

## NOTICE OF MEETING

# CABINET MEMBER SIGNING

**Monday, 11th September, 2023, 10.00 am - George Meehan House,  
294 High Road, N22 8JZ (watch the live meeting [here](#))**

**Councillors:** Adam Jogee

### **1. FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

### **2. APOLOGIES FOR ABSENCE**

### **3. URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under agenda item 18).

### **4. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

## **5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

- 6. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE HARINGEY DOG CONTROL PSPO (PAGES 1 - 18)**
- 7. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE BOUNDS GREEN ALCOHOL CONTROL PSPO (PAGES 19 - 30)**
- 8. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION AND MINOR VARIATION TO BRUCE GROVE ALCOHOL CONTROL PSPO (PAGES 31 - 42)**
- 9. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE HARRINGAY WARD ALCOHOL CONTROL PSPO (PAGES 43 - 54)**
- 10. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE NOEL PARK WARD ALCOHOL CONTROL PSPO (PAGES 55 - 68)**
- 11. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION AND MINOR VARIATION OF THE NORTHUMBERLAND PARK ALCOHOL CONTROL PSPO (PAGES 69 - 84)**
- 12. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION AND MINOR VARIATION TO SEVEN SISTERS ALCOHOL CONTROL PSPO (PAGES 85 - 98)**
- 13. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION AND MINOR VARIATION OF THE ST ANN'S ALCOHOL CONTROL PSPO (PAGES 99 - 112)**

- 14. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION AND MINOR VARIATION OF THE TOTTENHAM GREEN ALCOHOL CONTROL PSPO (PAGES 113 - 126)**
- 15. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE TOTTENHAM HALE ALCOHOL CONTROL PSPO (PAGES 127 - 138)**
- 16. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE WOODSIDE WARD ALCOHOL CONTROL PSPO (PAGES 139 - 150)**
- 17. RATIFICATION OF THE DECISION TO GO OUT TO CONSULTATION ON THE EXTENSION OF THE WEST GREEN WARD ALCOHOL CONTROL PSPO (PAGES 151 - 162)**
- 18. NEW ITEMS OF URGENT BUSINESS**

Felicity Foley, Committees Manager  
Tel – 020 8489 2919  
Fax – 020 8881 5218  
Email: felicity.foley@haringey.gov.uk

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday 01 September 2023

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**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Haringey Dog Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Key

## 1. Describe the issue under consideration

- 1.1 The Council's existing borough-wide Public Space Protection Orders (PSPO) for the control of dogs expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address wider community concerns.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On the 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took the decision to go out to consultation on the extension of the PSPO for a 5 week period, from the 16<sup>th</sup> of August to the 20<sup>th</sup> August 2023 Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to:
  - a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the Haringey Dog control PSPO as set out in Appendix A.

- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Orders (PSPO) sets clear conditions for the use of public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities taking action, such as issuing a Fixed Penalty Notice (FPN), if appropriate.
- 3.2 The publication of the conditions of the PSPO by strategically placed signs around the area in which it is effective ensures those using the public space are aware of their responsibilities for:
- disposing of the waste of any dog that is in their care at the time;
  - keeping a dog under their control, and on lead in some areas, such as highways and in cemeteries;
  - preventing their dog from entering areas where they are not permitted, such as children's play areas.
  - Walking no more than 6 dogs at the same time.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues it was introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for Council and Police officers to take action to address behaviours that have a detrimental effect on the local community.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.4 above, having a detrimental effect on the local community.

### **5. Background information**

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Dog Control Orders with a PSPO, with requirements and prohibitions mirroring the previous conditions. Following

an extensive consultation process in 2020 the PSPO was varied and extended to 19 October 2023.

- 5.3 The PSPO may be extended more than once if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order, or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets clear conditions for everybody using public areas. The publication of the conditions of the PSPO conditions on signs strategically placed around the area in which it is effective ensures those using the public space are aware of their responsibilities for:
- disposing of the waste of any dog that is in their care at the time;
  - keeping a dog under their control, and on lead in some areas, such as highways and in cemeteries;
  - preventing their dog from entering areas where they are not permitted, such as children's play areas;
  - Walking no more than 6 dogs at the same time.
- 5.5 The PSPO enables officers authorised by the Council and Police Officers to engage with people and educate them about their responsibilities, taking action, such as issuing a Fixed Penalty Notice (FPN) if appropriate.
- 5.6 The purpose of the PSPO is to encourage compliance with the conditions and reduce the number of incidents that occur, providing a cleaner and safer public space.
- 5.7 Haringey benefits from a large number of parks and open spaces which are used by both residents and visitors. Therefore, it is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.8 Residents make reports to the Council through a number of different mechanisms. It could be direct to our cleansing contractors Veolia, or through frontline services to the ASB Waste Enforcement or through an on line ASB report to the ASB Enforcement team.

The Council's contractor Veolia is responsible for clearing dog faeces from Haringey streets. Residents made 1041 reports to Veolia requesting the removal of dog faeces from streets within the borough during the period August 2021- July 2022.

During the period of Oct 2020 - July 2023, the Council's frontline services received 108 complaints about dog fouling and 8 of dogs not on a lead. In addition, in the period April 2021 to December 103 ASB reports were made to the Anti-Social Behaviour Enforcement team for dog related issues, this included, dog fouling, dogs out of control, dogs off lead.

5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the Anti-Social Behaviour, Crime and Policing Act Statutory Guidance.

5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:

- Clear and concise
- Have a purpose
- Should be informative
- Only part of a process of engagement
- Last for a proportionate amount of time
- Targeted
- Take into account of the groups being consulted
- Agreed before publication
- Facilitate security
- Results published in a timely fashion
- Not launched during a local or national election period.

5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums and associations or charities with a specialist interest in dogs. All responses will be considered.

5.12 The consultation will take place between 16 August and 13 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

6.1 The Dog Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.



8.1.2 The costs associated to undertaking the survey and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

## **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

## **8.3 Head of Legal & Governance [Name and title of Officer completing these comments]**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

A copy of the completed Equality Impact Assessment Screening Tool can be found at Appendix B

## 9. Use of Appendices

Appendix A – Draft Dog Control PSPO

Appendix B - Equality Impact Assessment Screening Tool

**10. Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

DEFRA Practitioners Manual on dealing with irresponsible dog ownership

<https://www.gov.uk/government/publications/dealing-with-irresponsible-dog-ownership-practitioners-manual>

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**ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014**  
**S.59-75 PUBLIC SPACE PROTECTION ORDER**  
**LONDON BOROUGH OF HARINGEY DOG CONTROL**

1. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act).
2. This order may be cited as The Public Spaces Protection Order (Haringey Dog Control). It came into force on the 20<sup>th</sup> October 2017, was extended for three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
3. The Public Space Protection Order (PSPO) covers five areas of dog control:
  - A. Dog fouling of land
  - B. Dogs on leads
  - C. Dogs on leads by direction
  - D. Dogs exclusion
  - E. Dogs (specified maximum)
  - F. Appropriate means **to pick up dog faeces**

**A. Dog fouling of land**

1. This relates to the offence of fouling of land by dogs. The public health implications of dog fouling are well documented.
2. If a dog defecates at any time on land to which this order applies, and the person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:
  - a. he/she has a reasonable excuse for failing to do so, or
  - b. the owner, occupier, or other person or authority having control of the land has consented (generally or specifically) to his failing to do so;
3. This Order applies to land described in the Schedule A below, being land in the area of the Council
4. For the purpose of this article:
  - a. Placing the faeces in a receptacle on the land which is provided for this purpose, or for the disposal of waste, shall be a sufficient removal from the land;
  - b. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces, shall not be a reasonable excuse for failing to remove the faeces;

**Schedule A: Dog fouling of land**

Land Designated by Description

1. Any land, which is open to the air, and to which the public are entitled or permitted to have access (with or without payment).
2. Any land which is covered is to be treated as land which is “open to the air” if it is open on at least one side.

**B. Dogs on leads**

Land Designated by Description

1. Dogs whilst not on a lead and poorly supervised, or startled, have a greater potential to cause road traffic accidents, or to cause injury to pedestrians, dogs and other animals. The restrictions in this Order are designed to facilitate a sharing of our public spaces, whilst recognising that dogs do need to be exercised off lead.
2. A person in charge of a dog shall be guilty of an offence, if at any time, they fail to keep their dog on a lead not longer than 2.0 metres, unless:
  - a. he/she has a reasonable excuse for failing to do so, or
  - b. the owner, occupier, or other person, or other authority having control of the land has given consent (generally or specifically);
3. This part of the Order applies to land described in the Schedule B below being land in the area of the Council.

**Schedule B: Dogs on leads**

Land Designated by Description

1. A highway, carriageway, cycle land, footway or footpath, maintainable at the public expense, or any grass verge managed by the local authority and which is adjacent to the carriageway or footway of a highway, including gutters and adjoining footpaths;
2. clearly specified and signed areas in the borough’s parks
3. all churchyards and graveyards (but not green burial areas), ornamental gardens
4. all car park areas shopping centres and precincts that are:
  - a. open to the air (which includes land that is covered but open to the air on at least one side) and
  - b. areas to which the public are entitled or permitted to have access (with or without payment), irrespective of ownership
5. all sports grounds, fields, parks, pitches, which are maintained by the local authority and are not subject to “Dog Exclusion,” but only when in use for officiated sporting matches
6. All parks and open green spaces less than half a hectare
7. On all estates and land managed by Homes for Haringey

**C. Dogs on leads by direction**

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1. In parts of the borough where dogs are permitted off leads, a minority of irresponsible dog owners allow their dogs to cause damage to property, and cause problems for pedestrians, other dog owners and other animals. This part of the Order is designed to enable authorised Council Officers or Police Officers to direct that the owner put their dog on a lead.
2. A person in charge of a dog will be guilty of an offence if at any time, on land to which this Part applies, they fail to comply with a direction given them by an authorised officer of the Council or a police officer to put and keep the dog on a lead of not more than 2 metres in length, unless:
  - a. he/she has a reasonable excuse for failing to do so, or
  - b. the owner, occupier, or other person or authority having control of the land, has given consent (generally or specifically)
3. For the purposes of this request an authorised officer of the Council may only direct a person to put and keep a dog on a lead if such restraint is reasonably necessary to prevent either a nuisance, or behaviour by the dog likely to cause annoyance or disturbance to any other person, or the worrying of other animals on designated land to which this order applies.
4. This Part of the Order applies to land described in Schedule C below being land in the area of the Council.

### **Schedule C: Dogs on leads by direction**

#### Land Designated by Description

1. Any land within the London Borough of Haringey, which is open to the air, and to which the public are entitled or permitted to have access (with or without payment).
2. Any land which is covered is to be treated as land which is “open to the air” if it is open on at least one side.

### **D. Dogs exclusion**

1. There are specific parts of the borough from which dogs should be excluded for their safety and that of pedestrians, and for the public health and aesthetic reasons. This part of the Order states the relatively few places from which dogs will be excluded.
2. A person in charge of a dog will be guilty of an offence if at any time he takes the dog onto, or permits the dog to enter or remain on, any land specified in the Order, unless:
  - a. he/she has a reasonable excuse for failing to do so, or
  - b. the owner, occupier or other person or authority having control of the land, has given consent (generally or specifically)

3. This Part of the Order applies to the land described in Schedule D below being land in the area of the Council.

**Schedule D: Dogs exclusion**

Land Designated by Description

1. children's play areas (which are clearly signed)
2. multi-use games areas (which are clearly signed)
3. sport and recreational facilities, i.e. ball courts, pitches, pool areas (which are enclosed and clearly signed)
4. sensitive areas, or specific horticultural areas within parks (which are enclosed and clearly signed)

**E. Dogs (specified maximum)**

1. To control the numbers of dogs being walked by an individual. This can cause problems for other dog walkers and other animals where irresponsible dog owners fail to keep their dogs under proper control and where dog foul is not picked up. This part of the Order seeks to place limits on the number of dogs which may be walked together to enable greater control.
2. A person shall be guilty of an offence if they take on to any land in respect of which this Order applies more than the maximum number of dogs specified in paragraph 3, unless;
  - a. they have a reasonable excuse for failing to do so, or
  - b. the owner, occupier, or other person or authority having control of the land, has given consent (generally or specifically)
3. On land to which this Order applies, the maximum number of dogs which a person may take onto that land is six.
4. This Part of the Order applies to land described in Schedule E below being land in the area of the Council.

**Schedule E: Dogs (specified maximum)**

Land Designated by Description within the London Borough of Haringey Council

1. Any land within the London Borough of Haringey, which is open to the air, and to which the public are entitled or permitted to have access (with or without payment)
2. Any land which is covered is to be treated as land which is "open to the air" if it is open on at least one side.

**F. Means to pick up dog faeces**



1. A person in charge of a dog on land to which this Order applies must have with him an appropriate means to pick up dog faeces deposited by that dog unless:
  - a. s/he has reasonable excuse in failing to do so; or
  - b. the owner, occupier or other person having control of the land has consented (generally or specifically) to his failing to do so.
2. The obligation is complied with if, after a request from an authorised officer the person in charge of the dog produces an appropriate means to pick up dog faeces.
3. An “appropriate means” is defined as any poop scoop bag, disposal bag or other suitable container for disposal of dog faeces. For the avoidance of any doubt a trouser or coat or other pocket, handbag, rucksack, purse, sports bag are not appropriate means.
4. Authorised officers may approach dog owners and request them to produce appropriate means of removing dog waste and transporting it to a suitable bin. Dog walkers will be expected to demonstrate that they have bags or other means of clearing up, even if the dog hasn’t defecated at that time. If they cannot they may be issued with a fixed penalty notice of £100 or prosecuted and fined up to £1,000 (*assistance dogs trained by a registered charity where the disability affects the person’s ability to clean up after their dog are exempt*).

## **SCHEDULE F: Means to pick up dog faeces**

### Land Designated by Description

1. Any land, which is open to the air, and to which the public are entitled or permitted to have access (with or without payment).
2. Any land which is covered is to be treated as land which is “open to the air” if it is open on at least one side.

### **General Point**

For the purpose of parts, A, B, C and D of this Public Protection Order:

1. Nothing in this Public Space Protection Order applies to a person who:
  - a. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 or
  - b. has a disability which affects his/her mobility, manual dexterity, physical coordination, or ability to lift, carry, or otherwise move everyday objects, in respect of a dog trained by a “prescribed charity” and upon which he relies for assistance;
  - c. each of the following is a “prescribed charity”
    - i) Dogs for the Disabled (registered charity number 700454)
    - ii) Support Dogs (registered charity number 1088281)
    - iii) Canine Partners for Independence (registered charity number 803680)

2. For the purpose of this Order, a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

**Offences under the Public Space Protection Order**

A person who is guilty of an offence shall on summary conviction be liable to a fine not exceeding level 3 on the standard scale.

A Fixed Penalty Notice of £100.00 will be issued to offenders, which would discharge any liability to conviction for an offence under Section 67(1) of the Act.

DATED:

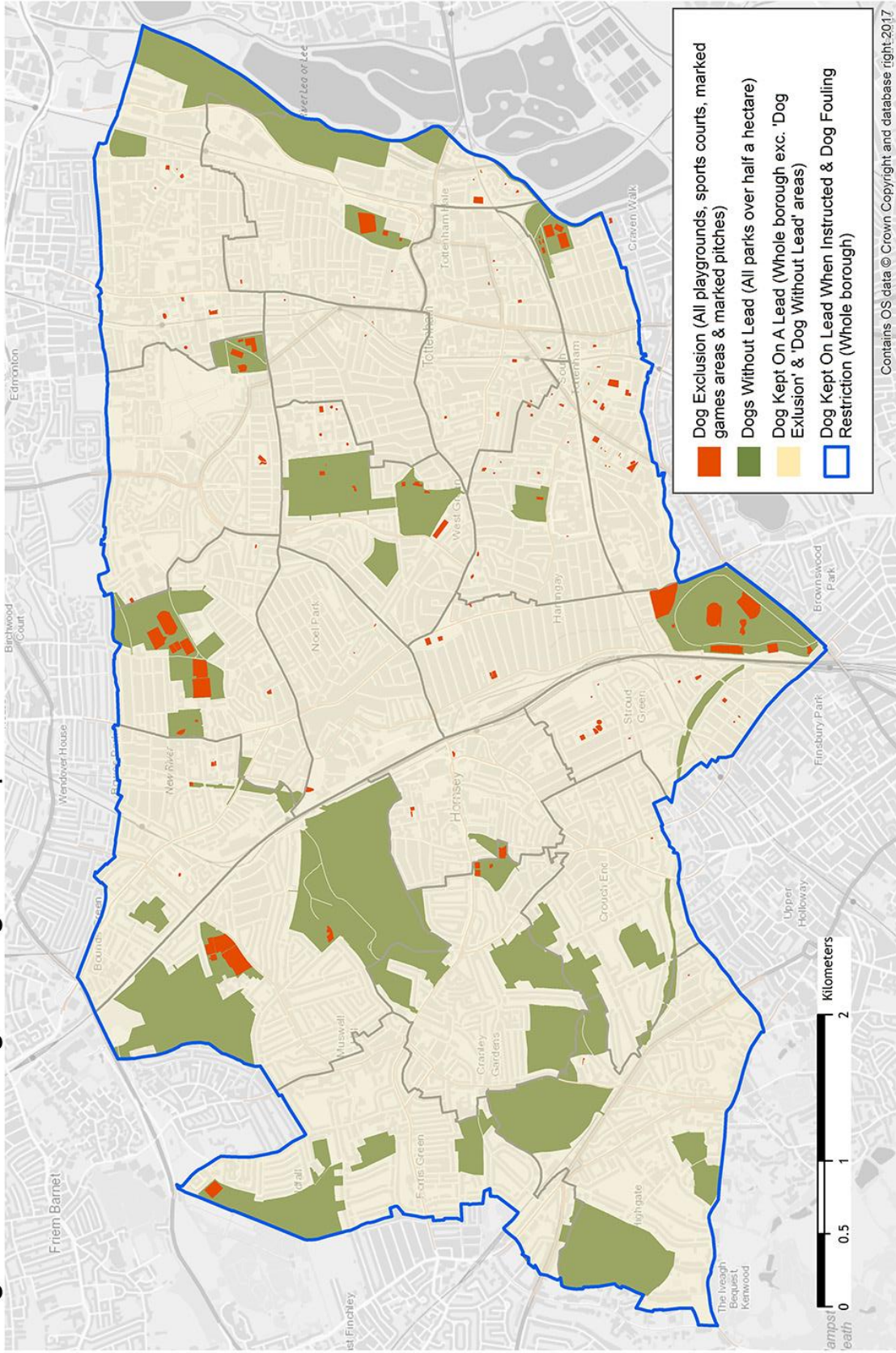
The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer

Dog Control and Dog Fouling Public Space Protection Order 2017



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## Equality Impact Assessment Screening Tool

1	Lead officer contact details:	Brian Ellick
2	Date:	14 August 2023
3	Summary of the proposal:	To consult on the extension of the existing borough-wide Public Spaces Protection Order (PSPO) for the control of dogs.

	Yes	No	Please explain your answer.
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### a) Type of proposal

4.	Is this a new proposal or a significant change to a policy or service, including commissioned service?		✓	The proposal is for approval to consult on the extension of the existing borough-wide Public Spaces Protection Order, which specified conditions for people who have a dog in their care. The PSPO has been in place since 2017 and was extended in 2020. The consultation is a simplified process as there are no proposed changes. The consultation is a simplified process as there are no proposed changes to the PSPO conditions. There are no policy or service changes or impact on staffing arrangements.
5.	Does the proposal remove, reduce or alter a service or policy?		✓	
6.	Will there be a restructure or significant changes in staffing arrangements? Please see the restructure pages for guidance for <a href="#">restructure EqlAs</a> .		✓	
7.	If the service or policy is not changing, have there been any known equality issues or concerns with current provision. For example, cases of discrimination or failure to tackle inequalities in outcomes in the past?		✓	

### b) Known inequalities

8.	Could the proposal disproportionately impact on any particular communities, disadvantaged or vulnerable residents?		✓	Everybody must comply with the PSPO if they have a dog in their care unless;
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9.	<p>Is the service targeted towards particular disadvantaged or vulnerable residents?</p> <p><i>This can be a service specifically for a group, such as services for people with Learning Disabilities. It can also be a universal service but has specific measures to tackle inequalities, such as encouraging men to take up substance misuse services.</i></p>		✓	<ul style="list-style-type: none"> <li>▪ the landowner or person in charge of the land gives you permission.</li> <li>▪ you have a reasonable excuse for not complying.</li> <li>▪ you are exempt because you: <ul style="list-style-type: none"> <li>○ are registered as a blind person</li> <li>○ have a disability which affects your mobility, physical coordination, ability to use your hands or ability to lift, carry or otherwise move everyday objects</li> <li>○ have a registered assistance dog</li> </ul> </li> </ul>
10.	<p>Are there any known inequalities? For example, particular groups are not currently accessing services that they need or are more likely to suffer inequalities in outcomes, such as health outcomes.</p>		✓	
11	<p>If you have answered yes to at least one question in both sections a) and b), Please complete an EqIA.</p>			<p>A full EqIA, is not required at this time as;</p> <ul style="list-style-type: none"> <li>• This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.</li> <li>• In the time the PSPO has been in place, with existing exemptions for people with relevant disabilities, no further equality issues or concerns have been raised.</li> <li>• Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.</li> </ul>

**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Bounds Green Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Tottenham Hale

**Report for Key/  
Non Key Decision:** Non-Key

## 1. Describe the issue under consideration

- 1.1 The Council existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Tottenham Hale expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Tottenham Hale alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.



This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Tottenham Hale PSPO are:
- High Road
  - Stoneleigh Road
  - Brook Street
  - Albert Place
  - Chestnut Road
  - Scotland Green
- Public Rights of Way
- Stoneleigh Road Car Park, N17
  - Alleyway between High Road and Stoneleigh Road
- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.

- 5.7 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

### 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.

- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

9. **Use of Appendices**

Appendix A – Draft Tottenham Hale Alcohol Control PSPO

10. **Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**PUBLIC SPACE PROTECTION ORDER - BOUNDS GREEN WARD  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Bounds Green Ward Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Bounds Green Ward shown outlined on the plan contained in the schedule of this Order (Bounds Green Ward Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Bridge Road

Buckingham Road

Dorset Road

St Michaels Terrace

Terrick Road

**Public Parks and Open Spaces managed by Haringey Council**

- Park Area Between St Michaels Terrace and Park Avenue

5. The activities described below are hereby prohibited as from the date of this Order.
  - (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

S63 Consumption of alcohol in breach of prohibition in this Order

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
- (3) *A Police Constable or authorise person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*



- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer

# Street Drinking - Public Spaces Protection Order - Bounds Green Ward



**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension and minor variation of the Bruce Grove Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Tottenham Central

**Report for Key/  
Non Key Decision:** Non-Key

**1. Describe the issue under consideration**

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in the Bruce Grove area expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On the 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took the decision to go out to consultation on the extension of the PSPO for a 5 week period, from the 16<sup>th</sup> of August to the 20<sup>th</sup> August 2023 Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

**2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Bounds Green alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Bruce Grove PSPO all now fall within the Tottenham Central Ward, they are:
- Bruce Grove
  - Clacton Road
  - Forster Road
  - Howfield Place
  - Lordship Lane
  - Moorfield Road
  - Mount Pleasant Road
  - St Loy's Road
  - Sperling Road
- Public Rights of Way
- Alleyway Beside St. Loy's Road
- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.

- 5.7 If an individual fails to comply with the request without reasonable excuse, they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.
- 6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**
- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.
- 7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

8. **Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

**8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

**8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

**8.3 Comments of the Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Minor amendments are being made to the PSPO because originally it was ward based and the ward boundaries have changed. These minor variations are cosmetic and do not fall within s61 (1) (a) of the Act because there is no change to the restricted areas themselves. These changes do not therefore require consultation.

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

- 8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
  - Advance equality of opportunity between people who share protected characteristics and people who do not
  - Foster good relations between people who share those characteristics and people who do not

- 8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.



8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft Bruce Grove Alcohol Control PSPO

## 10. Background papers

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – BRUCE GROVE  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Bruce Grove Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Bruce Grove Ward and Tottenham Central Ward areas shown outlined on the plan contained in the schedule of this Order (Bruce Grove Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Bruce Grove

Clacton Road

Forster Road

Howfield Place

Lordship Lane

Moorfield Road

Mount Pleasant Road

St Loy's Road

Sperling Road

Public Rights of Way

- Alleyway Beside St. Loy's Road

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section "authorised person" means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person's possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
- (3) *A Police Constable or authorise person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*

- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

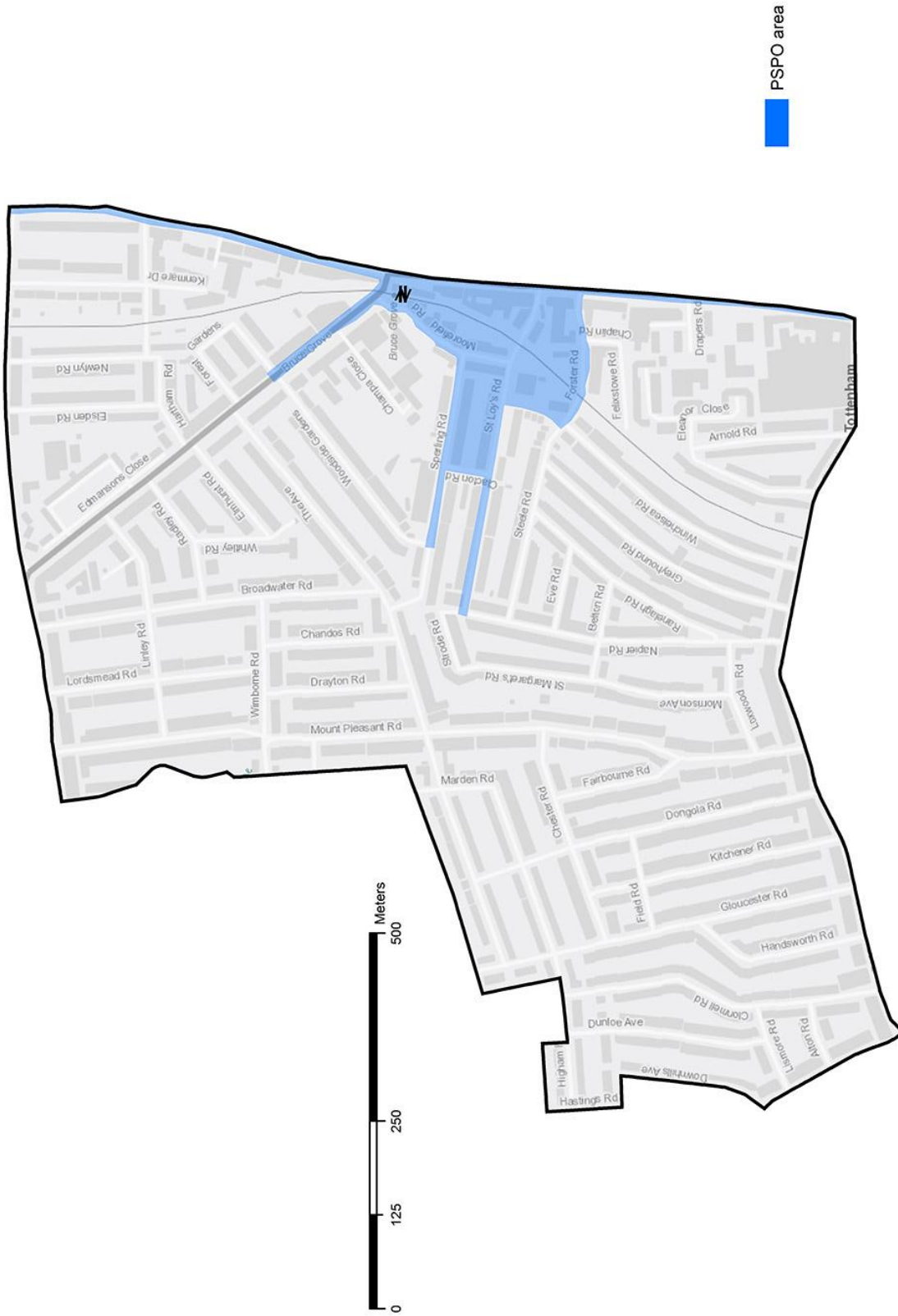
DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer



**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Harringay Ward Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities  
(020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Harringay

**Report for Key/  
Non Key Decision:** Non-Key

## 1. Describe the issue under consideration

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Harringay expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;
- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Harringay Ward alcohol control PSPO as set out in Appendix A in the specified roads and public areas in Harringay until 30 April 2025.
  - b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol that have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.



This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Harringay PSPO are:
- Willoughby Road
  - Public Rights of Way between Willoughby Road and Green Lanes
  - Ducketts Common
- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their

behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.

- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.
- 6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**
- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.
- 7. Carbon and Climate Change**
- 7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.
- 8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**
- 8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

## **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

## **8.3 Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft Bounds Green Alcohol Control PSPO

**10. Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY**  
**PUBLIC SPACE PROTECTION ORDER – HARRINGAY WARD**  
**PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Harringay Ward Alcohol Control Public Spaces Protection Order**
  
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
  
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
  
4. This Order applies to the public places being those parts of the Harringay Ward shown outlined on the plan contained in the schedule of this Order (Harringay Ward Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Willoughby Road

**Public Rights of Way**

- Willoughby Road To Green Lanes

Public Parks and Open Spaces Managed by Haringey Council

- Ducketts Common

5. The activities described below are hereby prohibited as from the date of this Order.

- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
- (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

(1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*

(2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*

(3) *A Police Constable or authorise person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*

(4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*



- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

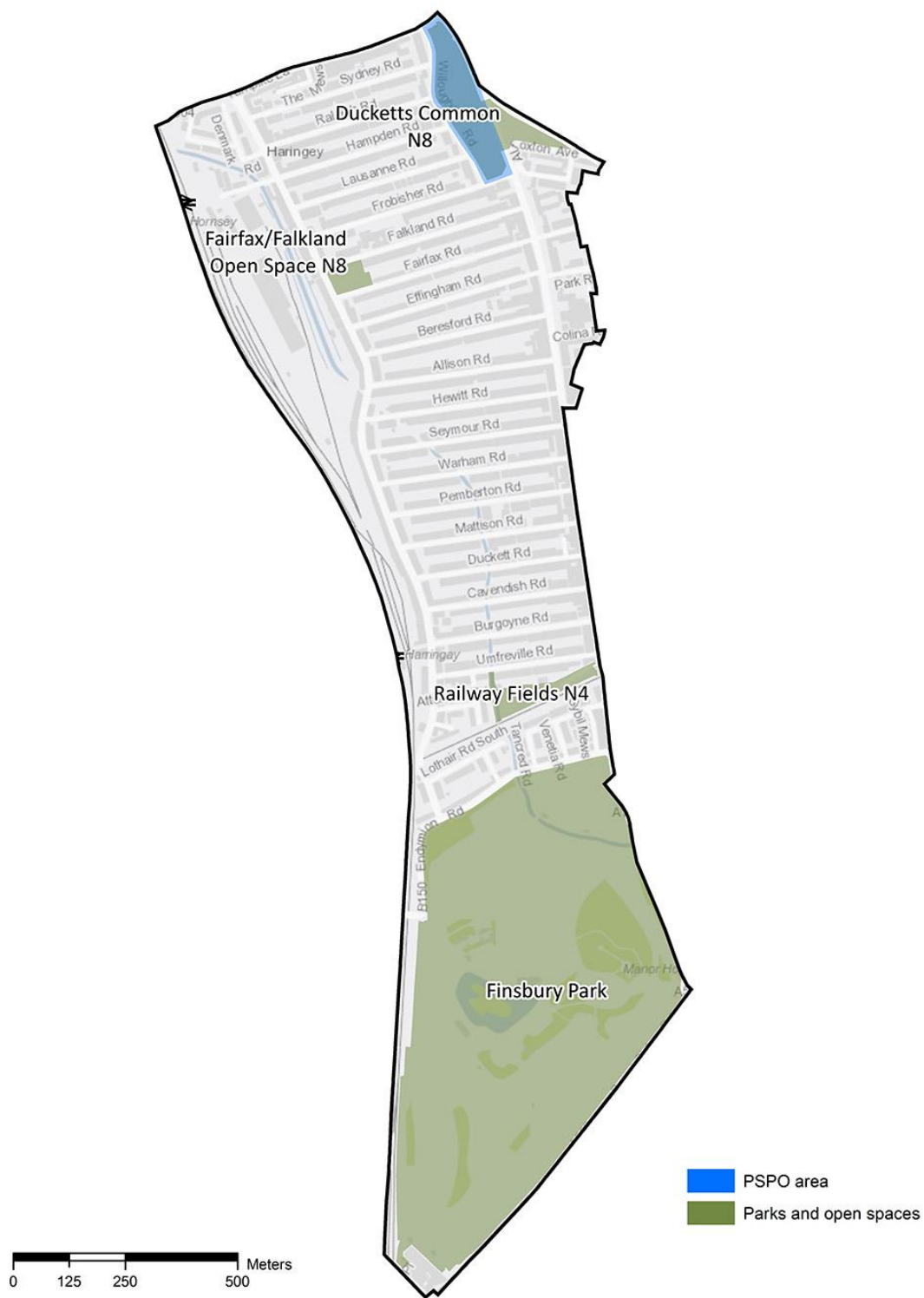
The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer

Street Drinking - Public Spaces Protection Order - Harringay Ward



**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Noel Park Ward Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities (020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Noel Park

**Report for Key/  
Non Key Decision:** Non-Key

## 1. Describe the issue under consideration

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Noel Park expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023, the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Noel Park Ward Alcohol Control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.

This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 19 October 2023.
- 5.3 PSPOs may be extended more than once if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Noel Park PSPO are:
- |                   |                   |                  |
|-------------------|-------------------|------------------|
| Albert Mews       | Road Cobham       | Mews Lordship    |
| Alexandra Road    | Road Coburg Road  | Lane Lymington   |
| Amber Mews        | Coleraine Road    | Avenue Lyttleton |
| Arnold Bennett    | Coombe Road       | Road Malvern     |
| Way Ashley        | Courcy Road       | Road Mark Road   |
| Crescent The      | Darwin Road       | Maurice Avenue   |
| Avenue Barbara    | Dovecote Avenue   | Mayes Road       |
| Hucklesbury Close | Farrant Avenue    | Meads Road       |
| Boreham Road      | Gladstone Avenue  | Morley Avenue    |
| Brabant Road      | Gladstone Mews    | Moselle Avenue   |
| Brampton Park     | Hewitt Road High  | Noel Park Road   |
| Road Brook Road   | Road Hornsey Park | Park Ridings     |
| Buller Road       | Road Jack Barnett |                  |
| Burghley Road     | Way Lakefield     | Parkland Road    |
| Bury Road Caxton  | Road Lawton Road  | Pelham Road      |
| Road Clarendon    | Page 2 of 5 Lilac | Ravenstone Road  |

Redvers Road  
Russell Avenue  
Salisbury Road  
Sandlings Silsoe  
road Tower Terrace  
Turnpike Lane  
Public Rights of Way

Vernon Road  
Vincent Road  
Waldegrave Road  
Wallis Mews  
Walnut Mews  
Wellesley Road

Westbeech Road  
Westbury Avenue  
Western Road  
Whymark Avenue  
Willingdon Road

- Ashley Crescent To Lymington Avenue
- Willingdon Road To Russell Avenue
- Willoughby Road To Green Lanes
- Station Road To Western Road
- Footpath Between Whymark Avenue To Cobham Road
- Westbury Avenue To Whymark Avenue

Public Parks and Open Spaces Managed by Haringey Council

- Allotment Gardens In Lordship Lane,
- Salisbury Road And Moselle Avenue
- Recreational Ground Near Maurice Avenue, Gardner Court,
- Russell Avenue And Willingdon Road
- Noel Park

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time

- Targeted
- Take into account of the groups being consulted
- Agreed before publication
- Facilitate security
- Results published in a timely fashion
- Not launched during a local or national election period.

5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups, and forums. All responses will be considered.

5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

### **8.4 Equality**

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act



- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft Noel Park Ward Alcohol Control PSPO

## 10. Background papers

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – NOEL PARK WARD  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Noel Park Ward Alcohol Control Public Spaces Protection Order**.
2. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Noel Park Ward shown outlined on the plan contained in the schedule of this Order (Noel Park Ward Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Albert Mews	Brampton Park Road	Coombe Road
Alexandra Road	Brook Road	Courcy Road
Amber Mews	Buller Road	Darwin Road
Arnold Bennett Way	Burghley Road	Dovecote Avenue
Ashley Crescent	Bury Road	Farrant Avenue
The Avenue	Caxton Road	Gladstone Avenue
Barbara Hucklesbury Close	Clarendon Road	Gladstone Mews
Boreham Road	Cobham Road	Hewitt Road
Brabant Road	Coburg Road	High Road
	Coleraine Road	Hornsey Park Road

Jack Barnett Way	Moselle Avenue	Vernon Road
Lakefield Road	Noel Park Road	Vincent Road
Lawton Road	Park Ridings	Waldegrave Road
Lilac Mews	Parkland Road	Wallis Mews
Lordship Lane	Pelham Road	Walnut Mews
Lymington Avenue	Ravenstone Road	Wellesley Road
Lyttleton Road	Redvers Road	Westbeech Road
Malvern Road	Russell Avenue	Westbury Avenue
Mark Road	Salisbury Road	Western Road
Maurice Avenue	The Sandlings	Whymark Avenue
Mayes Road	Silsoe road	Willingdon Road
Meads Road	Tower Terrace	
Morley Avenue	Turnpike Lane	

Public Rights of Way

- Ashley Crescent To Lymington Avenue
- Willingdon Road To Russell Avenue
- Willoughby Road To Green Lanes
- Station Road To Western Road
- Footpath Between Whymark Avenue To Cobham Road
- Westbury Avenue To Whymark Avenue

Public Parks and Open Spaces Managed by Haringey Council

- Allotment Gardens In Lordship Lane,
- Saftsbury Road And Moselle Avenue
- Recreational Ground Near Maurice Avenue, Gardner Court,
- Russell Avenue And Willingdon Road
- Noel Park

5. The activities described below are hereby prohibited as from the date of this Order.

- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
- (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
  - (2) The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
  - (3) A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
  - (4) A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
  - (5) A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
  6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
  7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted
-

area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

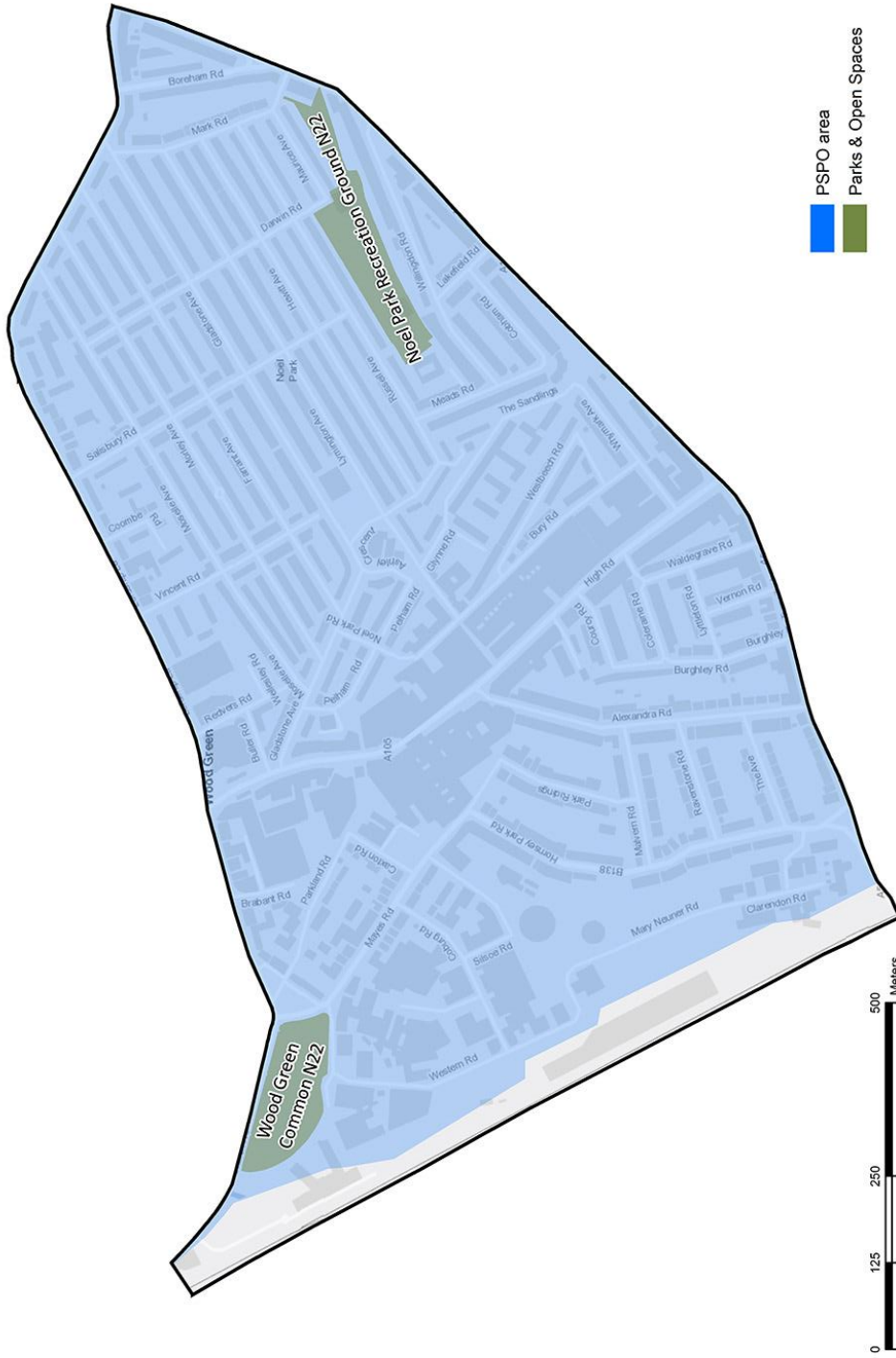
The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer

Street Drinking - Public Spaces Protection Order - Noel Park Ward



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**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension and minor variation of the Northumberland Park Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities  
020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk)

**Ward(s) affected:** Northumberland Park and Bruce Castle

**Report for Key/  
Non Key Decision:** Non-Key Decision

## 1. Describe the issue under consideration

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Northumberland Park expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 Approval is being sought to consult on the extension of this PSPO for a 5-week period from 16 August to 20 September 2023. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Northumberland Park alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Northumberland Park PSPO are listed below, some roads remain in Northumberland Park ward, other fall within Bruce Castle Ward (highlighted in green):

Almond Road	Cedar Road	Gillham Terrace
Altair Close	Cemetery Road	Grange Road
Anglia Close	Halgrove Road	Grasmere Road
Argyle Passage	Chapel Stones	Gretton Road
Argyle Road	Church Road	Haynes Close
Asplins Road	College Park	Headcorn Road
Baronet Road	Road	Hebden Terrace
Beaufoy Road	College Road	Heybourne Road
Bennetts Close	Commercial	High Road N17
Bill Nicholson	Road	Ingleton Road
Way	Commonwealth	James Place
Birkbeck Road	Road	King Street
Blaydon Close	Coniston Road	Kings Road
Brantwood Road	Cooperage	Lancaster Close
Brereton Road	Close	Leeside Road
Bromley Road	Denmark Street	The Lindales
Bruce Castle	Durban Road	Love Lane
Road	Eastwood Close	Manor Road
Brunswick	Farningham	Marigold Road
Square	Road	Morpeth Walk
Cartmel Close	Foyle Road	Moselle Place
Castleford Close	Garman Road	Moselle Street

The Moselle  
New Road  
Northumberland  
Grove  
Northumberland  
Park  
Nursery Court  
Nursery Street  
Offord Close  
Orchard Place  
Park Avenue  
Road  
Park Lane  
Park Lane Close  
Paxton Road  
Penshurst Road  
Pretoria Road  
Roebuck Close  
Romney Close  
Rothbury Walk  
Ruskin Road  
Scotswood Walk  
Sedge Road  
Somersford Grove  
St. Paul's Road  
Sutherland Road  
Tariff Road  
Tebworth Road  
Tenterden Road  
Thornley Close  
Trulock Road  
Vicarage Road  
Waggon Lane  
Waverley Road  
West Road  
Whitehall Street  
William Street  
Willoughby  
Grove  
Willoughby Lane  
Willoughby Park  
Road  
Worcester  
Avenue

Commercial Road (From The Junction of Pretoria Road to Meridian Walk)  
Grange Road – Nos. 27-51 And 28-44  
Ingleton Road Nos. 2-38 And 1-37  
Lordship Lane Nos. 2-26 And 21 To 47  
Pretoria Road Nos. 1-87  
Queen Street Nos. 1-29 And (From Corner of White Hart Lane to The Three  
Compasses Public House)  
White Hart Lane Nos. 2-144 (From The Health Care Centre to No. 220)

#### Public Rights of Way

- Beaufoy Road To Penshurst Road N17
- Bennetts Close To Roebuck Close N17
- Nursery Street To Church Road N17
- Off Queens Street N17
- Ruskin Road To Kings Road N17
- Charles House N17 (Access Road)
- Ermine House N17 (Access Road)
- Moselle House N17 (Access Road)
- West Road To Willoughby Lane N17

#### Public Parks and Open Spaces Managed by Haringey Council

- Green Chain – River Lee
- Lee Valley Regional Park
- Play Area Near Grettton Road, N17
- Play Ground Near Viaduct, Church Road, St James Place And Kings Road, N17
- The Green, By Town Hall Approach and High Road, N17

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse, they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.

5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:

- Clear and concise
- Have a purpose
- Should be informative
- Only part of a process of engagement
- Last for a proportionate amount of time
- Targeted
- Take into account of the groups being consulted
- Agreed before publication
- Facilitate security
- Results published in a timely fashion
- Not launched during a local or national election period.

5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.

5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

## 8.2 Procurement

- 8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

## 8.3 Comments of the Head of Legal & Governance

- 8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Minor amendments are being made to the PSPO because originally it was ward based and the ward boundaries have changed. These minor variations are cosmetic and do not fall within s61 (1) (a) of the Act because there is no change to the restricted areas themselves. These changes do not therefore require consultation.

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft Northumberland Park Alcohol Control PSPO

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<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/823316/2019-08-05\\_ASB\\_Revised\\_Statutory\\_Guidance\\_V2.2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – NORTHUMBERLAND PARK  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Northumberland Park Alcohol Control Public Spaces Protection Order**.
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Northumberland Park Ward and Bruce Castle Ward areas shown outlined on the plan contained in the schedule of this Order (Northumberland Park Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Almond Road	Blaydon Close	Chapel Stones
Altair Close	Brantwood Road	Church Road
Anglia Close	Brereton Road	College Park Road
Argyle Passage	Bromley Road	College Road
Argyle Road	Bruce Castle Road	Commercial Road
Asplins Road	Brunswick Square	Commonwealth
Baronet Road	Cartmel Close	Road
Beaufoy Road	Castleford Close	Coniston Road
Bennetts Close	Cedar Road	Cooperage Close
Bill Nicholson Way	Cemetery Road	Denmark Street
Birkbeck Road	Halgrove Road	Durban Road

Eastwood Close	Morpeth Walk	Scotswood Walk
Farningham Road	Moselle Place	Sedge Road
Foyle Road	Moselle Street	Somerford Grove
Garman Road	The Moselle	St. Paul's Road
Gillham Terrace	New Road	Sutherland Road
Grange Road	Northumberland	Tariff Road
Grasmere Road	Grove	Tebworth Road
Gretton Road	Northumberland	Tenterden Road
Haynes Close	Park	Thornley Close
Headcorn Road	Nursery Court	Trulock Road
Hebden Terrace	Nursery Street	Vicarage Road
Heybourne Road	Offord Close	Waggon Lane
High Road N17	Orchard Place	Waverley Road
Ingleton Road	Park Avenue Road	West Road
James Place	Park Lane	Whitehall Street
King Street	Park Lane Close	William Street
Kings Road	Paxton Road	Willoughby Grove
Lancaster Close	Penshurst Road	Willoughby Lane
Leeside Road	Pretoria Road	Willoughby Park
The Lindales	Roebuck Close	Road
Love Lane	Romney Close	Worcester Avenue
Manor Road	Rothbury Walk	
Marigold Road	Ruskin Road	

Commercial Road (From The Junction of Pretoria Road to Meridian Walk)

Grange Road – Nos. 27-51 And 28-44

Ingleton Road Nos. 2-38 And 1-37

Lordship Lane Nos. 2-26 And 21 To 47

Pretoria Road Nos. 1-87

Queen Street Nos. 1-29 And (From Corner of White Hart Lane to The Three  
Compasses Public House)

White Hart Lane Nos. 2-144 (From The Health Care Centre to No. 220)

#### Public Rights of Way

- Beaufoy Road To Penshurst Road N17
- Bennetts Close To Roebuck Close N17
- Nursery Street To Church Road N17
- Off Queens Street N17
- Ruskin Road To Kings Road N17
- Charles House N17 (Access Road)
- Ermine House N17 (Access Road)
- Moselle House N17 (Access Road)

- West Road To Willoughby Lane N17

Public Parks and Open Spaces Managed by Haringey Council

- Green Chain – River Lee
- Lee Valley Regional Park
- Play Area Near Gretton Road, N17
- Play Ground Near Viaduct, Church Road, St James Place And Kings Road, N17
- The Green, By Town Hall Approach and High Road, N17

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*

- (3) *A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer



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**Report for:** Cabinet Member Signing

**Item number:** To be added by the Committee Section

**Title:** Ratification of the decision to go out to consultation on the extension and minor variation of the Bruce Grove Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Seven Sisters, South Tottenham and Hermitage & Gardens Ward

**Report for Key/  
Non Key Decision: Non-Key**

**1. Describe the issue under consideration**

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in the former Seven Sisters Ward<sup>1</sup> area expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On the 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took the decision to go out to consultation on the extension of the PSPO for a 5 week period, from the 16<sup>th</sup> of August to the 20<sup>th</sup> August 2023 Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups, and forums.

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<sup>1</sup> Following ward boundary changes these specified roads now fall within South Tottenham Ward, Seven Sisters Ward and Hermitage & Gardens Ward – see paragraph 5.5.

- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## **2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;
- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Seven Sisters alcohol control PSPO as set out in Appendix A.
  - b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

## **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

#### 4. Alternative options considered

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

#### 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Seven Sisters PSPO are listed below, some roads remain in Seven Sisters Ward, others fall within South Tottenham Ward (highlighted in green) or Hermitage & Gardens (highlighted in red)

Albert Road	Castlewood Road	Ermine Road
Allan Barclay Close	Chisley Road	Fairview Road
Ashfield Road	Clifton Gardens	Ferndale Road
Barry Avenue	Craven Park Road	Finsbury Park Avenue
Beechfield Road	Crowland Road	Fladbury Road
Berkeley Road	Daleview Road	Franklin Street
Bushey Road	Eade Road	Frinton Road
Cadoxton Avenue	Eastbourne Road	Gladesmore Road
Candler Street	Elm Park Avenue	Grovelands Road

Hermitage Road  
Heysham Road  
Hillside Road  
Holmdale Terrace  
Howard Road  
Langford Close  
Latimer Road  
Leabank View  
Leadale Road  
Lealand Road  
Lemsford Close  
Linkway  
Lockmead Road  
Manchester Road  
Moreton Close  
Moreton Road  
Netherton Road  
Norfolk Avenue  
Oakdale Road  
Olinda Road  
Osman Close

Overbury Road  
Paignton Road  
Perry Court  
Plevna Crescent  
Pulford Road  
Remington Road  
Richmond Road  
Riverside Road  
Rostrevor Avenue  
Seven Sisters Road  
Sherboro Road  
St. John's Road  
Surrey Gardens  
Tavistock Road  
Templeton Road  
Tewkesbury Close  
Tewkesbury Road  
Thorpe Road  
Tiverton Road  
Urban Mews  
Vale Grove

Vale Road  
Vale Terrace  
Vartry Road  
Wargrave Avenue  
Wellington Avenue  
Westcott Close  
Williamson Road  
Wiltshire Gardens

Public Rights of Way

- Seven Sisters Road To Tewkesbury Road N15
- Accessway Serving 1-28, 31-61 Templeton Road N15

Public Parks and Open Spaces Managed by Haringey Council

- Tottenham Railsides
- Harringay Stadium Slopes
- Tottenham Railside
- Markfield Recreation Ground
- Manchester Gardens
- Paignton Park
- Seven Sisters Garden

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse, they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.

5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.

5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.

5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:

- Clear and concise
- Have a purpose
- Should be informative
- Only part of a process of engagement
- Last for a proportionate amount of time
- Targeted
- Take into account of the groups being consulted
- Agreed before publication
- Facilitate security
- Results published in a timely fashion
- Not launched during a local or national election period.

5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.

5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

## **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

## **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

## **8.3 Comments of the Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Minor amendments are being made to the PSPO because originally it was ward based and the ward boundaries have changed. These minor variations are cosmetic and do not fall within s61 (1) (a) of the Act because there is no change to the restricted areas themselves. These changes do not therefore require consultation.

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

- 8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
  - Advance equality of opportunity between people who share protected characteristics and people who do not
  - Foster good relations between people who share those characteristics and people who do not

- 8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

- 8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:
- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
  - In the time the PSPO has been in place, no further equality issues or concerns have been raised.

- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

9. **Use of Appendices**

Appendix A – Draft Seven Sisters Alcohol Control PSPO

10. **Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)



**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – SEVEN SISTERS  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Seven Sisters Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Seven Sisters Ward, South Tottenham Ward and Hermitage & Gardens Ward areas shown outlined on the plan contained in the schedule of this Order (Seven Sisters Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Albert Road	Castlewood Road	Ermine Road
Allan Barclay Close	Chisley Road	Fairview Road
Ashfield Road	Clifton Gardens	Ferndale Road
Barry Avenue	Craven Park Road	Finsbury Park Avenue
Beechfield Road	Crowland Road	Fladbury Road
Berkeley Road	Daleview Road	Franklin Street
Bushey Road	Eade Road	Frinton Road
Cadoxton Avenue	Eastbourne Road	Gladesmore Road
Candler Street	Elm Park Avenue	Grovelands Road

Hermitage Road  
Heysham Road  
Hillside Road  
Holmdale Terrace  
Howard Road  
Langford Close  
Latimer Road  
Leabank View  
Leadale Road  
Lealand Road  
Lemsford Close  
Linkway  
Lockmead Road  
Manchester Road  
Moreton Close  
Moreton Road  
Netherton Road

Norfolk Avenue  
Oakdale Road  
Olinda Road  
Osman Close  
Overbury Road  
Paignton Road  
Perry Court  
Plevna Crescent  
Pulford Road  
Remington Road  
Richmond Road  
Riverside Road  
Rostrevor Avenue  
Seven Sisters Road  
Sherboro Road  
St. John's Road  
Surrey Gardens

Tavistock Road  
Templeton Road  
Tewkesbury Close  
Tewkesbury Road  
Thorpe Road  
Tiverton Road  
Urban Mews  
Vale Grove  
Vale Road  
Vale Terrace  
Vartry Road  
Wargrave Avenue  
Wellington Avenue  
Westcott Close  
Williamson Road  
Wiltshire Gardens

Public Rights of Way

- Seven Sisters Road To Tewkesbury Road N15
- Accessway Serving 1-28, 31-61 Templeton Road N15

Public Parks and Open Spaces Managed by Haringey Council

- Tottenham Railsides
- Haringay Stadium Slopes
- Tottenham Railside
- Markfield Recreation Ground
- Manchester Gardens
- Paignton Park
- Seven Sisters Gardens

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
  - (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
  - (3) *A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
  - (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
  - (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
  6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
  7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include
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particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

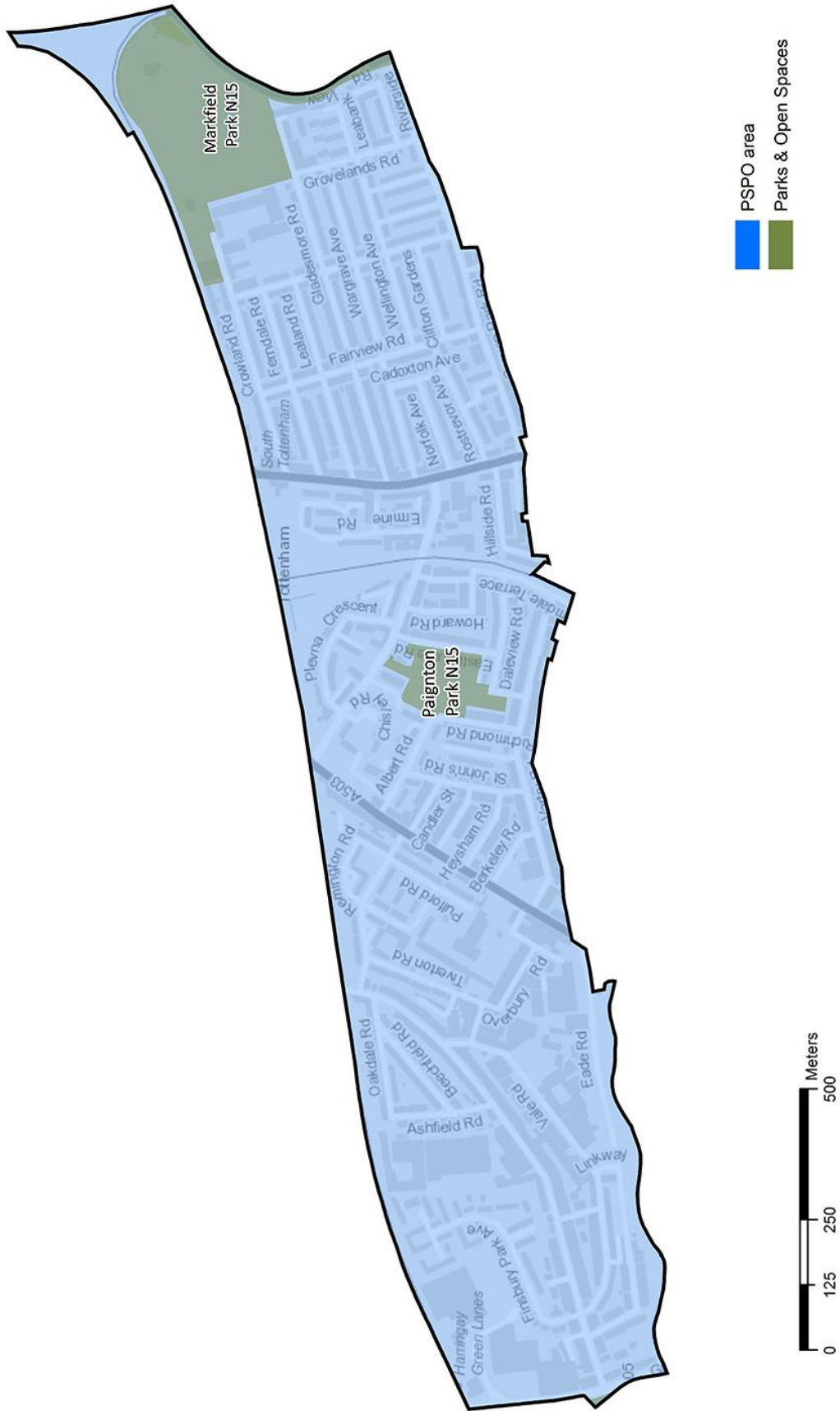
DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer



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**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension and minor variation of the St Ann's Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** **St Ann's and Seven Sisters**

**Report for Key/  
Non Key Decision: Non-Key**

## **1. Describe the issue under consideration**

- 1.1 The Council existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in the former St Ann's Ward<sup>1</sup> expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

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<sup>1</sup> Following ward boundary changes specified restricted roads now fall within St Ann's and Seven Sisters wards

## **2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;
- a) Ratify the decision of the Director of Environment and Resident Experience to consult on extension and variation of the existing alcohol control PSPO St Ann's Ward as set out in Appendix A.
  - b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

## **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

## **4. Alternative options considered**



- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the St Ann's Alcohol Control PSPO are listed below, some roads remain in St Ann's ward, others fall within Seven Sisters Ward (**highlighted in green**)

- Avenue Road
- Braemar Road
- Cissbury Road
- Culvert Road
- **Durnford Street**
- Edgecot Grove
- **Gourley Place**
- **Gourley Street**
- Grove Road
- Kerswell Road
- Lydford Road
- Newsam Avenue

- Oulton Road
- Roslyn Road
- Russel Road
- South Grove
- Victoria Crescent

Public Rights of Way

- Alleyway Between Victoria Crescent and Culvert Road

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse, they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be

undertaken to existing community representatives, groups and forums. All responses will be considered.

5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Comments of the Head of Legal & Governance (Michele Williams)**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Minor amendments are being made to the PSPO because originally it was ward based and the ward boundaries have changed. These minor variations are cosmetic and do not fall within s61 (1) (a) of the Act because there is no change to the restricted areas themselves. These changes do not therefore require consultation.

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

- 8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

- 8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft St Ann's Alcohol Control PSPO

## 10. Background papers

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – ST ANN’S  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **St Ann’s Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the St Ann’s Ward and Seven Sisters Ward areas shown outlined on the plan contained in the schedule of this Order (St Ann’s Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Avenue Road	Grove Road
Braemar Road	Kerswell Road
Cissbury Road	Lydford Road
Culvert Road	Newsam Avenue
Durnford Street	Oulton Road
Edgecot Grove	Roslyn Road
Gourley Place	Russel Road
Gourley Street	South Grove

Victoria Crescent

Public Rights of Way

- Alleyway Between Victoria Crescent And Culvert Road

5. The activities described below are hereby prohibited as from the date of this Order.
- Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - Being in possession of an open vessel(s) of intoxicating liquor in a public place

S63 Consumption of alcohol in breach of prohibition in this Order

- This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1).*
- The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
- A Police Constable or authorise person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*



- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of  
London Borough of Haringey  
Was affixed in the presence of  
Authorised Officer





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**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension and minor variation of the Tottenham Green Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** **South Tottenham, Seven Sisters, Tottenham Central and Tottenham Hale**

**Report for Key/  
Non Key Decision: Non-Key**

**1. Describe the issue under consideration**

- 1.1 The Council's existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in former Tottenham Green Ward<sup>1</sup> expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023, the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

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<sup>1</sup> Following ward boundary changes these specified roads now fall within South Tottenham Ward, Seven Sisters Ward, Tottenham Central and Tottenham Hale Wards – see paragraph 5.5.

## **2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;
- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension and variation of the Tottenham Green alcohol control PSPO as set out in Appendix A.
  - b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

## **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

## **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Tottenham Green PSPO are listed below. The majority of these roads/locations fall within South Tottenham Ward, there are also roads/locations in Tottenham Central Ward (**highlighted in green**), Seven Sisters (**highlighted in red**) and Tottenham Hale (**highlighted in blue**)

Antill Road	Cape Road	<b>Elizabeth Road</b>
Ashby Road	<b>Clyde Circus</b>	<b>Elmar Road</b>
Ashmount Road	<b>Clyde Road</b>	Fountayne Road
Beaconsfield Road	Colless Road	<b>Greenfield Road</b>
Bedford Road	Collingwood Road	<b>Grove Park Road</b>
Bernard Road	Colsterworth Road	Hale Gardens
<b>Birstall Road</b>	Constable Crescent	<b>The Hale</b>
Bourn Avenue	Copperfield Drive	Hanover Road
<b>Braemar Road</b>	Cunningham Road	Harold Road
Broad Lane	<b>Dorset Road</b>	Herbert Road
<b>Brunel Walk</b>	Earlsmead Road	High Cross Road
<b>Brunswick Road</b>	<b>Elizabeth Place</b>	High Road N15

High Road N15	Pembroke Road	Talbot Close
High Road N17	Philip Lane	Talbot Road
Houghton Road	Portland Road	Tenby Close
Jansons Road	Rangemoor Road	Tottenham Green East
Kirkton Road	Russell Road	Town Hall Approach Road
Lawrence Close	Saltram Close	Townsend Road
Lawrence Road	Seaford Road	Turner Avenue
Lomond Close	Shanklin Road	Tynemouth Road
Loobert Road	Southey Road	Victoria Road
Mansfield Avenue	Spondon Road,	Wakefield Road
Markfield Road	Springfield Road	Walton Road
Montague Road	Spur Road	Watts Close
Nelson Road	Stainby Road	Westerfield Road
Newton Road	Stamford Close	West Green Road
Norman Road	Stamford Road	West Green Road
Page Green Road	Stonebridge Road	
Page Green Terrace	Suffield Road	
Pelham Road	Summerhill Road	

#### Public Rights of Way

- Bernard Road To Norman Road N15
- Hale Gardens To Broad Lane N15/N17
- Hale Gardens To Montague Road N15/N17
- High Road Nos. 227-639, 212-636, 639-881 And 636-864
- High Road Service Road To Nos. 227-249 Part Of Gla Road N15
- Town Hall Approach Road To High Road N15
- Stainby Road To Montague Road N15
- Southey Road To Roslyn Road N15
- West Green Road To Turner Avenue N15
- Accessway Serving 1-23, 25-51 Turner Avenue N15

#### Public Parks and Open Spaces Managed by Haringey Council

- Tottenham Railsides
- Ecological Corridor
- West Green Memorial Garden
- Tottenham Green
- Page Green Common
- Tottenham Green East
- Tottenham Green N15

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.



- 5.7 If an individual fails to comply with the request without reasonable excuse, they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.
- 6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**
- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

8. **Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

**8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

**8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

**8.3 Comments of the Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.

The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Minor amendments are being made to the PSPO because originally it was ward based and the ward boundaries have changed. These minor variations are cosmetic and do not fall within s61 (1) (a) of the Act because there is no change to the restricted areas themselves. These changes do not therefore require consultation.

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation **that** were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

- 8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
  - Advance equality of opportunity between people who share protected characteristics and people who do not
  - Foster good relations between people who share those characteristics and people who do not

- 8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft Tottenham Green Alcohol Control PSPO

## 10. Background papers

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – TOTTENHAM GREEN  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Tottenham Green Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the South Tottenham Ward, Seven Sisters Ward and Tottenham Central Ward areas shown outlined on the plan contained in the schedule of this Order (Tottenham Green Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Antill Road	Brunel Walk	Cunningham Road
Ashby Road	Brunswick Road	Dorset Road
Ashmount Road	Cape Road	Earlsmead Road
Beaconsfield Road	Clyde Circus	Elizabeth Place
Bedford Road	Clyde Road	Elizabeth Road
Bernard Road	Colless Road	Elmar Road
Birstall Road	Collingwood Road	Fountayne Road
Bourn Avenue	Colsterworth Road	Greenfield Road
Braemar Road	Constable Crescent	Grove Park Road
Broad Lane	Copperfield Drive	Hale Gardens

The Hale	Norman Road	Stonebridge Road
Hanover Road	Page Green Road	Suffield Road
Harold Road	Page Green Terrace	Summerhill Road
Herbert Road	Pelham Road	Talbot Close
High Cross Road	Pembroke Road	Talbot Road
High Road N15	Philip Lane	Tenby Close
High Road N17	Portland Road	Tottenham Green
Houghton Road	Rangemoor Road	East
Jansons Road	Russell Road	Town Hall Approach
Kirkton Road	Saltram Close	Road
Lawrence Close	Seaford Road	Townsend Road
Lawrence Road	Shanklin Road	Turner Avenue
Lomond Close	Southey Road	Tynemouth Road
Loobert Road	Spondon Road,	Victoria Road
Mansfield Avenue	Springfield Road	Wakefield Road
Markfield Road	Spur Road	Walton Road
Montague Road	Stainby Road	Watts Close
Nelson Road	Stamford Close	Westerfield Road
Newton Road	Stamford Road	West Green Road

Public Rights of Way

- Berners Road To Norman Road N15
- Hale Gardens To Broad Lane N15/N17
- Hale Gardens To Montague Road N15/N17
- High Road Nos. 227-639, 212-636, 639-881 And 636-864
- High Road Service Road To Nos. 227-249 Part Of Gla Road N15
- Town Hall Approach Road To High Road N15
- Stainby Road To Montague Road N15
- Southey Road To Roslyn Road N15
- West Green Road To Turner Avenue N15
- Accessway Serving 1-23, 25-51 Turner Avenue N15

Public Parks and Open Spaces Managed by Haringey Council

- Tottenham Railsides
- Ecological Corridor
- West Green Memorial Garden
- Tottenham Green
- Page Green Common
- Tottenham Green East
- Tottenham Green N15

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place
-

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
  - (2) The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
  - (3) A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
  - (4) A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
  - (5) A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
  6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
  7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area
-

or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer





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**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Bounds Green Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** **Tottenham Hale**

**Report for Key/  
Non Key Decision:** Non-Key

## **1. Describe the issue under consideration**

- 1.1 The Council existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Tottenham Hale expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023 the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## **2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Tottenham Hale alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.

This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## **5. Background information**

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Tottenham Hale PSPO are:
- High Road
  - Stoneleigh Road
  - Brook Street
  - Albert Place
  - Chestnut Road
  - Scotland Green
- Public Rights of Way
- Stoneleigh Road Car Park, N17
  - Alleyway between High Road and Stoneleigh Road
- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.

- 5.7 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.

## **6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Head of Legal & Governance**

8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body
- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.



- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

9. **Use of Appendices**

Appendix A – Draft Tottenham Hale Alcohol Control PSPO

10. **Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – TOTTENHAM HALE  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Tottenham Hale Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Tottenham Hale Ward shown outlined on the plan contained in the schedule of this Order (Tottenham Hale Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

High Road

Stoneleigh Road

Brook Street

Albert Place

Chestnut Road

Scotland Green

Public Rights of Way

- Stoneleigh Road Car Park N17
- Alleyway Between High Road And Stoneleigh Road

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*
- (3) *A Police Constable or authorise person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*

- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

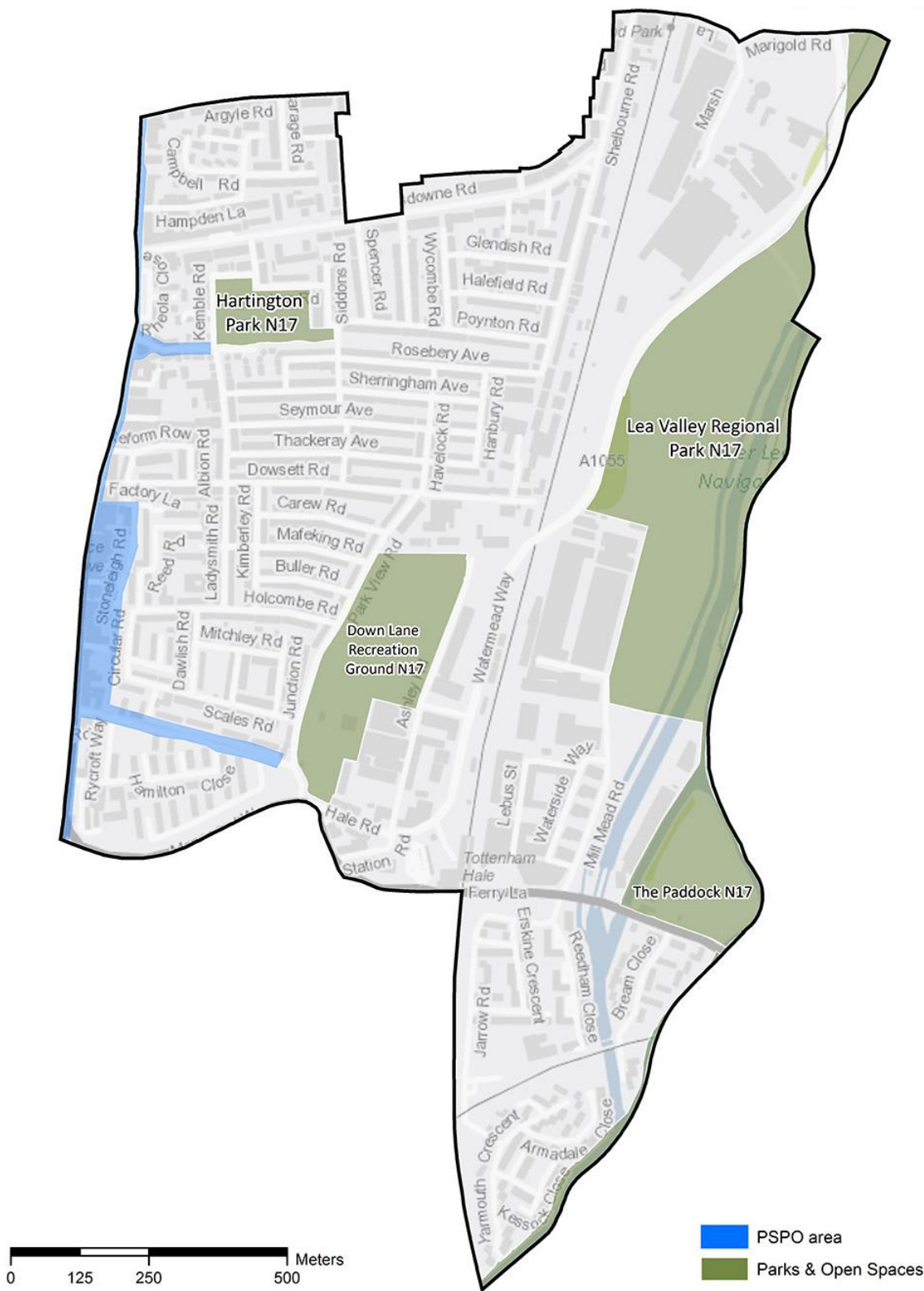
DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer



**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the Woodside Ward Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities 020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** Woodside

**Report for Key/  
Non Key Decision:** Non-Key

## **1. Describe the issue under consideration**

- 1.1 The Council existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in Woodside expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023, the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## **2. Recommendations**

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing Woodside alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.



## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the Woodside PSPO are:
- Berners Road
  - Gathorne Road
  - Hardy Passage
  - High Road, N22
  - Lordship Lane
  - Ranelagh Road
  - St Albans Crescent
  - Selborne Road
  - Stuart Crescent
  - Watsons Road
  - White Hart Lane, N22

### Public Parks and Open Spaces Managed by Haringey Council

- Wood Green Common
- Wood Green Common Playground
- Stuart Crescent Park / Peace Park
- Civic Centre Gardens And Car Park
- Chapmans Green

- 5.6 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 5.7 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 5.8 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 5.9 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 5.10 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 5.11 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups and forums. All responses will be considered.
- 5.12 The consultation will take place between 16 August and 20 September 2023.
- 6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

- 7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

- 8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.

- 8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

- 8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Head of Legal & Governance**

- 8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

Section 60(2) of the Act requires the Council to give effect to the extension before the existing PSPO expires. Before extending the Council must be satisfied on reasonable grounds that doing so is necessary to prevent:

- a) occurrence or reoccurrence after that time of the activities identified in the order or
- b) an increase in the frequency or seriousness of those activities after that time

Section 72 (3) of the Act requires the Council to conduct the necessary consultation before extending this PSPO. This means consulting with:

- a) the Chief Officer of police and the local policing body

- b) whatever community representatives the local authority thinks appropriate to consult with
- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.

8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

9. **Use of Appendices**

Appendix A – Draft Woodside Ward Alcohol Control PSPO

10. **Background papers**

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf)

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**LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – WOODSIDE WARD  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR**

1. This Order may be cited as the **Woodside Ward Alcohol Control Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years, was extended on 20<sup>th</sup> October 2020 for a further three years and has been extended for a further 18 months. It will expire on 30<sup>th</sup> April 2025.
4. This Order applies to the public places being those parts of the Woodside Ward shown outlined on the plan contained in the schedule of this Order (Woodside Ward Public Space Protection Order).

**SCHEDULE OF RESTRICTED ROADS**

Berners Road

Gathorne Road

Hardy Passage

High Road, N22

Lordship Lane

Ranelagh Road

St Albans Crescent

Selborne Road

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Stuart Crescent  
Watsons Road  
White Hart Lane, N22

Public Parks and Open Spaces Managed by Haringey Council

- Wood Green Common
- Wood Green Common Playground
- Stuart Crescent Park / Peace Park
- Civic Centre Gardens And Car Park
- Chapmans Green

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
  - (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1)).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a person’s possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*



- (3) *A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer



**Report for:** Cabinet Member Signing

**Title:** Ratification of the decision to go out to consultation on the extension of the West Green Ward Alcohol Control PSPO

**Report authorised by :** Barry Francis, Director of Environment and Resident Experience

**Lead Officer:** Eubert Malcolm, Assistant Director, Safer & Stronger Communities (020 8489 5520 [eubert.malcolm@haringey.gov.uk](mailto:eubert.malcolm@haringey.gov.uk))

**Ward(s) affected:** West Green

**Report for Key/  
Non Key Decision:** Non-Key

## 1. Describe the issue under consideration

- 1.1 The Council existing Public Space Protection Orders (PSPO) for the control of alcohol in specified roads in West Green expires on 18 October 2023. Initial indications from the Police, Councillors and other community representatives are that there is an appetite to consider varying and possibly expanding the conditions of the PSPO to address other behaviours that are having a detrimental impact on the community.
- 1.2 It is expected it will take approximately 12 months to fully investigate the issues that have been raised and undertake full, meaningful consultation and co-production of any future PSPO prohibitions.
- 1.3 To ensure that the community does not lose the protection afforded by the existing PSPO conditions whilst this process is undertaken, it is proposed to extend the existing PSPO for a period 18 months, to 30 April 2025.
- 1.4 The consultation for the extension of an existing PSPO is simplified as it seeks to capture whether the extension is supported by the community and partner agencies, or not.
- 1.5 On 11<sup>th</sup> August 2023, the Director of Environment and Resident Experience took a decision to go out to consultation on the extension of the PSPO for a 5-week period from 16 August to 20 September 2023. Ratification of that decision is now required. The consultation will be available online and subject to targeted promotion to partner agencies, key community representatives, groups and forums.
- 1.6 Note that following Ward name and boundary changes the Ward information has been updated. The restricted locations remain unchanged.

## 2. Recommendations

- 2.1 The Cabinet Member for Community Safety and Cohesion is being asked to;

- a) Ratify the decision of the Director of Environment and Resident Experience to consult on the extension of the existing West Green Ward alcohol control PSPO as set out in Appendix A.
- b) Note that following the consultation a further report will be submitted to Cabinet Member for a decision on extending the PSPO.

### **3. Reasons for decision**

- 3.1 A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables officers authorised by the Council and Police Officers to engage individuals and educate them about their responsibilities.
- 3.2 The existing alcohol control PSPO in specified roads and locations enable authorised officers to require a person who is drinking alcohol or carrying alcohol in an open container to either surrender their alcohol, pour it away or not to continue to drink the alcohol. If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 3.3 If the PSPO conditions were to expire it would be necessary to remove all related signage and it is likely that the issues they were originally introduced to address will recur.
- 3.4 The expiration of the PSPO would also limit the options for officers authorised by the Council and Police officers to take action to address behaviours linked to the consumption of alcohol have a detrimental effect on the local community through early intervention and preventative approaches.
- 3.5 Despite some reduction, incidents of alcohol related (Anti-Social Behaviour) ASB still occurs. There are seasonal increases in reports of activity which suggests a need for the PSPO to remain in place. Local residents, businesses and other stakeholders continue to express concern about alcohol related ASB. The reports received from residents and business include that groups of men and women, drink alcohol, break glass bottles, throw litter and waste on the ground, including urinate in the area.
- 3.6 The enforcement service regularly receives reports about alcohol related ASB. It is not unusual for the reports to include other ASB activities. As a result, reports are often logged under other (drugs, litter, noise) ASB categories which can make pulling accurate Alcohol consumption related ASB data challenging.

### **4. Alternative options considered**

- 4.1 Not to consult or extend the PSPO.  
This option is not recommended as it is likely the behaviours that it was originally introduced to deter will recur, as outlined in 3.1 to 3.5 above, having a detrimental effect on the local community.

## 5. Background information

- 5.1 PSPOs were introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 and are intended to deal with behaviours that are detrimental to the local community's quality of life, by imposing conditions on the people using that area. They are intended to help ensure that the law-abiding majority can safely use and enjoy public spaces. A PSPO remains in place for three years unless extended or discharged.
- 5.2 On 20<sup>th</sup> October 2017 Haringey replaced its Designated Public Places Orders (also known as Alcohol Control Zones) with PSPOs, with requirements and prohibitions mirroring the previous conditions. Following an extensive consultation process in 2020 the PSPOs were subject to some geographical expansion and extended to 18 October 2023.
- 5.3 PSPOs may be extended if the local authority is satisfied on reasonable grounds that doing so is necessary to prevent:
- (a) occurrence or recurrence after that time of the activities identified in the order,
  - or
  - (b) an increase in the frequency or seriousness of those activities after that time.
- 5.4 The PSPO sets out clear conditions for everyone to adhere to and signs are strategically placed around the designated area to ensure those using the space are aware that the consumption of alcohol is restricted. It is important to ensure that it is clear to everybody that the PSPO is valid and current to prevent the original problem behaviours from recurring.
- 5.5 The restricted roads and locations which form the West Green PSPO are:
- Adams Road
  - Belmont Road
  - Downhills Park Road
  - Downhills Way
  - Freedom Road
  - Gloucester Road
  - Griffin Road
  - Keston Road
  - Langham Road
  - Lido Square
  - Moira Close
  - Somerset Close
  - Vincent Road
  - West Green Road
  - Willan Road

### Public Rights of Way

- Footpath connecting two footpaths from Frome Road and Mannock Road

Public Parks and Open Spaces managed by Haringey Council

- Downhills Park

- 6.3 The PSPO enables officers authorised by the Council and Police Officers to engage with people about their behaviour and educate them about their responsibilities, taking action, such as confiscating open containers of alcohol or requiring the individual to dispose of it.
- 6.4 If an individual fails to comply with the request without reasonable excuse they commit an offence and are liable on summary conviction to a fine of up to £500, or they have the opportunity to discharge their liability for prosecution by accepting a Fixed Penalty Notice of £100.
- 6.5 The [Haringey Alcohol Needs Assessment](#) clearly shows the wide ranging impact that problematic alcohol consumption can have on an individual and their behaviour towards others. The purpose of the PSPO is to encourage compliance with the conditions to minimise the risk of harm to the individual and the community, providing a cleaner and safer public space for all users.
- 6.6 Statutory consultation will be undertaken with the Metropolitan Police and Mayors Office for Policing and Crime, as set out in the ASB, Crime and Policing Act Statutory Guidance.
- 6.7 Engagement will be carried out using the principles contained in the Governments Code of Practice on Consultations (published in 2012 and updated in 2018). This includes that Consultation must be:
- Clear and concise
  - Have a purpose
  - Should be informative
  - Only part of a process of engagement
  - Last for a proportionate amount of time
  - Targeted
  - Take into account of the groups being consulted
  - Agreed before publication
  - Facilitate security
  - Results published in a timely fashion
  - Not launched during a local or national election period.
- 6.8 As the PSPO is already in place it is considered that proportionate engagement will consist of an on-line self-completion survey. The survey will be available online to everybody; however, targeted promotion of the survey will be undertaken to existing community representatives, groups, and forums. All responses will be considered.
- 6.9 The consultation will take place between 16 August and 13 September.
- 6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

- 6.1 The Alcohol Control PSPO contributes to the strategic themes of a Safer borough and Place and economy by helping to maintain clean public spaces that are welcome and safe for residents and visitors to enjoy.

## **7. Carbon and Climate Change**

- 7.1 There are no direct carbon or climate decisions arising from this consultation or the proposed PSPO extension.

## **8. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **8.1 Finance**

- 8.1.1 This report is for Cabinet to approve the recommendations as set out in para 3 of this report.
- 8.1.2 The consultation on this and a number of other similar schemes will be undertaken simultaneously to minimise costs. It is estimated that the full cost for conducting the consultation and analysing the responses are expected to be around £1,000 and will be met through existing budgets.

### **8.2 Procurement**

- 8.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet from approving the recommendations in paragraph 3 above.

### **8.3 Head of Legal & Governance**

- 8.3.1 The Head of Legal and Governance has been consulted in the preparation of this report and comments as follows.  
The existing PSPO will be 3 years old on 18 October 2023. It cannot have effect beyond that date because s60 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") Limits the duration of a PSPO to 3 years unless extended. However, there can be more than one extension.

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- c) the owner or occupier of land within the restricted area where practicable.

The following principles of consultation that were set out in the Supreme Court case of R (on the application of Mosely) v London Borough of Haringey must be followed. First, a consultation has to be at a time when proposals are still at a formative state. Secondly, the proposer has to give sufficient reasons for any proposal to permit intelligent consideration and response. Thirdly, adequate time has to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposal or reaching a decision. The process of consultation has to be effective and looked at as a whole, it has to be fair. The proposed consultation complies with these legal principles and the Government Code of Practice on Consultation set out in paragraph 6.10 of the report.

Following the consultation, the Council is obliged to take account of any representations made during the consultation period and all objections received must be properly considered by the Lead Member before any order is made final.

## 8.4 Equality

8.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

8.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.3 The consultation in relation to this extension will contain a limited number of questions to establish if the extension of the PSPO is supported, or not. Whilst the online survey will be available online, contact will be made with existing community organisations, charities, groups and forums to encourage involvement by their members.



8.4.4 An Equality Impact Assessment Screening Tool has been completed in respect of this decision and concluded that a full Equality Impact Assessment is not required at this time as:

- This proposal is for approval to consult on the extension of an existing PSPO, which has been in place for 6 years.
- In the time the PSPO has been in place, no further equality issues or concerns have been raised.
- Should the consultation give rise to any issues of inequality not yet identified then a full EQIA can be completed in advance of seeking approval for the extension of the PSPO.

## 9. Use of Appendices

Appendix A – Draft West Green Ward Alcohol Control PSPO

## 10. Background papers

Anti-Social Crime & Policing Act 2014 - legislation

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-Social Behaviour, Crime and Policing Act 2014, guidance

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LONDON BOROUGH OF HARINGEY  
PUBLIC SPACE PROTECTION ORDER – WEST GREEN WARD  
PUBLIC CONSUMPTION OF ALCOHOL OF INTOXICATING LIQUOR

1. This Order may be cited as the **West Green Ward Public Spaces Protection Order**
2. This order comes into force pursuant to section 75 (3) (a) of the Anti-social Behaviour, Crime and Policing Act 2014 (the Act), the Council being satisfied on reasonable grounds that the activities set out in paragraph 5, in the location described in paragraph 4 of this Order and marked on the plan contained in the schedule to this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all circumstances expedient to make this Order for the purpose of reducing anti-social behaviour in a public place.
3. This Order came into force on the 20<sup>th</sup> October 2017 for three years and has been extended for a further three years. It will expire on 18<sup>th</sup> October 2023.
4. This Order applies to the public places being those parts of the West Green Ward shown outlined on the plan contained in the schedule of this Order (West Green Ward Public Space Protection Order).

SCHEDULE OF RESTRICTED ROADS

Adams Road

Belmont Road

Downhills Park Road

Downhills Way

Freedom Road

Gloucester Road

Griffin Road

Keston Road

Langham Road

Lido Square  
Moiria Close  
Somerset Close  
Vincent Road  
West Green Road  
Willan Road

Public Rights of Way

- Footpath Connecting Two Footpaths From Frome Road and Mannock Road

Public Parks and Open Spaces Managed by Haringey Council

- Downhills Park

5. The activities described below are hereby prohibited as from the date of this Order.
- (a) Consuming intoxicating liquor in a public place and acting in a manner that is causing or is likely to cause alarm harassment or distress
- (b) Being in possession of an open vessel(s) of intoxicating liquor in a public place

*S63 Consumption of alcohol in breach of prohibition in this Order*

- (1) *This section applies where a Police Constable or Police Community Support Officer or an authorised person reasonably believes that a person (a) is or has been consuming alcohol in breach of a prohibition in a Public Spaces Protection Order, or (b) intends to consume alcohol in circumstances in which doing so would be a **breach of such a prohibition**. In this section “authorised person” means a person authorised for the purpose of this section by the local authority that made the Public Space Protection Order (or authorised by virtue of section 69(1).*
- (2) *The Police Constable or authorised person may require a person – (a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol (b) to surrender anything in a*

*person's possession which is, or which the Police Constable or authorised person reasonably believes to be, alcohol or a container for alcohol.*

- (3) *A Police Constable or authorised person who imposes a requirement under subsection (2) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.*
- (4) *A requirement imposed by an authorised person under subsection (2) is not valid if the person - (a) is asked by person to show evidence of his or her authorisation, and (b) fails to do so.*
- (5) *A Police Constable or authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.*
6. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) (a) or (b) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500), or a fixed penalty notice of £100.00.
7. An interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works or visits that area. Any such interested person may apply to the High court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement of the Act was not complied with in relation to the Order.

DATED:

The Common Seal of

London Borough of Haringey

Was affixed in the presence of

Authorised Officer

# Street Drinking - Public Spaces Protection Order - West Green Ward

