

BOROUGH OF KETTERING

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Report Originator	Shirley Plenderleith Head of Public Services	<i>Fwd Plan Ref No:</i> A17/010	
Wards Affected	All and specifically William Knibb, All Saints and Northfield in relation to the town centre PSPO	18 th October 2017	
Title	TOWN CENTRE PUBLIC SPACES PROTECTION ORDER REVIEW		

Portfolio Holder: Councillor Lloyd Bunday

1. PURPOSE OF REPORT

- (i) To provide the Executive with an overview of the effectiveness of the Town Centre Public Spaces Protection Order introduced a year ago, under the Anti-Social Behaviour, Crime and Policing Act 2014.
- (ii) To ask Members to agree to extending authorisations under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 to the Heads of Development Services and Environmental Care.

2. BACKGROUND INFORMATION

- 2.1 Following the introduction of the Anti-social Behaviour, Crime and Policing Act 2014, a Public Spaces Protection Order (PSPO) was introduced in Kettering Town Centre as agreed by this Committee on 9th December 2015. Members requested that a report on its effectiveness was brought to them one year after implementation of the Order.
- 2.2 The 2014 Act allows local authorities to create a PSPO where they are satisfied that activities carried on in a public place:
 - have had, or are likely to have, a detrimental effect on the quality of life of those in the locality
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - Justifies the restrictions imposed
- 2.3 The PSPO went live July 2016 with a six week “soft” launch where partners – the police and the Council - carried out patrols in the relevant area (see map in **Appendix 1**) advising and informing anyone who was potentially contravening the requirements of the Order.
- 2.4 The Town Centre PSPO automatically expires in 3 years (25th July 2019), and will need to be formally renewed.

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3. TOWN CENTRE PUBLIC SPACES PROTECTION ORDER

- 3.1 After wide consultation with partner organisations principally the police and the wider public, nine restrictions were included in the Town Centre PSPO. These are summarised overleaf.
1. Consumption of Alcohol in the street
 2. Begging on the street
 3. Charity Collection without the council's permission
 4. Use of skateboards and misuse of bikes/ scooters in the area
 5. Foul and abusive language when causing offence
 6. Under 18's staying after a request to go by an authorised officer
 7. Loitering/ obstructing the highway
 8. Using a car in an anti-social manner
 9. Unauthorised distribution of leaflets
 10. Anti-social parking
- 3.2 Offences are dealt with by the issue of a Fixed Penalty Notice (FPN). Alternatively, and in cases of non-payment, the matter is taken to court where a fine of up to £500 may be imposed on summary conviction.
- 3.3 In order to maximise the resources available to manage the Town Centre the police and council officers (principally wardens and housing staff) have worked closely to jointly patrol the area and deal with situations as appropriate. Not all interactions result in formal action, as often when restrictions are explained to those involved any issues are resolved immediately.
- 3.4 Whilst the PSPO has been in force, a number of the issues previously identified in the Town Centre as being of concern, notably skateboarding and charity collectors have been greatly reduced. Issues arising in these cases have generally been resolved informally.
- 3.5 Instances of other issues such as street begging and street drinking have risen in that period of time; however, the PSPO has enabled officers to take more effective action than previously they would have been able to.
- 3.6 Since its full implementation there have been 177 complaints relating to the PSPO area with a proportion specific to drinking and begging. A good proportion of these offences have been committed by 12 persistent offenders.
- 3.7 The individuals concerned have been dealt with through the enforcement process and are or have been taken to court, by way of a prosecution, resulting in the courts making use of the sanction of a Community Behaviour Order (CBO). To date the Council has obtained 9 CBOs and another 5 are being laid before the Magistrates Court. One person has breached the Order and has been prosecuted for this, and another two court cases are pending for breach of an Order.

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3.8 The table in **Appendix 2** provides a breakdown of the complaints relating to the specific items prohibited by the Town Centre PSPO, together with the number of Fixed Penalty Notices (FPNs) served. However Members should note that not every conversation or interaction is recorded, as often matters are resolved as a result of very low level intervention. This in itself is a success as without the PSPO officers would not be able to use it as a tool to persuade individuals to change their behaviour.

4. CONSULTATION AND CUSTOMER IMPACT

4.1 The town centre has seen a marked decrease in street drinking since the implementation of the Town Centre PSPO. As expected, these activities have either been displaced to outside the town centre, or in some cases to different areas of the Town Centre PSPO. These issues continue to be dealt with as a priority.

4.2 It is recognised that the closer partnership with the police will aid greater information sharing, thus allowing for better more co-ordinated response to issues. The current pilot project that sees the wardens and police co-located in one office will contribute further to this.

5. DELEGATIONS

5.1 Currently the Heads of Housing, and Public Services (and their teams) are authorised under the Anti-social Behaviour, Crime and Policing Act 2014. Given the success achieved to date using the legislation to tackle a wide range of issues, it is proposed that the general delegation should be extended to the Heads of Development Services, and Environmental Care allowing for greater flexibility of work, and better use of resources.

5.2 The delegations will include powers for officers to issue community protection notices, fixed penalty notices, community behaviour orders and closure orders (powers to close premises temporarily or for longer periods) where there is nuisance or disorder.

6. POLICY IMPLICATIONS

6.1 The purpose the Anti-social Behaviour, Crime and Policing Act 2014 including the use of PSPOs is to deal with anti-social behaviour and make residents feel safer and more confident in the enjoyment of their area, which is one of the Council's principal objectives.

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7. USE OF RESOURCES

- 7.1 The Town Centre PSPO requires constant enforcement attention from both Police and Wardens which can prove to be challenging on occasions, however, it has proved to be an important tool in dealing with a number of issues in the area.
- 7.2 Extension of the delegations under the 2014 Act will provide more officers in the Council with a flexible tool to tackle enforcement issues which may previously have been more difficult to resolve.

8. LEGAL IMPLICATIONS

- 8.1 Officers using the legislation will be appropriately trained to do so.

9. RECOMMENDATION

That the Executive:

- (i) Approve the approach taken by officers in the implementation of the Town Centre PSPO
- (ii) Extend delegated authority under Part 4 Chapter 1 and Chapter 3 of the Anti-social Behaviour, Crime and Policing Act 2014 to:
 - Head of Development Services
 - Head of Environmental Care

Background Papers:

CSP minutes September 2016
Anti-social Behaviour, Crime and Policing Act 2014

Previous Reports/Minutes:

Executive Committee 14 January 2015
Executive Committee 9 December 2015

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