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REPORT DETAIL

- 1.1 Public Spaces Protection Orders (PSPOs) were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to address issues that have a detrimental impact on the quality of life of the local community by imposing conditions on disruptive behaviours.
- 1.2 A PSPO provides clear notification through signage to people using public spaces that some behaviours are restricted or prohibited. It also provides the Police, and officers authorised by the Council, an opportunity to take immediate and effective action in the event that an individual breaches the conditions.
- 1.3 Bromley had 3 alcohol exclusion zones (AEZ's) in Beckenham Town Centre, Bromley Town Centre and Penge Town Centre. These AEZ's were originally introduced through a Designated Public Place Orders and subsequently became PSPO's as a result of the Anti-Social Behaviour, Crime and Policing Act 2014 through transitional arrangements within the Act as of 20th October 2017.
- 1.4 A local authority may extend the PSPO for up to 3 years 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.
- 1.5 The PSPO was extended in 2021 and is due to expire on 31 March 2024.
- 1.6 If the PSPO conditions were to expire it is likely that the issues it was introduced to address will recur. The expiration of the PSPO would limit the tools for Police officers to take immediate action to deter behaviours that have a detrimental effect on the local community.
- 1.7 PSPOs are in place across the UK which place restrictions and conditions on a variety of behaviours as required by the individual needs of each area. Consistently they all impose controls on the consumption of alcohol.

- 1.8 The PSPO addressing anti-social behaviour has been in place in Bromley for the last 6 years, superseding other control measures, such as Alcohol Exclusion Zones (AEZ), and have proven to be successful in providing the Police with an efficient and effective tool to anti-social behaviour resulting from drinking or use of psychoactive substances.
- 1.9 The PSPO does not ban all drinking in a public place. A breach of the order only takes place when an individual refuses to stop drinking or to surrender their alcohol to a police officer or other designated enforcement officer. The same applies to psychoactive substances. All public urination and defaecation is prohibited. If the PSPO is breached, there is a maximum fine of £1000 on conviction. Typically a fixed penalty notice of £100 is issued first and non-payment could then lead to a prosecution.
- 1.10 The House of Commons Committee Report 'Alcohol Treatment Services', May 2023 reported that 'Alcohol harm impacts not only drinkers themselves but also their families and wider communities. It is linked to over 100 illnesses, can drive mental disorder, self-harm, and suicide, and is a major cause of preventable death. The Office for National Statistics reported that alcohol was linked to 42% of all violent crime in 2019–20, up from 40% in 2018–19, and there is evidence that it does most harm in our most deprived communities with five times as many liver deaths as the most affluent communities.'
- 1.11 Research by the Institute of Alcohol Studies, exploring the Patterns in alcohol-related violence: exploring recent declines in alcohol-related violence in England and Wales, provides insight into the changes that have taken place over the last 10 years whilst cautioning that the 'declines described in this report should not encourage complacency. As more than half a million instances of alcohol-related violence take place each year, evidenced action is needed – including on price, consumption, and marketing.'
- 1.12 New Psychoactive Substances (NPS) mimic the effects of traditional drugs that are controlled under the Misuse of Drugs Act 1971. These substances, together with other substances used as intoxicants (for example, nitrous oxide), are often referred to as 'legal highs'. The chemicals in the substances are often neither legal nor safe for human consumption. NPS present a danger because:
- they are, or have been, easily accessible.
 - they may not necessarily hold the same perceived threat to health and well-being as other, 'traditional', illegal drugs.
 - some young people incorrectly think NPS are safer because of their perception that they used to be legal or that they come in branded packaging. This exposes young people to risk and participation in risky behaviours.

- 1.13 The Psychoactive Substances Act 2016 ('the Act'): defines 'psychoactive substance' and makes it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances. It does not prohibit the purchase and personal use of the substance, although, with effect from 8 November 2023 Nitrous Oxide became a controlled Class C drug under the Misuse of Drugs Act 1971.
- 1.14 In addition to the health risks presented by the use of NPS there is the wider issues associated to the littering of associated paraphernalia, the most common being metal cannisters which are not only unsightly but also create a trip/slip hazard to pedestrians, particularly those with different mobility needs.
- 1.16 There are many reasons to deter public urination and defaecation without reasonable excuse, these are mainly;
- It creates an unwelcoming environment for others;
 - It makes people feel less safe;
 - It is unhygienic;
 - Urination can be absorbed by porous surfaces and generate unpleasant smells that are difficult to remove;
 - Acidic compounds like ammonia from urine can erode some building materials, particularly traditional building materials.
- 1.17 Bromley operates a Community Toilet scheme with local businesses which allows members of the public to use the toilet facilities of cafes, licensed public houses, restaurants and supermarkets during opening hours and without the need to make a purchase.
- 1.18 Required consultation was undertaken with the Metropolitan Police Service and confirmed their support of the extension.
- 1.19 As the PSPO is already in place and there are no proposals to vary its current conditions a simple public consultation process was undertaken to understand if the proposed 3-year extension was supported by the public. The consultation asked 2 questions.
- Question 1: Do you agree with Bromley Council extending our current PSPO for the control of alcohol consumption, use of psychoactive substances and prevention of urination for a further 3 years?
- Question 2: Please tell us the reasons for your answer?

- 1.20 The consultation was active between 11 December 23 and 15 January 24.
- 1.21 Respondents indicated they had heard about the consultation through the Bromley Council website, on social media, such as Facebook, the Crystal Palace blog and by word of mouth.
- 1.22 There were 19 respondents, seventeen stated they supported the extension and 2 did not.
- 1.23 Those who stated they supported the renewal gave the following reasons for their responses:
- That behaviour might return if you don't extend it.
 - The safety & wellbeing of a residents is essential. This ensures services can act quickly where necessary.
 - It has all the protections - it just needs full enforcement.
 - If these controls are not in place then I think anti-social behaviour will be rife.
 - We pay council tax to ensure cleanliness and safe space provision for residents of the borough and should not be afraid or intimidated when walking around public spaces in our day to day life.
 - There is enough ASB even with it, so the potential of it being removed, and enforcement weakened as a result does not bear thinking about.
 - Further prevention is critical so families and other residents can safely enjoy open spaces in Bromley.
 - Continued safety of residents using open spaces in the borough are essential.
 - In order to maintain a healthy environment.
 - If it has been shown to work well then it should continue.
 - To maintain law and order and anti social behaviour prevalent.
 - It's an important tool in the reduction of antisocial behaviour and needs to be extended accordingly.
 - Bromley Residents need to feel safe and comfortable when they are out and about in the evening eating out or going to the theatre or cinema.
 - Allows the police to effectively and efficiently stop anti social behaviour in our parks and commons

- The use of the tiny canisters of gas that are found everywhere are a blight on the area.

1.24 The respondents who stated they did not support the renewal gave the following reasons.

- Because I think you should be more concerned with kids running around stabbing people than a hard-working tax payer enjoying a gin and smoke in the park on a summers day. Also not enough public toilets and many of us have bladders that need to go every half hr. Cleaner pissing in a Bush than public toilets anyway.
- This consultation gives no regard to those who have nowhere to go to the toilet. You've closed all your public toilets - no wonder people go on the street.

1.25 It has been recommended that the Council extend the current PSPO for a further 3 years.