

CABINET	14 th October 2020
Subject Heading:	<i>Extension of Romford Town Centre Public Spaces Protection Order</i>
Cabinet Member:	Councillor Viddy Persaud, Cabinet Member for Public Protection and Safety
SLT Lead:	Barry Francis
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Policy context:	<p>On the 20th of October 2014, the Government overhauled the tools and powers available for Local Authorities and the Police to tackle anti-social behaviour.</p> <p>The Public Space Protection Order allows Local Authorities to set conditions to tackle anti-social behaviour in a specific defined area.</p> <p>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.</p> <p>The current PSPO is due to expire on 23 October 2020. It is proposed to extend the PSPO with the same conditions for a further 3 years.</p>
Financial summary:	<p>The Romford Town Centre PSPO Extension will be delivered within existing resources.</p> <p>Replacement of signage will be done as necessary and will be met from existing budgets.</p>
Is this a Key Decision?	No
When should this matter be reviewed?	April 2023
Reviewing OSC:	Crime and Disorder Overview & Scrutiny

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

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

Romford Town Centre is currently subject to a Public Space protection order, which was introduced in October 2017. Public Space Protection Orders (PSPO) were introduced within the Anti-Social Behaviour, Crime and Policing Act 2014. The current PSPO is due to expire on 23 October 2020. It is proposed to extend the PSPO with the same conditions for a further 3 years.

RECOMMENDATIONS

That the Cabinet, do approve:

- The proposed Extension of the Romford Town Centre Public Space Protection Order (PSPO). A copy of the PSPO is attached as **Appendix 1** and the Map is attached as **Appendix 2**.

The PSPO contains the following conditions;

- Persons must not be in possession of an open container of alcohol in a public place within the Alcohol Control Area (save on licensed premises or on a designated area where a pavement licence is in force);
 - Persons must not consume alcohol in a public place within the Alcohol Control Area (save on licensed premises (save on licensed premises or on a designated area where a pavement licence is in force);
- the procurement, replacement and display of appropriate signage

REPORT DETAIL

Romford Town Centre has a vibrant and busy daytime and 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.

The current 3-year PSPO was introduced in October 2017, replacing the previous Designated Public Places Order, and provided additional methods of enforcement to the Police and Council to address alcohol related nuisance, by way of a fixed penalty.

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 therefore the Council seeks to extend the existing order for a further 3 years.

A 3-week Public Consultation has taken place between the 20th August and September, ending on the 15th of September in accordance with section 60 of the Anti-Social Behaviour, Crime and Policing Act 2014. As part of the consultation comments and evidence was collated from the Police, local residents and retailers. Additional consultation has taken place with Safe and Sound Business group and East Area BCU Police.

The Public consultation was delivered through the Councils Website. The Council publicised the consultation through the Councils Facebook page and Twitter feed.

The Consultation proposal set out the Council wishes to extend the existing PSPO under s.60 (2) of the Anti-Social Behaviour Crime and Policing Act 2014 before it expires as it is satisfied on reasonable grounds that doing so is necessary to prevent the occurrence or recurrence after the expiry of the order of the activities prohibited in the existing PSPO order. That is being in possession of an open container of alcohol and the consumption of alcohol within the 'Alcohol Control Area' as set out above around Romford Town Centre as outlined in the proposed PSPO plan in attached Appendix 1.

Prior to the pandemic Romford Town Centre has traditionally seen a footfall of approximately 11,000 people from Friday to Sunday to shop and visit it's thriving night time economy. This continues to drive problematic drinking and associated crime, nuisance and anti-social behaviour within the town centre. Although the number of people visiting has been impacted by the pandemic this is gradually increasing and will continue to do so with the changes in COVID19 restrictions. However it is apparent that there is a continuing need to prevent the occurrence and reoccurrence of alcohol related nuisance, crime and anti-social behaviour within the town centre.

The Council has completed a 'Tri-Borough Community Safety Strategic Assessment 2020'. These assessments are undertaken every year. This identifies alcohol and drugs as 'significant enhancers contributing to violence and serious acquisitive crimes'. Over the last ten years in the Crime Survey England and Wales, 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.

Figures obtained from the *Safestats Crime Themes Datastore* website show the number of alcohol-related incidents between April 2017 and March 2020 in Romford Town Centre as being the highest in the borough (see Figure 1 below). Within this ward 35% of all logged incidents relating to alcohol related crime and anti-social behaviour took place within Romford Town Centre. These statistics are collated from the British Transport Police, Transport for London and the London Ambulance Service.

Figure 1 - Safestats data - incidents related to alcohol logged by Transport Police, TFL and the Ambulance Service between 2017 – 2020:

Romford Town	2017-2018	2018-2019	2019-2020	Grand Total
BTP	5	2	2	9
LAS	303	248	235	786
TFL	16	7	11	34
TOTAL	324	257	248	829

The Full Consultation proposal paper can be found in **Appendix 3**

There were 139 responses in total, with 90.65% of respondents being in favour of the extension. A copy of the consultation report can be found in **Appendix 4**. The free text responses are contained within the background papers.

With the above in mind, Community Safety is seeking to extend the current PSPO for Romford town centre.

REASONS AND OPTIONS

1. The Council and other statutory partners have a responsibility under the Crime and Disorder Act 1998 to address crime and disorder within the borough.
2. Reasons for the decision:
Romford Town Centre has a vibrant and busy daytime and nighttime 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. Since October 2017, alcohol related nuisance was dealt with under the Romford Town Centre Public Space Protection Order (PSPO). The Annual Strategic Assessment of Crime and Disorder continues to identify Romford Town Centre as a hotspot for alcohol related crime and disorder. With the extension of the Public Space Protection Order (PSPO) for a further 3 years, the Police and other partners of the local authority wish to maintain methods of enforcement for alcohol related nuisance in the town centre, by way of a fixed penalty.
3. Other options considered:
 - 3.1 Do nothing.
This would result in the current PSPO expiring on 23 October and would reduce the tools available to the Police and Council to intervene early and deter people from drinking in the in the street and outside of designated and licensed premises. With the introduction of pavement, licensing this is likely to result in

customers from licensed venues being able to use public space outside of the control of the licensed premises increasing the risk of ASB and crime.

3.2 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

This was deemed 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

This was deemed not suitable as the Order only lasts for 48 hours periods. This power is meant to offer immediate respite to specific local nuisance and is not a long-term remedial measure

Civil Injunction

This was deemed not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

Criminal Behaviour Order –

This was considered not suitable as this is meant to resolve specific nuisance and is not an immediate remedial measure

IMPLICATIONS AND RISKS

Financial implications and risks:

The Romford Town Centre Public Space Protection Order will be delivered within existing resources.

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 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).

Human Resources implications and risks:

There are no HR implications in this decision.

Equalities implications and risks:

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

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The Equality Impact Assessment is attached as **Appendix 5**.

BACKGROUND PAPERS

- **RTC extension consultation report free text responses**
- **Evidence bundle**