

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

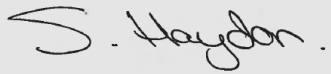
Executive Decision Reference Number – CFCS03 20/21

Decision	
1	Title of decision: City Wide Public Spaces Protection Order 2020
2	Decision maker (Cabinet member name and portfolio title): Councillor Haydon. Cabinet member for Customer Focus and Community Safety.
3	Report author and contact details: Community Connections Strategic Manager Dave Ryland, dave.ryland@plymouth.gov.uk 01752 304823
4	Decision to be taken: <ol style="list-style-type: none"> 1. Agree new City Wide Public Spaces Protection Order 2020. 2. Agree the discharge of the existing Public Spaces Protection Orders covering City Centre & Stonehouse, Stonehouse, Devonport, North Hill, Mutley, Freedom Fields and Tothill Park
5	Reasons for decision: <p>Under the Anti-Social Crime and Policing Act 2014 local authorities have listed provisions to address matters of Anti-Social Behaviour.</p> <p>Working with partners across the city, Plymouth City Council has identified that existing provisions to address anti-social behaviour linked to the consumption of alcohol are ineffective in their current form. To equip resources with the appropriate tools to address matters the existing Public Space Protection Orders are required to be revoked and a new Public Space Protection Order implemented across the city to address both existing and arising issues.</p> <p>The implementation of a city wide Public Space Protection Order would enable a speedy and effective response to a specific type of Anti-Social Behaviour and offers heightened reassurance to residents across the city. In turn it is hoped that this will improve confidence in services and increase feelings of safety in the community. The order would impose the following prohibitions and/or requirements at all times within the boundary of the city:</p> <ol style="list-style-type: none"> 1. No person shall continue to consume alcohol, or anything which is reasonably believed to be alcohol, when asked to stop by an authorised person 2. No person shall fail to surrender a vessel(s) of alcohol, sealed or unsealed when requested by an authorised officer who, in their view believe this would assist in preventing further anti-social behaviour, public nuisance or disorder <p>An “authorised officer” means an employee of the council, Police Community Support Officer or other person who is authorised in writing by the council.</p> <p>A citywide order linked to the displayed behaviours opposed to direct consumption of alcohol would</p>

	<p>mean that the use of the order will only effect those who are displaying behaviours causing harassment, alarm or distress. As such this order would not impact the majority of residents or visitors to the city. Furthermore utilising the power in this manner opposed to an outright banning of public alcohol consumption, would limit the possibility of an authorised person inadvertently causing an individual to suffer an alcohol withdrawal related medical episode.</p> <p>It is hoped a citywide PSPO could reduce the “need” to gather in large groups in very small geographies as it will be apparent to the community in question that their treatment will not differ from area to area within the city boundary.</p> <p>A citywide PSPO will give authorised officers the tools necessary to effectively prevent the escalation of anti-social behaviour as and when it occurs. This immediate solution can alleviate problems in the first instance. It will also highlight pockets of this behaviour which would allow Plymouth City Council to work with partners to focus our longer term interventions and support in the areas where the PSPO prohibition is being enforced most frequently.</p> <p>Public consultation has shown support for a citywide approach to be adopted with 85.7% of returns in agreement.</p> <p>Enforcement will be in line with the anti-social behaviour escalation process as this has been agreed as the most suitable enforcement approach and tested in the Stonehouse Pilot PSPO. The process is designed to sit alongside the city and organisational vision of employing a Trauma Informed Approach. This escalation process offers relevant signposting, support and interventions alongside enforcement.</p> <p>The implementation of this order will in turn result in the existing Public Space Protection Orders covering, City Centre and Stonehouse, Stonehouse, Devonport, North Hill, Mutley, Freedom Fields and Tothill Park, being discharged.</p>			
6	<p>Alternative options considered and rejected:</p> <p>Continue with existing approach. This approach is currently not addressing the issues being reported outside of existing Public Space Protection Order boundaries and is not equipping resources with the tools to address either emerging or existing issues.</p> <p>Enhance existing approach by developing prohibitions whilst maintaining the micro boundaries of live Public Space Protection Order’s. This approach could lead to confusion in both persons effected and authorised to enforce. This approach would be ineffective in dealing with emerging trends if they are outside of a defined geography.</p> <p>Citywide Public Space Protection Order with prohibitions 1 and 2, listed in section 5, with fixed penalty notices issued. The majority of persons who are likely to be subject of breaching the order are not deemed to have the financial resource to pay for fines. Furthermore in developing a trauma informed approach with support options available to offenders, this approach would impact effectiveness and result in disengagement, preventing causal issues being addressed.</p>			
7	<p>Financial implications: The minimal cost for the removal of old signage, printing of and installation of new signs will be met from the existing Community Connections budget; the technical accounting officer responsible for the service area has been informed</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	<p>Yes</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p>
			X	<p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p>

			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		The implementation of this order is aligned to the corporate plan showing that we are taking responsibility and being fair in our approach. It displays that we are caring in helping people feel safe in Plymouth and providing a welcoming city.	
10	Please specify any direct environmental implications of the decision (carbon impact)		N/A	
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			

14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No						
15	Which Corporate Management Team member has been consulted?	Name	Craig McArdle					
		Job title	Strategic Director for People					
		Date consulted	15 September 2020					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS33 20/21					
		Finance (mandatory)	djn.20.21.91					
		Legal (mandatory)	33570/ag/17.9.2020					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication (<i>mandatory</i>)						
	B	Equalities Impact Assessment (<i>where required</i>)						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	X					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							

Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Police application for PSPO								
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision		21/09/2020		
Print Name		Cllr SALLY HAYDON						