

94. TO APPROVE DECISION TO IMPLEMENT A BOROUGH WIDE PSPO

The Cabinet Member for Communities introduced the report which sought approval of a Borough-wide PSPO to come into force with effect from 1st May 2025 and to remain in place for 3 years.

In response to question from Cllr Hakata and Cllr Cawley- Harrison, the following information was provided.

- The Council was committed to safeguarding vulnerable groups. It had incorporated reasonable exemptions within the proposals to take into account vulnerable groups, such as those with disabilities, children and street homelessness. The Council also prioritised support for vulnerable groups and aimed to protect, not penalise vulnerable groups. There were no 'on the spot' fines for PSPO breaches and the emphasis was on taking a fair and measured approach by signposting individuals to relevant services. The team worked closely with support and outreach services to undertake preventative and supportive initiatives. The enforcement of PSPOs were managed and monitored by the local authority. Additionally, Police would be required to submit a witness statement to the Council for triage and assurance. This process added an additional safeguard ensuring enforcement decisions were consistent and individual circumstances were taken into consideration. The implementation would be regularly reviewed by the Council. Anyone issued with a fine had a right to appeal or could also raise a complaint.
- Drug paraphernalia was removed was removed from the PSPO based on the advice received from the Council's legal service.
- All the costs were funded into the actual PSPOs signage and information to raise awareness.

RESOLVED

1. To note the results of the consultation on the PSPO and:
2. To note the results of the consultation as contained in Appendix 2 of this document.
3. To approve the introduction of the revised borough wide PSPO for alcohol control and other detrimental activities as detailed in the proposed draft PSPO at Appendix 1.
4. To agree, in light of the consultation responses contained in appendix 2 of this report, the proposal to not take forward restrictions in respect of:
 - Any person who, without reasonable excuse, uses, shares, or supplies others with any psychoactive substances (including Spice and other

substances known for legal highs) or marijuana/weed, in any public place within the restricted area, commits an offence.

- Any person who is in possession of any drug paraphernalia (including cannabis grinders or crack cocaine pipes), in any public place within the restricted area, without reasonable excuse, commits an offence.
5. Any person who, without reasonable excuse, behaves in a manner that causes, or is likely to cause, harassment, alarm, or distress to any person(s) commits an offence. Examples of such behaviour include use of offensive, threatening or abusive language.
 6. Any person who spits in the restricted area, without reasonable excuse, commits an offence.
 9. Notes the alterations to the prohibitions consulted on following responses received as outlined below:
 - i. Removing 'Being in possession of an open vessel(s) of intoxicating liquor in a public place' prohibition 1.
 - ii. Clarifying that the restriction relating to riding a bicycle, moped, e-scooter or e1bike applies to pavements or footpaths, in the restricted area and when riding in a dangerous or reckless manner, that is likely to cause obstruction, alarm, distress or annoyance to members of the public or cause criminal damage by their use, commits an offence.
 - iii. Specifying exemptions to the above restrictions as: Any electrically powered scooter designed for people with restricted mobility, including those who are elderly or disabled person, children and that discretion will be used if cyclists lack confidence to ride on the road or are intimidated by traffic.
 - iv. Adding 'appropriate authorisation, from Haringey Council' to the restriction relating to fireworks in any public space, as not all instances e.g. one-off events, may need a licence.

Reasons for decision

The Council's commitment to creating a safer environment for all residents and visitors is clear in its vision for the borough The Corporate Delivery Plan | Haringey Council. To achieve this vision, the Council is proposing the introduction of a borough-wide Public Space Protection Order (PSPO) to address the ongoing issues of anti-social behaviour (ASB) and criminal activity that are currently blighting the lives of residents and businesses in the borough, making residents and visitors feel unsafe and creating an environment that is unwelcoming and unpleasant.

A Public Spaces Protection Order (PSPO) sets clear conditions for the use of specified public areas and enables authorised Council officers and Police Officers to engage individuals and educate them about their behaviour and responsibilities.

Haringey's current PSPO provisions relating to alcohol are limited to certain areas. Noel Park Ward is the only ward which has an alcohol control PSPO in place covering

the whole ward. Of the other remaining 10 Alcohol control PSPOs, these only apply to parts of the following wards: Bounds Green, Bruce Castle, Harringay, Hermitage & Gardens, Northumberland Park, St Ann's, Seven Sisters, South Tottenham, Tottenham Central, Tottenham Hale and West Green. With ward boundary changes in 2023, some of the alcohol control PSPOs had to be renamed as area PSPOs and no longer relate to a single ward; this may confuse residents and visitors to the borough and availability of resources to monitor and enforce the PSPOs can become muddled. There is no alcohol provision in the following wards: Alexandra, Crouch End, Fortis Green, Highgate, Hornsey, Muswell Hill and Stroud Green. Thus, leaving areas without a PSPO, vulnerable to displacement of this activity from areas which are covered by a PSPO.

In addition, Haringey's neighbouring boroughs, all have borough wide alcohol control provision, thus encouraging the displacement of such activity into Haringey, where our own provision is patchy. Enfield and Barnet have a complete prohibition on the consumption of alcohol in a public space. Islington, Hackney, and Waltham Forest have a PSPO that gives the police and authorised Officers of the Council borough-wide powers to confiscate alcohol and request people to stop drinking where there is reason to believe that if they do not, alcohol-related nuisance and annoyance is likely to occur.

Cabinet must give consideration to the data provided within this report, as outlined under section 6, Appendix 3 and feedback through the co-production and consultation process, and be satisfied on reasonable grounds that:

The activities have been carried on in a public place within the Borough either have had or it is likely that they will have, a detrimental effect on the quality of life of those in the locality.

It is likely that the detrimental effect will be persistent, and such as to make the activities unreasonable.

The effect or likely effect is such as to justify the restrictions imposed by the proposed PSPO.

In addition, Cabinet must consider the outcome of the public consultation in deciding whether to approve the proposal for a borough wide PSPO.

Alternative options considered.

Not to approve the borough-wide PSPO as proposed in Appendix 1. The absence of a borough-wide PSPO as proposed, would limit the options for Council and Police officers to take action to address behaviours that have a detrimental effect on the local community. This would result in no alcohol control in the borough when the existing alcohol control PSPOs expire in April 2025. It would then be necessary for the Council to remove all related signage, and it is likely that the issues will recur.

To approve a borough-wide PSPO but further vary the restrictions and/or exemptions. Officers have conscientiously considered the responses from the public consultation via the consultation survey, as well as contributions and comments through

engagement. This has led to changes to the proposed borough-wide PSPO initially consulted upon, as outlined in the section 3 above. Key objections and concerns raised are summarised in section 6.2 of this report, alongside our responses, demonstrating that the proposal has been adequately and appropriately amended, in light of the consultation responses.