

WILTSHIRE COUNCIL

Trowbridge AREA BOARD

14 January 2016

Trowbridge Public Spaces Protection Order

1. Purpose of the Report

- 1.1. To update the area board on work carried out since March 2015 on Trowbridge's Public Spaces Protection Order.

2. Background

- 2.1. The Anti-Social Behaviour, Crime and Policing Act 2014 brought in a range of new orders designed to address anti-social behaviour, which replace the current orders available.
- 2.2. On 20th October 2017 all current Designated Public Place Orders (DPPOs) will expire unless by that date the order is renewed and converted into the new provision of a Public Space Protection Order (PSPO).
- 2.3. There are currently eight DPPOs in Wiltshire: Trowbridge, Salisbury, Chippenham, Devizes, Warminster, Durrington, Calne and Malmesbury. Consequently a timetable for considering conversation for each of these to a PSPO is being drafted and Trowbridge is the first planned.

Initially evidence is gathered to satisfy several tests:

- Is the proposed area within the Wiltshire Council Authority area?
- Is there any anti-social behaviour or crime occurring in the proposed area which is having, or is likely to have, a detrimental effect on the quality of life of those within the locality?
- Is this anti-social behaviour or crime likely to be of an unreasonable, persistent or continuing nature?
- Do any of these issues justify the restrictions imposed by the notice?

Now this evidence has been gathered and a PSPO has been identified as the preferred option, a mandate is sought from the area board to undertake the public consultation and if approved subsequent drafting of the order.

3. Main Considerations

3.1. The working group have been collecting evidence from the Police and performance analysts and evaluating what anti social behaviour is needed to be tackled by a PSPO in Trowbridge.

3.2. Issue that the evidence proved that the following types of anti social behaviour are to be included in the Trowbridge PSPO

- Alcohol consumption in public places
- Urinating and defecating in public

3.3. The draft wording that has been agreed is as follows

1. Absolute consumption ban of the drinking of alcohol within the PSPO area between the hours of 2100hrs and 1200hrs.

2. Between 1201hrs and 2059hrs The constable or authorised person may require Perpetrator

(a)not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;

(b)to surrender anything in Perpetrator's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

3. Not to urinate or defecate within the designated area.

3.4. The area has been defined as in the map on appendix 1 This is larger than the DPPO that was originally in place, because the evidence shows that this new area suffers the same level of ASB.

3.5 Now the evidence has been sourced a public consultation is required. An update of each stage will be reported back to the area board. Final sign off the PSPO is still being decided under the scheme of delegation.

4. Implications

4.1. Environmental Impact of the Proposals

- By continuing to stop anti social drinking in the town.
- Preventing urination and defecation in public will reduce accompanied health concerns such as bacterial infections. It will also reduce odour complaints where this regularly occurs.

4.2. Financial Implications

There are minimal financial commitments in applying for a PSPO. The costs include staff time; costs of advertising draft orders and the design and installation of signs within the PSPO area. It is anticipated that these costs will be shared with partners.

4.3. Legal Implications

The creation of a public space protection order will last for 3 years. The breaching of a PSPO is a criminal offence enforceable by the Police. A convicted breach is punishable with a level 3 fine (£1,000) although most breaches will be dealt with by way of a fixed penalty notice.

4.4. HR Implications

There are no HR implications.

4.5. Equality and Diversity Implications

There are no Equality and Diversity implications.

5. Recommendation

It is recommended that:

- The Area Board note the further work carried out to develop the proposed PSPO in Trowbridge.
- The Area Boards mandates that the PSPO working group carry out the necessary consultation on the agreed conditions to be contained within the order, and the area of Trowbridge affected.

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Appendices:

1 Map of proposed PSPO

Background papers: Previous Area Board report March 2015