
PUBLIC SPACE PROTECTION ORDER IN REDDITCH TOWN CENTRE

Relevant Portfolio Holder	Councillor Lucy Harrison
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community & Housing Services
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Wards Affected	Abbey Ward Batchley and Brockhill Central Lodge Park
Ward Councillors consulted	Yes
Relevant Strategic Purpose(s)	Communities which are safe, well maintained and green
Key Decision / Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Executive Committee RESOLVE that:-

A Public Space Protection Order to restrict Antisocial Behaviour related to Alcohol and Misuse of Psychoactive Substances, as outlined in Appendix 1, is implemented.

2. BACKGROUND

- 2.1 Following increases in reported crime and ASB in Redditch town centre last year and complaints from local businesses and residents about the behaviour of a small number of individuals in public spaces, the Safer Redditch community safety group established a town centre operational group. This operational group was made up of local partners such as the West Mercia Police Safer Neighbourhood Team (SNT), the Business Improvement District (BID) Manager, Heart of Worcestershire (HOW) College, Kingfisher Centre and Redditch Borough Council (RBC) services such as Community Safety, CCTV, Environmental Services and Planning.
- 2.2 The operational group implemented a number of actions to address the issues in the town centre including increased police patrols,

landscaping & cleansing and targeted enforcement against individuals and landlords. To compliment this on-going action to improve the town centre, the local SNT requested that the Council consider implementing a Public Space Protection Order (PSPO) to provide additional powers to tackle ASB in the area.

2.3 A PSPO would allow the Police and other officers with appropriate authorisation to intervene early and take action quickly against people causing trouble and behaving badly in public areas of the town centre. Following consultation with the District Inspector, the SNT, community safety partners and local stakeholders, the key issues to be addressed by a Town Centre PSPO were identified as:-

- Alcohol-related ASB in open spaces
- Possession and use of Psychoactive Substances e.g. Nitrous Oxide
- Public Urination, Defecation and other Offensive, Indecent or Threatening Behaviour
- Abusive, Obscene and Threatening Language

An area of restriction was proposed which incorporated the locations where the main ASB and nuisance issues were taking place. This is predominately within Abbey Ward, however the proposed PSPO area briefly crosses into Lodge Park Ward at Other Road, then enters Central Ward at Ipsley Street leading to Station Way, across the lower part of Plymouth Road leading into Bromsgrove Road and then across to Edward Street; and then finally into Batchley and Brockhill Ward at Elm Road and a short section of Hewell Road.

2.4 Under Sections 59-75 of the ASB, Crime and Policing Act 2014 local councils are responsible for making PSPOs, provided certain conditions are met and a series of statutory processes are followed. The Order can last for a maximum period of three years and must relate to a specified location within the Authority's area of operation. A full copy of the proposed PSPO, restricted area and a list of Frequently Asked Questions (FAQs) are attached at **Appendix 1**

2.5 This report details the processes followed to date in respect of the proposal to implement a PSPO in Redditch Town Centre.

3. OPERATIONAL ISSUES

3.1 The Community Safety Manager provides co-ordination, support and management of the corporate delivery of the Council's statutory duties and responsibilities under the Crime and Disorder Act 1998 (as amended). On receipt of the request for a PSPO from West Mercia

Police and other local partners, briefings were provided outlining the requirements and considerations for implementing any order. A partnership briefing paper is attached at **Appendix 2**. Following discussions with partners and local stakeholders via the Town Centre Operational Group, it was agreed that an application for a PSPO was appropriate and the formal process was initiated.

- 3.2 Data and evidence of need – In order to make a PSPO, Members have to be satisfied that certain legal conditions have been met. These conditions are that the activities carried out in a public place in the Authority's area:-
- a) have or are likely to have a detrimental effect on the quality of life of those in the locality
 - b) are or are likely to be of a persistent and continuing nature
 - c) are or likely to be unreasonable and
 - d) justify the restrictions imposed.
- 3.3 A data report into ASB incidents and public order offences in the town centre over a three year period was commissioned in order to establish whether the above conditions had been met. The report was produced by West Mercia Police's Partnership Analyst Team and is attached at **Appendix 3**.
- 3.4 Within the report 12 months of combined public order crime and ASB data was analysed and a clear area of concern was identified around the town centre, a hot spot map was produced which aligned almost exactly with the proposed PSPO area.
- 3.5 In summary, the crime and ASB data report provides evidence that the area of the town centre identified for the proposed PSPO is an area of significant concern for public order crime and ASB. The types of offences and incidents taking place in the proposed restricted area would be addressed by the conditions of the PSPO. The proposed order would provide police officers and other authorised officers with additional tools and powers to intervene early and remove perpetrators of ASB before situations escalate.
- 3.6 Statutory Consultation – In 2018 delegated authority was given to the Head of Community and Housing Services to initiate a consultation process to accompany any proposal for a PSPO put to Council for a decision. A delegated officer decision was taken on 14th July and a PSPO consultation process was developed.

3.7 PSPO statutory guidance is not prescriptive in what constitutes appropriate consultation; however it is specified that the local authority must consult with the following:

- Police and Crime Commissioner (PCC)
- Chief Officer of Police for the area
- Any community representatives the Council feels appropriate
- Owner or occupier of land within the restricted area, such as local businesses

3.8 Consultation surveys were sent to all of the above and a list of consultees is included at **Appendix 4**, alongside a full report of the consultation findings. In summary, there were a total of 124 responses to the online and paper survey. 108 were in support of the PSPO and 15 were against. There were also two statutory responses from the Office of West Mercia PCC and a Chief Officer of West Mercia Police.

4. FINANCIAL IMPLICATIONS

4.1 Costs associated with the implementation of the PSPO will be met from existing Community Safety budgets. Costs are largely associated with advertising and promoting the PSPO, for example statutory publication of any Order made and appropriate signage around the perimeter and within the restricted area. An example of a proposed PSPO sign is attached at **Appendix 5**.

5. LEGAL IMPLICATIONS

5.1 The ASB, Crime and Policing Act 2014 sections 59-75 allows the Borough Council to issue a PSPO as long as certain conditions are met and statutory processes have been followed.

5.2 The Crime & Disorder Act 1998 and subsequent amendments places a duty on the Borough Council to work in partnership with other agencies to reduce crime, disorder, ASB and fear of crime. It also places a duty on the Council to exercise its various functions with due regard to the likely effect of those functions on crime, disorder, ASB and re-offending and do all that it reasonably can to prevent crime, disorder ASB and re-offending in its area.

5.3 Use of the power to implement a PSPO must be compliant with the Human Rights Act 1998 and the Equality Act 2010 (specifically, the Public Sector Equality Duty pursuant to section 149) along with all other relevant legislation.

6. OTHER - IMPLICATIONS

Communities which are safe, well maintained and green

- 6.1 PSPOs are intended to deal with a particular nuisance or problem in a specific public area that is detrimental to the local community's quality of life. The Order can impose restrictions, requirements or conditions on the use of that area which apply to everyone. The aim of a PSPO is to help ensure that the law-abiding majority can use and enjoy public spaces, safe from antisocial behaviour, nuisance and harassment.

Climate Change Implications

- 6.2 Not applicable

Equalities and Diversity Implications

- 6.3 An Equality Impact Assessment has been undertaken in relation to the proposed PSPO and it does not identify any groups covered by the Equalities Act that would be adversely affected by the introduction of the PSPO. However, it was identified that some of those who might be affected by the restrictions may also have mental health concerns that impact on their behaviour such as those street drinking or those who are homeless.
- 6.4 The wording of the PSPO restrictions and actions taken on breach aim to balance the needs of the individual, principally substance misuse and/or mental health concerns, with the need to tackle antisocial behaviour, respond effectively to complaints from the public and take action against illegal activities.
- 6.5 The PSPO has the potential to have a positive impact on advancing equality of opportunity between different groups by improving the safety of public spaces for people with protected characteristics who can often be directly targeted by perpetrators of ASB and crime and may avoid public spaces for this reason. A copy of the Equality Impact Assessment is available on request.

7. RISK MANAGEMENT

- 7.1 If the statutory process to introduce a PSPO is not followed correctly this could lead to challenge, which would mean the Council could face legal costs and reputational damage. Officers have followed the process as laid out in the ASB, Crime & Policing Act 2014 Statutory

Guidance for Frontline Professionals (last revised March 2023) to ensure that all requirements for implementation have been met.

- 7.2 There is a risk that expectations will be raised by the Order, which agencies may not be able to meet. Discussions have been held and will be ongoing with the Police SNT who will be the primary agency for enforcement of the Order. The impact and effectiveness of the PSPO will be monitored via the Town Centre Operational Group and Safer Redditch, where any issues or adjustments will be discussed as part of a multi-agency problem solving approach.
- 7.3 There is a risk that the Order could displace ASB perpetrators to more residential locations outside of the proposed restricted area. This issue has been considered by the operational group and discussions have been held with support agencies and local charities to identify alternative, more appropriate spaces that people affected by the order can be directed toward. The proposed restricted area follows the footprint of previous Designated Public Places Orders (DPPO) and PSPOs and historically there have been no reported increases of ASB in residential areas as a result of an Order being in place.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Wording of proposed PSPO, map of restricted area and list of FAQs.

Appendix 2 – Partnership Briefing Paper on PSPOs

Appendix 3 – Data Report on ASB & Public Order Offences in Redditch Town Centre

Appendix 4 – PSPO Consultation Results

Appendix 5 – Example copy of a PSPO Sign

Background Papers

ASB Provisions Report to Executive Committee – 11th September 2018

Statutory Guidance for ASB, Crime & Policing Act 2014 (revised March 2023)

Delegated Officer Decision – 14th July 2023

**EXECUTIVE
2023**

5th December
