

COMMUNITY SERVICES AND LICENSING COMMITTEE

1 OCTOBER 2020

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Report Title	EXTENSION OF PUBLIC SPACE PROTECTION ORDER – PROHIBITING ALCOHOL CONSUMPTION IN DESIGNATED PLACES			
Purpose of Report	To note the decision of the Strategic Director Communities to extend the existing Public Space Protection Orders for a further 3 year period from 20 th October 2020.			
Decision(s)	The Committee RESOLVES to note the extension to the existing Public Space Protection Orders relating to prohibiting alcohol consumption in designated places in Stroud and Dursley for an extension of 3 years – 20th October 2023.			
Consultation and Feedback	Consultation through Community Safety Partnership which includes key partner agencies including Gloucestershire Constabulary, Stroud Town Council and Dursley Town Council. The consultation has been carried out from 21 st August - 18 th September 2020. The results are included in Appendix 3.			
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Options	None			
Background Papers	None			
Appendices	Appendix 1 Dursley PSPO Area Map Appendix 2 Stroud PSPO Area Map Appendix 3 Consultation results			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	Yes	Yes	No

1. INTRODUCTION / BACKGROUND

- 1.1** The Prohibition of Alcohol Consumption in Designated Places Order 2002 for Stroud Town Centre and Dursley, automatically transitioned to a Public Space Protection Order (PSPO) on 20th October 2017 *via* a mechanism introduced by the Anti Social Behaviour, Crime and Policing Act 2014. ('the Act') The PSPOs prohibits alcohol consumption in designated places in Stroud and Dursley and expires in October 2020.
- 1.2** The extension of the restrictions will continue to impact positively on people who are affected by the anti social behaviour the order is designed to address. PSPOs are

designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The aim is for the PSPO to continue to deter people from engaging in the restricted activities.

- 1.3 Whilst the PSPO is designed to prohibit certain activities, it is also designed to enable people to feel that the place where they live, work or visit, is a safe and welcoming place. This links to the vision stated within the Council's Corporate Delivery Plan 2019-2020 of 'Leading a community that is making Stroud district a better place to live, work and visit for everyone'.
- 1.4 The Stroud District Community Safety Partnership Plan 2017 – 2021 identify local issues but also links with The Office of the Police and Crime Commissioner priorities one of its themes is 'Safer days and nights for all'. Two of the priorities under this theme are 'To better manage the Gloucestershire night-time economy, reducing alcohol related crime and disorder' and 'Everyone should be able to go out to our parks, pubs and streets without fear'. The extension of the PSPO contributes to the resources available to the police to deal with these issues.

2. MAIN POINTS

- 2.1 The aim of these powers is to reduce the incidence of alcohol related nuisance and antisocial behaviour by giving the Police the power to intervene at an early stage where there is a risk of antisocial behaviour. Importantly with the intention of preventing problems escalating and dealing with incidents before any criminal offences are committed. Under this legislation the Police are empowered to seize and dispose of alcohol which is in an open or closed container within the specified areas. Failure to comply with such a request made by a police officer is an arrestable offence punishable by a fixed penalty or prosecution.
- 2.2 The PSPO in Stroud specifically, helps the police manage events where there is the possibility of alcohol related anti social behaviour and large gatherings that may grow out of control such as the Fringe Festival, Goodwill Evening and other local events that may have alcohol present.
- 2.3 The Public Space Protection Orders with no variation will be extended for the maximum period of 3 years, to prevent the reoccurrence of anti social street drinking within Stroud Town Centre and Dursley. There is no limit on the number of times that a PSPO may be extended if certain criteria under section 60 of the Act are met. This includes that an extension is necessary to prevent activity recurring, or there has been an increase in frequency or seriousness of the activity. Extensions can be repeated, with each lasting for a maximum of three years.
- 2.4 Consultation has been carried out with key partner agencies through our Community Safety Partnership. This includes Gloucestershire Constabulary, Stroud Neighbourhood Policing team, various departments within the District Council, Change Grow Live (CGL) who provide addiction services throughout the District, Stroud Town Council, Dursley Town Council and other agencies that participate in the Community Safety Partnership. The Office of the Police & Crime Commissioner, Gloucestershire County Council and Five Valleys Shopping Centre have also being included in the consultation.

- 2.5** There is sufficient existing street signage in Stroud and Dursley the locations of which will not be altered. The signs will be updated with the most recent legislation details and the correct service contact details within the council. The signs will be pictorial with minimal wording to ensure those whose first language is not English or who cannot read will be able to understand the notice.

3. CONCLUSION

- 3.1** If the Order is not extended then the existing PSPOs in their current form will cease to exist from late October 2020. This is likely to prevent the Council from achieving its Corporate commitments and the Council and Police will have greater difficulty preventing or stopping Anti Social Behaviour associated with the consumption of alcohol in designated areas.
- 3.2** The consumption of alcohol in public places can lead to nuisance, violence and disorder. The proposed Orders, restricting the consumption of alcohol within the town centres will help to prevent alcohol related Anti Social Behaviour. The renewal of PSPOs is designed to make public spaces more welcoming to the majority of law-abiding citizens and communities and not simply restrict activities.
- 3.3** Consultation feedback from the Community Safety Partnership and key partner's was unanimous that the PSPOs should be extended in Stroud and Dursley. The response rate to the consultation was 32% and responses were received from a range of organisations.

4. IMPLICATIONS

4.1 Financial Implications

There are no Financial implications directly related to this report.

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4.2 Legal Implications

Some legal implications have been set out in the report, but in general, by virtue of Section 60 of the Anti Social Behaviour Crime and Policing Act 2014, a public spaces protection order may not have effect for a period of more than 3 years, unless extended under that section.

- 4.2.1** Before the date when a PSPO is due to expire, the Council may extend the order if it is satisfied on reasonable grounds that it is necessary to do so to prevent;

(a) occurrence or recurrence after that time of the activities identified in the order, or

(b) an increase in the frequency or seriousness of those activities after that time

- 4.2.2** Any extension may not be for more than 3 years and must be published in accordance with statutory guidance as set out below.

4.2.3 “Before making, varying, extending or discharging a PSPO, the council must carry out the necessary publicity and necessary notification (if any) in accordance with section 72(3) of the Act – this includes publishing the text of a proposed order or variation and publishing the proposal for an extension or variation. The council must also publish information about the order in accordance with regulations made by the Secretary of State - this includes publishing the order as made, extended or varied on its website, and, where an order is discharged, publishing a notice on its website identifying the order which has been discharged and the date on which it ceases to have effect”

4.2.4 The Strategic Director Communities has delegated authority under Paragraph C4.1 of the Scheme of Delegation to take all actions and make decisions relating to the Council’s regulatory and permissive functions under relevant legislation and associated regulations in respect of (for these purposes):

(b) Anti-social behaviour;

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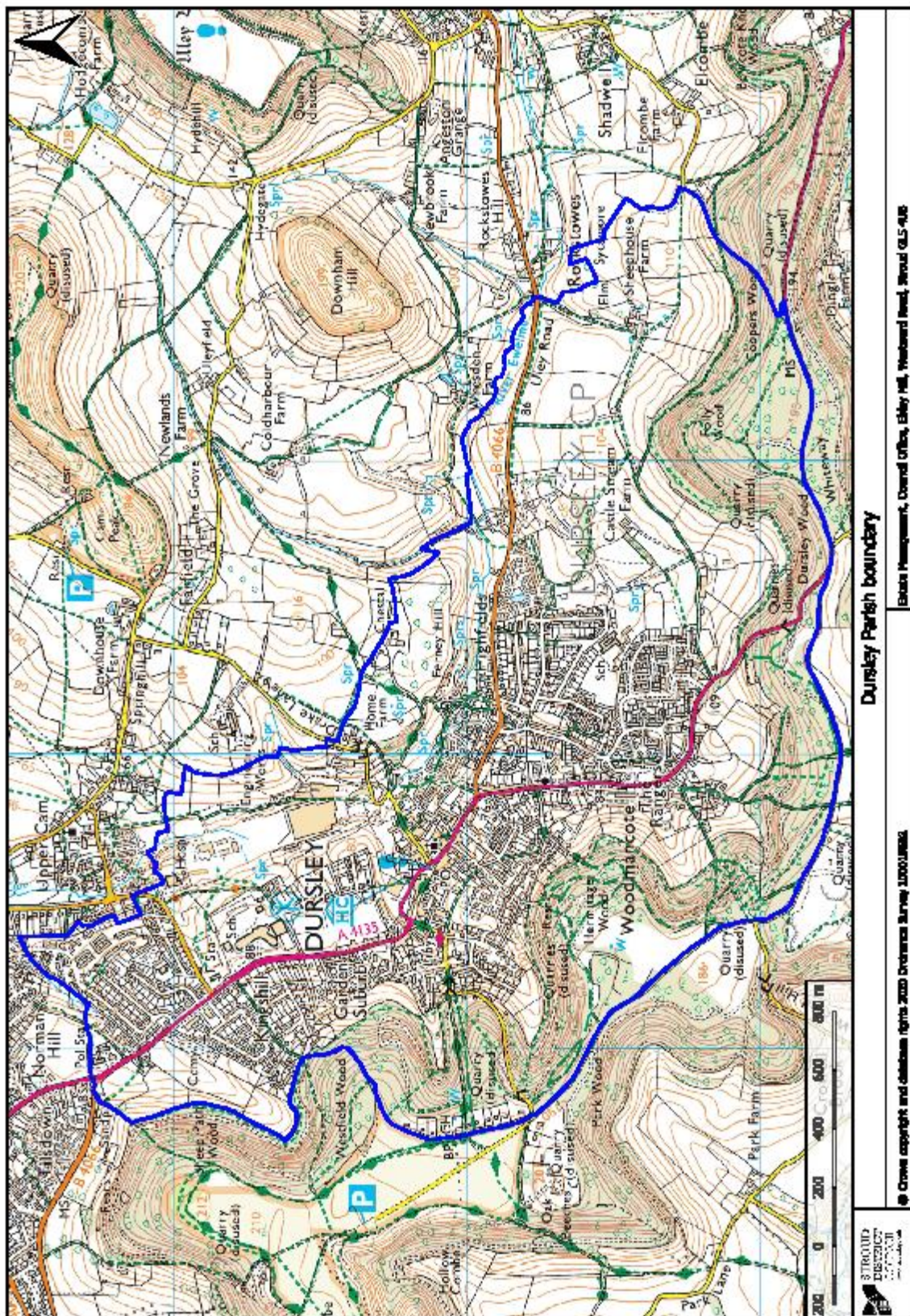
4.3 Equality Implications

There are not any specific changes to service delivery proposed within this decision.

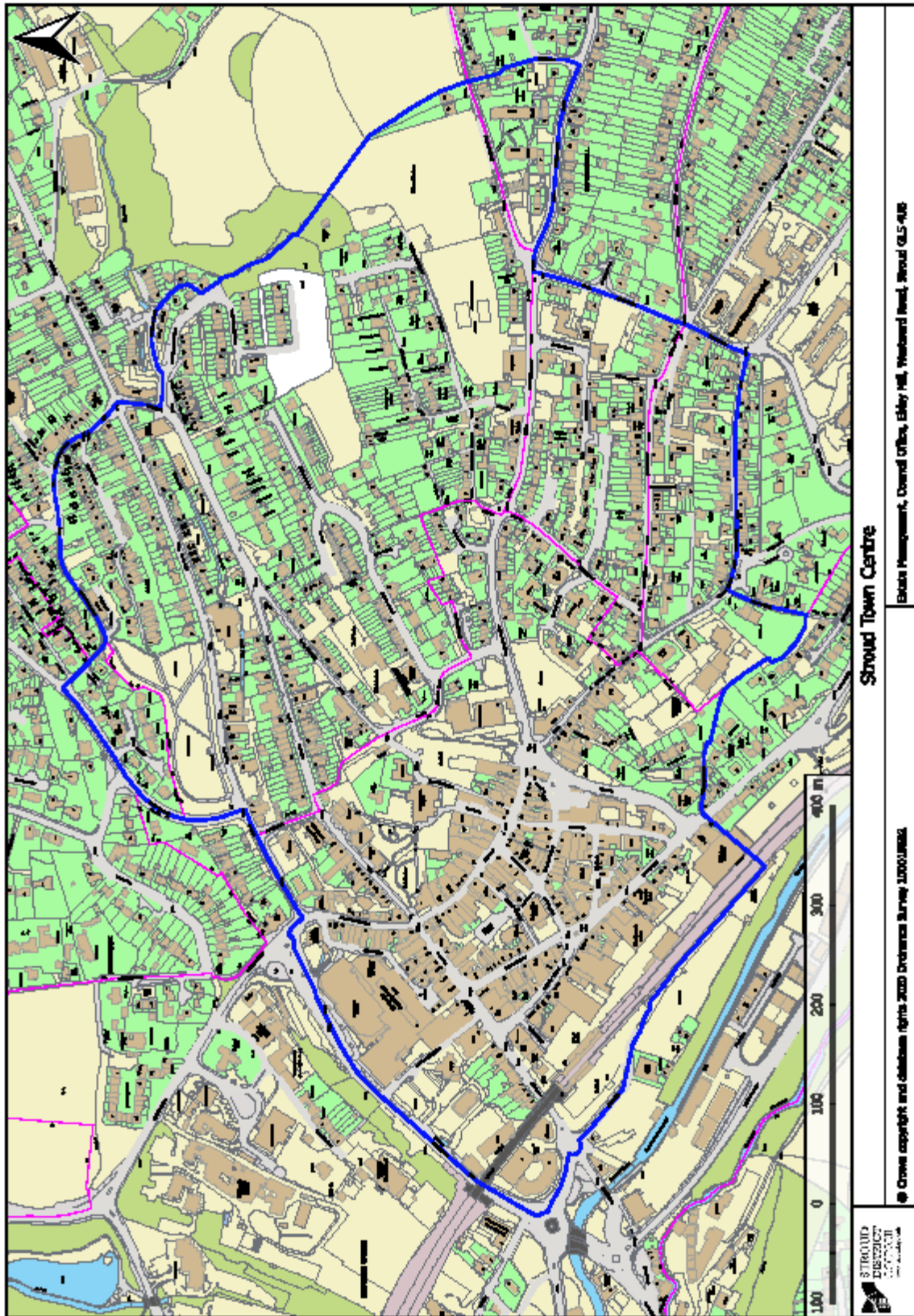
4.4 Environmental Implications

There are no significant implications within this category.

Appendix 1 – Dursley PSPO Area Map



Appendix 2 – Stroud PSPO Area Map

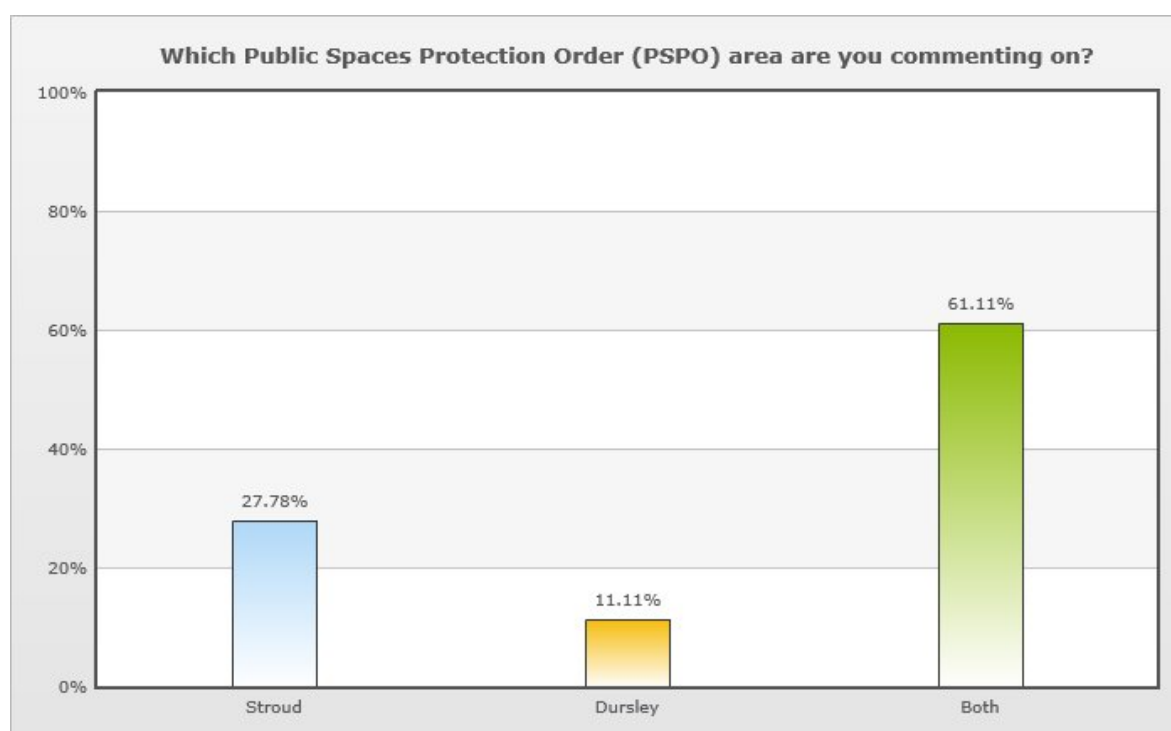


Appendix 3 – Consultation results

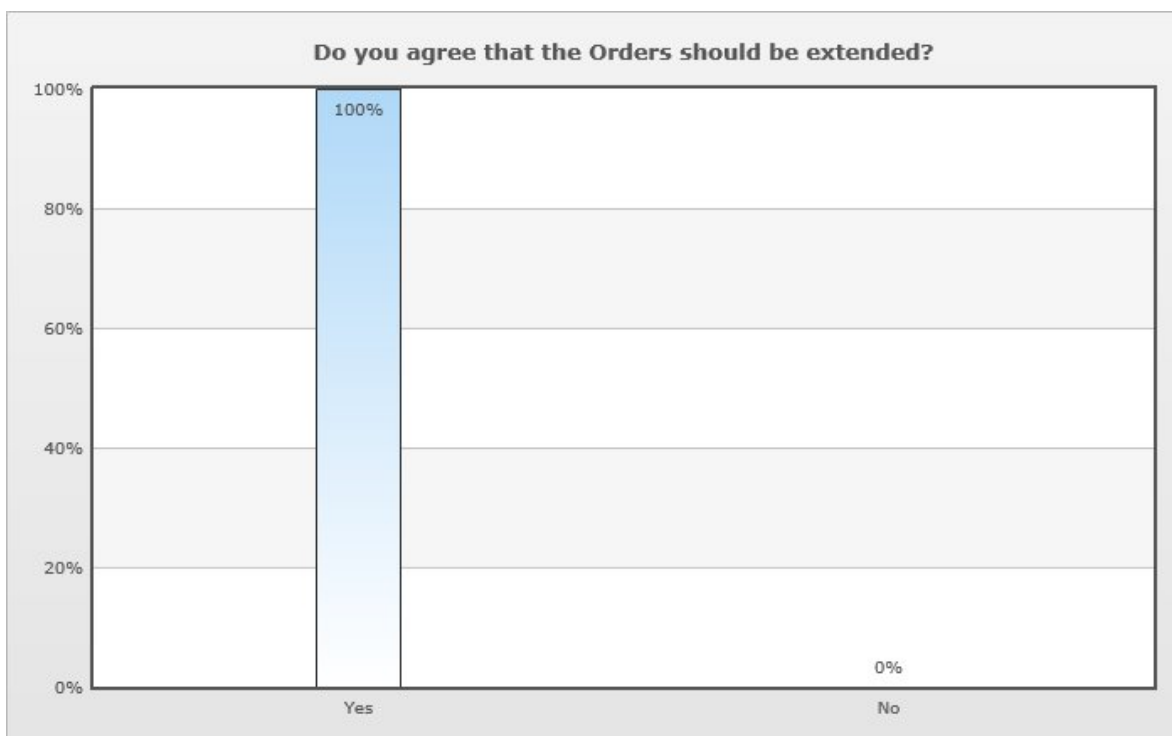
Consultation has been carried out with key partner agencies through our Community Safety Partnership between 21st August - 18th September 2020. The survey received a response rate of 32% from the following organisations:

Name of Organisation	Role
Sovereign Housing Association	Anti-social Behaviour Officer
Gloucestershire County Council - Highways	Local Highways Manager Local Highways Manager
P3 Charity	Service Coordinator
Gloucestershire Police	Headquarters CCTV Supervisor Stroud Police Sergeant Stroud Neighbourhood Inspector
Stroud District Council	Environmental Protection Manager Principal Licensing Officer Senior Neighbourhood Warden Senior Community Services Officer Senior Youth Officer Principal Environmental Health Officer
Stroud Town Council	Deputy Town Clerk
Dursley Town Council	Town Clerk
Barnardos	Team Manager
The Door	Director of Service Delivery
Street Pastors Stroud	Coordinator

The consultation covered Stroud and Dursley PSPO, the survey could be answered for an individual area or both. The responses were as follows:



The consultation feedback was unanimous that the PSPOs should be extended.



The consultation also asked about connections to the area. The responses were as follows:

