

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF LITTLEHAMPTON REGENERATION SUB-COMMITTEE ON 18th NOVEMBER 2019

PART A : REPORT

SUBJECT: Arun Public Spaces Protection Order - Public Consultation

REPORT AUTHOR: Georgina Bouette, Community Manager

DATE: 25 September 2019

EXTN: 37605

PORTFOLIO AREA: Community Wellbeing

EXECUTIVE SUMMARY:

This report is intended to provide information on proposed amendments to the Arun Public Spaces Protection Order and, specifically, to outline the public consultation process that has been undertaken to encourage maximum feedback from the local community (residents, business' and visitors) by using the online survey available at www.arun.gov.uk.

RECOMMENDATIONS:

To note the contents of the report.

1. BACKGROUND:

1.1 The reasons why public consultation is being carried out

The current Arun Public Spaces Protection Order (PSPO) was introduced by the Council in April 2017 in a bid to reduce disruptive behaviour in designated areas of the District. The current order will expire in March 2020 and needs to be reviewed.

Legislation required the Council to undertake a period of public consultation to determine whether the Order should be extended, amended, or discharged. Consultation included formal liaison with statutory partners including the Sussex Police and Crime Commissioner, Sussex Police, Town Councils, and WSCC highways. The Council has also sought the views of non-statutory partners and community stakeholders. A wide reaching consultation captures the widest range of views on the proposed prohibitions, to analyse and inform the final options to be presented to the Council for decision making.

The Council has also sought views on proposals to introduce a separate PSPO in relation to several of its parks and open spaces, including the foreshore; in Littlehampton the foreshore considered covers the promenade and beach starting at the junction with Sea Lane in the East, running to Arun Parade to the West and will include the green and oyster pond. The prohibitions proposed in this section differ from those of the town centre PSPO.

Public consultation opened on Tuesday 24 September 2019 and ended at midday on Thursday 24 October 2019.

Appendix A – copy of published public consultation survey with proposals and maps.

Appendix B – copy of the proposed foreshore designated area.

1.2 Public Spaces Protection Orders

PSPOs were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 and can be used to restrict specific anti-social behaviours that are having a negative impact on local communities. They are intended to ensure that everyone can enjoy public spaces free from nuisance.

Prohibited activities/actions which are included in a PSPO are applied to a designated geographical area, based upon clear evidence of its impact.

It is important to note that the restrictions included in a PSPO are applicable to everyone in the defined area. Therefore, the reach and impact are substantial. Consequently, the proportionality and reasonableness of the restrictions must be carefully considered.

1.3 Enforcement of the PSPO

It is an offence to, without reasonable excuse, breach the conditions of a PSPO. Authorised officers have the power to issue fixed penalty notices to anyone they believe is in breach, although a warning may often be considered sufficient.

The resources required to enforce all PSPO prohibitions needs to be considered when deciding on the restrictions to be included.

1.4 Proposed prohibitions and restriction areas

The proposed prohibitions outlined in the consultation document (see Appendix A) have been formulated as a result of ongoing feedback from businesses and residents in both Littlehampton and Bognor Regis town centres. Both towns have raised the same concerns about the causes and impact of anti-social behaviour, and the proposals reflected this feedback.

Alongside the results of the public consultation, Police data has also been requested to understand the full nature of anti-social behaviour in Littlehampton town centre, along with the views of the Littlehampton Traders Partnership. All views given during the public consultation exercise are being analysed and considered to assist the Council in deciding the final content of the Order.

1.5 How do these proposals differ from the current PSPO?

It should be noted that the new proposed PSPO areas are significantly reduced compared with the Order introduced in 2017 which covered most of the district. The new areas specifically relate to the town centres of Bognor Regis and Littlehampton.

This change is as a result of the difficulty in enforcing the dispersal powers; it is unreasonable to move someone on from an area in which they live. Currently, the large restricted area means that someone causing ASB in the town centre, but who lives elsewhere in Arun, cannot be dispersed outside of the district. By reducing the designated area, it is hoped that people can be moved from the town centre if they are caught causing anti-social and nuisance behaviour.

The current Order contains a restriction on alcohol consumption, namely that anyone engaging in anti-social behaviour due to drinking alcohol can be instructed to stop doing so and to have alcohol removed and disposed of. The new proposals include a complete ban on the consumption of alcohol in the defined area, in effect a 'no alcohol zone'. When included in a PSPO, an alcohol ban does not apply to licensed premises or where a temporary event licence has been granted. However, it is applicable where patrons occupy and area outside and not covered by the premises licence i.e. should a person stand outside the front of a licensed premises to have a cigarette, and take their alcoholic drink with them, they would be liable to the prohibitions.

The proposals that have been consulted on also included the prohibition of cycling in a section of the High Street. The outlined area can be viewed in Appendix A.

Members are asked to note the proposals and any observations made will be fed into the consultation exercise.

2. OPTIONS:

1. To note the contents of the report
2. Not to note the contents of the report

3. CONSULTATION:

None, this report is for information only.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x
4. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		x
Legal		x
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x

6. IMPLICATIONS:

As this is an information only report there are no implications

7. REASON FOR THE DECISION:

8. BACKGROUND PAPERS:

PSPO Legislation:-

<http://www.legislation.gov.uk/ukpga/2014/12/part/4/chapter/2/crossheading/public-spaces-protection-orders/enacted>

Statutory Guidance:-

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf

Link to the current Arun PSPO:-

www.arun.gov.uk/pspo

Link to online surveys:-

www.surveymonkey.co.uk/r/ADCpspo

Press release:-

<https://www.arun.gov.uk/news-archive/tackling-antisocial-behaviour-join-the-debate-1978/>