**Customer Impact Assessment – Public Spaces Protection Orders (PSPO’s)**

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| **Name and brief description of policy being analysed**Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if requiredThe Anti-Social Behaviour, Crime and Policing Act 2014, hereafter known as the Act, came into effect on 20th October 2014 making a number of changes to the law on anti-social behaviour. A key change was the introduction of PSPO's to replace Designated Public Places Orders (DPPO’s), dog control orders and gating orders in addition to a range of other behaviours that local authorities can now regulate in public spaces.The Act has introduced simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. This includes the introduction of Public Spaces Protection Order (PSPO).Councils will be responsible for making the new PSPO although enforcement powers will be much broader.Public Space Protection Orders (PSPO's) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community’s qualify of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. PSPO's are drafted based on the specific issues being faced in a particular public space, and can include multiple restrictions and requirements in one order. Examples of restrictions might include: * Controlling the use of dogs;
* Restricting access to an area;
* Misuse of substances;
* Tackling noise nuisance; or
* Unreasonable behaviour having a detrimental effect on the community.

A PSPO can be made where the council is satisfied, after conducting the test, that the activity or activities, carried on in a public place, it proposes to restrict: * Have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
* Is, or is likely to be, persistent or continuing in nature;
* Is, or is likely to be, unreasonable; and
* Justifies the restrictions imposed.

A PSPO can be used to restrict the consumption of alcohol in a public space where the test has been met. However, as with DPPO's which it replaces, there are a number of limitations on using this power for this end.A PSPO cannot be used to restrict the consumption of alcohol where the premises or its curtilage is licensed for the supply of alcohol. There are also limitations where either Part 5 of the Licensing Act 2003 or Section 115E of the Highways Act 1980 applies. This is because the licensing system already includes safeguards against premises becoming centres for anti-social behaviour. It would cause confusion and duplication if PSPO's were also introduced within these areas.A PSPO for the need of this assessment is in relation to restricting and removing the act of consuming alcohol within specific locations covered by the PSPO where the test has been met. |
| **Information used for customer analysis**Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possibleThe implementation of PSPO’s is following the legislation from the [Anti-social Behaviour, Crime and Policing Act 2014](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CCEQFjAA&url=http%3A%2F%2Fwww.legislation.gov.uk%2Fukpga%2F2014%2F12%2Fcontents%2Fenacted&ei=gGaeVbC5E8H1-QHx24H4BA&usg=AFQjCNHbOtreLTzdCcGD6Anj3lOsKYQReg&bvm=bv.96952980,d.ZGU) and the Home Office ‘statutory frontline officer’ guidance. As part of this assessment and for the need and use of PSPO’s a number of partner groups, organisations and community have been consulted via aa number of means. On reviewing and analysing street drinking data that is used on behalf of the Wisbech Alcohol Partnership (WAP) which is provided by the councils CCTV team there are specific areas within the camera zones and within the current DPPO area which is suffering at the detriment to the local community from persistent street drinking activity. On discussion with the Wisbech Alcohol Partnership, Cambridgeshire Police and supported by the CCTV data detailed above on street drinking activity, it is recommended that the areas covering St Peter's Gardens including the sensory garden area, Tilery Field Park and the Memorial Gardens within the Crescent be considered for the introduction of a PSPO that restricts the consumption of alcohol within these areas at all times by all persons.Partners and relevant bodies felt that the formal consultation could also ask if the use of PSPO's should also address other issues aside from the consumption of alcohol in a public place. The consultation period was commenced over for a 4 week period from the 14th July until 11th August 2017.The future of DPPO's and the introduction of PSPO's consultation has been delivered via Survey Monkey and placed on the Councils website as well as promoted via the following channels;* Councils social media platforms
* Town Council clerks
* Statutory Partnership Groups, including Fenland Community Safety Partnership, Fenland Problem Solving Group, Relevant Authority Officer Group and the Wisbech Alcohol Partnership.
* Partnership social media channels including Cambridgeshire Police
* Hard copies of the survey within public accessed buildings
* Officer engagement at Community Contact Points

The PSPO became live on October 20th 2017 and is currently subject of an annual review to understand the impact it has had. There was a public consultation exercise in October/November 2018 which as a result indicated continued public support for the need of a PSPO and a strategic assessment completed in January 2019 looking at the impact of drugs and alcohol in Fenland. Alcohol & street drinking in Wisbech were highlighted issues.PSPO’s are legally required to be reviewed every three years with an outcome of extending the current Order, amending the Order or removing the Order. The 3-year review was conducted during the summer/Autumn of 2020 in compliance with the legislation. The outcome being the Order was extended for a further 3 years without amendment.  |
|  | **Could particularly benefit** | **Neutral** | **May adversely impact** | Explanations | **Is action possible or required?** | Details of actions or explanations if actions are not possiblePlease note details of any actions to be placed in your Service Plan |
| **Race** | **□** | **x** | **□** | The use of PSPO’s is responding to the linked behaviours that are either being requested to be stopped or conducted within the specified areas and not linked to an individual’s race, sex, disability or age.In this case the use of PSPO is to reduce alcohol related ASB by restricting the consumption of alcohol in three specific locations and controlling consumption across a wider area. | N  |   |
| **Sex** | **□** | **x** | **□** | N |
| **Gender reassignment** | **□** | **x** | **□** | N |
| **Disability** | **□** | **x** | **□** | N  |
| **Age** | **□** | **x** | **□** | N |
| **Sexual orientation** | **□** | **x** | **□** | N |
| **Religion or belief** | **□** | **x** | **□** | N |
| **Pregnancy & maternity** | **□** | **x** | **□** | N |
| **Marriage & civil partnership** | **□** | **x** | **□** | N |
| **Human Rights** | **□** | **x** | **□** |  | N |  |
| **Socio Economic** |  | **x** |  |  | N |  |
| **Multiple/ Cross Cutting** |  | **x** |  |  | N |  |
| **Outcome(s) of customer analysis**a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative  neutral  positive **x**No major change needed **x** Adjust the policy **□** Adverse impact but continue **□** Stop and remove / reconsider policy **□** |
| **Arrangements for future monitoring:**Note when analysis will be reviewed; include any equality indicators and performance against those indicatorsAt the time of reviewing this document the PSPO is subject of review as per legislation to understand its impact and/or need. Should there be any change in the current PSPO areas and/or restrictions this document will be subject further review.As described above the PSPO is required by law to be reviewed every 3 years. This was first completed during 2020 and the extended Order runs until October 2023 |
| **Details of any data/ Research used** (both FDC & Partners)**:**Wisbech Alcohol Partnership Cambridgeshire PoliceFenland District Council – CCTV servicesFenland Community Safety PartnershipLocal Alcohol Action Area (when in place)County Council |
| **Completed by:****Name: Alan Boughen****Position: Community Safety Partnership Officer****18/11/2018****Reviewed 11/01/2022** |
| **Approved by** (manager signature): **Dan horn – Head of Housing & Communities.** | **Date published:**  |
| **Details of any Committee approved by (if applicable):** | **Date endorsed by Members if applicable:** |