

Ealing Council



Ealing Council
Freedom of Information
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Email: foirequests@ealing.gov.uk

Your ref:

Our ref:

extension:

Date:

18/2022

0208 825 8367

3rd January 2019

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ENVIRONMENTAL INFORMATION REGULATIONS 2004 – INFORMATION REQUEST

Thank you for your request for information received by the Council on 3rd December 2018. We are considering it under the Environmental Information Regulations Act 2004. It has been assessed and the following information is provided in response:

Unfortunately the information I am requesting is necessary to enable a clear picture to be gathered, of the financial and resource burden placed on local authorities when Public Spaces Protection Orders (PSPOs) were introduced within the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014.

As part of the transitional arrangements all existing Gating Orders converted to PSPOs in October 2017. Under the Act, additional statutory consultation requirements were placed on local authorities who wish to extend PSPOs – the new consultation duties mean that if we wish to continue to extend the period of PSPOs which restrict access over the highway then we need to consult with persons directly affected i.e. those who occupy or own land adjacent to the PSPO restricted area, at least every 3 years, if we wish them to continue.

The staffing resources and financial cost for such consultation is extensive. I am working with colleagues from the LGA and a number of other authorities in an attempt to secure changes to the legislation which will repeal the statutory duty to consult in order to extend PSPOs, and enable CSPs to carry out a review process instead, in the same way Gating Orders were reviewed historically.

In order to support the request for legislative changes, and to assist in the assessment of the resource and financial implications, I ask that you provide the following information pursuant to the Freedom of Information Act:

How many individual properties are protected by PSPOs (with restrictions on access over the highway) in your local authority area?

In Ealing, we currently have one PSPO directly relating to gating (i.e. a replacement of what was previous gating orders). That PSPO affects 225 properties. Ealing would welcome the opportunity of speaking directly with the person making this enquiry, as there are some views we can offer on the current ways PSPOs are being used in relation to gating and the impact on resources.

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If you are dissatisfied with the handling of your request, you can request an internal review. Details of the Freedom of Information complaints process can be found at:

http://www.ealing.gov.uk/info/200640/freedom_of_information/1550/making_a_complaint_or_appeal

Your request for an internal review should be submitted to us within 40 working days of your receipt of this response. Any such request received after this time will only be considered at our discretion.

If you remain dissatisfied by the outcome of the Internal Review you have the right to submit your complaint to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Yours sincerely,

Freedom of Information Officer