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Public Spaces Protection Order

Communities Parks & Leisure Policy Committee

Dec 2024



Agenda Item 10

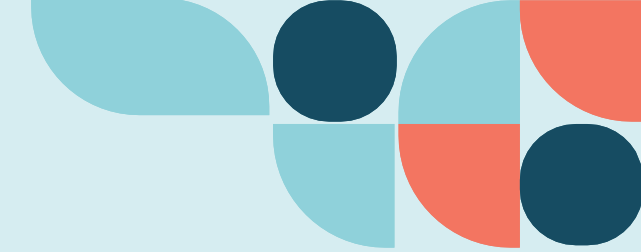
Consultation Feedback

1205 individuals and 77 organisations responded to the consultation

Headline results

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- **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.**

Consultation Feedback

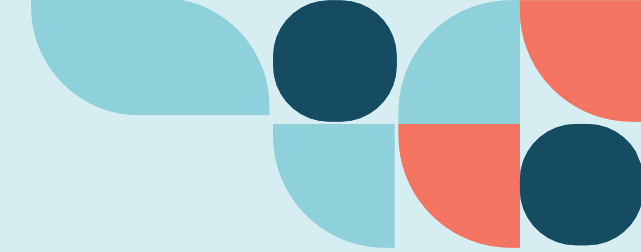


Experience of ASB

- **82% of individuals and 92% of organisations had experienced anti-social behaviour in the last 12 months.**
- **The majority agreed or strongly agreed the issues were a problem in Sheffield city centre.**
- **A consistent proportion of one sixth of individual respondents disagreed or strongly disagreed with each anti-social behaviour identified with the exception of drug use which had a lower disagreement rate.**
- **The issues that stood out for individuals were Drug use (with 79% of individual respondents who strongly agreed/agreed), Begging (74%) and Drinking alcohol in public (73%).**
- **The issues that stood out for organisations were Drug use (92%), Drinking alcohol in public (92%) and Public urination/ defecation (88%).**



Consultation Feedback

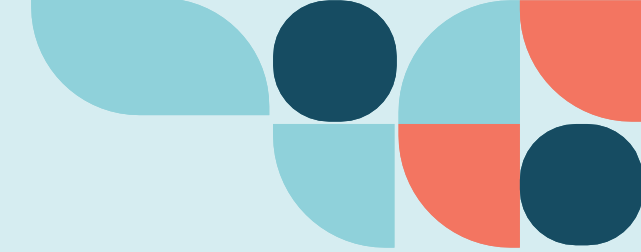


Support for a PSPO

- 67% of individuals were in support of the introduction of a PSPO, whilst 12% disagreed.
- However, nearly $\frac{1}{4}$ of individual respondents disagreed with the specific restrictions on begging and alcohol.
- 531 individuals that answered 'Yes' and 221 who answered 'No' gave further comments about the introduction of a PSPO
- 87% of organisations were in support with 4% disagreeing.
- 49 organisations that answered 'Yes' and 6 who answered 'No' gave further comments about the introduction of a PSPO



Consultation Feedback

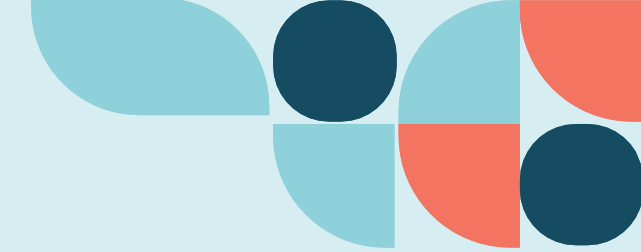


Experience of ASB

- **43% of individuals and 55% of organisations identified that there were other anti-social behaviour issues not captured in the PSPO report. 16 specific issues were identified, of which 12 are covered by existing legislation. Of the remaining 4:**
 - The right to preach is protected by the European Convention on Human Rights
 - Charity collections are covered by the Fundraising Regulator Code of Fundraising Practice.
 - Issues relating to noise and/or loudness are only a statutory nuisance if they unreasonably and substantially interfere with the use or enjoyment of a home or other premises
 - Dangerously out of control dogs are covered by Dangerous Dogs Act 1991.



Consultation Feedback

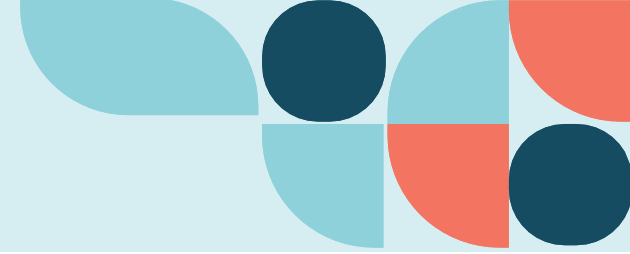


Area Covered

- 68% of individual respondents and 78% of organisational respondents agreed with the proposed boundary of the PSPO.
- Of those that disagreed, 153 individual and 10 organisational respondents said the area should be bigger; 47 individual and no organisational respondents said it should be smaller.
- The evidence does not currently support extending the PSPO to the areas proposed. However, if it is implemented, there is the opportunity to review and amend the PSPO.

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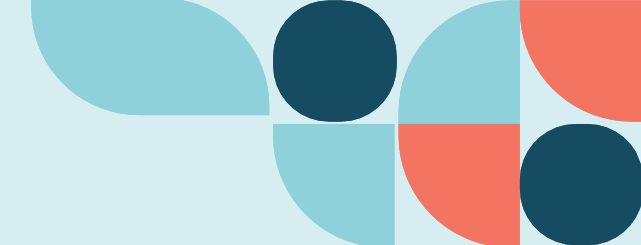


Changes made as a result of the consultation

- **Several changes have been made to the proposed begging and loitering restrictions to make the wording less ambiguous and less subjective**
- **The restriction on alcohol has been amended to situations that are causing or are likely to cause anti-social behaviour rather than a blanket restriction on all alcohol consumption.**
- **Following discussions with SYP, a requirement to provide name, address and date of birth and to leave the restricted area for 24 hours for breaching the order has been added. This provides an alternative intervention that will help to avoid more formal intervention such as issuing an FPN. If an individual has a reasonable excuse for entering the area during that time, such as attending support services or accommodation, this is permitted.**



Revised Restrictions



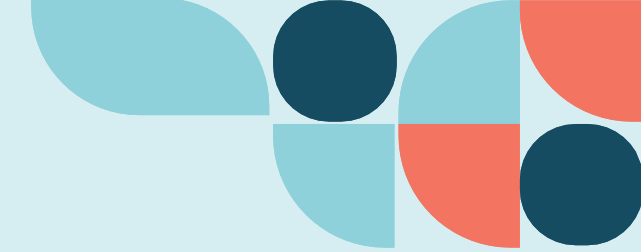
Revised PSPO restrictions

Restriction	Revised Wording
Alcohol	No person within the restricted area may consume alcohol and/or be in possession of alcohol or items suspected to be alcohol in a public place, in a manner that is causing or is likely to cause anti-social behaviour.
Begging	No person within the restricted area shall make verbal, non-verbal, or written request(s) for money, donations or goods including the placing of hats, clothing, signage, or containers, in a manner that causes or is likely to cause harassment, alarm or distress to any person.
Loitering	No person within the restricted area shall loiter, in any temporary structure, in or adjacent to doorways, cash machines, banks or supermarkets in a manner that causes or is likely to cause harassment, alarm or distress to any person.
Drug Use	No person within the restricted area will ingest, inhale, inject, smoke, or otherwise use a psychoactive substance
Urination and/or defecation	No person within the restricted area will urinate and/or defecate in any public place (this does not include public toilets).

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Enforcement and Support Protocol

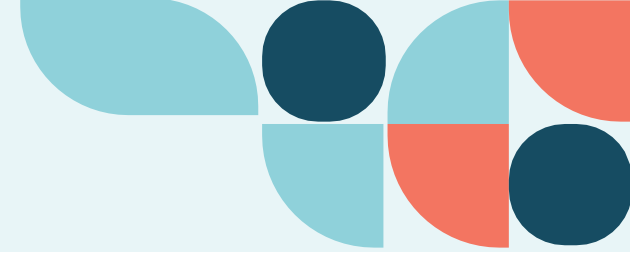


An enforcement and support protocol will define the key principles:

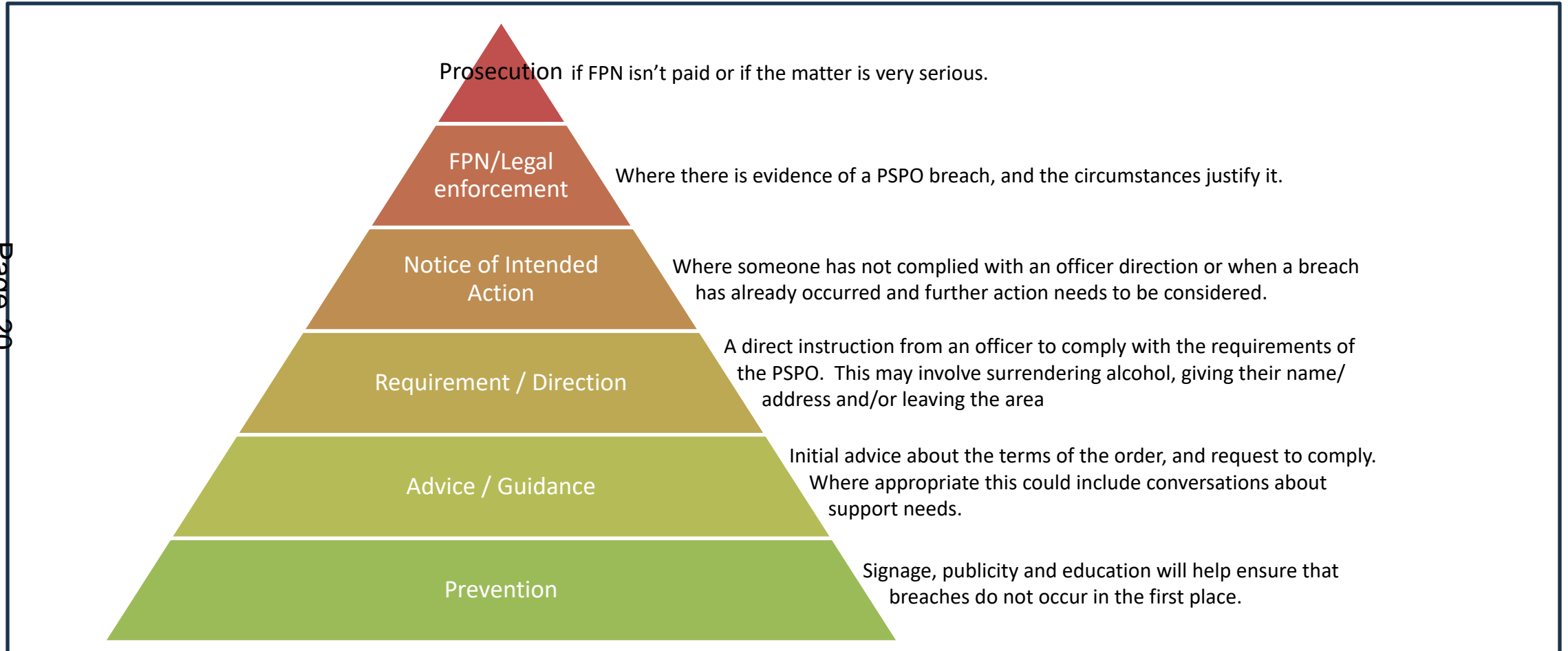
- Education, advice and prevention will be the first priority.
- The restrictions apply to everyone; enforcement will be fair and proportionate.
- In most cases, the opportunity to cease the activity will be given.
- Support can be offered to address underlying causes of the ASB.
- Officers may require someone to leave the area for 24 hours.
- 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



Enforcement and Support Hierarchy



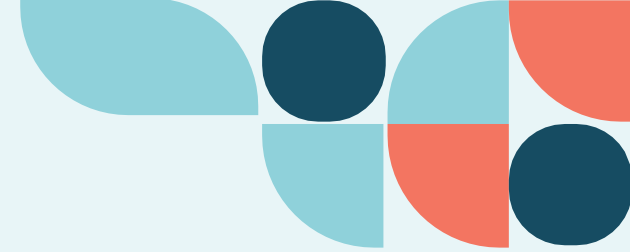
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The hierarchy is not a linear process and officers will use professional judgement to ensure that the most appropriate action is taken based on the circumstances of the breach and the person causing the anti-social behaviour.



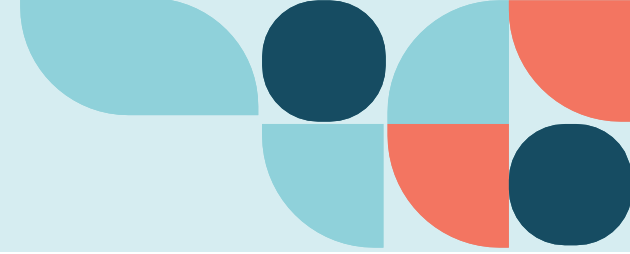
ASB Notice of Intended Action (NIA)



A new process, developed alongside the PSPO, and central to our Enforcement & Support Protocol:

- **To be used when further action needs to be considered after a PSPO breach.**
- **A tool for front line officers to ensure visible action is taken at the time of a breach.**
- **Ensures that consideration of individual circumstances is made by the appropriate services in determining the necessary action and making sure that vulnerable people access the appropriate support pathway.**
- **Demonstrates that Fixed Penalty Notices will not be the default response and will only be used where necessary.**

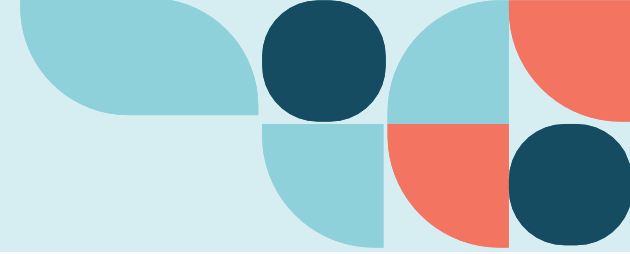




Equalities Impact Assessment #2874

- The restrictions contained in the PSPO apply equally to everyone. It is possible that certain groups of people may be more likely to breach the order than others due to circumstances such as addiction.
- Action has been taken to mitigate potential impacts. This has included the revision of the draft restrictions to remove some of the ambiguity and subjectiveness and the development of the Enforcement and Support Protocol
- Enforcement of the PSPO will be fair, reasonable, and focused on a wholistic problem solving approach, including addressing support needs where necessary.
- The Enforcement and Support Protocol creates procedural safeguards to ensure that support and signposting are prioritised over enforcement.





The Communities, Parks & Leisure Policy Committee is recommended to:

1. Having taken into account the outcome of the consultation, approve the making of a Public Spaces Protection Order on the terms attached at Appendix A for a period of 3 years. This Order shall be known as the 'Sheffield City Council City Centre Public Spaces Protection Order 2024.'
2. Agree that the planned target date of implementation of the Sheffield City Council City Centre Public Spaces Protection Order 2024 shall be in April 2025.
3. Grant delegated authority to the Director of Customer Experience and Communities in consultation with the Chair of the Communities, Parks and Leisure Policy Committee to agree the exact date when the Sheffield City Council City Centre Public Spaces Protection Order 2024 shall take effect.
4. Grant delegated authority to the Director of Customer Experience and Communities to undertake all necessary further steps and actions required in order to formally implement the making of the Sheffield City Council City Centre Public Spaces Protection Order 2024.





Any questions?

