

<b>Board/Committee:</b>	Full Council
<b>Date of meeting:</b>	13 December 2023
<b>Title:</b>	Gosport and Town Centre Public Spaces Protection Order (PSPO) 2023
<b>Author:</b>	Head of Corporate Policy and Community Safety
<b>Status:</b>	For Decision

## **Purpose**

This report seeks approval from Full Council to make the Gosport and Town Centre Public Spaces Protection Order 2023 to replace the 2020 order.

## **Recommendation**

That the Council:

- Considers the results of the consultation exercise in relation to this matter carried out between 01/11/2023-29/11/2023,
- Approves the proposed Gosport and Town Centre PSPO 2023 (to be effective from 14 December 2023 to 13 December 2027) to control Anti-Social Behaviour (ASB) in the area shown edged black in the accompanying plans as set out in Appendix 1,
- Delegates Authority to the Head of Corporate Policy and Community Safety to take the necessary required steps to implement the proposed Gosport and Town Centre PSPO 2023 in the form of Appendix 1.

## **1.0 Background**

**1.1** The Gosport and Town Centre PSPO 2020 replaced the Town Centre and Alcohol PSPO and lasted for 3 years ceasing to have effect on 20<sup>th</sup> October 2023. As the current Gosport and Town Centre PSPO 2020 has expired a new Order will be required to replace it, if appropriate.

**1.2** The proposed Gosport and Town Centre PSPO 2023 reflects the 2020 PSPO and addresses Anti-Social Behaviour linked to:

- Alcohol or drug use
- Urinating or defecating
- Begging
- Blocking entrances/exits

**1.3** The Council, in accordance with Section 72(3) of the Anti-Social Behaviour, Crime and Policing Act 2014 has carried out the necessary consultation to allow consideration of a Gosport and Town Centre PSPO 2023 which includes consultation with the Chief Constable of Hampshire and Isle of Wight Constabulary, Police and Crime Commissioner and members of the public.

## **2.0 Report**

**2.1** A local authority can make a PSPO if satisfied on reasonable grounds that two conditions are met.

The first condition is that :

- Activities carried out 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.

The second condition is that the effect, or likely effect, of the activities –

- Is, or is likely to be, of a persistent or continuing nature
- Is, or is likely to be, such as to make the activities unreasonable

And

- Justifies the restrictions imposed by the notice.

**2.2** If the proposed order is approved this will continue to give the Council and Police powers concerning ASB linked to:

- Alcohol or drug use
- Urinating or defecating
- Begging
- Blocking entrances/exits

**2.3** Gosport has had PSPO's in place since 2017 which have had a positive impact on the locality.

A review of the Anti-Social Behaviour data and community feedback indicates that the Gosport and Town Centre PSPO 2020 addresses the correct issues so no changes were identified for the proposed Gosport and Town Centre PSPO 2023.

PSPO's provide a strong message regarding Anti-Social Behaviours, with signage often encouraging compliance whilst also providing a basis for advice, education and enforcement if necessary.

**2.4** The Council, in accordance with Section 72(3) of the Anti-Social Behaviour, Crime and Policing Act 2014 has carried out the necessary consultation for this PSPO.

The Act requires the necessary consultation to be carried out but does not specify a methodology or consultation duration but it must include consultation with the Chief Constable of Hampshire and Isle of Wight Constabulary, Police and Crime Commissioner and members of the public.

The consultation methodology comprised:

- A survey on the Council's website with hard copies available at local libraries/community hubs and at the Town Hall and upon request (which included provision of alternative formats if required).
- Letters issued to various organisations and key stakeholders including the Chief Constable of Hampshire and Isle of Wight Constabulary, Police and Crime Commissioner Office, Hampshire County Council, Housing Associations, agencies supporting rough sleepers, Gosport Ferry Company, First Bus and taxi drivers.

A press release and various social media communications were used to promote the consultation.

As a PSPO has been enforce for many years and the proposed PSPO reflects the

previous one, a four week consultation period was deemed reasonable (01/11/2023-29/11/2023).

**2.6** The survey contained questions specific to the PSPO asking if respondents if they:

- believe if there is a problem with various types of ASB,
- feel that there should be a PSPO to deal with various types of ASB,
- feel the PSPO should be renewed and
- if they had experienced ASB in the Town Centre in the last 12 months.

Additional questions were included to help understand the 'reach of the survey' and to assist with the equality impact assessment.

**2.7** The key survey findings are:

Do you believe there is a problem with alcohol/drug/begging/urinating & defecating or blocking entrances/exits related anti-social behaviour in the Borough?

1. Yes – 79.50%
2. No – 4.73%
3. I don't know – 15.77%

Do you think we should have a PSPO to deal with:

1. street drinking – 83.82%
2. drug use – 90.94%
3. begging – 75.73%
4. urinating & defecating – 84.79%
5. blocking entrances/exits – 70.87%
6. No – 1.62%
7. I don't know - 2.91%

Do you agree that the PSPO should be renewed for a further 3 years?

1. Yes – 86.58%
2. No (ended as no longer needed) – 1.34%
3. No opinion – 4.03%
4. Yes / Be varied – 8.05%<sup>1</sup>

Have you personally experienced any of the following anti-social behaviour incidents in the Borough of Gosport in the last 12 months? Please tick all that apply

1. Adults drinking alcohol – 52.72%
2. Young people drinking alcohol – 39.80%
3. Threatening or intimidating behaviour by adults – 25.51%
4. Threatening or intimidating behaviour by young people – 29.59%
5. Noisy disturbance by adults who have been drinking alcohol / taking drugs – 52.38%

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<sup>1</sup> 23 comment were received with the most popular themes being 1. support for the PSPO (five comments), 2. careful use of enforcement/supportive approach (four comments), and 3. PSPO should cover more areas/issues (three comments)

6. Noisy disturbance by young people who have been drinking alcohol / taking drugs – 41.16%
7. Alcohol litter in the street or park, estate – 67.01%
8. Begging – 54.42%
9. Aggressive Begging – 12.59%
10. Drug litter and or paraphernalia in the area – 52.38%
11. Adults taking drugs – 31.29%
12. Young people taking drugs – 21.09%
13. Urinating or defecating – 29.59%
14. Blocking of entrances or exits – 36.73%
15. Have not experienced any of the above – 6.80%
16. Prefer not to say – 1.02%

The full results are shown in Appendix 2.

- 2.8** Letters were sent to the following organisations seeking views and signposting them to the survey.

Police Chief Constable  
 Police Chief Inspector  
 Hampshire Police and Crime Commissioner  
 Hampshire Highways  
 Housing Associations – Abri, Vivid, Home Group, Southern Housing Group, Guinness Partnership and Hyde Housing  
 Welfare organisations – Inclusion, GBC Housing Advice, Two Saints, Integrated Care Board, Probation Service and the Job Centre  
 Community Safety Partners – Motiv8, Hampshire and Isle of Wight Fire and Rescue Service, Y Services, Secondary Schools and College, Pupil Referral Unit, Gosport Police Inspector and Sergeants  
 High Street businesses

One direct written responses that was received which positively supported the PSPO.

- 2.9** In summary the consultation has demonstrated a continued perceived problem with ASB and support for the proposed PSPO.

Anti-social behaviour data has been analysed and supports the need for the proposed PSPO along with general community feedback.

The three necessary conditions for a PSPO, set out in paragraph 2.1, are deemed to be met.

It should be noted that the focus of the Council and Police remains on supporting vulnerable individuals, highlight support services, educating and enforcing only when help is unreasonably refused and there is continued ASB. This approach has been agreed by the police and council.

- 2.10** Full Council is required to have regard to the consultation and the information contained within this report and decide whether to approve the introduction of the proposed Gosport and Town Centre PSPO (2023) PSPO with or without modification.

### 3.0 Risk Assessment

3.1 Failure to approve the proposed Gosport and Town Centre PSPO (2023) PSPO may result in a more ASB which will have a detrimental impact on quality of life.

### 4.0 Conclusion

4.1 Based on the content of this report the approval of the proposed Gosport and Town Centre PSPO (2023) is sought.

<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	Contained within the report
<b>Equality and Diversity:</b>	Please see the Equality Impact Assessment Appendix 3
<b>Crime and Disorder:</b>	The proposed Gosport and Town Centre PSPO (2023) directly addresses anti-social behaviour therefore positively contributes towards Community Safety.
<b>Service Improvement Plan implications:</b>	This has now be integrated into the work plan of the Community Safety and Corporate Policy Section
<b>Corporate Plan:</b>	The proposed Gosport and Town Centre PSPO (2023)will underpin working to keep the borough safe through the Community Safety Partnership
<b>Risk Assessment:</b>	Contained within the report
<b>Background Papers:</b>	N/A
<b>Appendices:</b>	Appendix 1: Proposed Gosport and Town Centre PSPO 2023 Appendix 2: Survey results Appendix 3: Equality Impact Assessment
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