

TOWN CENTRE PUBLIC SPACES PROTECTION ORDER (PSPO)

Executive Summary

Following the identification of anti social behaviour issues in Woking town centre, a request has been made by partners to implement a Public Space Protection Order (PSPO) for Woking town centre. This is focusing on anti social behaviour linked to the consumption of alcohol and/or drugs.

The PSPO is one of a range of measures being used to address the identified problems. Other measures that have been used have included the removal of benches in a problem area, a Community Protection Warning (CPW) against a repeat offender and supporting a Community Behaviour Order (CBO) application made by Surrey Police for a prolific offender.

All these options have been used after problems and offending were established whereas the PSPO will allow the chance for anti social behaviour to be stopped at an earlier stage and potentially prevent the requirement for these other measures. Additionally, it will help to identify those that are frequently a source of anti social behaviour in the town centre and will then allow for the more robust approach to be taken with these individuals using supporting evidence from the PSPO breach.

Recommendations

The Executive is requested to:

RECOMMEND TO COUNCIL That

- i) the consultation be noted;**
- ii) the Director of Neighbourhood Services be authorised to implement the PSPO for the town centre with the amended map to the report in light of the overwhelming support in the consultation for its introduction;**
- iii) delegated authority be given to the Director of Neighbourhood Services, in consultation with the Portfolio Holder, to allow minor amendments to the order throughout the duration of the order;**
- iv) regular reviews will be carried out via the Joint Action Group (JAG) meetings and quarterly updates will be circulated to the Community Safety Task Group; and**
- v) delegated authority be given to the Director of Neighbourhood Services to issue fixed penalty notices at the level set at paragraph 5.6 in the report and to amend in line with any legislation changes.**

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Reasons for Decision

Reason: To approve the terms of a Public Spaces Protection Order and approve delegations to enforce the Order.

The item(s) above will need to be dealt with by way of a recommendation to Council.

Background Papers: [Home Office Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers, Statutory guidance for frontline professionals](#)

Reporting Person: Geoff McManus, Director of Neighbourhood Services
Email: geoff.mcmanus@woking.gov.uk, Extn: 3707

Contact Persons: Camilla Edmiston, Community Safety Manager
Email: camilla.edmiston@woking.gov.uk, Extn: 3080
Oli Walker, Antisocial Behaviour Officer
Email: oli.walker@woking.gov.uk, Extn: 3459

Portfolio Holder: Councillor Debbie Harlow
Email: cllrdebbie.harlow@woking.gov.uk

Shadow Portfolio Holder: Councillor Ann-Marie Barker
Email: cllrann-marie.barker@woking.gov.uk

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1.0 Introduction

- 1.1 Public Space Protection Orders (PSPOs) are one of the powers that were enacted in October 2014 by the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.2 Concerns about anti social behaviour in the town centre were identified as a result of residents raising a Community Trigger due to persistent ongoing anti social behaviour that was linked heavily to alcohol and substance misuse. Following the completion of the Community Trigger a nomination was made to the Joint Action Group (JAG), a multi-agency problem solving meeting looking at problem locations, with the view to monitor and proactively address the ongoing issues. Some of the identified problems have been dealt with by supporting key people via the York Road Project and drug and alcohol support services.
- 1.3 One of the JAG decisions taken by partners was to seek a PSPO to cover the relevant areas in the town centre in order to assist with the enforcement strand of the joined up approach to tackling anti social behaviour.
- 1.4 Public Spaces Protection Orders are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti social behaviour.
- 1.5 Following the recommendation from the JAG, discussions were held with Cllr Debbie Harlow, who is the Portfolio Holder for Community Safety, asking for agreement to carry out public consultation regarding the proposal for a PSPO for the town centre as required by the legislation. There is also a need for delegated authority for implementation, if appropriate, to the Director of Neighbourhood Services.
- 1.6 This was agreed and consultation was carried out from 22nd July 2021 to 1st October 2021.

2.0 Consultation Analysis

- 2.1 The consultation was completed in one of two ways, either a questionnaire was completed online or in person, as part of the face to face consultation, or a pin could be placed on a map with a comment added. The survey results have been taken solely from the questionnaires that were completed, although all pin drops and comments have been reviewed. It is not possible to definitively say whether the pin drops were from people who had already completed the survey and therefore to avoid duplication only the questionnaires have contributed to the final figures.
- 2.2 A total of 218 consultation responses were received via the questionnaire and a further 77 unique users responded with a pin being dropped on an interactive map and a comment attached. A total of 177 pins were dropped. These have now been analysed and a full report is attached at Appendix 1.
- 2.3 The key findings show that 83.72% are in favour of the use of a PSPO. Of the total respondents, 83.02% said they had experienced at least one of the types of anti social behaviour (ASB) described in the consultation.
- 2.4 Overall, 60.2% thought the size of the area to be covered by the order was 'about right'. However, 30.1% felt the area was 'too small', some of whom suggested other areas to be covered and the pin drops highlighted some additional areas for consideration. All these suggestions have been reviewed and as a result a second proposed boundary map has been created that will incorporate areas close to the original proposed boundary such as Heathside Car Park and United Reformed Church, as well as the Canal area that runs in front of the WWF building. For other areas suggested that are a considerable distance from this proposed PSPO area, if there is evidence of significant ASB, Woking Borough Council can consider this with

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partners and see if it justifies its own PSPO. There were 9.7% who said it was too big, some of whom felt it should be a much smaller area in the core town centre.

- 2.5 The main locations where ASB was being experienced were in the town centre within the proposed boundary and Wheatsheaf Recreation area and Horsell Common. The peak times for some form of ASB were Friday and Saturday evenings between 18.00 and 23.59.
- 2.6 Some of the comments made in the free text sections show that respondents have not fully understood how the order will work. For example, it will not stop people having a drink in any of the public areas provided they are not behaving anti socially.
- 2.7 The order is not about targeting those who are most vulnerable and all efforts will be made to engage with them to signpost to help and support, with local agencies such as York Road Project and drug and alcohol services.

3.0 Enforcement

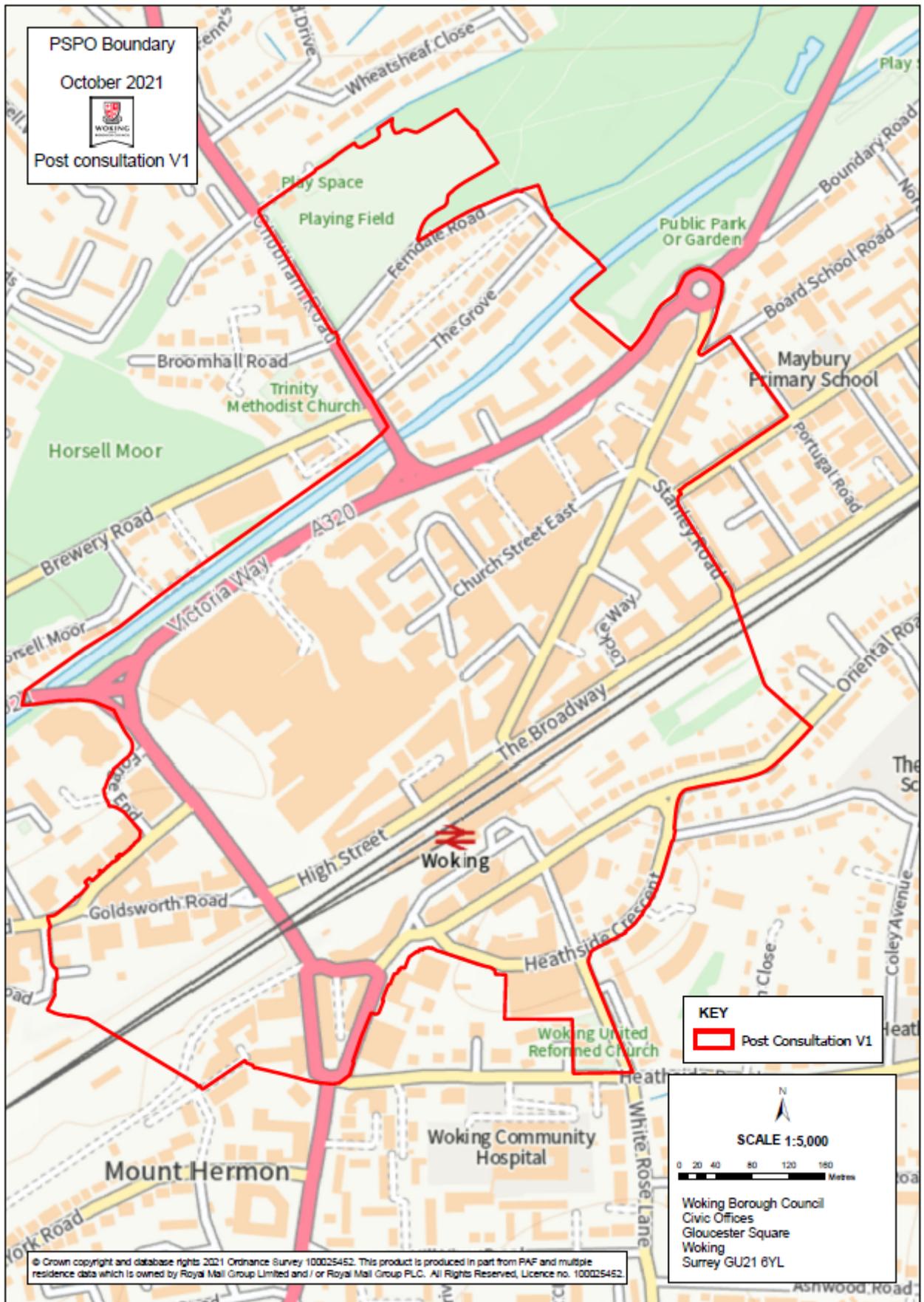
- 3.1 Surrey Police will have delegated authority to enforce the PSPO within Woking and they will be the primary enforcers of the order. Enforcing officers will follow guidance issued by Surrey Police and supply personal details of the offender and supporting evidence of the breach to the local authority, Woking Borough Council (WBC), to issue warning letters or FPNs if appropriate.
- 3.2 Relevant agencies such as social services or the youth offending team will also be made aware of the breaches if appropriate.
- 3.3 Where a person has been dealt with for more than two breaches resulting in FPNs being issued, consideration should be given to a Community Harm and Risk Management Meeting (CHaRMM) referral so that options can be discussed to tackle the issues linked to the person continuing to offend. This could include support/intervention or enforcement options such as an ASB Injunction or Criminal Behaviour Order.

4.0 Options

- 4.5 There are three options to proceed.
 - Option 1 - To proceed with the implementation of the PSPO for the town centre using the originally proposed map (See Item 4.4), to support the ongoing work of the partners in tackling the ASB issues in this location. This will be regularly reviewed and monitored by the JAG meetings and reported on via the quarterly updates that are sent to the Community Safety Task Group.
 - Option 2 - To proceed with the implementation of the PSPO for the town centre using the amended map including the additional areas (see item 4.3), to support the ongoing work of the partners in tackling the ASB issues in this location. This will be regularly reviewed and monitored by the JAG meetings and reported on via the quarterly updates that are sent to the Community Safety Task Group.
 - Option 3 - To not proceed with the PSPO. This may reduce the effectiveness of the partners' ability to tackle ASB in the town centre.
- 4.6 Option 2 is recommended having discussed the outcomes of consultation with Surrey Police, which takes into consideration areas highlighted within the consultation that can be realistically covered under the proposed PSPO.

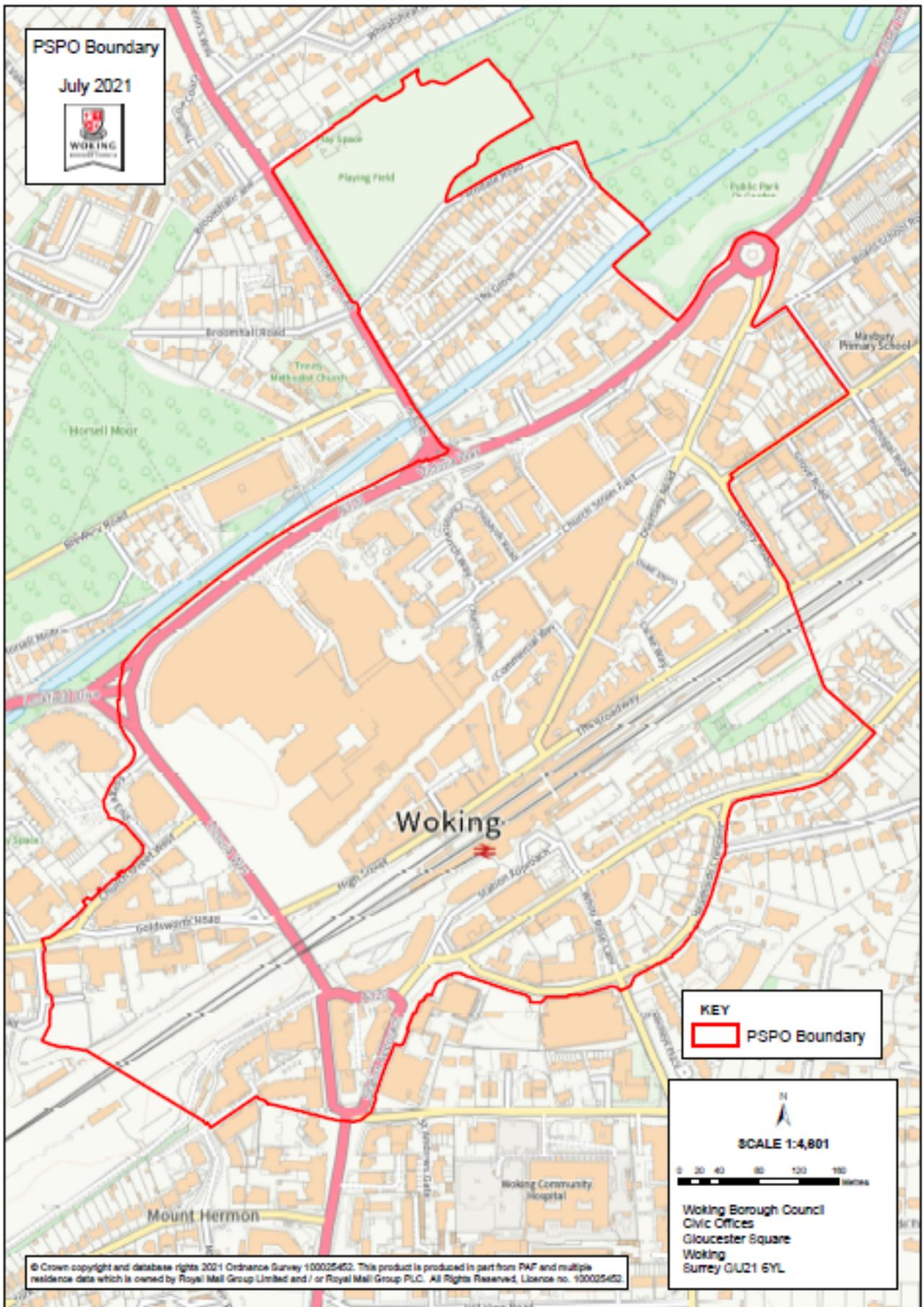
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4.7 Amended map following public consultation



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4.8 Original Map sent out to consultation



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5.0 Corporate Strategy

- 5.1 The Public Space Protection Order will sit across several areas of the Corporate Strategy. In particular around promoting a strong economy, especially within the night time economy, by making Woking a safe and enjoyable destination to visit both during the day and at night.
- 5.2 By working in partnership with our key local partners including Surrey Police and those in the support sector, such as drug and alcohol services, we can effectively identify those in need of support and ensure those that want help have access to it, whilst at the same time effectively managing those who do not wish to engage.

6.0 Implications

Finance and Risk

- 6.1 To implement the PSPO there is a requirement for a public notice to be published and for signage in the area. The costs of the publication of the notice is covered by a corporate budget for these. The cost of the signage and putting these up is estimated at £1,000 and this will be covered from the Safer Woking Partnership joint funding pot.

Equalities and Human Resources

- 6.2 There are no specific equalities and diversity implications and officers work appropriately with partners to address crime and disorder issues.
- 6.3 In relation to Human Resources, Training and Development requirements there are no significant implications anticipated as a result of this report.

Legal

- 6.4 PSPOs can be challenged by means of an application to the High Court for Judicial Review within 6 weeks of it being made or varied by a Local Authority. Such a challenge can only be made by an Interested Person who must live work or regularly visit the restricted area.
- 6.5 There is a requirement for the publication of a formal notice (see 6.1).
- 6.6 The penalty for breaches of this order is a fine (Fixed Penalty Notices) of £100 (reduced to £75 if paid within 10 days). This proposal does not rely on securing income from the Fixed Penalty Notices (FPNs). It is proposed that any income that is secured will be ring fenced to support community safety measures.

7.0 Engagement and Consultation

- 7.1 The public consultation was carried out using an on-line survey on Woking Borough Council's website from 22nd July to 1st October. It targeted residents, local businesses and people working in the borough. It was promoted through press releases and via social media as well as through known networks such as Neighbourhood Watch. A limited amount of face to face consultation was also undertaken within the town centre.
- 7.2 The Portfolio Holder for Community Safety, Surrey Police, Surrey County Council, Public Health, drug and alcohol services, York Road Project and the Office of the Police and Crime Commissioner have already been consulted through the Joint Action Group and other meetings.
- 7.3 In addition to public consultation, other stakeholders have provided written feedback and these have been attached as Appendix 2. This includes support from the WBC Parking Services Manager, Police, York Road Project and from the office of the Police and Crime Commissioner.

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8.0 Next required steps

- 8.1 If Option 2 is approved a recommendation needs to be made for this to proceed to the next Council meeting.
- 8.2 If the implementation of the order is agreed, there is a requirement for a public notice, which would be issued in the local newspaper. In addition there will be publicity on our website and through a press release.
- 8.3 To assist with visible deterrence, as well as helping with any necessary enforcement, suitable appropriate signage will be erected in the area.
- 8.4 To monitor the effect of the PSPO, its usage will be regularly reviewed at the JAG meetings and quarterly updates will be circulated to the Community Safety Task Group.
- 8.5 A PSPO is for a period of three years. By regularly reviewing the use of it we will be able to decide whether further extensions on time will need to be sought. This will also enable us to assess whether any other amendments are needed regarding changing issues or locations.

REPORT ENDS