

CEREDIGION COUNTY COUNCIL

Report to: Council

Date of meeting: 21st of September 2023

Title: Public Space Protection Orders (PSPOs)

Purpose of the report: To seek approval from Council for the extension of Public Space Protection Orders (PSPOs) for Aberystwyth, Cardigan and Lampeter for a further three years.

For: Decision

**Cabinet Portfolio and
Cabinet Member:** Councillor Matthew Vaux

On 20/10/17 the previous Designated Public Space Orders were replaced by Council for Public Space Protection Orders (PSPOs). These Orders allow the banning of drinking alcohol in designated areas in order to address anti-social behaviour in public places. There are currently three PSPOs in place in Ceredigion, covering the town centres of Aberystwyth, Cardigan and Lampeter.

Implementation of an Order makes it an offence should a person fail to comply with a request from a Police Officer or an authorised Officer to not consume alcohol, or refuses to surrender alcohol to the officer. Offenders are liable to a summary conviction and a fine not exceeding £500.

The three PSPOs in Ceredigion originally had a three-year provision, and were due to expire in October 2020. However, Section 60 of the Anti-social Behaviour, Crime and Policing Act 2014, permits a Local Authority to extend a PSPO for a further three years, where it is satisfied on reasonable grounds that doing so is necessary to prevent an occurrence or recurrence of the activities identified in the Order.

In 2020, Council was satisfied that these conditions continued to be met in the case of all three PSPOs, and approved their renewal for a further three years. The current expiry date of the PSPOs is therefore 19th October 2023.

In order to extend the provision, Local Government Association Guidance (May 2017) states that a review must take place every three years and where a continuation of an existing order is involved, a full consultation is **not** required. A full consultation would be needed if the geographical boundaries of the designated area were to be changed or if additional activities were to be added to the ban i.e., begging, busking, etc.

In order for a PSPO to be continued the Authority must be reasonably satisfied that two conditions are met, namely:

- 1) *Activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect; and;*
- 2) *The effect, or likely effect, of the activities is, or is likely to be, of a persistent nature; is, or is likely to be, such as to make the activities unreasonable and justifies the restrictions imposed by the notice.*

The Authority has contacted Dyfed-Powys Police, Dyfed-Powys Police and Crime Commissioner and the three Town Councils (Aberystwyth, Lampeter and Cardigan); all of whom have been asked their opinion as to whether the Orders are still effective and if there is a necessity to continue their provision. The responses received indicates they consider that all of the PSPOs should remain in place on the same basis as in the previous three years, with no request to alter existing boundaries.

Furthermore, at a Community Safety Partnership (CSP) meeting on the 19th of June 2023, it was confirmed that Partners consider the PSPOs to be a deterrent and an effective tool in reducing alcohol related crime and anti-social behaviour. For these reasons, the CSP recommends that the current PSPOs be extended for another 3 years.

We are therefore reasonably satisfied that the two renewal conditions of the PSPOs as stipulated in the legislation have both been met.

Should Council agree to the extension of the PSPOs, there will be an approximate cost of £700 associated with raising public awareness through public notices being placed in the press during October, advising members of the public that the PSPOs have been extended and the effect of such orders.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed?

Yes

If, not, please state why

Summary: The IIA shows there are mainly positive outcomes for citizens, whilst the remainder are neutral

Long term: The PSPOs will be required to be reviewed pursuant to implementation every three years to ascertain if they are still required.

Collaboration: Dyfed-Powys Police work along with Ceredigion County Council to institute prosecutions where appropriate. Collaborative working with licenced premises will also continue to raise

	awareness and promote socially responsible drinking habits.
Involvement:	Guidance issued specifies the extent of consultation prior to continuation of the PSPO's.
Prevention:	The continuation of the PSPOs will allow measures to be taken to address problems associated with drinking in public places.
Integration:	The existing Orders banning drinking alcohol in the town centres has had a positive impact in reducing anti-social and intimidating behaviour and allowing Police to confiscate alcohol.
Recommendation(s):	That Council decide that the Public Spaces Protection Orders (PSPOs) for Alcohol related Anti-Social Behaviour are extended for a further 3 years, effective from 20 th October 2023 to 19 th October 2026.
Reasons for decision:	The current PSPOs expire on the 19 th October 2023. There is a need to facilitate a continuation of measures by way of continuing the provision of PSPOs in the three town centres specified. This is required in order to address instances of alcohol related anti-social behaviour, crime caused by the intoxicated individuals and harassment and intimidation to members of the public.
Overview and Scrutiny:	N/A
Policy Framework:	Corporate Strategy 2022-2027
Corporate Priorities:	Creating Caring and Healthy Communities
Finance and Procurement implications:	Signage is in place and will be reviewed upon renewal. Enforcement is carried out by Dyfed-Powys Police. A cost will be associated with related public notice.
Legal Implications:	None
Staffing implications:	None
Property / asset implications:	None
Risk(s):	Not having a valid PSPO in place will have an impact on the Council and Dyfed-Powys Police's ability to deal with anti-social drinking within the three towns concerned. This may have a detrimental effect on the

residents and visitors of the County and on the reputation of the Council.

Statutory Powers: Anti-social Behaviour, Crime and Policing Act 2014

Background Papers:

- Anti-social Behaviour, Crime and Policing Act 2014
- Local Government Association – Public Spaces Protection Orders – Guidance for Councils 2017
- Report to Council 21/09/17 – DPPOs amended to PSPOs.
- Report to Cabinet 01/09/20 - Where it was agreed to renew the provision of the three PSPOs in Ceredigion (first renewal).

Appendices:

- Integrated Impact Assessment
- Cyngor Sir Ceredigion County Council (Aberystwyth) Alcohol (Consumption in Public Space Protection) Order 2017
- Cyngor Sir Ceredigion County Council (Cardigan) Alcohol (Consumption in Public Space Protection) Order 2017
- Cyngor Sir Ceredigion County Council (Lampeter) Alcohol (Consumption in Public Space Protection) Order 2017

Corporate Lead Officer: Alun Williams, CLO Policy and Performance

Reporting Officer: Tim Bray, Partnerships and Civil Contingencies Manager

Date: 31st August 2023