

## PART A - Initial Impact Assessment

**Proposal Name:** City Centre Public Spaces Protection Order

**EIA ID:** 2874

**EIA Author:** Ian Turner

**Approval Status:** Approved

**Proposal Outline:** Recommends the making of a PSPO tackling anti-social behaviour in the city centre through restrictions on alcohol, begging, loitering, drug use and urination and/or defecation with the option to also include a requirement to leave the PSPO area for 24 hours.

The Anti-social Behaviour, Crime and Policing Act 2014 provides the police and Local authorities with a number of enforcement tools and powers to address anti-social behaviour, however, most are limited to tackling the behaviour of identified individuals, businesses or organisations. These powers are already used where appropriate. The act also gives local authorities the power to make Public Spaces Protection Orders which target specified types of anti-social behaviour and apply to everyone equally.

PSPOs provide additional powers to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the people can use and enjoy public spaces, safe from anti-social behaviour.

**Proposal Type:** Non-Budget

**Year Of Proposal:** 24/25

**Lead Director for proposal:** Tom Smith

**Service Area:** Customer Experience and Communities

**EIA Start Date:** 10/23/2024

**Lead Equality Objective:** Break the cycle and improve life chances

**Equality Lead Officer:** Ed Sexton

### Decision Type

**Committees:** Policy Committees

- Communities, Parks & Leisure

## Portfolio

**Primary Portfolio:** Neighbourhood Services

**EIA is cross portfolio:** No

**EIA is joint with another organisation:** No

## Overview of Impact

**Overview Summary:** PSPOs apply to everybody equally and, in the case of the City Centre PSPO, it applies all the time.

In introducing a PSPO, councils must ensure they comply with the requirements of the public sector equality duty under the Equality Act 2010. A full Equality Impact Assessment is being completed to determine how the restrictions might impact on certain groups.

Particular focus will be given to how the restrictions will impact vulnerable groups, particularly people experiencing street homelessness.

This was specifically raised by respondents to the consultation and other submissions received.

**Impacted characteristics:**

- Armed Forces
- Health
- Poverty & Financial Inclusion
- Partners
- Voluntary/Community & Faith Sectors
- Sex

## Consultation and other engagement

**Is consultation or other engagement required:** Yes

A full online consultation was carried out between 9th February and 25th March 2024. Paper copies of the survey were also available with officers also assisting with their completion to ensure those without internet access could be consulted.

1205 individuals and 77 organisations responded to the consultation.

A significant majority of individuals, organisations and landowners who responded to the consultation had witnessed or experienced anti-social behaviour over the last 12 months.

A further set of behaviours were identified as issues by respondents, e.g. aggressive and violent behaviour, loud religious preaching, littering and bike deliver riders on pavements.

Just over two thirds of individual respondents thought Sheffield City Council should introduce a PSPO in the city centre, a higher proportion (87%) of organisations agreed with the introduction.

Further comments were made reflecting views of both supporters of the PSPO and those who didn't agree. These comments centred on:

- People wanting to feel safe and able to visit and use the city centre in the day, evening and at night
- A concern that the PSPO would have a big or disproportionate impact on people who were homeless
- That setting a boundary may move the anti-social behaviour issues to other areas
- A consistent and strong concern that preventing and stopping many of the anti-social behaviours identified relied on people having access to appropriate services, support and facilities

<https://haveyoursay.sheffield.gov.uk/proposed-city-centre-pspo>

## Cumulative Impact

**Does the proposal have a cumulative impact:** No

**Impact areas:**

## Initial Sign-Off

**Full impact assessment required:** Yes

**Review Date:** 5/9/2025

## PART B - Full Impact Assessment

### Health

**Staff Impacted:** No

**Customers Impacted:** Yes

**Description of Impact:** The restrictions on alcohol and drugs are likely to have a positive impact on health.

The negative impacts of alcohol consumption are well documented. The restriction will allow intervention where alcohol is causing or is likely to cause anti-social behaviour, which is likely to occur when alcohol is consumed to excess.

The restriction on drug use is specific to the use of psychoactive substances as defined in the Psychoactive Substances Act 2016. The restriction, therefore, does not apply to controlled drugs (within the meaning of the Misuse of Drugs Act 1971) use of which are already covered by this legislation. As such, it will place a restriction on the use of New Psychoactive Substances (NPS) or so called "legal highs" and will allow intervention

where a constable or an authorised officer reasonably believes that a person is or has been using, or intends to use a psychoactive substance. NPS are likely to have a detrimental impact on health.

Due to low numbers of publicly available toilets, the restriction on urination and/or defecation in any public space could have an impact on some people suffering chronic illness. Additional, free, public toilets have opened in Sheffield City Centre in recent years but the provision of public toilets is not within the scope of the PSPO.

Prohibitions on public urination and defecation can help reduce associated public health risks from infectious diseases.

**Name of Lead Health Officer:**

**Comprehensive Assessment Being Completed:** No

**Public Health Lead signed off health impact(s):**

## Armed Forces

**Staff Impacted:** No

**Customers Impacted:** Yes

**Description of Impact:** Homelessness among military veterans in England has risen and there is potential for ex-armed forces personnel to be amongst those impacted by the restrictions.

Therefore the impacts covered above under Poverty & Financial Inclusion are relevant to this group.

## Partners

**Staff Impacted:** No

**Customers Impacted:** Yes

**Description of Impact:** Businesses and shops are a central part of city centre life, their views were sought in pre-engagement and 97 out of 100 businesses who responded have experienced ASB, for the majority, this is a daily occurrence.

Businesses, Sheffield BID would welcome a PSPO and feel the benefit of it. 87% of organisations that responded to the consultation agreed with the introduction of a PSPO in the city centre.

Enforcement of a PSPO is by SYP & SCC, which could lead to demand pressures. An enforcement approach is being developed jointly to address this.

There is the possibility that some partners, such as those that support vulnerable people, may see an increase in referrals which could have an impact on their capacity to deliver these services.

## Poverty & Financial Inclusion

**Staff Impacted:** No

**Customers Impacted:** Yes

**Description of Impact:** The original proposed restrictions on street drinking, begging, loitering, drug use, and urination/defecation were more likely to impact vulnerable groups, notably people experiencing street homelessness.

Following the consultation, and responding to other submissions received during the consultation period, the following changes have been made:  
Changes to the proposed begging and loitering restrictions to remove the words 'nuisance' and 'annoyance' makes the wording less ambiguous and less subjective. The restrictions are now limited to behaviour that causes or is likely to cause harassment, alarm or, distress.  
The restriction on alcohol to situations that are causing or are likely to cause anti-social behaviour rather than a blanket restriction on all alcohol consumption in the city centre.

The requirement to leave the area for 24 hours (inclusion of this requirement is to be decided by the policy committee), could impact access to support services available in the City Centre. This requirement is qualified by the inclusion of the words 'without reasonable excuse' to ensure access to these services is still permitted. This wording also ensures those who live and/or work in the restricted area can continue to have access.

The changes made as a result of the consultation aim to mitigate the impact on people with this characteristic. The PSPO will also allow earlier intervention where there are particularly vulnerable individuals within a larger group to provide support to those individuals. Individuals can be both perpetrators and victims of ASB.

There is the potential for a positive impact on those experiencing street homelessness through targeted support and advice. Rough sleeping is the most visible and harsh form of Homelessness and continues to be a growing problem nationally and Sheffield is no exception to this. Although addressing rough sleeping in Sheffield continues to be a challenge and, although the number of new people rough sleeping is low, Homeless Prevention and Rough Sleeping Strategy Action Plan ensures that their needs are promptly addressed (see Housing Policy Committee report September 2024 <https://democracy.sheffield.gov.uk/mgAi.aspx?ID=35428> for details of the action plan). The Rough Sleeping Initiative Team that work in Housing solutions, do outreach specifically for those Rough sleeping.

There is a small remaining risk that the PSPO could negatively impact those experiencing street homelessness and that this could outweigh the positive impacts of earlier interventions prioritising support and advice.

The Enforcement and Support Protocol will ensure that procedural safeguards are in place ensuring support and signposting is prioritised over enforcement.

The NIA process will mean that data on enforcement will be collected to monitor how the PSPO is used, who it affects and provide information on its effectiveness. This will help to identify whether or not further mitigation is needed to tackle any negative impacts on these individuals.

## Voluntary / Community & Faith Sectors

**Staff Impacted:** Yes

**Customers Impacted:** No

**Description of Impact:**

Many support services for those in need in the city centre are delivered by Voluntary, Community and Faith Sector organisations. The enforcement and support protocol for the PSPO will prioritise prevention, advice, education and support above the issuing of fixed penalty notices. Whilst the aim of this is to reduce the harm to individuals, it could have an impact on service demand for organisations providing these support services.

## Action Plan & Supporting Evidence

**Outline of action plan:**

An enforcement and support protocol has been developed to define the key principles and will be published as an appendix to the Committee report:

- Education, advice and prevention will be the first priority.
- The restrictions apply to everyone; enforcement will be fair and proportionate with due consideration to the circumstances of the breach and the person who committed it.
- In most cases, the opportunity to cease the activity will be given and no further action be taken.
- Officers may require someone who has breached the PSPO to leave the area, but only as a last resort when other options are not appropriate or have not worked.
- Support can be offered to address underlying causes of the ASB.
- Further action will be taken for noncompliance or when there are repeat offences.
- An 'ASB Notice of Intended Action' (NIA) process will ensure that action is taken based on the circumstances.
- Fixed Penalty Notices (maximum £100) will be used, but not as the 'default' response.
- Staff 'patrol' resources will be prioritised in the areas where ASB is most likely to occur.

The NIA process will allow monitoring of the PSPO particularly where multiple notices are issued to the same person. This information will help in identifying individuals with complex and/or multiple support needs. It can also be used for reviewing the effectiveness of the PSPO. In particular, combined with information on any FPNs issued, it will help to identify opportunities for engagement with potentially adversely affected groups on the perception of the enforcement approach.

**Action plan evidence:**

Public Spaces Protection Order Consultation Analysis Report (to be published as an appendix to the decision report)

LGA Public Spaces Protection Orders Guidance for Councils:

[https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance\\_06\\_1.pdf](https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf)

Anti-social Behaviour, Crime and Policing Act 2014:

<https://www.legislation.gov.uk/ukpga/2014/12/contents>

Anti-social behaviour powers Statutory guidance for frontline professionals:

[https://assets.publishing.service.gov.uk/media/6422a19b60a35e00120cae63/2023\\_Update\\_ASB\\_Statutory\\_Guidance\\_-\\_FINAL\\_\\_1\\_.pdf](https://assets.publishing.service.gov.uk/media/6422a19b60a35e00120cae63/2023_Update_ASB_Statutory_Guidance_-_FINAL__1_.pdf)

**Changes made as a result of action plan:**

## Mitigation

**Significant risk after mitigation measures:** No

**Outline of impact and risks:**

## Review Date



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