

REPORT TO: PLACE SCRUTINY COMMITTEE

Date of Meetings: 13 September 2018

Report of: Cllr Matthew Vizard and Cllr Laura Wright

Title: PSPO Spotlight Review Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To provide the Place Scrutiny Committee with an update following implementation of the Public Spaces Protection Order (PSPO) in June 2017.

2. Recommendations:

The Place Scrutiny Committee:-

- (a) Agrees that the current PSPO is working well in its current form and therefore should not be withdrawn.

3. Reasons for the recommendation:

The penultimate recommendation of the PSPO report submitted to the Place Scrutiny Committee on the 12th January 2017 required an update post implementation, which would detail the operation and effectiveness of the PSPO in reducing the problematic anti-social behaviour it sought to manage; details of any negative or unforeseen impacts that may have developed, together with any recommendations for varying or discharging the Order.

4. What are the resource implications including non-financial resources:

None in respect of this report.

5. Section 151 Officer Comments:

There are no financial implications contained within this report.

6. What are the legal aspects?

None identified.

7. Monitoring officer Comments

This report raises no issues for the Monitoring Officer.

8. Report Details:

Overview

The PSPO is a discretionary power under the Anti-Social Behaviour Crime and Policing Act 2014 which a Council can adopt and shape for local circumstances to deal with persistent anti-social behaviour.

Following public consultation and Council approval, the PSPO covering Exeter City Centre was implemented in June 2017. Attached to this report is a map which accompanied the original report and depicts the current PSPO area boundary.

The PSPO Spotlight Review Group membership consisted of:-

Cllr Harvey
Cllr Wright
Cllr Lyons
Cllr Morse
Cllr Owen
Cllr Robson
Cllr Sills
Cllr Matthew Vizard
Cllr Wardle
Cllr Prowse

The following people appeared before the PSPO spotlight review group:-

Jo Yelland – Director Exeter City Council and Exeter Community Safety Partnership Chair
Simon Lane – Environmental Health, Licensing and Community Safety Manager
Lisa Cocks – Principal Environmental Health Officer for Nuisance and ASB
Inspector Simon Arliss – Neighbourhood Inspector for Exeter
Sgt Dave Turner – City Centre Sargent

The review took place on the 18th June 2018 with the Environmental Health, Licensing and Community Safety Manager reminding Members that the first six months of implementation was focussed on education and making sure that the PSPO and the intention behind it was well received whilst adapting things where necessary so that people had a chance to understand how it could be used effectively and the clear rules around it.

Members were reminded that the original consultation process, included people from outside Exeter being invited to provide their views as well as Exeter residents. There were five public meetings (one including local businesses) held across the proposed PSPO area so that a broad overview of opinion could be obtained as well as specifically understanding the views and wishes of impacted communities and businesses. St Thomas ward was particularly supportive with a high turnout of people attending the meeting, some of whom arrived with a negative perception of the PSPO but left with a more positive view.

Inspector Simon Arliss and Sargent Sgt Dave Turner explained that the police find the PSPO a very useful and flexible tool. The PSPO initiative presented an opportunity to work with other organisations such as the City Council together with

businesses, communities and agencies to collectively demonstrate that the City will not tolerate certain behaviour and to put in place prevention measures (working with off licence traders for instance is invaluable in terms of prevention measures).

Since implementation the figures suggest that the volume of anti-social behaviour reported to the police in the City Centre (covering Fore Street, the High Street and Sidwell Street) has reduced by 16%. At the outset education was seen as the immediate priority which partly explains why there were no arrests before January 2018. The focus was on issuing anti-social behaviour contracts which seemed to work well. However, following a period of implementation, it is now time to take a gradual approach to enforcement and since January 2018 there have been 9 arrests to date relating to dispersed individuals who have subsequently come back into the PSPO area. Breach of the PSPO is not an imprisonable offence and is usually dealt with by the Magistrates' Court with a fine issued or the initial remand in custody viewed as sufficient punishment.

The power to seize alcohol is used on a daily basis and is particularly useful in helping to reduce anti-social behaviour, since if individuals are less inebriated they are less abusive and it is far easier to disperse individuals and groups. Dispersals break up the group dynamic and sometimes only this is required to resolve the presenting anti-social behaviour.

Instances of public urination have reduced with the introduction of the PSPO and the ability to issue fines for this offence means that money generated can go to the Community Safety Partnership and be used to fund anti-social behaviour projects.

There are still challenges and realistically it is fair to say that as quickly as problems are resolved, a new set of challenges can appear - this simply reflects the nature of dealing with anti-social behaviour but with collaborative working through the PSPO initiative these new challenges are being dealt with swiftly and effectively.

There will always be difficulties as a consequence of dispersals. Although planning in respect of the PSPO boundary took into account avoiding dispersals of individuals who would then move to other specific areas (for example, Belmont Park), there is no evidence to suggest that dispersed individuals go to specific locations – most do go home as they live in the City Centre although it is recognised that there are a percentage of individuals who are street attached.

A joint plan is coming into effect to tackle the issues at Blackboy Road in the vicinity of the toilets, working in association with the Councils Housing Options Team and the council funded Assertive Street Homeless Outreach Team from Julian House. This demonstrates the positive impact of collaborative working in order to find joint and sustainable solutions. Generally issues are largely contained and regularly reviewed and the Task and Finish Group found that the PSPO boundary appears sufficient since individuals usually do not wish to venture beyond it to predominately residential areas.

New Guidelines

The Home Office issued new Guidelines in December 2017 which encourage a more stringent consultation process and clarification as to what should be included in the PSPO which reflected the process undertaken in Exeter.

It should be recognised that the existing PSPO cannot be amended. A new Order would be required followed by a separate consultation. Exeter will have to go through this process in 2 years' time as the lifespan of the current PSPO will have expired. At this point fresh evidence will be collected and the PSPO area could be varied although there is nothing to suggest, at present, that this is required.

In Summary

This Task and Finish Group agreed that:-

- The PSPO is working well with a 16% reduction in anti-social behaviour reported to the Police.
- The power to seize alcohol and disperse groups and individuals is a very effective tool in tackling anti-social behaviour,
- The area currently covered by the PSPO is sufficient.
- The collaborative, multi organisations response is working well in terms of prevention, education and enforcement.
- Communities are being encouraged and supported to tackle low level anti-social behaviour, particularly through the Community Safety Partnership.

However, it is appreciated that:-

- Dispersals might push issues out of the City Centre and beyond the PSPO boundary – however there is no evidence that this is causing a problem at present.
- As quickly as one challenge is resolved another arises, which is the nature of dealing with anti-social behaviour and is unavoidable.
- Limited resources mean that responses need to be prioritised and focussed.

9 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?

This report simply provides an update as to the progress of the PSPO. An Equality Impact Assessment was submitted with the original report to Place Scrutiny on the 12th January 2017

Cllr Matthew Vizard and Cllr Laura Wright

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

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