

## **BRIEFING NOTE**

### **Introduction of Public Spaces Protection Orders**

#### **1. Purpose of Briefing Note**

- 1.1 To provide background information regarding changes to the legislation, affecting Designated Public Places Orders.

#### **2. Introduction of Public Spaces Protection Orders**

- 2.1 In October 2014 saw the introduction of the Public Spaces Protection Orders (PSPO), under the Anti-Social Behaviour, Crime and Policing Act, this change requires all current Designated Public Places Orders (DPPO) to be replaced by a PSPO by October 2017.
- 2.2 Wiltshire currently has DPPO's in eight towns across the county; a DPPO creates an offence when a person refuses to stop drinking alcohol when asked to do so by a PC or PCSO. The grounds to request this is that the continuing of drinking is likely to lead to crime or disorder. The offence is punishable with up to a £500 fine.
- 2.3 The first PSPO order to be considered is the one covering Trowbridge, as analysis of reports from December 2014 to November 2015 found 758 alcohol related incidents and 63 related to urinating and defecating in public. A multiagency meeting including decided the order was required.
- 2.4 A public consultation seeking views on the proposed order ran from 18th March 2016 – 15th April 2016, this consultation response coupled with a Police report of increased alcohol related issues within the town shaped the order is proposed.
- 2.5 The finalised order was made by legal and notarised in line with the legislative requirements, and a copy will now be sent to the Secretary of State (Home Office).
- 2.6 The order will now be advertised in local press before going live. Appropriate signage (an example of which can be found in attached will be produced and displayed within the PSPO area. There will then be a 6 week appeals window that anyone who lives, work or visits the area can make via the high court. However, we are satisfied that the wide ranging consultation which included a public notice, signs within the town and the use of social media was all encompassing and responses views have been taken into account.
- 2.7 A Breach of a PSPO is punishable by fine of up to £500 for a breach of the alcohol condition or £1000 for breach of the urinating/ defecating condition. This structure is dictated by the primary legislation. However, the legislation also allows for the use of a fixed penalty notice fining up to a £100.

- 2.8 Currently awaiting signage costs which the Town Council have agreed to assist with.
- 2.9 The new order will allow for the Police to confiscate alcohol and when needed deal robustly with individuals as required.
- 2.10 It has also been recognised that some of those who do drink continually within public areas have their own vulnerabilities. To assist with these issues a second working group concerned with working with the voluntary sector to engage with this population has been set up. The group will look to launch their working with the vulnerable people of the drinking groups with a day of action aimed at offering assistance and support.
- 2.11 The new PSPO will last for up to 3 years and allows for wider measures to be considered as driven by local need. Police data was used to decide on the conditions to be contained within the PSPO.
- 2.12 The PSPO is required to effectively tackle on street drinking and the associated harms to the individual but also to the effect on the wider public.
- 2.13 The order is made for 3 years, at which point the PSPO will be evaluated and a decision on application and any amends will be made based on the issues suffered by the town over the past 3 years.

**The Licensing Committee is asked to note the above update.**

Prepared by: Tom Ward, Public Health Specialist – Substance Misuse and Community Safety

September 2016