

**4<sup>th</sup> July 2018**

**Environment and Enforcement Committee**

**Town Centre Public Spaces Protection Order**

**Report of:** Tracey Lilley, General Manager, Corporate Enforcement

**Wards Affected:** All

**This report is:** Public

**1. Executive Summary**

- 1.1 Following a series of complaints and incidents in and around Brentwood town centre involving anti-social behaviour of several types, the Corporate Enforcement Team investigated the use of a Public Spaces Protection Order (PSPO) to assist in controlling activities that are causing concern.
- 1.2 A draft Order was produced to address evidenced issues in the town centre following liaison with legal advisers, Essex Police, Essex Police Fire & Crime Commissioner, and stakeholders in the area proposed to be covered by the Order.
- 1.3 The draft Order covers the main Brentwood town centre area including the High Street and surrounding areas and incorporating roads down to Brentwood rail station.

**2. Recommendation(s)**

- 2.1 To consider the outcome of the consultation which has been undertaken and the comments received set out in Appendix A.
- 2.2 To approve the Final Order set out in Appendix B.

**3. Introduction and Background**

- 3.1 The power to introduce a PSPO is found at Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014. Before introducing an Order, the Council must be satisfied that the following conditions have been met:
  - (a) 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

(b) it is likely that activities will be carried on in a public place within that area and, that they will have such an effect.

**3.2** An evidence pack of incidents and complaints in the area of the proposed PSPO has been collated, dating back to 2015. This has been incorporated into an evidence matrix to consider the likelihood and effect of these incidents.

**3.3** An Equality Impact Assessment has also been undertaken to identify any impacts, either positive, negative or neutral on particular groups of individuals.

#### **4. Issue, Options and Analysis of Option**

**4.1** The Council has the option of taking measures to try to reduce anti-social behaviour in public areas. Having considered the issues and compiling the evidence matrix it is hoped that the PSPO will assist in reducing the identified behaviours.

#### **5. Reasons for Recommendation**

**5.1** To effectively address issues of anti-social behaviour in and around Brentwood Town Centre and reduce the fear of crime. To enable the use of relevant powers of enforcement needed to tackle the issues covered by the Order and to make our community safer and a more pleasant place for anyone who visits, lives or works in our town centre.

#### **6. References to Corporate Plan**

Community and Health

Make Brentwood a Borough where people feel safe, healthy and supported

Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live.

#### **7. Consultation**

**7.1** The Council is required under the legislation to carry out consultation and necessary publicity and notification before making a PSPO.

**7.2** The Council consulted with the Chief Officer of Essex Police, the Essex Fire, Police & Crime Commissioner, appropriate community representatives, and owners/occupiers in the area to be designated.

**7.3** The Council provided the proposed wording of the Order and the proposed designated area to the consultees as set out in Appendix A.

**7.4** During the consultation process the Council sought comments on whether a PSPO is required, the proposed wording of the Order and the proposed area to be designated (Brentwood Town Centre and surrounding area). The Council consulted with the following stakeholders;

- Chief Constable of Essex Police
- Essex Fire, Police & Crime Commissioner
- Brentwood Community Safety Partnership
- Neighbourhood Watch
- South Essex Parking Partnership
- British Transport Police
- Town Centre Businesses
- Baytree Security
- Members
- Internal Council Services
- Street Pastors
- Chamber of Commerce
- Local residents

**7.5** The draft Order was published on the Council website with links to an online survey as well as a paper version being made available. Electronic consultations were also issued and over 300 packs were hand delivered to business, residents and organisations within the restricted area. Copies were also available at the reception at Seven Arches Road and in prominent locations around the proposed restricted area.

## **7.6 Summary Outcome of Consultation**

The response to the consultation has been encouraging and the majority of responses were in favour of the PSPO. The clear majority of responses were glad to see that positive action was taken to address issues within the Town Centre. The full consultation results are set out in Appendix B.

## **8. Implications**

### **8.1 Financial Implications**

**Name & Title: Jacqueline Van Mellaerts Interim Chief Finance Officer**

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There will be a requirement to erect signage in and around the proposed area. The cost of the signage would be met from within existing budgets. It is hoped that the introduction of the Order will have a deterrent effect and, if there are

any breaches, then these can be dealt with by means of a fixed penalty notice. However, the Council may incur costs if there is a need to prosecute an individual for breach of the Order.

## **8.2 Legal Implications**

**Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer**

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The Council is empowered to make a public spaces protection order under section 59 Anti-social Behaviour Crime and Policing Act restricting certain identified activities if various conditions are met.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

## **9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

## **10. Appendices to this report**

Appendix A - Revised Final Public Spaces Protection Order  
Appendix B - Consultation Response Report

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