</b>  Dear Mr Snudden,  Ref – Public Spaces Protection Order (PSPO) Consultation – Dorney Lake  I refer to your letter dated the 8th November 2019 outlining the formal consultation process as part of an application for a PSPO for Dorney Lake (and surrounding land, to the north of the River Thames). As landowners, Eton College fully endorses this application, and puts forward the following comments and supportive information:  Dorney Lake is a purpose build rowing lake set in 400 acres. The venue, owned by Eton College, hosted the 2012 Olympic Games and is home to the British Rowing Dorney Boat Club. The site hosts a multitude of national sporting events (running, rowing & triathlons) and is used extensively by members of the public. This picturesque location is much loved by the local community and those visiting from further afield. People come to walk, run, walk dogs, cycle	Landowner	Supportive – detail of incidents

	<p>and picnic. The public arboretum is also very popular. A short drive into the site, there is a public pay and display car park. This is used by any visiting member of the public. Local residents have also been given additional parking benefits. There are a number of public rights of way, namely a public footpath running parallel to the site along the River Thames, and a cycle path to the north of the site and arboretum. Previous attempts to close the site (to vehicles at the main gate), have resulted in the build-up traffic on the narrow roads around this large venue. Illegal and dangerous parking, together with increased traffic in the area has caused considerable local consternation. Double yellow lines and additional anti-parking mitigation (wooden stakes) have been painted/installed in the immediate vicinity. As part of the original planning application (05/08201/CM application validated 3rd Feb 2005) there are a number of conditions relating to allowing public access to the Dorney Lake site. Closing the site to pedestrian/cycle access is physically impossible given the porous nature of the approaches and perimeter.</p> <p>Over the past 5 years, during late spring and throughout the summer months, hundreds of visitors will descend upon the site, arriving in vehicles, on cycles and by foot. Many will bring food, alcohol and controlled drugs. During particularly hot days, many will jump from the bridges and pontoons into the water, thereby causing considerable danger and disruption to those using the lake for rowing and other sports. Anti-social behaviour (ASB) is commonplace in the form of damage, littering, threatening and abusive behaviour, drunkenness, drug abuse, driving vehicles dangerously and public disorder. The site often closely resembles that of a public lido. Over the last 3 years, these types of incidents have worsened, with cases of theft, robbery and serious assaults being reported to the Police on a regular basis. On the 25th August 2019, hundreds of visitors came to the Lake. Two large drunken groups engaged in bridge jumping, fighting and dangerous driving. A parking attendant, marshalling the main gates, was deliberately run over and some 6 vehicles exited the site before</p>		
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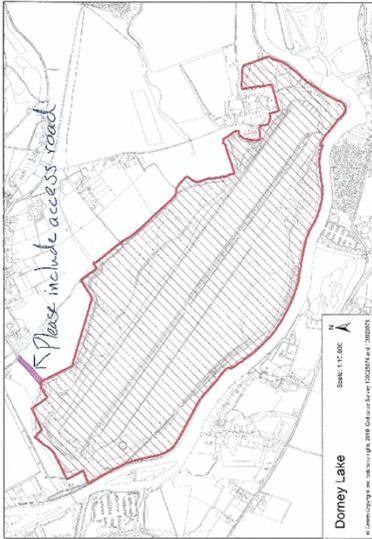
	<p>Police arrived by driving through a thick hedgerow adjacent to the closed gates. Relevant CCTV images have been forwarded to Mr Ian Snudden to support this application.</p> <p>Dorney Lake staff and Eton College Security Officers feel powerless to reduce and tackle incidents of bridge jumping and ASB. Despite extensive signage making it clear that this type of activity is both dangerous and prohibited, those involved will simply ignore warnings and requests to leave the site. Many will become aggressive and abusive towards those attempting to negotiate with them. When Police do have capacity to attend, they too are largely ignored. Police use of Section 34 Anti-Social Behaviour dispersal powers has been welcome, but somewhat ineffective. Those required to leave, merely return the following day without any sanction.</p> <p>The aforementioned ASB is persistent in nature, and it is having a lasting and detrimental effect on those that visit and use the Lake, including the wider local community. Eton College has invested significantly in improved CCTV coverage, signage and the installation of additional vehicle barriers. Whilst incidents of unauthorised vehicle access have been reduced, ASB has not. Furthermore, despite the best efforts of Lake staff and dedicated parking attendants, differentiating between a car used by law abiding Lake visitors and a car full of bridge jumpers is almost impossible.</p> <p>A PSPO is fully justified in the above circumstances and the proposed restrictions, prohibiting certain activities, we consider to be both necessary and proportionate.</p>		
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6.	15/11/2019	<p>Hello,</p> <p>It's very good to hear that you are working on a Protection Order for the Dorney Lake area.</p> <p>I'm a neighbour of the Lake - in fact, we're [Location]</p> <p>I'd like to ask if the area covered could be extended beyond the red lines to include the pathway and surrounding area that runs from the car park to the river, the car park itself and if at all possible to cover the walkways and towpath down by the river up to the M4 flyover. On a number of occasions over the last few years, mainly in summer months, we get 'youths/yobs' riding noisy mopeds or scramble bikes along the towpath at high speeds (they seem to ride along the towpath as far as the M4, and cut back up to the play area there).</p> <p>As you can imagine, so close to the water this is extremely dangerous and I've seen people having to jump out of the way, drag children or pet dogs away etc, and of course if you say anything to these clowns, you're screamed at or threatened. It's only a matter of time before someone is hurt. I have tried without success (well without response actually), to get the Environment Agency to put up some kind of barriers to prevent access to the towpath for these vehicles, and have even offered to pay for it and do the work myself, but so far no joy - anything you can do to help alleviate the problem would be much appreciated by the people living along Dorney Reach Road I'm certain.</p> <p>Many thanks,</p>	Resident	<p>Provides anecdotal evidence of other areas being of concern outside of the lake curtilage. If this was to be included then further consultation with the Environment Agency and National Rivers Authority would be required as 'guardians' of the river.</p> <p>Th emain issues have been identified</p>
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7.	15/11/2019	<p>I am in support of the introduction of the PSPO.</p> <p>There have been occasions in the past when my family and I have not been able to use the land in question as a result of anti-social behaviour by others including the use of mopeds. We have also witnessed people jumping off of bridges into the water, despite signage prohibiting this due to the danger it poses.</p> <p>Dorney Lake is a great facility where people should feel safe but, unfortunately, the conduct of a few is likely to put off many from using it unless something is done to deter the anti-social behaviour.</p> <p>Kind regards</p>	Lake user	
8.	18/11/2019	<p>Good morning</p> <p>Thanks to XXXXX for letting me know about this.</p> <p>I would just like to point out that Dorney Lake is privately owned by Eton College and is not a public space.</p> <p>Can you please confirm that this is the case and that a Public Space Protection Order does not apply.</p> <p>Thanks and kind regards</p>	Gerrards Cross Town Councillor	<p>Whilst the land is privately owned, a PSPO can be introduced where anti-social behaviour is taking place in a public space. This is defined in the legislation as 'any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission'. Therefore the PSPO can be implemented.</p>

9.	18/11/2019	<p>I am disappointed to read that there has been problems in this area but if that is the case then I totally support the proposal.</p> <p>Kind regards</p>	Resident	Positive and supportive
10.	03/12/2019	<p>Dear Sirs,</p> <p><b>RE: Public consultation on the proposed Dorney Lake Public Spaces Protection Order 2020</b></p> <p>Firstly thank you for taking the time and effort to make this proposal for the protection of local residents, genuine visitors to Dorney Lake and the employees who work there, it is greatly appreciated.</p> <p>As requested, please find below my review of the document and suggestions as a local resident to the site.</p> <ol style="list-style-type: none"> <li>1) Proposed revision to <b>3.5</b> currently written as <i>'entering the lake in a manner which is reasonably likely to harm an other person in the water'</i>. I believe that this should be changed to <i>'No entry into the water'</i>. Dorney Lake is not a swimming lake, it is a professional rowing centre, with hazards not obvious to the public. The Lake operate a strict 'no entry' into the water policy for many safety issues including underwater cables.</li> <li>2) The inclusion of restrictions on parking on site where it is deemed to be either a safety concern i.e. cars parked randomly within the site with no regard to the risk they pose to other drivers, such as, bends, both sides</li> </ol>	Lake user	<ol style="list-style-type: none"> <li>1. Whilst there is a prohibition on swimming in the lake, this is for the landowners to manage and enforce. Swimming itself is not anti-social. However, entry into the lake in such a manner as to cause harassment, alarm and distress to another user e.g. a rower, can be classed as anti-social behaviour and covered by the PSPO.</li> <li>2. The draft PSPO includes restrictions on the manner in which vehicles are used within the site which is likely to cause harassment, alarm, or distress. Inconsiderate parking would be an issue for the management of the site and not necessarily warrant</li> </ol>

	<p>of the road and restricting access.</p> <ol style="list-style-type: none"> <li>3) The inclusion of a restriction on public nudity. It is my understanding that under Section 66 of the Sexual Offences Act 2003, it is only a criminal offence to be naked if "a person intentionally exposes their genitals with the intention of causing distress" this links into my first point where we have people getting changed before or after entering the water.</li> <li>4) It was my understanding that individuals could be excluded for 24 hours following a breach of a PSPO and that failure to comply could result in arrest. This is not mentioned in the document.</li> <li>5) The 'Restricted Area' should be extended to include the access road as shown in the attached PDF. The access road is of serious concern when vehicles are parked on both sides of it and people are acting anti-socially inline with your bullet points and those I have suggested above.</li> </ol> <p>I have not chosen to raise the carrying of knives or any other weapons, class A-C drug usage as I have assumed they are naturally covered under the relevant laws, in addition to 'stop and search' powers which I assume the police will already have.</p> <p>I hope the above input is useful.</p> <p>Thank you again for putting this proposal forward.</p>		<p>enforcement through a PSPO. Dangerous parking on the public highway would be dealt with by the relevant provisions of the Highways Act.</p> <ol style="list-style-type: none"> <li>3. It is unclear whether changing to go swimming would be classed as anti-social. However intentional nudity may be considered and would be dealt with by the police through the Sexual Offences Act 2003.</li> <li>4. Individuals cannot be excluded from an area by the provisions of a PSPO. This provision is a Dispersal Order and allows a police officer to direct someone to leave a public place for a maximum of 48 hours. Penalties for breaching a PSPO is either by a Fixed Penalty Notice or prosecution.</li> <li>5. The Restricted Area could be extended to include the access road to prevent vehicle owners driving in such a manner as to cause</li> </ol>
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				<p>harassment, alarm and distress to other road users.</p>
<p>10.</p>	<p>12/12/2019</p>	<p>In review of the evidence provided by PS 6792 Rachel Dale, the draft PSPO and having knowledge of the continuing problems the Police were faced with during 2019 and year preceding this at Dorney Lake. I am satisfied that placing a PSPO on the grounds of Dorney Lake would give Police Officers and Police Community Support Officers the powers to deal robustly with any future Anti-Social Behaviour to protect the community from any further disruption. I am pleased to see support from the community, Eton College and partner agencies.</p>	<p>Thames Valley Police</p>	<p>Positive and supportive</p>

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**SOUTH BUCKS DISTRICT COUNCIL**  
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**THE SOUTH BUCKS DISTRICT COUNCIL (DORNEY LAKE)**  
**PUBLIC SPACES PROTECTION ORDER 2020**

1. **THIS ORDER** is made by South Bucks District Council (“the Council”) in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:
  - 1.1 activities carried out, or likely to be carried out, in the public place set out in paragraph 2 below (which are within the Council’s area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
  - 1.2 the effect, or likely effect, of the activities –
    - a. is, or is likely to be, of a persistent or continuing nature,
    - b. is, or is likely to be, such as to make the activities unreasonable, and
    - c. justifies the restrictions imposed by this Order
  
2. The public place within which the activities set out in paragraph 3 below are prohibited (“**the Restricted Area**”) is shown edged in red on the plan(s) in the Appendix to this Order and comprises:
 

**Dorney Lake (and surrounding land, to the north of the River Thames),  
Court Lane, Dorney, Buckinghamshire SL4 6QP**
  
3. The activities which are to be **prohibited** are:
  - 3.1 the consumption of alcohol in breach of an authorised officer’s request to cease its consumption;
  - 3.2 having an unsealed container of alcohol, in breach of an authorised officer’s request to surrender the alcohol or container;
  - 3.3 the consumption of any psychoactive substance<sup>1</sup>(colloquially known as a legal high) or possessing a psychoactive substance in breach of an authorised officer’s request to surrender it ;
  - 3.4 using behaviour towards another person (whether on the land or in the lake) which may reasonably be perceived to be threatening, aggressive or intimidating;
  - 3.5 entering the lake in a manner which is reasonably likely to harm any other person in the water;
  - 3.6 using foul or abusive language;

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<sup>1</sup> A psychoactive substance is defined in section 2 of the Psychoactive Substances Act 2016 as any substance capable of stimulating or depressing the central nervous system of a person who consumes it, other than an exempt substance (listed in Schedule 1 of that Act as controlled drugs, medicinal products, alcohol or alcoholic products, nicotine and tobacco products, caffeine products and food).

- 3.7 gathering or loitering with any other person(s) in a manner which is (or may reasonably be perceived to be) intimidating or threatening to any other member of the public;
- 3.8 driving a motor vehicle in such a manner that puts any other member of the public at risk of harm;
- 3.9 performing any motor vehicle stunts; and
- 3.10 racing a motor vehicle with any other motor vehicle, or exceeding the speed limits displayed on any sign within the Restricted Area.

#### 4. Period for which this Order Has Effect

This Order will come into force on [ 2020 ] and will continue in force for three years expiring on [ 2023 ].

#### 5. Consequences of Failure to Comply with Restrictions Contained in this Order

5.1 In respect of the carrying out of an activity prohibited by paragraphs 3.1 or 3.2 above, a police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming or intends to consume alcohol in the Restricted Area to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol, and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol, or a container for alcohol.

5.2 It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 5.1 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

5.3 It is an offence under section 67 of the Act for a person, to carry out, without reasonable excuse, any of the activities prohibited by paragraphs 3.3 to 3.10 of this Order and a person guilty of an offence under that section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

5.4 Under section 68 of the Act an authorised officer may issue a **Fixed Penalty Notice** ("FPN") to anyone he or she has reason to believe has committed an offence under section 63 or section 67 in relation to this Order requiring payment of a fixed penalty in the sum of £100. Provided that fixed the penalty is paid within 14 days, a prosecution will not be brought for that offence.

#### 6. Appeals

Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested

person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **2020**

Signed: .....  
**Joanna Swift**  
**Head of Legal and Democratic Services**

On behalf of **South Bucks District Council**  
**Council Offices, Capswood, Oxford Road, Denham, Buckinghamshire, UB9**  
**4LH**

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SUBJECT	UPDATE												
Homelessness	<b>Number of Households in Temporary Accommodation 2019/20 (Monthly Snapshot)</b>												
		<b>Number in TA (Snapshot)</b>											
<b>TYPE OF ACCOMMODATION</b>	<b>DESCRIPTION</b>	1/4/19	1/5/19	1/6/19	1/7/19	1/8/19	1/9/19	1/10/19	1/11/19	1/12/19	1/1/20	1/2/20	1/3/20
<b>Nightly Booked (B&amp;B)</b>	Nightly booked and shared facilities	12	13	14	10	9	6	10	7	6			
<b>Nightly booked (S/contained)</b>	Nightly booked and self-contained	8	7	6	5	5	5	3	1	2			
<b>Walters Court and Winton Court, Bath Road</b>	SBDC Flats leased to Bucks HA	0	0	0	0	0	4	11	11	13			
<b>Private Sector Leasing Scheme</b>	Properties leased by Paradigm	20	22	26	26	14	17	17	13	13			
<b>Paradigm Housing Stock</b>	General needs housing being used as TA	1	1	1	0	0	0	0	0	0			
<b>L&amp;Q Housing Stock</b>	General needs housing being used as TA	4	4	4	4	4	4	3	3	3			
<b>Bucks HA</b>	Units acquired with SBDC grant	3	3	3	3	3	2	3	3	3			
<b>TOTAL</b>		48	50	54	48	35	38	47	38	40			

- Following increased pressures during the first months of 2019/20 the Council has managed to reduce the overall number of households in temporary accommodation and particularly reduced the number of households in nightly booked accommodation. This has been achieved through day to day case working to prevent homelessness and the impact of (i) the completion and letting of new social housing tenancies in the new Denham Media Park scheme and (ii) the completion and letting of the temporary accommodation scheme at Walters Court and Winton Cottages.
- During the year, the increased availability of new social housing tenancies and the new temporary accommodation at Walters Court/Winton Cottage has allowed us to move on a number of clients from the PSLS (Private Sector Leasing Scheme) and reduce the overall number of clients in the PSLS properties. However, the PSLS remains flexible and additional units are being procured and utilised as and when required to meet demand. When a client first applies for homelessness assistance, the Council may still initially secure temporary accommodation in B&B/nightly booked temporary accommodation. This allows us to undertake an initial assessment of the client's circumstances and determine if the Council will have a longer term duty to secure accommodation. This will particular be the case for clients with complex issues or uncertain background (e.g. priority need, reasons for homelessness etc.). If the Council subsequently determines that it has a longer term temporary accommodation duty then it will move the client on to alternative housing.
- Going forward, the new temporary accommodation facility at Walters Court is now fully occupied and no significant new social housing schemes are due for letting in South Bucks in the immediate future. Consequently, we may see an increased pressure on nightly booked units although we will continue to focus on ensuring a reasonable turnover of temporary accommodation in the other temporary accommodation schemes.

Cost/Income	Mar 19	Apr 19	May 19	June 19	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Apr-19 to Nov-19
Nightly booked - Provider Costs (Gross)	£28,110	£31,385	£29,155	£31,960	£25,090	£22,535	£19,765	£13,870	£13,490	£187,250
Nightly booked – Notional Income (£25p/n charge)	-13,650	-£14,600	-£13,450	-£14,350	-£10,875	-£9,400	-£8,960	-£6,920	-£6,075	-£84,630
PSLS Management fees	£10,785	£8,983	£11,590	£11,971	£9,577	£8,810	£7,011	£5,942	£6,000 (Estimate)	£69,884
<b>TOTAL NET COST TO SBDC (Estimate)</b>	<b>£25,245</b>	<b>£25,768</b>	<b>£27,295</b>	<b>£29,581</b>	<b>£23,792</b>	<b>£21,945</b>	<b>£17,816</b>	<b>£12,892</b>	<b>£13,415</b>	<b>£172,504</b>

- The above table gives a **real-time** overview of estimated actual costs being charged to SBDC for TA placements in each month during 2019/20 (e.g. If a client is in nightly booked TA during April, this table will include the charges that the TA provider is making to SBDC for the April period). The table also shows the last month of 2018/19 (Mar 2019) for the purposes of a comparison.

	<ul style="list-style-type: none"> <li>• (The line in Table 2 titled <b>Nightly booked – Notional Income</b> shows the notional income being received from clients placed in nightly booked accommodation. This is calculated based on the £25.00 per night charge that is made to these clients. However, the figure assumes a notional income of 100% of charges being paid. In reality, it is likely that the Council will not be able to secure payments in some cases and these outstanding payments may subsequently become debts rather than actual income.)</li> <li>• (The line in Table 2 titled <b>Nightly booked – Notional Income</b> shows the notional income being received from clients placed in nightly booked accommodation. This is calculated based on the £25.00 per night charge that is made to these clients. However, the figure assumes a notional income of 100% of charges being paid. In reality, it is likely that the Council will not be able to secure payments in some cases and these outstanding payments may subsequently become debts rather than actual income.)</li> </ul>																								
<b>Bucks Home Choice</b>	<p>During the first three quarters of 2019/20 (01/04/2019 to 31/12/2019) social housing lettings in South Bucks via the Bucks Home Choice scheme were as follows:</p> <table border="1" data-bbox="448 643 2065 970"> <thead> <tr> <th>Property Type</th> <th>Number of Lettings</th> <th>Average Wait for Applicants</th> </tr> </thead> <tbody> <tr> <td><b>Sheltered Accommodation</b></td> <td>11</td> <td>7 months</td> </tr> <tr> <td><b>1 bedroom flat</b></td> <td>60</td> <td>12 months</td> </tr> <tr> <td><b>2 bedroom flat/maisonette</b></td> <td>70</td> <td>10 months</td> </tr> <tr> <td><b>2 bedroom house</b></td> <td>9</td> <td>16 months</td> </tr> <tr> <td><b>3 bedroom flat/maisonette</b></td> <td>1</td> <td>5 months</td> </tr> <tr> <td><b>3 bedroom house</b></td> <td>8</td> <td>13 months</td> </tr> <tr> <td><b>4 bedroom house</b></td> <td>1</td> <td>5 years</td> </tr> </tbody> </table> <p>The number of lettings during this period were significantly boosted by the first phase of lettings by L&amp;Q of the affordable rented units in the Denham Media Park development.</p>	Property Type	Number of Lettings	Average Wait for Applicants	<b>Sheltered Accommodation</b>	11	7 months	<b>1 bedroom flat</b>	60	12 months	<b>2 bedroom flat/maisonette</b>	70	10 months	<b>2 bedroom house</b>	9	16 months	<b>3 bedroom flat/maisonette</b>	1	5 months	<b>3 bedroom house</b>	8	13 months	<b>4 bedroom house</b>	1	5 years
Property Type	Number of Lettings	Average Wait for Applicants																							
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<b>4 bedroom house</b>	1	5 years																							
<b>Housing Standards</b>	<p>- SBDC has a total of 38 licensed HMOs and a further 8 licensable HMOs where applications are being processed or pending (as 09/1/20).</p> <p>- During the first three quarters of 2019/20 (April to December) 47 DFG (Disabled Facilities Grant) funded adaptations works were completed for clients in South Bucks.</p>																								

	<p>- Community Impact Bucks is now operating the countywide Handy Helpers scheme which has been jointly commissioned by the four District Councils. The scheme is a one-year pilot delivering deliver minor repairs, adaptations and help with day to day tasks to elderly and vulnerable residents across the county. The most recent data from July-Sept 2019 reported that 25 visits having been completed (2 in South Bucks) and 14 clients were awaiting visits (2 in South Bucks) with a further 49 cases in the pipeline (3 in South Bucks). Demand has been high across the county with referrals coming in from a range of agencies. The majority of jobs were external maintenance and small tasks to reduce trips and falls.</p>
<b>Housing Enabling and Affordable Housing</b>	<p><b>Main schemes:</b></p> <ul style="list-style-type: none"> <li>- <b><u>Denham Film Studios</u> - 63 flats for affordable rent and 27 for shared ownership (L&amp;Q)</b> This scheme was completed in September 2019.</li> <li>- <b><u>L&amp;Q Former Sheltered Schemes</u></b> – Planning applications are submitted and ongoing for Mead House site (Iver Heath), Tower House (Iver), Verdon Court (Farnham Royal) and Bolds Court (Stoke Poges).</li> <li>- <b><u>Bath Road</u></b> – The units at 1-12 Walters Court have been completed and have been leased to Bucks Housing Associations from 12<sup>th</sup> August 2019. The two flats at 801 Bath Road (Winton Cottage) have also been completed and leased to Bucks Housing Association. All of the flats have been occupied as temporary accommodation.</li> <li>- <b><u>GX Police Station Site</u></b> – Development is ongoing including 14 affordable homes</li> </ul>
<b>Licensing</b>	As a shared service the following activity is recorded across the two councils

LICENSING SERVICE UPDATE/HIGHLIGHT REPORT			
DATE – January 2020			
PRIVATE HIRE AND HACKNEY LICENCES			
CHILTERN		SOUTH BUCKS	
<b>Current licence numbers</b>		<b>Current licence numbers</b>	
Hackney Carriage Vehicles	= 147	Hackney Carriage Vehicles	= 80
Private Hire Vehicles	= 111	Private Hire Vehicles	= 75
Hackney Carriage Drivers	= 120	Hackney Carriage Drivers	= 52
Private Hire Drivers	= 130	Private Hire Drivers	= 86
Dual Drivers	= 58	Dual Drivers	= 35
Private Hire Operators	= 39	Private Hire Operators	= 28
<b>Compliance Operations</b>		<b>Compliance Operations</b>	
Late night/weekend	= 1	Late night/weekend	= 1
Daytime rank checks	= 3	Daytime rank checks	= 2
Routine vehicle spot checks	= 15	Routine vehicle spot checks	= 9
<b>Enforcement Actions</b>		<b>Enforcement Actions</b>	
Applications refused	= 1	Applications refused	= 0
Currently suspended	= 3	Currently suspended	= 2
Recent revocations	= 1	Recent revocations	= 1
Penalty notices issued	= 9	Penalty notices issued	= 6
		<b>Successful prosecution of unlicensed driver carrying out a school contract in the Beaconsfield area. Found guilty and received a fine and costs totalling £2,314.68</b>	
OTHER			
Statutory betting shop inspections completed by Officers.			
Applications processed within PI timeframes (cumulative) = 98.9%.			

<b>Environmental Health</b>	<ul style="list-style-type: none"> <li>• Strategic Environment team working on Heathrow Consultation including working with Bucks CC on environmental responses. Flight path proposals expected within next few weeks.</li> <li>• Air Quality Officer working with Bucks CC on Iver additional parking as part of air quality action plan that is currently out for formal consultation.</li> <li>• Iver air quality action plan mid-way through 12-week consultation.</li> <li>• Food inspections up to date in South Bucks. At time of writing this update Jan 2020 – 100% of scheduled A-D premises inspected.</li> <li>• Increased number of public health funerals being dealt with by the team.</li> <li>• Eton College Rowing Lake PSPO – Going to Committee in 2 weeks’ time. Consultation in support</li> <li>• Pinewood – Working with Pinewood on noise management plans,</li> <li>• Orchard Herb – Working with EA, BCC on case – Waste being brought on site and how managed.</li> <li>• 2 new environmental Permits issued for South Bucks District</li> <li>• Dog and Pest Control- Tenders in and evaluated. Waiting for WDC procurement to deal with the tender price. Mid Jan award contract for both dogs and pests.</li> <li>• EU Exit work now on hold however Government guidance continues to require response but now ‘non crisis’ matters.</li> <li>• Unitary EH Workstream – EH and Civil Contingencies continue to work very productively and responded to new Constitution, Budget Book, Communication and branding and developing a new warrant card.</li> </ul> <p>Work on carbon benchmarking for the new Unitary Authority</p>
<b>Community Safety</b>	<ul style="list-style-type: none"> <li>• Burglary dwelling had increased by 23.5% at the end of November 2019. 205 burglaries during 2019-20 compared to 166 the previous year. The Community Safety team worked closely with TVP Neighbourhood team particularly during the winter months offering crime reduction advice via local newsletters, stands at events and supporting police activity.</li> <li>• Violence against a person had increased by 2.6% at the end of November 2019. 876 offences during 2019-20 compared to 854 the previous year.</li> <li>• A number of activities took place to tackle winter time burglary including events on trains – talking to commuters and offering crime reduction advice about leaving homes in darkness.</li> <li>• Two crime reduction events took place in Beaconsfield – Waitrose and Sainsbury in December – working with the local neighbourhood team to offer advice and provide reassurance.</li> </ul>

	<ul style="list-style-type: none"> <li>• Clear car campaign took place in Denham, Gerrards Cross and Black Park Country Park with local PCSOs – all vehicle owners with items left on display will be written to to advise them of the risk of having their car broken into.</li> <li>• Crime reduction event took place at Smiths Garden Centre, Denham</li> <li>• Operation Greenbelt <b>Oct &amp; Dec</b> Burglary prevention through high vis policing.</li> </ul> <table border="1" data-bbox="448 351 2060 1141"> <tr> <td data-bbox="448 351 1254 710"><b>Number of arrests – 9</b></td> <td data-bbox="1254 351 2060 710"><b>Offences -</b> 1 x wanted for drug offences 1 x wanted on warrant 1 x TFMV 1 x PWITS 1 x drug drive 1 x assault 1 x criminal damage 2 x drink drive 1 x fail to comply sex offender register</td> </tr> <tr> <td data-bbox="448 710 1254 742"><b>Cannabis warnings – 4</b></td> <td data-bbox="1254 710 2060 742"></td> </tr> <tr> <td data-bbox="448 742 1254 1029"><b>Number of traffic offences reported – 24</b></td> <td data-bbox="1254 742 2060 1029">11 cars seized for no insurance Car on false plates Expired licence Careless driving Anti-social driving Disqual driving Defective lights No tax</td> </tr> <tr> <td data-bbox="448 1029 1254 1109"><b>Other matters – Numerous ANPR activations, intel reports and calls attended.</b></td> <td data-bbox="1254 1029 2060 1109"></td> </tr> <tr> <td data-bbox="448 1109 1254 1141"></td> <td data-bbox="1254 1109 2060 1141"></td> </tr> </table>	<b>Number of arrests – 9</b>	<b>Offences -</b> 1 x wanted for drug offences 1 x wanted on warrant 1 x TFMV 1 x PWITS 1 x drug drive 1 x assault 1 x criminal damage 2 x drink drive 1 x fail to comply sex offender register	<b>Cannabis warnings – 4</b>		<b>Number of traffic offences reported – 24</b>	11 cars seized for no insurance Car on false plates Expired licence Careless driving Anti-social driving Disqual driving Defective lights No tax	<b>Other matters – Numerous ANPR activations, intel reports and calls attended.</b>			
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<b>Community and Leisure</b>	<ul style="list-style-type: none"> <li>• South Bucks Grants - £30,079 awarded to 37 organisations serving residents of South Bucks.</li> <li>• GLL South Bucks outreach team awarded the Buckinghamshire 'Impact of the Year' trophy at the LEAP Bucks Sports Awards for the work done in the community</li> <li>• Memory Matters Tai Chi at the Beacon Centre - 4 week taster course linked to the exercise referral programme that attracted 12 residents into Tai Chi with a further follow up course scheduled to follow in the new year.</li> </ul>										

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|  | <ul style="list-style-type: none"><li>• Pickleball at Beacon has increased to 3 sessions per week with 15 people attending each session. Pickleball is a version of indoor tennis that is targeted at those aged 50+</li><li>• £500 funding secured from Burnham Health Promotions Trust for the purchase of outdoor goals for the walking football session at Burnham Park that attracts up to 20 participants per week.</li><li>• £1000 raised for Cancer Research UK through a charity Pilates &amp; Walking Football event held at the Beacon Centre as part of the GLL initiative 'Giselle Relay' (a doll passed from partnership to partnership).</li><li>• New beginners Yoga class at Denham. This was a class for those who had not participated in yoga before and ran for 6 weeks with all 15 participants engaged into ongoing weekly yoga sessions.</li><li>• Zumba class &amp; Basketball class continuing to run at Khalsa Academy &amp; Beaconsfield School from using Satellite Club Funding from LEAP.</li><li>• Height barrier installed at Beacon Centre to secure car park.</li><li>• New floor in the make-up and green rooms at Beacon Centre</li><li>• Silver Sunday Small Grant Scheme - Small grants were awarded to Windsor Lodge Care Home in Gerrards Cross, Burnham Community Association and Holtspur Senior Citizens Club which enabled the applicants to host a Silver Sunday event.</li></ul> |
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<b>SUBJECT:</b>	Affordable Housing Contributions Update
<b>RELEVANT MEMBER</b>	Councillor Patrick Hogan
<b>RESPONSIBLE OFFICER</b>	Head of Healthy Communities – Martin Holt
<b>REPORT AUTHOR</b>	Housing Manager – Michael Veryard
<b>WARD/S AFFECTED</b>	All wards

## 1. Purpose of Report

To provide Members with an annual update on the position of the Affordable Housing Contributions received by the Council (via Section 106 agreements) and to seek approval for the allocation of available funding to schemes specified in the report.

## RECOMMENDATIONS

1. That the update on Affordable Housing Contributions is noted.
2. That the uncommitted funds are allocated as follows:
  - (i) Your Choice Equity Loan Scheme = £336,885
  - (ii) Funding of Major Void Works -Retention of L&Q Housing Stock to secure move-on accommodation for temporary accommodation = £250,000
  - (iii) Provision of Additional Affordable Housing = £366,322 (Allocations to specific schemes from this sum would be subject to the approval of the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder)
3. That Affordable Housing Contribution income and underspend from any existing commitments is allocated generally to support the provision of additional affordable housing with specific schemes subject to the approval of the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder

## 2. Executive Summary

Not applicable

## 3. Reasons for Recommendations

To secure that the income from Affordable Housing Contributions is allocated effectively to support the provision of additional affordable housing and the retention of existing stock (in order to meet local housing needs and provide move-on accommodation for homelessness households in temporary accommodation)

## 4. Content of Report

- 4.1. The Council's Core Strategy (adopted in 2011) and Affordable Housing Supplementary Planning Document (adopted in 2013) make provision for developers to pay a financial Affordable Housing Contribution in lieu of on-site provision where there are sound planning reasons or other reasons. These funds are then utilised by the Council to help secure affordable housing elsewhere.
- 4.2. As at 8th January 2020, the position of the AHCs (Affordable Housing Contributions) was as follows:

<b>Affordable Housing Contributions</b>	<b>£</b>
AHCs received since January 2011	£10,253,155
Funds spent	£9,013,271
Committed Funds	£286,677
Uncommitted Funds	£953,207

Further details are set down in the following paragraphs.

**Funds spent to date (£9,013,271)**

- 4.3. The funds spent to date (£9,013,271) have delivered additional affordable housing via a range of schemes since 2011:

<b>Scheme</b>	<b>Delivery</b>
Property acquisitions (L&Q)	39 x units acquired and let
Your Choice Equity Loan (Catalyst)	25 x equity loans granted to support applicants to purchase homes
Downsizing	15 x Registered Provider tenants supported to downsize
Incentive to Purchase	1 x Registered Provider tenant supported to acquire property
Subsidy to convert new build shared ownership to rent	18 x units converted to rent on two schemes (L&Q and Hightown)
Property acquisitions for use as temporary accommodation (Bucks HA)	3 x units acquired and let as temporary accommodation
Temporary Accommodation schemes at Bath Road <ul style="list-style-type: none"> <li>- 1-12 Walters Court</li> <li>- 801 Bath Road</li> </ul>	14 x units through: <ul style="list-style-type: none"> <li>- the new development of 12 units at 1 - 12 Walters Court and</li> <li>- the conversion of 801 Bath Road (Winton Cottage) to provide 2 units.</li> </ul>

**Committed Funds (£286,677)**

4.4. The committed funds (£286,677) are broken down as follows:

<b>Scheme</b>	<b>Committed Funds</b>
Temporary Accommodation Scheme – 801 Bath Road (Winton Cottage)	£4,393
Potential land acquisition	£178,146
Other Temporary Accommodation and Move-On Initiatives – Retention of L&Q stock	£104,138
<b>Total</b>	<b>£286,677</b>

Further details on each scheme are below

**(a) Temporary Accommodation Scheme – 801 Bath Road (Winton Cottage) - £4,393**

4.5. A retention payment remains outstanding following the completion of the works to the property.

**(b) Potential Land Acquisition - £178,146**

4.6. Following the Council's acquisition of 801 Bath Road, the sum of £178,146 remains set aside for the potential purchase of further land in the area. This potential purchase is being reviewed and the sum will be re-allocated if it is decided not to proceed with any purchase.

**(c) Other Temporary Accommodation or move-on initiatives – Retention of L&Q Housing stock - £104,136**

4.7. At the time of the last annual update report, a sum was committed to support initiatives to deliver more options for temporary accommodation or move-on accommodation. The sum was committed on the basis that specific scheme proposals to allocate this funding would be brought forward by the Head of Healthy Communities and subject to consultation and agreement with the Portfolio Holders for Healthy Communities and Resources on a scheme by scheme basis.

4.8. Subsequently, this sum has been allocated to support the retention of five L&Q-owned rented properties that would otherwise have been sold on the open market. This was agreed by the Head of Healthy Communities in consultation with the Portfolio Holders for Healthy Communities and Resources.

4.9. This arose from L&Q's decision in 2019 to adopt a nationwide policy across its housing stock whereby it would:

- (i) review social housing tenancies as and when they became vacant and
- (ii) sell the property on the open market (instead of re-letting it) if it required extensive remedial works costing more than £10,000 to bring it up to a lettable standard.

4.10. L&Q adopted this policy in response to increasing financial pressures arising from both the slowdown in the housing market (reducing income from shared ownership and market sales) and the high costs arising from the remedial fire safety works that L&Q is having to undertake across its housing stock following the Grenfell fire. This policy is intended to generate an immediate capital income for L&Q to help the increased financial pressures. L&Q does not intend to operate this policy indefinitely and will keep it under review depending how its financial position develops over the next 12 to 18 months.

4.11. Officers met with L&Q last year to discuss the disproportionate impact of this policy on South Bucks where L&Q is the main source of social housing tenancies. L&Q agreed that it would notify the Council on a case by case basis when it had vacant property in South Bucks District where the void costs had triggered a potential sale. The Council would then have the option to offer to meet all or part of the remedial works costs if it wished to see the property retained within the social housing stock and not sold. Full details of the notification procedure are set down in **Appendix 1**.

4.12. In accordance with the procedure in Appendix 1, the Council has agreed to fund the remedial works to five L&Q properties in order to ensure that they are retained in the local social housing stock and can be utilised to move on homeless households from temporary accommodation.

### **Uncommitted Funds (£953,207)**

4.13. It is proposed the funds which are currently uncommitted should be allocated as follows:

<b>Scheme details</b>	<b>Sum</b>
<p><b>Your Choice Equity Scheme</b></p> <p>Your Choice Equity loans are delivered by Catalyst Housing and co-funded by Catalyst and SBDC. The scheme supports first-time buyers to access an equity loan to purchase housing on the open market. The loan is repayable to the Catalyst and SBDC on the sale of the property. This scheme was put on hold in 2018 due to a market slowdown and other demands on the Affordable Housing Contributions fund. An allocation of £336,885 for the scheme was out on hold at that time. It is proposed to release this allocation to allow the Council to review the scheme with Catalyst</p>	<b>£336,885</b>

and deliver further loans if the demand exists. This includes the opportunity to review the scheme parameters and identify how it could potentially be extended to a wider group (e.g. key workers).	
<b>Funding of Major Void Works -Retention of L&amp;Q Housing Stock to secure move-on accommodation for temporary accommodation</b> It is proposed to allocate a sum to continue meet the cost of major void works in L&Q properties where the property would otherwise be sold on the open market. This follows on from the initial commitment described in paragraphs 4.7 to 4.12 of this report and would be undertaken using the procedure set down in <b>Appendix 1.</b>	<b>£250,000</b>
<b>Provision of Additional Affordable Housing</b> It is proposed that this sum is allocated generally to provide grant funding to support schemes that deliver additional affordable housing or temporary accommodation through the development of new properties or acquisition of existing accommodation (e.g. funding support to Registered Provider). Allocations to specific schemes from this sum would be subject to the agreement of the Head of Healthy Communities in consultation with the Healthy Communities Portfolio Holder.	<b>£366,322</b>

4.14. The Council is scheduled to receive further Affordable Housing Contributions. These contributions will increase the level of funds available. As and when that happens, the Head of Healthy Communities will review the options and agree allocations for utilising the funds to secure further affordable housing in consultation with the Healthy Communities Portfolio Holder. This will include re-allocating any underspend from any of the other commitments set down in this report.

4.15. Allocations made before 1 April will be dealt with under the delegated arrangements set down in this report. These delegations do not carry forward to Buckinghamshire Council post-vesting day although this report indicates how South Bucks District Council would like the Affordable Housing Contributions to be allocated going forward. The decision on allocations post-vesting day will rest with the new Council/cabinet portfolio holder and Corporate Director.

## 5. Consultation

Not Applicable

## 6. Options (if any)

The background details to the options for allocating funding are set down in this report.

## 7. Corporate Implications

### 7.1 Financial

The schemes and initiatives being supported by the Affordable Housing Contributions are being delivered within the Council's budget and will help to reduce the use of nightly booked temporary accommodation. This will in turn help to reduce the Council's temporary accommodation costs.

### 7.2 Legal

The Council's Affordable Housing Supplementary Planning Document enables the Council to utilise funding from Affordable Housing Contributions to support the delivery of affordable housing within the district.

## 8. Links to Council Policy Objectives

8.1 Delivering cost-effective customer-focussed services

8.2 Working towards safe and healthier local communities

## 9. Next Steps

The existing financial commitments will be completed and the uncommitted funds will be allocated in accordance with the proposals in this report. Further schemes will be brought forward for consideration when further Affordable Housing Contributions income is received.

<b>Background Papers:</b>	None other than referred to in this report
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**Appendix 1****South Bucks District Council and L&Q****Procedure where L&Q intends to sell void property due to extensive remedial works**

1. For each void property where the estimated cost of void works exceeds £10,000 and L&Q are proposing to sell the property rather than re-let it the following procedure will apply
2. L&Q will forward details of the property concerned the SBDC showing:
  - Address
  - Property type
  - Breakdown of void works required and associate cost estimate
3. SBDC will respond to L&Q within 10 working days to confirm:
  - if it wishes to see the property retained by L&Q and
  - if it is offering to fund the void works in order to secure retention of the property.
4. If SBDC is offering the fund the works, this will be on the following basis:

<b>Cost of Repairs</b>	<b>SBDC Funding</b>
<b>£15,000 or more</b>	SBDC will cover the repairs cost in full
<b>£10,000 to £15,000</b>	SBDC will cover the balance of the repairs cost after L&Q has met the first £10,000 (e.g. if the total void costs are £13,000 then L&Q will pay £10,000 and SBDC will pay £3,000)

5. In the event that SBDC is offering to fund void works, L&Q will respond within 10 working days to confirm whether or not it wishes to accept the offer, undertake the void works and re-let the property.
6. Where it is agreed that SBDC will fund the void works, this will be subject to the following:
  - a. SBDC will make payment on completion of the voids works subject to receiving copies of the relevant invoices from L&Q (confirming the works that have been undertaken and the costs)

- b. SBDC will have nomination rights to the property on the first letting following completion of the void works and on subsequent re-lets
- c. In the event of the property being sold within 10 years of the first letting following the void works then L&Q will repay all or a proportion of the funding provided for the void works (the level of repayment reducing on a sliding scale over a 10-year period)
- d. In the event of L&Q deciding to sell the property on the open market at a future, L&Q will give SBDC first refusal to acquire the property (subject to an independent valuation)

**END**