

Committee	COUNCIL MEETING
Date	11 March 2024
Agenda item	12

To consider a Public Spaces Protection Order (PSPO) for the public gardens

As part of the Community Safety Accreditation Scheme training, the streetwarden and the clerk were given certain powers to issue Fixed penalty notices, and were instructed about other matters which can be considered to preserve community safety.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools were brought in as part of a Government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable. 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.

Orders can be introduced in a specific public area where the local authority is satisfied on reasonable grounds that certain conditions have been met. They are in place in many towns in Essex such as Maldon and Southend.

It is thought that a PSPO has previously been in place in Halstead Public Gardens. In view of the persistent presence of drinkers in the Public Gardens on a daily basis, and the use of the shelter on the New Street side of the public gardens for drugtaking and handling, it is worth considering the reinstatement of a PSPO. A single PSPO can be used to target a range of different ASB issues, and can also be extended to cover a wider area, in case of the possibility of the problem just moving down the road. In this case it might be best to extend it to the King George V playing fields. A PSPO can last for 3 years, after which it must be reviewed and can then be extended.

The first test concerns the nature of the anti-social behaviour, requiring that:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect
- the effect or likely effect of these activities is, or is likely to be, persistent or continuing in nature
 - is, or is likely to be, unreasonable
 - justifies the restrictions being imposed.

The PSPO must set out:

- what the detrimental activities are
- what is being prohibited and/or required, including any exemptions
- the area covered
- the consequences for breach

- the period for which it has effect.

Local authorities are obliged to consult with the local chief of police, the police and crime commissioners, owners of the land (BDC), appropriate community representatives (Friends of the Public Gardens) and the County Council. Any action to impose a PSPO would have to be instigated by BDC. This has been discussed with BDC, and it is something they are also considering. The process to impose it would be lengthy, and although the Safer Streets project hopes that their measures will make Halstead a safer place, it is unlikely to have much effect on the Public Gardens.

Recommendation: that HTC considers a PSPO as a future project.

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A handwritten signature in black ink that reads "Sarah Greateorex". The script is cursive and somewhat stylized.

Sarah Greateorex **Town Clerk**