

MUNICIPAL YEAR 2017/2018 REPORT NO. 91

MEETING TITLE AND DATE:

**Cabinet – 15 November
2017**

REPORT OF:

Executive Director of
Health, Housing and Adult
Social Care
Executive Director of
Regeneration and
Environment

Agenda – Part: 1

Item: 8

Subject: Public Spaces Protection Orders

Wards: ALL

Key Decision No: KD Number 4568

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1. EXECUTIVE SUMMARY

- 1.1 Public Spaces Protection Orders (PSPOs) were brought in under the provisions of the Antisocial Behaviour, Crime and Policing Act 2014. The Act permits Councils to introduce PSPOs. The purpose of these powers is to give local authorities and the Police more effective powers to control and/or support the reduction of anti-social-behaviour in public places.
- 1.2 PSPOs are enforced by Authorised Officers of the Council and the Police by either service of a Fixed Penalty Notice up to a maximum of £100 (set by the Council), or by prosecution with a court fine of up to £1,000 on conviction (or up to £500 for alcohol offences).
- 1.3 Public consultation was undertaken on proposed PSPOs; an initial consultation between September to November 2016, which informed a subsequent consultation between 21st August and 1st October 2017. The results of the recent consultation are at Appendix 1 and 2.
- 1.4 There was a very high level of support for the introduction of PSPOs for all of the antisocial behaviours consulted on, ranging from between 80% and 98% for each of the antisocial behaviours.
- 1.5 Given the feedback and evidence from the public about the persistent or continuing detriment caused by these behaviours and the high level of support from the public and stakeholders for PSPOs, it is recommended that PSPOs (Draft orders in are Appendix 3) are introduced for those behaviours listed in paragraph 3.5.2.
- 1.6 The predictive Equalities Impact Assessment has highlighted potential negative impacts on residents from the protected characteristic groups or persons due to socio-economic factors. However, interaction with the Police and Council enforcement officers provides an opportunity for support and action if persons are vulnerable or there are safeguarding issues.

2. RECOMMENDATIONS

- 2.1 It is recommended that the outcome of the public consultation (Appendix 1 and 2 and paragraph 3.4) is considered and noted by Cabinet Members.
- 2.2 It is recommended that the Equalities Impact Assessment (Appendix 4) and consideration of the Human Rights Act (paragraph 3.6.3) is considered and noted.
- 2.3 It is recommended that the PSPOs as outlined in paragraph 3.5.2 and Appendix 3 are approved. It is recommended that the Cabinet Member for Environment and the Executive Director of Regeneration and Environment undertake more detailed appraisal of the options regarding pick-up and drop-off around schools.
- 2.4 It is recommended that the maximum amount of £100 is agreed as the level of the Fixed Penalty Notice, with no discount for payment within 14 days.

3. BACKGROUND

3.1 Public Spaces Protection Orders:

- 3.1.1 Public Spaces Protection Orders (PSPOs) were brought in under the provisions of the Antisocial Behaviour, Crime and Policing Act 2014. The purpose of these powers is to give local authorities and the Police more effective powers to control and/or support the reduction of anti-social-behaviour in public places.
- 3.1.2 Public Spaces Protection Orders (PSPOs) are designed to stop individuals or groups of people committing anti-social behaviour in a public space. It is for each local authority to determine what behaviour(s) they may want to make the subject of a Public Spaces Protection Order.
- 3.1.3 The PSPO can prohibit specified things being done in the area, or require specified things to be done in the area.
- 3.1.4 Before a local authority introduces a PSPO, it must be satisfied that the antisocial activities carried out in a public place within the local authority's area:
- Have, or are likely to have, a detrimental effect on the quality of life of those living in the locality;
 - 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

As a result, this thereby justifies the restrictions imposed by the Order.

- 3.1.5 The statutory guidance¹ is not specific to what can be included in a PSPO. The potential for their use is broad and flexible to allow a local authority to take into account specific circumstances in its area. A PSPO can cover multiple restrictions. The PSPO can cover any publicly accessible space within the local authority's area, including areas in private ownership to which the public have access.
- 3.1.6 A Public Spaces Protection Order can be made for a maximum of three years, but before the end of the three year period, the Order can be extended for a further period of up to three years. A Public Spaces Protection Order can also be extended more than once. Local authorities can increase or reduce the restricted area of an existing order, amend or remove a prohibition or requirement, or add a new prohibition or requirement. They can also discharge an order, but further consultation must take place for varying, discharging or extending Orders.
- 3.1.7 Breach of a PSPO without reasonable excuse would be a criminal offence, subject to a fixed penalty notice or prosecution. On summary conviction, the Act specifies that an individual would be liable to a fine not exceeding level 3 on the standard scale (currently set at £1,000). Any person who consumes alcohol in an area where this has been prohibited could be required to cease and hand over any containers believed to contain alcohol. Failure to comply would be a criminal offence which on summary conviction would mean that an individual is liable to a fine up to £500 as set out in the Act, which is level 2 on the standard scale. If alcohol is confiscated, it can also be disposed of by the authorised person who confiscates it.
- 3.1.8 A Fixed Penalty Notice may also be issued at a level to be determined by the local authority, up to a maximum of £100. PSPO's can be enforced by both the Police and authorised persons of the local authority.
- 3.1.9 When PSPOs are made they must be published on the local authority's website, and sufficient signs erected on, or adjacent to, the public places to which the Order relates.
- 3.1.10 The implementation of the PSPO can be challenged at the High Court by any interested person within 6 weeks of the making of the Order. An interested person is deemed to be an individual who lives in the restricted area or who regularly works in or visits that area. A challenge can be made on the basis that the local authority:
- does not have the power to make the Order, or impose the particular prohibitions or requirements in the Order; or
 - that the requirements of the Act were not complied with.

¹ Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers Statutory guidance for frontline professionals (July 2014)

3.1.11 If an application is made, the High Court can decide to suspend the operation of the PSPO pending the verdict, in part or in totality. The High Court has the ability to uphold the PSPO, quash it, or vary it.

3.2 The Proposed PSPOs

3.2.1 The anti-social behaviours that have been identified for a series of PSPOs within Enfield are:

- Control of alcohol consumption;
- Vehicle cruising (*to include speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause a nuisance, and wheel spins*) involving cars, motorbikes, mopeds, trucks, vans and lorries and other vehicles;
- Holding of fireworks to cause intimidation etc and throwing of fireworks;
- Dog controls;
- Persons loitering causing nuisance etc. in Council housing estates;
- Intimidatory begging;
- Possession, use and supply of psychoactive substances;
- Persons windscreen washing/selling goods;
- Prostitution;
- Smoking in playgrounds;
- Flying of drones;
- Vehicles deposited on Council land or land adjoining the highway for an unreasonable period of time;
- Parking around schools;
- Riding of mopeds to cause alarm, distress, annoyance or criminal damage; and
- Loitering by persons in certain locations causing intimidation, harassment, alarm or distress and/or drug dealing/use

3.2.2 The behaviours being considered for a series of PSPOs have been reported or raised by residents, councillors, MPs, the Police and council officers as causing detriment to the quality of life in the locality, and are continuing or persisting.

3.2.3 Appendix 1 sets out the restrictions and prohibitions in the proposed PSPOs for each anti-social behaviour, and the locations to which it is proposed that the particular PSPO applies.

3.2.4 Some of the PSPOs would replace and extend the Council's existing Dog Control Orders and Designated Public Place Orders (control of alcohol consumption). They also provide the Council with an opportunity to introduce new restrictions to address emerging forms of anti-social behaviour.

3.2.5 The proposed PSPOs for dog controls are the same as the existing longstanding Dog Control Orders, but add two new controls, namely:

- A new proposal to limit the number of dogs walked by one person to 4 (except dog walkers who can be licensed by the Council to walk up to 6 dogs with the appropriate insurance).
- A new proposal that all dog walkers should carry with them a means of picking up their dog's mess (i.e. a bag)

The existing Dog Control Orders for parks have for some time controlled whether dogs are banned in certain areas within parks, or must always be kept on leads, or are to be put on leads if asked to do so by the Police or Council Officer. The proposals for a PSPO keep these controls. The features/type of park, or the play or sports area within the park, dictates which of the dog controls apply. For example, dogs are typically banned from children's playgrounds or multiuse sports areas within parks (see Appendix 5, schedule 1). Dogs are required to be on leads at all times in only a handful of parks where it is considered inappropriate for dogs to roam free, such as in walled gardens (see Appendix 5, schedule 2). For the vast majority of the parks (see Appendix 5, schedule 3) dogs can be off the lead and will only be asked to be put on the lead by the Police or an authorised officer from the Council if the dog is causing annoyance or harm.

3.2.6 Enforcement will be undertaken in accordance with the Council's Enforcement Policy and procedures. A wide range of council enforcement officers will be authorised to enforce the PSPOs, and they, and Police personnel would be briefed on enforcement of the orders. The officers involved include:

- Community Safety Officers;
- Neighbourhood Officers in Council Housing;
- Litter Enforcement Officers;
- Police Constables;
- Police Community Support Officers;
- Civil Enforcement Officers (parking enforcement);
- Parks Officers; and
- Regulatory Services Officers such as Envirocrime Officers.

3.3 The Public Consultation

3.3.1 The Act requires that the Council must consult with:

- The Chief of Police
- The Mayor's Office for Policing and Crime (the local policing body)
- Community representatives (whoever the local authority considers appropriate)
- Owners or occupiers of land (within the proposed designated areas)

3.3.2 The Act does not specify the time period over which the public consultation should take place. An initial public consultation on proposed PSPOs was undertaken for 12 weeks during September to

November 2016, and helped inform these proposals for PSPOs. Due to the extensive nature of the initial consultation, this second phase public consultation was undertaken for 6 weeks between the 21st August and 1st October 2017.

3.3.3 The public consultation comprised of:

- An online questionnaire on the Council's website;
- Hard copy questionnaires available in libraries;
- Hard copy or other formats of the questionnaires available on request via the Consultation team;
- Questionnaires completed face to face at events and public spaces in the Borough; and
- Emails received directly into the Consultation email box.

3.3.4 The public consultation was publicised via:

- A press release;
- Newspaper adverts in the Enfield Independent, Olay and Parikiaki;
- An article in Housing News (for Council tenants and leaseholders);
- Social media - the Council's Twitter and Facebook feeds;
- A digital campaign to direct Enfield residents using websites such as Facebook, the Guardian etc. to the PSPO consultation on the Council's website; and
- Posters in Council buildings and libraries.

3.3.5 The stakeholders with whom we have consulted include*:

- Police;
- Enfield Crime Reduction Implementation Team;
- Residents;
- Council housing tenants, tenants' associations and leaseholders;
- Registered Social Landlords;
- North London Chamber of Commerce;
- Residents' Associations;
- Businesses and their Associations;
- Relevant voluntary and community sector groups;
- The Friends of the Parks groups;
- Pitch bookers and event organisers in the parks;
- Professional dog walkers;
- London Fire Brigade;
- Transport for London;
- The Civil Aviation Authority; and
- Councillors and MPs

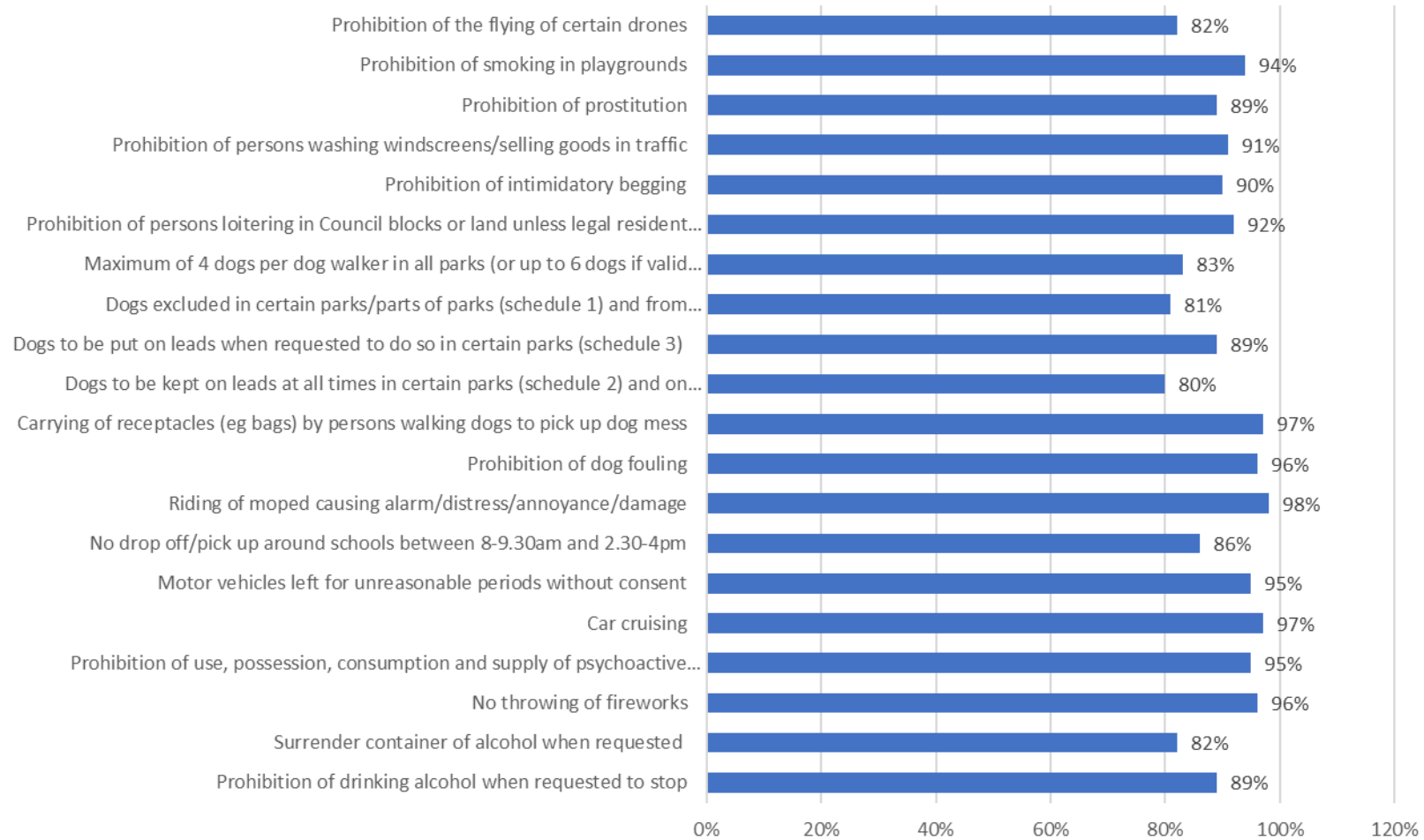
* The list is not exhaustive

The Council consulted with them with officers either attending meetings or contacting individuals or organisations by email or letter.

3.4 The Public Consultation Results

- 3.4.1 The results of the completed questionnaires and emails sent directly to the consultation email box were analysed by the Consultation and Resident Engagement Team. Graphs of the results are provided in Appendix 2.
- 3.4.2 Overall, there were 796 respondents to the public consultation, almost all of which were residents:
- 90% (719) of the respondents were residents;
 - 3% (25) were Council Housing tenants;
 - 3% (26) were others (such as visitors, Friends of Parks Groups, people working in the Borough and former residents); and
 - 2% (17) were business owners.
- 3.4.3 There was a very high level of support, ranging between 80% and 98%, for the proposed introduction of Public Spaces Protection Orders to control the antisocial behaviours consulted on. Respondents were asked if they agreed with each proposal, or agreed but suggested some changes, disagreed or were unsure. The bar chart below shows the combined results of those that totally agreed with the proposals and those that agreed but with suggestions for some changes.
- 3.4.4 Respondents provided a great deal of very informative comments as part of the questionnaire, mostly in support of the proposals and providing details of locations and impact of the ASBs.
- 3.4.5 The Police responded to the consultation and were supportive of the proposed PSPOs stating that they focus on historic problems such as prostitution and car cruising. In relation to car cruising, the Police requested that the A10 and surrounding A10 retail park to be included as well as Riverwalk Road Business Park (EN3 7QN) which regularly has large groups of vehicles engaging in dangerous driving and ASB. It was also suggested that prohibitions be looked at for Ponders End Recreation Ground where groups of youth loiter with no legitimate purpose (eg to deal drugs). The A10 retail park is also experiencing ASB from groups of youths currently so this should be a consideration also.
- 3.5.5 In relation to Ponders End Recreation Ground, there were several comments from the public about persons gathering in Ponders End Recreation Ground causing ASB. It is therefore recommended that a PSPO is implemented to cover this (Appendix 3 – Order 11).

Percentage of respondents in support of the introduction of PSPOs for the antisocial behaviours consulted on



3.5 Recommendations for PSPOs

3.5.1 The tables in Appendix 1 summarise the feedback from the consultation, the amendments made to the legal wording of the proposed PSPOs as a result, and recommendations for which ASBs should be taken forward into PSPOs.

3.5.2 The recommendations are as follows:

- To implement PSPOs for all the anti-social behaviours consulted on, except for drop-off and pick-up parking around schools. This requires further research and consideration as to specific locations.
- To introduce a PSPO to cover an issue which was not specifically consulted on but was raised by the Police and public during the consultation - to cover persons loitering in Ponders End Recreation Ground and A10 Enfield Retail Park causing ASB and/or using/dealing drugs

3.5.3 Before the local authority introduces a PSPO, it must be satisfied that the antisocial activities identified as occurring in a public place within the local authority's area:

- Have, or are likely to have, a detrimental effect on the quality of life of those living in the locality;
- Is, or is likely to be, of a persistent or continuing nature; and
- Is, or is likely to be, such as to make the activities unreasonable.

As a result, this thereby justifies the restrictions imposed by the Order.

3.5.4 The inclusion of the behaviours in the public consultation was decided upon as a result of reported crimes and complaints about antisocial behaviours to the Police and the Council. The public feedback demonstrated that many people's lives were being blighted and detrimentally impacted by the antisocial behaviours identified. For some of the behaviours, the feedback indicated that they have been persistent for some time (eg car cruising, persons washing windscreens etc.). For all of the behaviours, the feedback demonstrated that they are considered unreasonable and there was widespread support for the introduction of a series of PSPOs to tackle these antisocial behaviours. Taking all of this into account, it is considered that the prohibitions and requirements specified in the recommended Public Spaces Protection Orders are therefore justified.

3.5.4 The Public Spaces Protection Orders are provided in Appendix 3, which if agreed, will be signed and sealed.

3.5.5 If the PSPOs are approved, the next steps would be to:

- Allow 6 weeks to prepare for their introduction (and for any legal challenge); and

- The erection of signage, publicising the implementation of the PSPOs and the commencement of enforcement during the week of the 15th January 2018.

3.6 Equalities Impact

3.6.1 An Equalities Impact Assessment (EQIA) was undertaken of the potential impact of the proposed PSPOs on persons with protected characteristics under the Equalities Act 2010 and other persons. The EQIA was undertaken before the public consultation, and reviewed in light of the feedback arising from the consultation. The Equalities Impact Assessment is at Appendix 4.

3.6.2 The EQIA found that the prohibitions on behaviours had a potential negative impact on persons due to their disability, gender, age or race. In the case of disability, provisions are made in the dog control PSPOs to allow for persons registered blind or with mobility problems. In relation to the other protected characteristics, interaction with the Police and Council enforcement officers provides an opportunity for intervention, if needed, due to their vulnerability or any safeguarding issues.

3.6.3 In recommending the proposals for PSPOs, consideration has also been had to articles 10 and 11 of the Human Rights Act 1998 which allows the rights to expression and assembly. However, the Human Rights Act does allow restriction of these human rights for the purposes of the prevention of crime or disorder, or to protect the health or the rights and freedoms of others. The proposals in the PSPOs are intended to ensure that the anti-social behaviours caused by the activities are addressed so that public spaces can be enjoyed without fear or intimidation by the law-abiding majority of the community.

3.7 Setting the amount of the Fixed Penalty Notice

3.7.1 The maximum amount specified under the Act for the Fixed Penalty Notice (FPN) is £100.

3.7.2 The Act allows that the FPN can specify two amounts; a lower amount if the FPN is paid within a 14-day period, and a higher if the FPN is not paid within that time.

3.7.3 Due to concerns about antisocial behaviour and that such behaviour is robustly sanctioned, it is not recommended that a discounted amount for the FPN be offered. It is, therefore, recommended that the maximum amount permitted in the Act of £100 is agreed.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 **To not introduce any PSPOs** – The Council’s Dog Control Orders and Designated Public Place Orders will become PSPOs on the 20th October 2017. However, the existing Orders are more limited in scope than the proposed PSPOs in terms of the activities and areas they cover. This means that the Council will only be able to enforce the current requirements and prohibitions of those orders. Without new PSPOs for these, the Council will be unable to require persons in control of dogs to carry receptacles (eg bags) to clean up dog mess and cannot limit the numbers of dogs walked. Also, the alcohol controls will continue to be limited to only parts of the Borough and not enforced across the whole Borough. In addition, the Council will be unable to enforce any of the other antisocial behaviours using a PSPO that are of concern to the public as identified in the public consultation.
- 4.2 **To introduce PSPOs to replace Dog Control Orders and Designated Public Place Orders only** – This would be a very piecemeal approach to the process. The Council and its officers should be using their time and resources as efficiently as possible in ensuring that the scope of these PSPOs are fully considered.
- 4.3 **To introduce all the orders contained within the original proposals** – The Council have undertaken a public consultation which has clearly identified that residents are adversely affected by a range of anti-social behaviours consulted on and are supportive of the introduction of PSPOs to tackle them. Though the public broadly supported the introduction of PSPOs to address anti-social behaviour around schools, such as during drop-off and pick-up times, more detailed work is required around specific locations before proceeding.
- 4.4 **Preferred Option:** To agree to the making of the Orders as outlined in section 3.5.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The proposed PSPOs would help address concerns raised by the public with the Police and Council about anti-social behaviour occurring in the Borough.
- 5.2 The intention of PSPOs is to stop individuals or groups committing anti-social behaviour in a public space so that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 Signage will be required at the locations affected by the Orders. The signage for the existing dog control orders and designated place protection orders will need to be replaced with signage for the PSPOs. It is estimated that the minimum cost of the new signage will be £35,000. These costs will be met through existing revenue provision.
- 6.1.2 Council officers will be authorised and briefed to enforce orders. This briefing will be delivered jointly with the Police, the cost of which will be met through existing revenue budget provision. It is intended that through cross-skilling and training that the enforcement of PSPOs will be delivered by existing staffing resources.
- 6.1.3 If a judicial review is brought against the Council's decision to introduce PSPOs, this would incur legal costs, some undertaken by the Council's own legal service team, and some externally (Counsel). There is no budget provision identified for these costs and this may cause a budget pressure, which would have to be managed within the Department's budgets.
- 6.1.4 It is not possible to estimate the possible receipts from the breach of PSPOs, but this will be monitored as part of the monthly budget monitoring process.

6.2 Legal Implications

The report sets out the legal powers and duties of the Council in relation to Public Spaces Protection Orders.

A single PSPO can be used to target a range of different ASB issues. Orders allow councils to introduce reasonable prohibitions and/or requirements regarding certain behaviours within the specified public area, and may also include prescribed exemptions. As a minimum, each PSPO must set out:

- what the detrimental activities are
- what is being prohibited and/or required, including any exemptions
- the area covered
- the consequences for breach
- the period for which it has effect.

There are further specific provisions regarding some types of PSPO such as the alcohol prohibition and orders restricting the public's right of way.

A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.

The legislation sets out a number of additional requirements for consultation and communication before an Order is introduced, once it is implemented and where it is extended, varied or discharged. PSPOs can be legally challenged under the 2014 Act on certain grounds.

PSPOs can be used to restrict a broad range of activities. Under section 59 of the 2014 Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:

- has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect)
- is (or is likely to be) persistent or continuing in nature
- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

PSPOs must set out clearly what the detrimental activities are. What may be regarded as 'anti-social' is a subjective concept.

There are some limitations set out in the legislation regarding behaviours that can be restricted by PSPOs. Under the 2014 Act, local authorities must have regard to the freedoms permitted under articles 10 and 11 of the Human Rights Act 1998 when drafting, extending, varying or discharging an Order. These cover freedom of expression, and freedom of assembly and association respectively.

It is important to consider carefully the potential impact of a PSPO on different sections of their communities. In introducing an Order, care must be taken to ensure that they comply with the requirements of the public sector equality duty under the Equality Act 2010. The Equality Act requires public authorities to have due regard to a number of equality considerations when exercising their functions. Proposals for a PSPO should therefore be reviewed to determine how they might target or impact on certain groups.

Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. Any county councils (where the Order is being made by a district), parish or community councils that are in the proposed area covered by the PSPO must be notified. Draft proposals for a PSPO must be published as part of the consultation process. For new or varied Orders the text must be published; for extended or discharged Orders the proposal must be publicised. The area covered by the proposals must be well defined; publishing maps of the affected area.

6.3 Property Implications

The proposed PSPOs, if introduced, will apply to all land to which the public have access whether by payment or not. Therefore, they will

apply to council owned buildings and land. Signage will need to be erected to advise the public of the restrictions, and existing noticeboards will be used where possible and appropriate.

The proposed restriction of alcohol consumption in public places will not apply within the boundary of premises or land which has a licence or temporary event notice issued for the supply of alcohol under the Licensing Act 2003.

7. KEY RISKS

- 7.1 There has been a lot of interest nationally over the introduction of PSPOs and some questions have been raised about the use of Orders and whether they represent a reasonable approach to addressing antisocial behaviour. A key risk in introducing a PSPOs is potential negative media about the restrictions and prohibitions in the proposed PSPOs. In particular, civil rights groups have challenged other PSPOs during consultation which contain matters such as rough sleeping and busking, as Liberty had in the initial public consultation. However, the proposed PSPOs in this consultation are less contentious and much less likely to attract negative publicity.
- 7.2 The key risk if PSPOs are introduced is that any person living, or regularly working in or visiting the Borough, who could be affected by the PSPO can bring a legal challenge in the High Court within 6 weeks of the Council deciding to introduce the PSPO. The grounds of legal challenge are on the basis that:
- a) the Council did not have the power to make the PSPO, or to include the particular prohibitions or requirements imposed by the order; or
 - b) the requirements in the Act were not complied with.
- 7.3 In relation to 7.2 (a), the Act lists London boroughs as bodies that are able to make PSPOs, and Cabinet will consider the justification for, and impact of the restrictions and prohibitions, before making any PSPO.
- 7.4 In relation to 7.2 (b), the requirements and processes in the Act (and statutory guidance) have been followed to ensure that we are compliant. The likely risk of any judicial review would revolve around the Council's duty to consult. This risk is mitigated by the robust consultation and engagement process as outlined in section 3.3 of this report. The Cabinet are requested to consider the consultation responses as outlined in this report (Appendix 1 and 2), and the legal tests for making PSPOs as outlined in paragraph 3.5.3.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

PSPOs would contribute towards fair treatment by the Council as it will address concerns raised about anti-social behaviours and the negative impacts they have on residents, businesses and other persons visiting and working in Enfield. Individuals who fail to comply with the requirements of the PSPOs will be sanctioned.

8.2 Growth and Sustainability

Many of the anti-social behaviours in the proposed PSPO have detrimental impacts on the cleanliness, visual amenity and perception of safety in neighbourhoods and the Borough. It is anticipated that tackling the anti-social behaviours that this will contribute towards Enfield being a cleaner, greener and safer Borough.

8.3 Strong Communities

The introduction of PSPOs in the Anti-Social Behaviour, Crime and Policing Act 2014 are intended to allow the law-abiding majority to enjoy public spaces and to feel safe. Reducing anti-social behaviour has been proved to contribute to improved community cohesion and the development of stronger community spirit.

9. EQUALITY IMPACT IMPLICATIONS

The Council must ensure that the needs of the community are considered under the provisions of the Equalities Act 2010. This is addressed through the predictive Equalities Impact Assessment (EQIA) as outlined in Appendix 4.

The predictive EQIA has highlighted there are potential negative impact on persons from the protected characteristic groups or persons due to socio-economic factors. However, intervention by the Police or council officers provides an opportunity to provide support or take action if there are concerns about vulnerability, safeguarding or exploitation.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

If introduced, the PSPOs will be another enforcement tool to tackle anti-social behaviour in the Borough. The performance of the PSPOs in addressing anti-social behaviour will be monitored and measured (such as by the numbers of fixed penalty notices served, the volume of anti-social behaviours reported to the Police and Council, and through any place and resident surveys).

11. HEALTH AND SAFETY IMPLICATIONS

There are potential safety risks to Council officers in serving engaging with, and issuing Fixed Penalty Notices, to persons suspected of causing antisocial behaviour under the PSPOs. Such persons might be intoxicated or agitated and could threaten Council employees verbally or physically.

Service managers are responsible for ensuring that there are risk assessments and safe systems of work (that are regularly reviewed) to eliminate or control such risks. There are current risk assessments and control measures in place for officers in relation to the risk of aggression/violence and for lone working. Regular training takes place to ensure that officers are able to deal with conflict and diffuse situations.

12. PUBLIC HEALTH IMPLICATIONS

PSPOs are designed to improve health and quality of life in its broadest sense. Some of the proposed prohibitions are likely to have a direct, positive impact in that they will improve the health of residents within the Borough through a) restricting when and where smoking can take place and b) ensuring that children realise that smoking is increasingly not a tolerated behaviour. Others are likely to have an indirect, positive impact in that the tackling of anti-social behaviour will improve the perception of safety and therefore enhance residents' wellbeing.

Background Papers

None