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## CABINET

**Subject Heading:**

Extension of Romford Town Centre Public Space Protection Order

**Cabinet Member:**

Cllr Barry Mugglestone

**SLT Lead:**

Neil Stubbings

**Report Author and contact details:**

Diane Egan  
01708432927  
Diane.Egan@havering.gov.uk

**Policy context:**

On 20th October 2014, the Government overhauled the tools and powers available to local authorities and the Police to tackle anti-social behaviour under the ASB Crime and Policing Act 2014.

PSPOs are one of the tools available under the 2014 Act. These are wide-ranging and flexible powers for local authorities, which recognise that councils are often best placed to identify the broad and cumulative impact that ASB can have. The Act gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met. Councils can use PSPOs to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location.

On 23 October 2017, the Council introduced a Public Space Protection Order (PSPO) for Romford Town Centre, replacing the previous Designated Public Places Order

with a condition to control alcohol related nuisance within the town centre.

On 14 October 2020 the PSPO was extended for a further 3 years and is due to expire on 23rd October 2023. It is proposed to extend the PSPO with the same conditions for a further 3 years **(please refer to appendices 1 & 2)**

**Financial summary:**

The cost of communicating the extension of the PSPO will be met from current resources and is anticipated to be no more than £0.010m.

**Is this a Key Decision?**

Yes

**When should this matter be reviewed?**

April 2026

**Reviewing OSC:**

Places

**The subject matter of this report deals with the following Council Objectives**

People - Things that matter for residents X

Place - A great place to live, work and enjoy X

Resources - A well run Council that delivers for People and Place.

**1. SUMMARY**

Romford Town Centre has a vibrant and busy daytime/night-time economy with many licenced premises within the town centre selling alcohol and alcohol related products to local residents, businesses, members of the public and visitors.

Previously, alcohol related nuisance was dealt with under the Romford Town Centre Drinks Banning Order (DPPO), which covers a smaller area of the town centre. The Anti-Social Behaviour, Crime and Policing Act 2014 required that this was converted into a Public Space Protection Order - PSPO .

With the introduction of the Public Space Protection Order (PSPO) legislation, Police and partners of the Local Authority wished to introduced a method of enforcement against alcohol related nuisance. The existence of the legislation and introduction of the PSPO specifically in this area means the Police now have the power to approach, advise, warn and seize alcohol, or otherwise disperse offenders which in turn removes the related congregation and subsequent nuisance. As a last resort the Police and authorised officers can issue a fixed penalty notice or even instigate a prosecution for breach of the PSPO, however, the threat of this usually sees compliance and as a result no FPNs have needed to be issued.

The Current PSPO was introduced in September 2017 and extended in October 2020. Romford Town Centre remains a hotspot for Crime and Disorder and continues to require the additional powers provided by the PSPO to tackle alcohol related offending.

The police advise that without a PSPO in existence street drinkers would not be challenged and would most likely congregate drinking openly in larger increased numbers participating in ASB and Crime. This would have a huge negative impact and will see a reduction in the quality of life of residents and visitors coming to Romford and see an increase in crime and disorder including offences of violence against woman and girls (VAWG) and ASB related incidents.

Romford Town has a dedicated Town Centre team who are very proactive in tackling crime and disorder such as offences of knife crime during the day and disorder associated with the night-time economy but can only do so much and resources are at times stretched. If the PSPO was lifted this would without doubt place an even bigger burden on the team and the emergency services as a whole including an increase in call volumes.

With the above in mind, Community Safety is seeking to continue a PSPO for Romford Town Centre for an additional 3 years (October 2026), to provide continued methods of controlling alcohol related nuisance.

## **2. RECOMMENDATIONS**

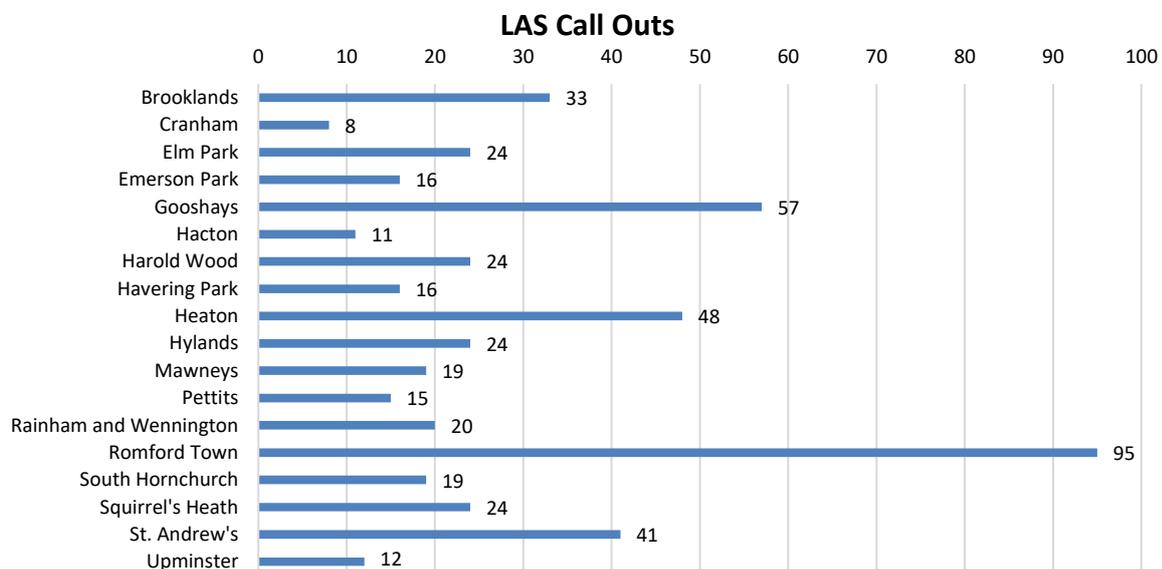
That the Cabinet, do approve:

- The Extension of the RTC PSPO with the proposed publication and notification of the PSPO and the associated conditions below (**see appendix 1 & 2 for previous PSPO for area map**);
  - Persons must not be in possession of an open container of alcohol in a public place within the Alcohol Control Area (except on licensed premises);
  - Persons must not consume alcohol in a public place within the Alcohol Control Area (except on licensed premises);
- the procurement, replacement and display of appropriate signage

## **3. REPORT DETAIL**

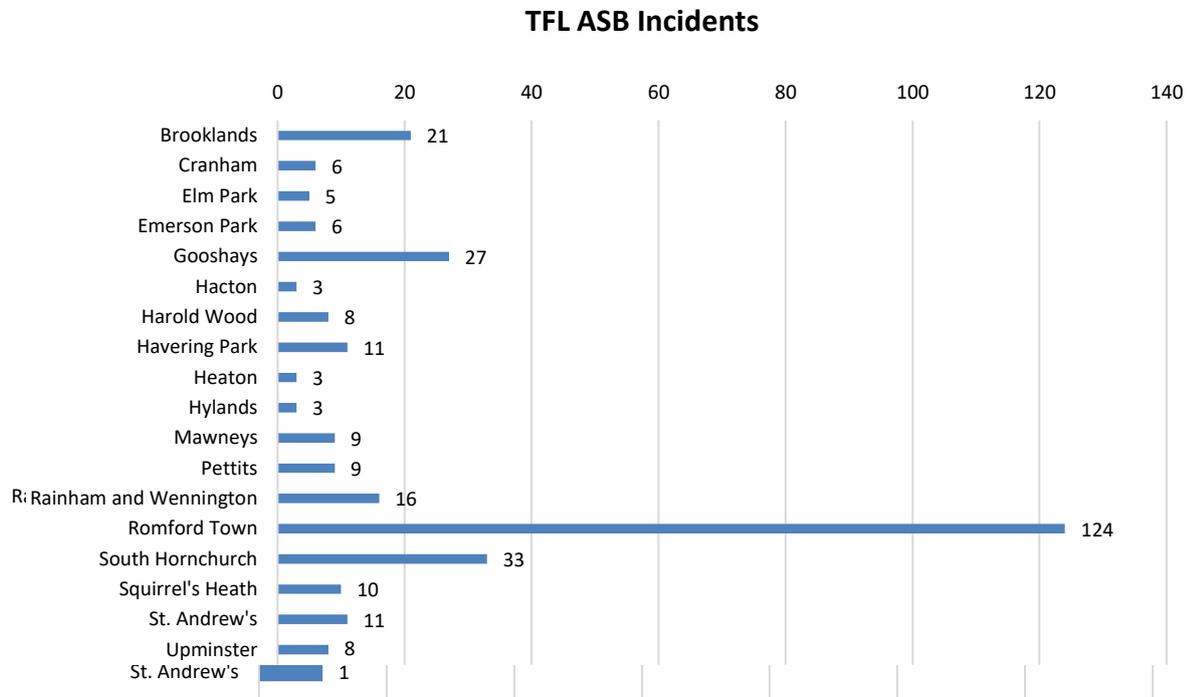
Romford Town Centre has a vibrant and busy daytime/night-time economy with many licenced premises within the town centre selling alcohol and alcohol related products to local residents, businesses, members of the public and visitors.

3.1 Figures were obtained from the SafeStats Datastore; which are from Transport for London and London Ambulance Service regarding alcohol-related incidents. Between July 2022 and January 2023 Romford Town Centre had logged 21% of all alcohol related callouts by LAS and TFL in

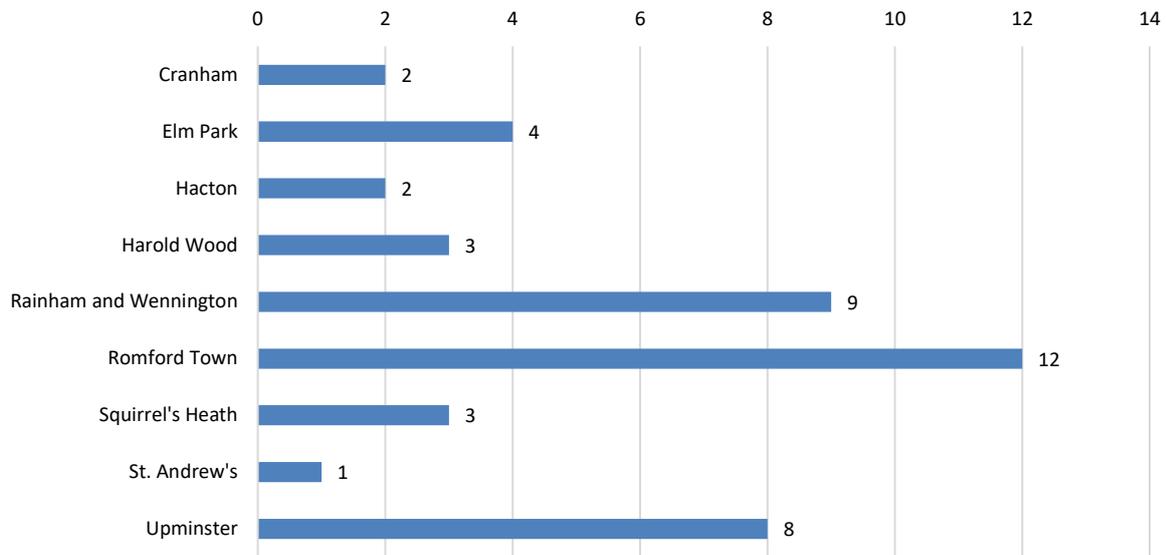


Havering. Comparisons have been made against all other Havering wards, which can be seen below, supporting that Romford Town had the highest number of logged incidents within the borough.

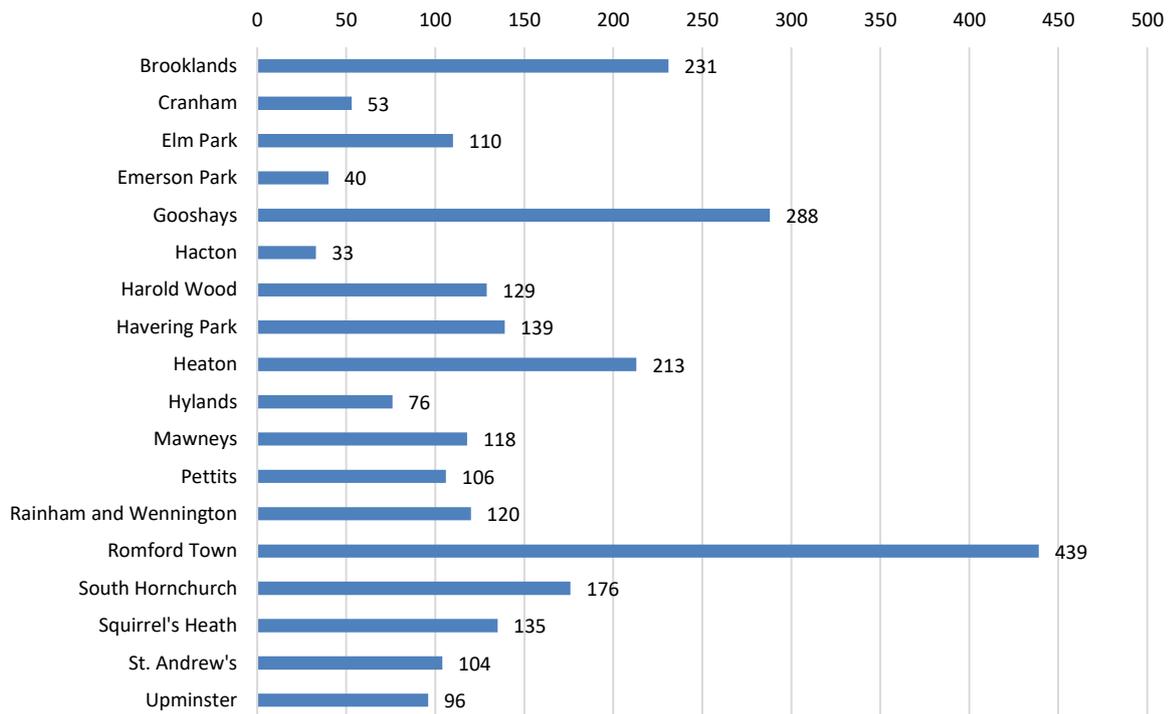
3.2 Additionally, figures were obtained from the SafeStats Datastore which are from Transport for London, British Transport Police and the Metropolitan Police Service regarding Anti-Social Behaviour incidents. Between July 2022 and January 2023 Romford Town Centre had logged 38% of all ASB related incidents recorded by BTP and TFL in Havering. Between July 2022 and June 2023 Romford Town Centre had logged 17% of all ASB related incidents recorded by the MPS in Havering. Comparisons have been made against all other Havering wards, which can be seen below, supporting that Romford Town had the highest number of logged incidents within the borough.



**BTP Incidents**



**MPS Incidents**



3.3 Furthermore, The London Borough of Havering Community Safety Strategic Assessment 2023 identifies alcohol and drugs as 'significant enhancers contributing to violence and serious acquisitive crimes'. Section 3.2.5 of the Assessment evidences the role of alcohol and drugs in violent and serious crime and states;

- 3.4 Substance misuse – alcohol is a significant factor in violence whilst drug use remains to be prevalent among those who commit high volumes of theft offences.

Local data for the Tri-Borough regarding the extent to which substance misuse is a factor in offending was unavailable at the time of completing the SA. As a proxy, information was used from the Crime Survey for England and Wales (CSEW). Over the last ten years in the CSEW, the victim perceived the perpetrator to be under the influence of alcohol in 47% of all violent crimes, compared to 21% for perpetrators perceived to be under the influence of drugs. There has been no significant change in the proportion of offences where drugs were identified since 2007. However, for violence there has been an overall reduction from over 50% prior to 2014 to just 39% in the most recent CSEW.

Alcohol related violence rates vary when considering different characteristics of the offences. In the most recent year stranger violence (49% alcohol, 24% drugs) was most likely to mention the use of alcohol whilst for domestic violence it had the lowest likelihood (31% alcohol, 15% drugs). Alcohol use was also associated with more severe injuries being sustained (52% of offences where a wounding occurred involved alcohol).

- 3.5 Probation and Community Rehabilitation Company offender assessment data was not available at the time of completing the SA. Research from the Ministry of Justice, analysing a five year cohort using the Offender Assessment System (OASys), has been used to provide a measure as to the extent to which crime types are more likely to be committed by those with either an alcohol or drug dependency (Compendium of research and analysis on the OASys 2009-2013 (2015) Ministry of Justice – see Table 5.2 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/449357/research-analysis-offender-assessment-system.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/449357/research-analysis-offender-assessment-system.pdf) Accessed 01.12.2019).

*Figure 1 - shows the % of offenders assessed who had alcohol or drugs as a criminogenic need contributing to their offending, by crime type, Ministry of Justice 2015*

<b>Alcohol</b>	<b>Drugs</b>
1. Criminal Damage 60%	1. Burglary 67%
2. Drink Driving 54%	2. Robbery 63%
3. Racially Aggravated 52%	3. Theft and Handling 60%
4. Violence 43%	
All Offenders 54%	All Offenders 37%

Figure 17 from this section shows the comparative data between alcohol and drugs. It is clear that alcohol related crime is more of a significant problem than in comparison to crimes associated with drugs.

- 3.6 The Council is also expecting relevant licensed premises such as bars to apply for 'pavement licences' under the Business and Planning Act 2020. If granted they will permit patrons to drink outside on pavement within the permitted designated areas. This naturally has the potential to increase the likelihood of alcohol related anti-social behaviour crime and disorder particularly if individuals decide to irresponsibly take open glasses elsewhere on the highway / road etc. away from the permitted area.
- 3.7 The Current PSPO was introduced in September 2017 and extended in October 2020. Romford Town Centre remains a hotspot for Crime and Disorder and continues to require the additional powers provided by the PSPO to tackle alcohol related offending.
- 3.8 With the above in mind, Community Safety is seeking to continue a PSPO for Romford Town Centre, to provide continued methods of controlling alcohol related nuisance.
- 3.9 Public consultation was conducted between 27 July and 20 August 2023, with 94% of 66 respondents in favour of extending the PSPO for a further 3 years. The consultation took place with local key stake holders to include both statutory and non-statutory organisations, with residents online and via local media mechanisms. The results of the online consultation can be found within the evidence pack.

#### **4. REASONS AND OPTIONS**

##### **Reasons for the decision:**

Romford Town Centre has a vibrant and busy daytime/night-time economy with many licenced premises within the town centre selling alcohol and alcohol related products to local residents, businesses, members of the public and visitors.

Previously, alcohol related nuisance was dealt with under the Romford Town Centre Drinks Banning Order (DPPO), which covers a smaller area of the town centre and is due to lapse in October 2023 in accordance with the succession of legislation within the Anti-Social Behaviour, Crime and Policing Act 2014 (of which the Public Space Protection Order - PSPO is part).

With the introduction of the Public Space Protection Order (PSPO) legislation, Police and partners of the Local Authority wished to maintain additional methods of enforcement for alcohol related nuisance, by way of a fixed penalty.

The Current PSPO was introduced in September 2017 and extended in October 2020, Romford Town Centre remains a hotspot for Crime and Disorder and continues to require the additional powers provided by the PSPO to tackle alcohol related offending.

With the above in mind, Community Safety is seeking to continue a PSPO for Romford Town Centre, to provide continued methods of controlling alcohol related nuisance.

**Other options considered:**

Options considered included:

- Do nothing
- The Local Authority has the ability to use other powers within the Anti-Social Behaviour, Crime and Policing Act 2014 to control alcohol related nuisance. However, these powers would not be suitable for the reasons set out below:

**Community Protection Notice** – Not suitable as it is a three stage process which is tailored to an individual and/or specific situation. Therefore it cannot tackle immediate instances of nuisance

**Dispersal Order** – Not suitable as the Order only lasts for 48 hour periods. This power is meant to offer immediate respite to specific local nuisance and is not a long term remedial measure

**Civil Injunction** – Not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

**Criminal Behaviour Order** - Not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

## **5. IMPLICATIONS AND RISKS**

### **LEGAL IMPLICATIONS AND RISKS**

The Council proposes to extend the existing Public Space Protection Order (PSPO) under Section 60 (2) of the Anti-Social Behaviour Crime and Policing Act 2014 in accordance with the Home Office Guidance updated August 2019 '*Anti-Social Behaviour Crime and Policing Act 2014: Anti-Social behaviour powers, statutory guidance for frontline professionals*'. The guidance issued by the Local Government Association dated February 2018 has also been considered. The criteria for an extension of an existing PSPO is as follows:

- 60 (2) Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent —
  - (a) occurrence or recurrence after that time of the activities identified in the order, or
  - (b) an increase in the frequency or seriousness of those activities after that time.

- An extension under this section may not be for a period of more than 3 years and must be published in accordance with regulations made by the secretary of state. In addition a Public Spaces Protection Order can be extended more than once.
- The consultation proposal paper and witness statements collated in the background papers sets out there is sufficient evidential basis for an extension of the Order, in particular that there are reasonable grounds to show it is necessary to prevent the occurrence and reoccurrence after that time of those with possession of an open container of alcohol and consuming alcohol in a public place in order to prevent alcohol related anti-social behaviour within Romford Town Centre.
- Under Regulation 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of PSPO's) Regulations 2014 ("ASBCPA 1014") in relation to a public spaces protection order that a local authority has made, extended or varied, a local authority must —
  - (a) publish the order as made, extended or varied (as the case may be) on its website; and
  - (b) cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to—
    - (i) the fact that the order has been made, extended or varied (as the case may be); and
    - (ii) the effect of that order being made, extended or varied (as the case may be).
- An application to challenge a PSPO can only be made on the grounds that:
  - (a) The local authority did not have the power to make the PSPO or to include particular requirements or prohibitions contained in it.
  - (b) PSPO requirements set out in Chapter 2 of Part 4 of the ASBCPA 2014 were not complied with. For example, there was a failure to consult before making the PSPO.
- This Report and supporting witness statements have been considered by the Senior Lawyer for Enforcement at oneSource Legal Department.
- OneSource Legal is satisfied that the PSPO Proposal, as amended, is proposed in accordance with law, and there is sufficient evidential basis for such Order to be made.
- There are no significant identified risks

## **FINANCIAL IMPLICATIONS AND RISKS**

The Extension of the Romford Town Centre Public Space Protection Order (PSPO) will require communication through social media and local papers this will be delivered within existing resources, not anticipated to exceed £0.010m.

## **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no HR implications

## **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Romford Town Centre Public Space Protection Order has had an Equality Impact Assessment. The EIA has indicated that the Romford Town Centre PSPO is not expected to impact negatively on any specific group.  
The revised EqIA is attached.

## **HEALTH AND WELLBEING IMPLICATIONS AND RISKS**

The PSPO will have a positive impact on the health and wellbeing of the Borough by tackling excessive alcohol consumption and street drinking.

## **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The PSPO will have a positive impact on the environment by reducing the litter and detritus associated with excessive alcohol consumption such as littering, broken glass and bottles.

## **BACKGROUND PAPERS**

N/A

## **APPENDICES**

Appendix 1 – copy of PSPO 2020

Appendix 2 – PSPO MAP

Appendix 3 – EQIA for RTC PSPO extension