

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 04 June 2018

Portfolio:	Health and Public Protection
Subject:	Night time closure of Fareham Shopping Centre multi-storey car park and Osborn Road multi-storey car park
Report of:	Director of Planning and Regulation
Corporate Priorities:	Strong, safe, inclusive and healthy communities

Purpose:

This report seeks Executive approval for night time closure of Fareham Shopping Centre multi-storey car park and the Osborn Road multi-storey car park.

Executive summary:

Fareham Borough Council own and run two multi-storey car parks within the town centre, Osborn Road with 870 spaces and Fareham Shopping Centre with 222 spaces.

From time to time over the past few years there have been issues of anti-social behaviour and associated criminal damage in both car parks, although primarily in Osborn Road car park, and the Council has implemented measures accordingly. More recently since summer 2017, there has been a marked increase of anti-social behaviour, associated use of drugs and alcohol and overnight sleeping.

This report therefore sets out proposals for the night time closure of these town centre multi-storey car parks.

Recommendation:

It is recommended that the Executive:

- (a) approves the overnight closure of Osborn Road multi-storey car park;
- (b) approves the overnight closure of Fareham shopping centre multi-storey car park;
- (c) delegates authority to the Director of Planning and Regulation, in consultation with the Executive Member for Health and Public Protection to undertake consultation on, and implement any necessary minor amendments to the Traffic Regulation Order; and
- (d) delegates authority to the Director of Planning and Regulation in consultation with the Executive Member for Health and Public Protection to award a contract(s) up to the overall budget approved for this project.

Reason:

To prevent further criminal damage to both car park stair wells and associated equipment within the car parks, to remove the rough sleepers causing distress to users of the car park.

Cost of proposals:

The capital costs associated with these proposals are anticipated to be less than £100k, however additional revenue costs would be incurred for the use of private security resources and these would be met from within existing car park budgets.

Appendices: None

Background papers: None

Reference papers: None

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Executive Briefing Paper

Date:	04 June 2018
Subject:	Night time closure of Fareham Shopping Centre multi-storey car park and Osborn Road multi-storey car park
Briefing by:	Director of Planning and Regulation
Portfolio:	Health and Public Protection

INTRODUCTION

1. Fareham Borough Council own and run two multi-storey car parks within the town centre, Osborn Road with 870 spaces and Fareham Shopping Centre with 222 spaces.
2. Neither car parks are closed with barriers, however the advertised hours of operation for both car parks are 8am – 6pm Monday to Saturday and 10.30am – 4pm Sunday and Bank Holidays. The Fareham Shopping Centre car park is predominantly used by shoppers using the town centre shopping precinct and tends to empty shortly after the shops close. The Osborn Road car park is used by both shoppers and people working in the town centre and empties shortly after the shopping precinct closes, however the exception to this is on an evening where there is a show at Ferneham Hall. On these occasions, the first two floors are used by patrons of Ferneham Hall and these empty shortly after the show finishes at around 11pm.
3. From time to time over the past few years there have been issues of anti-social behaviour and associated criminal damage in both car parks, although primarily in Osborn Road car park, and the Council has implemented measures accordingly. More recently since summer 2017, there has been a marked increase of anti-social behaviour, associated use of drugs and alcohol and overnight sleeping.
4. This has led to criminal damage being caused to the doors, windows, plaster board and lighting. In addition to this and of more concern is that the overnight sleepers are leaving behind drug paraphernalia including used needles and human excrement and other bodily fluids. There are also personal belongings and bedding continually left in stairwells and lift lobbies.
5. There have been increased complaints from car park users. The lifts at Osborn Road multi-storey car park, where these issues are most prevalent, close at 6:15pm. People working in the town centre who sometimes finish working after 6.15pm must use the stairwells to get to their vehicle and this has led to both an increase in complaints but also a heightened level of fear. There is also a risk of needle stick injury due to the litter and bedding in the stairwells.

6. A Public Space Protection Order (PSPO) was introduced in December 2016, for Fareham Town Centre with the aim of tackling begging, drinking alcohol and drug taking within this designated area. Enforcement of the PSPO requires documented evidence of anti-social behaviour or criminal activity associated with the activities it aims to control. To date a number of Community Protection Notices (CPN) have been issued and these require an individual to stop doing certain activities, e.g. not leave personal belongings in a public place or not to sleep in an open public place. CPNs can also require individuals to take positive steps e.g. engaging with support agencies. The penalty for non-compliance is a fixed penalty notice or court summons. A small number of Criminal Behaviour Orders have also been issued by the Police after a criminal offence; these orders are more robust and can ban a person from a specific area. A breach of such an order is a criminal offence.
7. Civil Enforcement Officers (CEOs) carry out patrols of the two car parks first thing in the morning and where they come across rough sleepers they will ask the individuals to leave immediately. However, the CEOs have no other powers to remove any rough sleepers, often meaning some individuals stay in situ until they choose to leave the car park. This can result in some rough sleepers not moving until nearly midday.
8. Due to the issues in the car parks they must be cleaned and disinfected more regularly and staff are at risk of needle stick injury and infection, as are other car park users.
9. Incidents of anti-social behaviour in Fareham Town Centre are reported at the monthly Partnership Action Group. There is a multi-agency approach to providing support to individuals and a patrol matrix ensures that there are community safety partners patrolling the town centre. Further work with the Community Rehabilitation Company and Department for Works and Pensions can ensure individuals access support networks, particularly around substance misuse. An increase in litter including drug paraphernalia found at the car parks is being tackled through the Council's Streetscene Service and in partnership with the Needle Exchange Programme.
10. The ideal control measure in terms of controlling the rough sleeping in the car parks would be full physical closure of them. This is proposed below for the Shoppers car park, however due to the open design of Osborn Road car park, full closure would require extensive building works and the cost would be prohibitive.

PROPOSALS FOR CONSIDERATION

11. Based on the Environmental Visual Audits carried out by Police, Fire Service, Community Safety Partnership and Building Control Partnership, officers have discussed options open to them to seek to address the issues detailed above. The proposals for each car park along with costings and implications are set out below.

Fareham Shopping Centre Car Park

- Full physical night time closure of the car park using shutters at vehicle entry/exit points, secure all doors leading to car park;
- The estimated cost for this work is approximately £85,000.

Osborn Road Multi Storey Car Park

- Night time closure of this car park by securing the four stairwells so access is denied, the vehicular entrance will have the barriers fixed in the down position, although any legitimate users who wish to exit with a valid ticket, could do so as

the exit barriers would be operational. Pedestrian access would still be possible via the open vehicular frontage.

- The estimated cost for this work is approximately £9,500.
12. There would be a requirement for clear signage at the entrances to the car parks highlighting the opening hours. There should also be extensive communications prior to any closures taking place informing car park users of the changes to each of the car parks.
 13. To ensure appropriate parking enforcement for the proposed change in opening hours, an amendment to the Traffic Regulation Order (TRO) governing their use would be required. The TRO currently describes the maximum period of waiting as being 24 hours, however with the physical closure of the car parks, this would no longer be possible. Therefore, the maximum permissible stay will need to be amended to reflect the hours the car parks are open.
 14. To enable the procurement process to take place as quickly as possible and avoid the need for another report, it is proposed to grant delegated authority to the Director of Planning and Regulation in consultation with the Executive Member to award a contract(s) up to the overall budget approved for this project.
 15. The proposal is to use a combination of existing Council staff and the use of a private security company to carry out this task. It is anticipated that these arrangements would be supported by occasional Police patrols. The estimated annual revenue costs of this proposal would be approximately £30k and would be met from within existing parking budgets.
 16. There is a risk that, without full physical closure of the Osborn Road car park, the rough sleepers would re-locate themselves to the covered parking decks within the Osborn Road car park. It is thought that if they did relocate themselves in this way, this would not have such an effect on car park users as such areas likely to be used, would be less visible and not as intimidating as the use of the car park stairwells to users leaving or returning to their vehicles. This could be managed in part by the security patrols that would take place, with associated support from the police.
 17. Ultimately the Security patrols would have no power to remove rough sleepers forcibly, but with the car park closed they would effectively be trespassing and although this isn't a criminal offence, the Council could use Community Protection Notices if the rough sleeping is having a wider detrimental effect.
 18. It is anticipated that the Community Safety team in conjunction with the Police would continue to use Community Protection Notices to deal with troublesome rough sleepers. In other Local Authority areas, the security companies have employed varying tactics to disrupt their behaviour. If necessary this would include an arrangement to deal with unattended belongings left in the car parks.

Wider issues

19. There is a risk that, following the proposed closures, rough sleepers might relocate to other sites within the local area. If this were to occur, each incident would be addressed on an individual basis by working closely with the appropriate agency.
20. There is a clear recognition that this is a complex and multi-faceted issue and the Council will continue to work with other agencies, as appropriate, to provide a range of

measures to assist rough sleepers in Fareham.

Enquiries:

For further information on this report please contact Ian Rickman, Head of Environmental Health (extension 4773).