

Report for: Special Overview & Scrutiny Committee Meeting – 14th January 2025

Title: Call-In of a decision taken at Cabinet on 10 December 2024 on the introduction of a Public Spaces Protection Order (PSPO)

Report

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Ward(s) affected: All

Report for Key/

Non-Key Decision: Key Decision

1. Describe the issue under consideration.

1.1 On 10 December 2024, Cabinet agreed the following recommendations in a report presented to them:

1.1.1 It is recommended that Cabinet notes the results of the consultation on the PSPO and:

1.1.2 Notes the results of the consultation as contained in Appendix 2 of this [10 December 2024 cabinet paper] document.

1.1.3 Approves the introduction of the revised borough wide PSPO for alcohol control and other detrimental activities as detailed in the proposed draft PSPO at [10 December 2024 cabinet paper] Appendix 1.

1.1.4 Agrees, considering the consultation responses contained in appendix 2 of this [10 December 2024 cabinet paper] report, the proposal to not take forward restrictions in respect of:

i. 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.

ii. 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.

iii. 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.

iv. Any person who spits in the restricted area, without reasonable excuse, commits an offence.

1.1.5 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 e-bike 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.

1.2 Following a Call-In of that decision made in accordance with Council procedures, this report provides further information to support the Overview and Scrutiny Committee's (OSC) consideration of the issues raised in the Call-In.

2. Cabinet Member Introduction

2.1 My introduction to the original report considered by Cabinet on 10 December 2024 outlined the rationale for introducing a borough-wide PSPO. This report now addresses the specific points raised in the Call-In.

2.2 A borough-wide PSPO represents a significant opportunity for the Council to enhance public safety, protect residents, improve the local environment, address anti-social behaviour and contribute to a better quality of life for people impacted. Public safety is a top priority for our residents and aligns with the manifesto commitment made by Haringey

Labour in 2022, which secured the mandate to create safer, more inclusive spaces across the borough.

- 2.3 Whilst I welcome scrutiny as a cornerstone of good governance, I must express disappointment that this Call-in contained inaccuracies and a lack of detail. For example, the claim that the PSPO sits outside the Council's policy framework is incorrect, as the documents referenced in the Call-In are not listed as part of the formal policy framework. Additionally, the assertion that the PSPO disproportionately impacts certain groups fails to acknowledge the safeguards and targeted measures introduced following extensive consultation and engagement.
- 2.4 Haringey Council is committed to creating an environment that is safe, welcoming, and enjoyable for all. There are currently 11 related PSPOs across the borough, varying in size and location. Analysis undertaken of a sample of the existing 11 PSPOs shows a **27% reduction** in alcohol-related Anti-Social Behaviour between Jan-Dec 2023 and Jan-Dec 2024, demonstrating the effectiveness of targeted interventions. However, areas outside these PSPO zones saw a **6% increase** in alcohol-related Anti-Social Behaviour. The data demonstrates the effectiveness of PSPOs in reducing alcohol-related ASB in targeted areas. By implementing a borough-wide PSPO, we can build on these successes, ensure equitable enforcement, and address the displacement of ASB to create safer, more inclusive public spaces.
- 2.5 The PSPO was co-designed with residents and stakeholders, incorporating feedback to tailor prohibitions that meet the borough's specific needs. As a result of consultation, the PSPO was adjusted significantly to reflect public concerns:

I. Removed provisions:

- a. **Spitting in public places:** Feedback suggested this was low-priority and difficult to enforce fairly.
- b. **Prohibitions on psychoactive substances and drug paraphernalia:** Concerns were raised about the potential for disproportionate impacts on vulnerable individuals.
- c. **General ASB prohibitions:** Provisions for harassment or distress were seen as too broad and duplicative of existing legal measures.

II. Refined restrictions:

- a. **Cycling and powered transport:** Added exemptions for children and mobility devices while focusing only on reckless behaviour in crowded areas.
- b. **Urinating and defecating in public:** Included reasonable exemptions for individuals with medical conditions or those experiencing homelessness.

III. Strengthened safeguards:

- a. No on-the-spot fines; FPNs issued only after a council review to ensure fairness.
- b. Proactive use of warnings and educational approaches before formal enforcement.

2.6 The outcome of this extensive piece of work was contained in the report that went before Cabinet on 10 December 2024. I remain confident that the decision taken is both appropriate, proportionate and necessary to address pressing issues impacting residents' quality of life.

3. Recommendations.

3.1 On the basis of the information provided in the Cabinet report of 10 December and in this report, it is recommended that the Committee reject this Call-In and take no further action nor delay the implementation of the important powers contained within the PSPO.

4. Reasons for decision.

4.1 N/a

5. Alternative options considered.

5.1 N/a

6. The Decision and the Call-In

6.1 On 10 December 2024, Cabinet approved the recommendations set out in the report entitled Haringey Borough-wide PSPO. The decision and the report are available on the Council's website and a corresponding weblink is provided in Section 16: background papers.

6.2 Following the issuing of the draft minutes for the Cabinet meeting, a Call-In of that decision was received and validated, in line with agreed Council procedures. Accordingly, the matter is now to be considered by the Overview and Scrutiny Committee.

6.3 For ease of interpretation, the Call-in aspects are summarised as follows:

- 1. Because the PSPO falls outside the following policy frameworks:
 - a. Haringey Walking and Cycling Action Plan
 - b. Haringey Rough Sleeping Strategy
 - c. Absence of a Toilet Strategy
 - d. Equalities Impact

2. The PSPO creates barriers for individuals in taking up cycling
3. The PSPO impacts cycling couriers needing to meet quick delivery times
4. That the Police/local authority may not be able to verify rough sleepers who have recently moved to the borough and/or have language barriers
5. The PSPO disproportionately targets certain groups, such as homeless people or people with disabilities
6. The PSPO criminalises people that would only breach the prohibitions out of desperation
7. The PSPO may lead the Council to breach its Public Sector Equality Duty to eliminate discrimination and harassment
8. The PSPO criminalises behaviours such as public urination and street drinking enabling the metropolitan police to have additional powers of enforcement and arrest and that the creation of the PSPO will create a hostile environment for rough sleepers

6.4 Sections 7-11 of this report describe and respond to each of the reasons given for the Call-In as per the four Call-in issues drafted which cover items 2-8 above.

6.5 In respect of item 1, it is confirmed that the documents referred to above in 6.3 1. a-d are not policy framework documents. Additionally, for the reasons explained in the following sections, the decision to introduce a PSPO is not outside any existing council strategies or policies.

7. **Call-in issue a) Walking and Cycling. We acknowledge the impact of irresponsible use of bicycles on pavements, particularly amongst food delivery couriers. The Walking and Cycling Action Plan seeks to reduce the use of motor vehicles and ensure high levels of cycling amongst residents from all backgrounds. The subjective nature of the PSPO, such as “cycling in a way that might cause annoyance”, is likely to have a detrimental effect on the delivery of this action plan. Cycling infrastructure in Haringey remains patchy and insufficient and accidents and injuries amongst cyclist's commonplace, the PSPO creates additional barriers for individuals from cycling. At present, the stated discretion is unclear, and we do not have confidence that police officers will accurately identify cyclists lacking in confidence. In particular, this proposal will impact delivery couriers who use e-bikes, receive low pay and disproportionately come from ethnic minority backgrounds. They are under significant pressure to meet quick delivery times and due to insufficient cycling infrastructures, may at times be considered to breach the proposed regulations whilst working. This not only targets an already marginalised group but also will lead to more**

couriers using polluting-mopeds over bicycles, due to fear of penalisation when cycling in shared pedestrian spaces and the paucity of safe cycling infrastructure.

- 7.1 The purpose of the introduction of the borough-wide PSPO is to ensure the Council can utilise the powers granted to it effectively. In many cases powers already exist through enacted legislation, which the police are free to use when they deem it appropriate and necessary. However, the creation of a PSPO extends specific powers to the local authority so that it can address specific problems and issues occurring within the borough, work collectively with police or independently to problem solve and improve the borough. These powers can additionally be used by the police should they wish to, which strengthens the ability to tackle problems including this part of the PSPO, intended to prevent dangerous cycling on our roads, footways, pavements and in our parks.
- 7.2 The call-in accurately acknowledges that there is irresponsible use of bicycles on pavements within the borough but does not detail that one of the ambitions of the Walking and Cycling Action Plan is to increase safety for pedestrians. Indeed, Policy point 1.G. states *'All interventions should seek to improve the road safety for all users, identifying opportunities for cycling schemes to benefit pedestrians'*. Unfortunately, despite this ambition and the creation of safe cycling spaces, there are still individuals choosing to cycle in a way that is dangerous both to them and to others.
- 7.3 Officers do not accept the premise of the statement ***'Cycling infrastructure in Haringey remains patchy and insufficient and accidents and injuries amongst cyclist's commonplace'***. The borough is well served with existing cycle lane infrastructure on key arterial routes providing both extensive north/south and orbital connectivity. Figure 1, below, shows how the borough is covered by local cycle lanes, the Cycle Superhighway and the National Cycle Network as well as connecting with an extensive network of lanes in neighbouring boroughs on all sides.

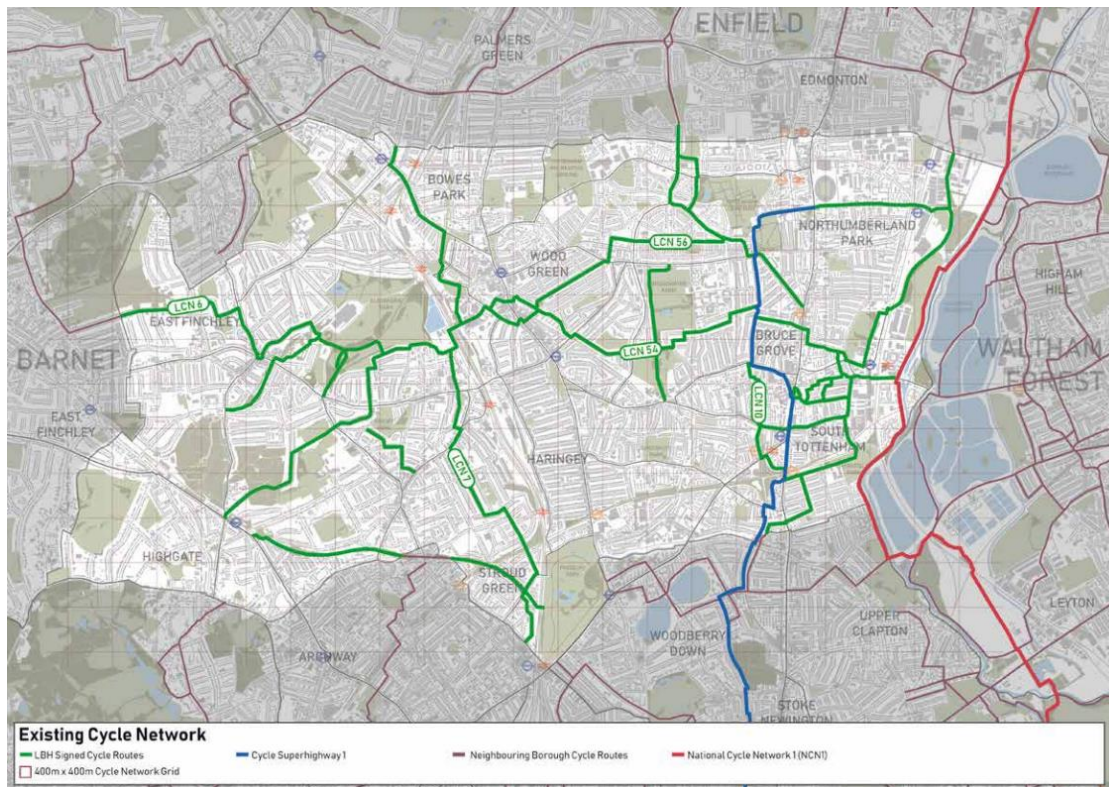


Fig. 1. Existing Cycle Network

7.4 Haringey Borough has a network of cycling routes, including sections of the London Cycle Network (e.g., LCN 6, LCN 7, LCN 10, LCN 54, and LCN 56) and Cycle Superhighway 1 (CS1), providing key connections to surrounding boroughs and green spaces. According to Transport for London's road safety data reports between April 2019 and the end of March 2024, there were 745 reported collisions resulting in cyclist casualties. Whilst the ambition is to reduce this figure to zero and even one casualty is too many, it compares positively against other London Boroughs, such as Tower Hamlets with 1,546 collisions and Wandsworth with 1,554 over the same period. Of the 24,539 cycling collisions that took place in the capital between April 2019 and March 2024 Haringey's 745 represents 3% of the total for the period. When looking specifically at the last full years worth of data, April 2023 to March 2024 this 3% figure of total cycle related collisions remains consistent with Haringey based collisions accounting for 160 of the total 4,845 recorded within the TfL data.

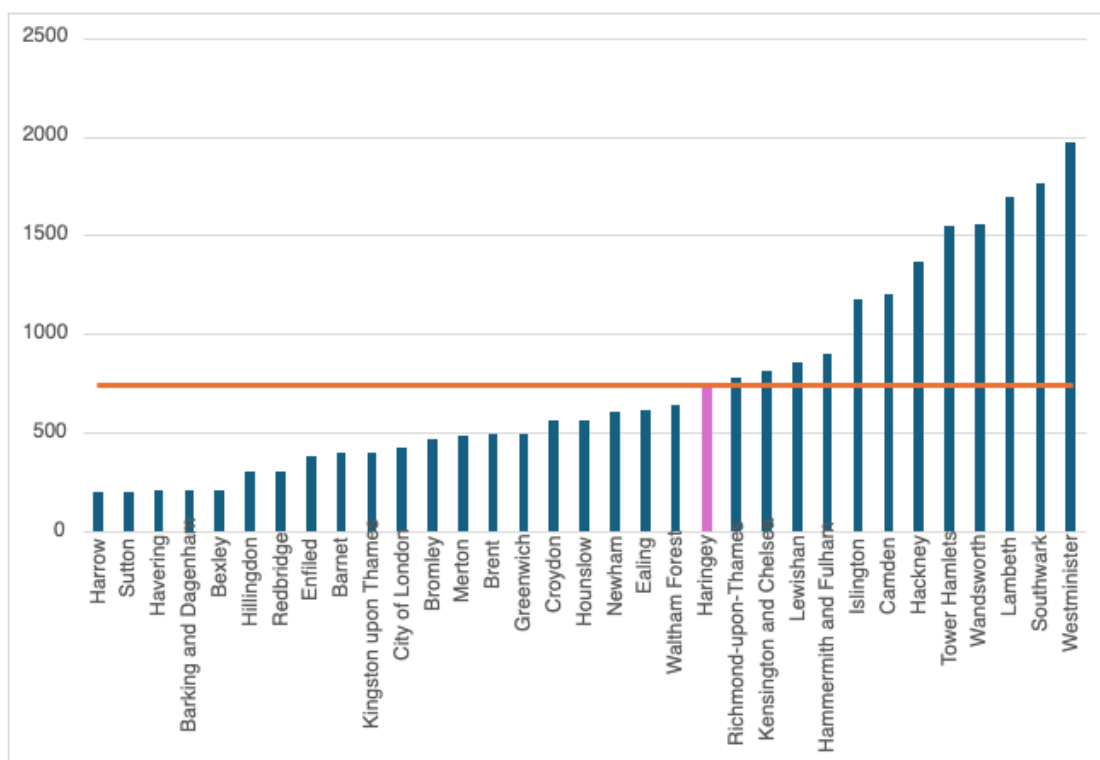


Chart 1 TfL cycle related collision road safety datasets April 2019 to March 2024

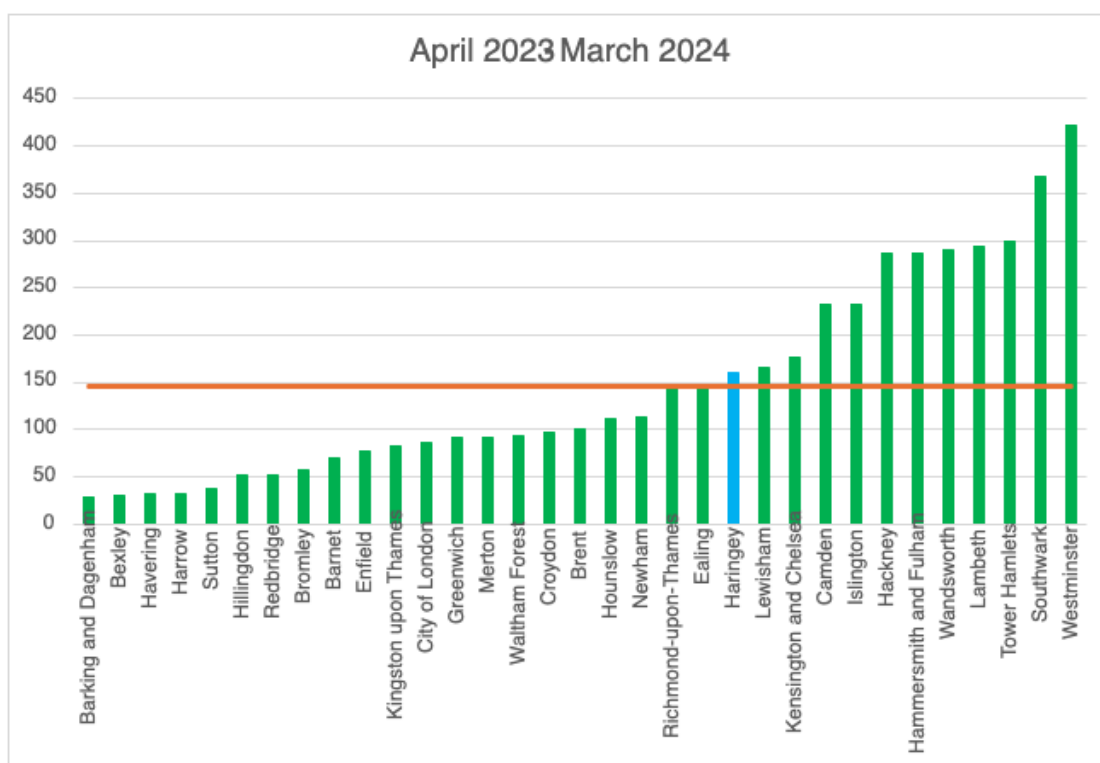


Chart 2 TfL cycle related collision road safety datasets April 2023 to March 2024

7.5 The Cabinet Member for Climate Action, Environment and Transport, Cllr Mike Hakata, wanted to also have his thoughts on this Call-in item recorded. They are as follows:

'Firstly, it is essential to emphasise that the road user hierarchy places pedestrians at the top, followed by cyclists, then public transport users, with motorists at the bottom. This hierarchy underpins our approach to transport planning and decision-making in Haringey. We remain committed to creating safer, more accessible spaces for pedestrians and cyclists while encouraging active travel and reducing reliance on motor vehicles.

Secondly, Haringey Council is dedicated to expanding a network of protected cycle lanes across the borough. We are currently working in close collaboration with TfL to identify key routes and implement high-quality cycling infrastructure. The first phase of this project covers over 4km of the strategic road network and is currently in the design phase. This ongoing work demonstrates our commitment to providing safe, segregated spaces for cyclists, which will encourage more people to choose cycling as a mode of transport.

Thirdly, we have made significant strides in creating safer, more liveable neighbourhoods through the implementation of LTN schemes. Haringey has successfully delivered three of the largest LTNs in the country, which have now been made permanent following extensive public consultation and evidence of their positive impact. These LTNs cover a significant surface area of the borough, approximately 2.5 square miles, providing ample safe spaces for cyclists and pedestrians. The Bruce Grove/West Green LTN, for example, has resulted in a remarkable reduction in collisions of over 50%, demonstrating the scheme's effectiveness in improving safety for all road users.

It is important to note that the PSPO policy is not intended to discourage cycling or penalise responsible cyclists. The provisions related to cycling aim to address instances of dangerous or reckless behaviour that pose a risk to pedestrians on pavements and footpaths. We recognise that in some cases, cyclists may feel compelled to use pavements due to a lack of confidence or perceived danger on the road. The policy includes exemptions for children and allows for discretion to be used when cyclists are intimidated by traffic or lack confidence to ride on the road.

We acknowledge the concerns raised regarding the working practices of delivery companies and the potential danger posed to all delivery riders, including those on bicycles. While the PSPO policy does not directly impact those on powered two-wheelers, we recognise that demanding schedules can put the lives of all delivery riders at risk. We are actively working alongside London Councils and the GLA to impress upon delivery companies that they are compromising safety with these schedules. It is crucial that delivery companies prioritise the well-being of their riders and adopt practices that promote safe and responsible road use.

The PSPO policy aims to strike a balance between ensuring the safety and well-being of all road users while promoting active travel and supporting our commitment to cycling. We will continue to invest in cycling infrastructure, create safer neighbourhoods through LTNs, and work with stakeholders to address any concerns that may arise during the implementation of the PSPO.

Our ultimate goal is to create a borough where walking and cycling are safe, attractive, and accessible options for all residents and visitors.'

- 7.6 Officers cannot comment on the accuracy of the statement that the cycle courier workforce in London disproportionately consists of employees from ethnic and/or minority groups as we do not have any data to support that claim, additionally the claim that cycle couriers receive low pay has not been investigated or evidenced. However, the Council considers that the safety of road and footway users including pedestrians, wheelchair users and cyclists is paramount. It is accepted that cyclist couriers work in a profession that depends on prompt delivery of goods, however the Council does not accept that this should mitigate the need for road safety or provide adequate reasoning for driving a bicycle 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. This is consistent with the need to drive powered two-wheel and four-wheel vehicles with similar regard.
- 7.7 The PSPO is designed to ensure that riding a bicycle in a dangerous or reckless manner is prohibited. The Call-in suggests that individuals who are lacking confidence in riding a bicycle may be identified as riding a bike in this manner. Cycling on the pavement is prohibited by the Highways Act 1980 and, more specifically, dangerous cycling is already a criminal offence under the 1988 Road Traffic Act and as such police have powers of arrest and prosecution. The judgement they apply in determining whether an offence has been committed would also be applicable here.
- 7.8 Officers cannot support any counter proposal that would place road and footway users to in danger, even if the rationale for this is to expedite fast cycling journeys for businesses couriating cargo across the borough.
- 7.9 As mentioned above it is currently an offence to ride a bicycle dangerously, Officers are not aware of any evidence to support the statement that this has deterred people from cycling and instead encouraged them to use private powered vehicles and indeed none is indicated in the Call-in.
- 7.10 In summary, for the reasons outlined above there is no tangible evidence that the PSPO creates barriers for individuals in taking up cycling. The Council provides training for people wishing to improve their cycling ability, has an existing network of protected cycle lanes and the Walking and Cycling Action Plan is designed to both promote and protect cyclists and pedestrians. The PSPO does not specifically impact cycling couriers needing to meet quick delivery times although if they are found to be riding a bicycle dangerously then they will be liable for enforcement action, as is the case already via the legislation referred to above. This is of course true of any person riding dangerously, not specifically those working as couriers.
- 7.11 The PSPO provides the local authority and the police with enforcement powers against those who are found to be driving a bicycle 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.

8. **Call-in issue b) Haringey Rough Sleeping Strategy - The proposed legislation states that verified rough sleepers will be exempt from fines arising from the PSPO legislation. We are concerned that this can be a difficult thing to verify, particularly as migrants with low levels of English and/or without recourse to public funds are disproportionately represented among rough sleepers, according to the Haringey Rough Sleeping Strategy. In addition, new rough sleepers in the Borough, or those moving from other parts of London, will not immediately gain verification and therefore will not be exempt. Due to these factors, police officers implementing the PSPO may not be able to verify the rough sleeper status of individuals, and thus they will be unable to implement the exemptions outlined.**

Rough sleepers are more likely to be forced to urinate and drink in public spaces, due to the lack of alternatives. We recognise that some residents frequently perceive this behaviour as anti-social, however we believe it is a result of deeper issues around social exclusion and vulnerabilities, such as substance dependency. This will contribute to a hostile environment for rough sleepers in Haringey and through further penalising rough sleepers, it contradicts the stated recognition that systematic inequality is a root cause of homelessness.

- 8.1 The PSPO includes specific exemptions to verified rough sleepers as acknowledged in the Call-in. This is to ensure they are not unfairly penalised. Haringey's rough sleeping outreach team and other support agencies work closely with enforcement officers and the police to support any individuals at risk, linking them to services such as housing and substance misuse or mental health support and other charities.
- 8.2 To ensure fair and proportionate enforcement, the PSPO includes a "without good reason" clause, allowing for context to be considered before penalties are issued. Additionally, Haringey has decided not to issue on-the-spot fines, opting instead for a triage process to review reports thoroughly before any Fixed Penalty Notices (FPNs) are issued.
- 8.3 Public urination is a criminal offense under the 1986 Public Order Act, and those found guilty may be fined. Additionally, the Anti-social Behaviour, Crime and Policing Act considers public urination and public defecation to be an anti-social act. There have also been cases of arrest and prosecution for public urination as the result of an offence being committed in the Sexual Offences Act where it may be considered exposure if it is intentional and intended to cause alarm or distress.

- 8.4 Given the powers currently available to the police in relation to public urination and defecation, the PSPO is designed to target behaviours, not individuals, ensuring proportional enforcement that does not disproportionately affect vulnerable groups, such as homeless individuals. Analysis of alcohol-related ASB in PSPO proxy zones demonstrates a **27% reduction in incidents**, indicating that these measures are effective in addressing behaviours while supporting community safety.
- 8.5 The Council fully supports taking a public health approach to tackling the root causes of ASB in the borough, as evidenced currently in the work undertaken jointly between the authority and the police as part of the Clear, Hold, Build exercise in Northumberland Park, it is hoped this model will be successful and become the template for tackling ASB related issues in across the borough. In the meantime, the collaborative work delivered across services to help support the borough's homeless residents will continue.
9. **Call-in issue c) Absence of Toilet Strategy. The PSPO specifically includes restrictions for public urination and defecation. We agree this can be deeply unpleasant for residents and we welcome the decision to consult on a toilet strategy earlier this year. However, the Haringey Public Toilets Strategy does not currently exist, and we contend that in the majority of cases of public urination derive from desperation and a lack of alternatives. We do not think the PSPO should be published until the findings from the toilet strategy consultation are published and the strategy implemented, so that the PSPO does not inadvertently create further fear for those already unwilling to leave home because of the lack of public or available toilets.**
- 9.1 Whilst the Toilet Strategy is under development, the PSPO addresses urgent ASB concerns. It is not intended to penalise individuals without alternatives but to deter habitual offenders who are identified. The coverage of publicly accessible toilets is well distributed across the borough with a range of public buildings and specific public toilet blocks in place. Figure 2 below illustrates the number of publicly available toilets in the borough currently.

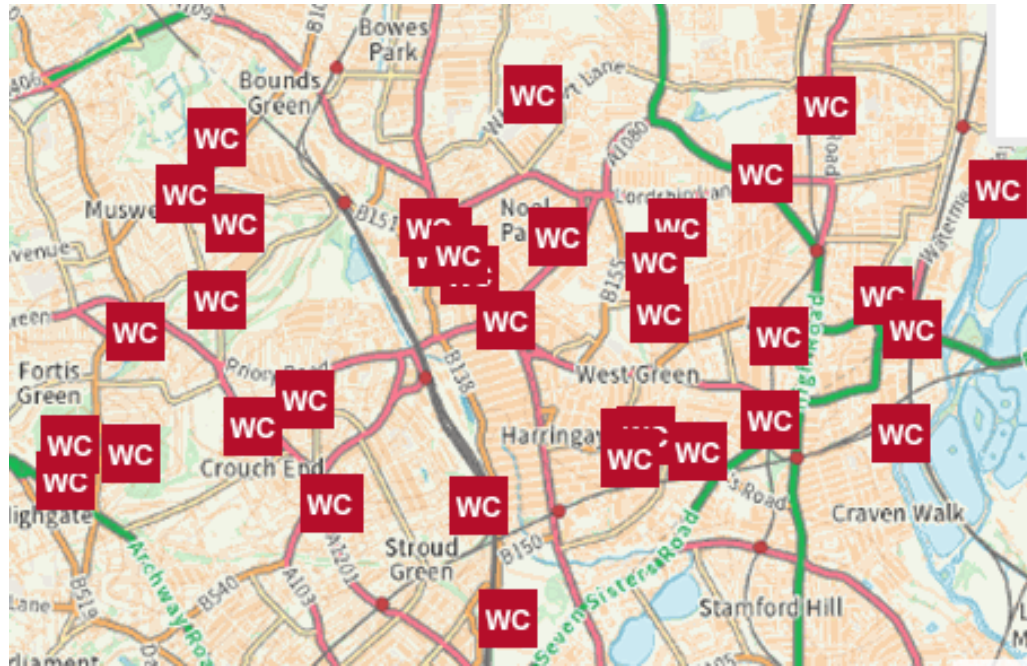


Fig. 2 Publicly accessible toilets

- 9.2 A number of toilets with either partial or full changing facilities for people with disabilities have been installed in the borough and there are plans to expand this further by 2026.
- 9.3 The Changing Places Consortium is a group of organisations and individuals who work individually to support the rights of people with disabilities and come together to campaign for Changing Places toilets to be installed in all big public spaces so that people can access their community. Figure 3, below, is from the Changing Places website and shows locations of toilets which have been designed to be accessible for people with disabilities.

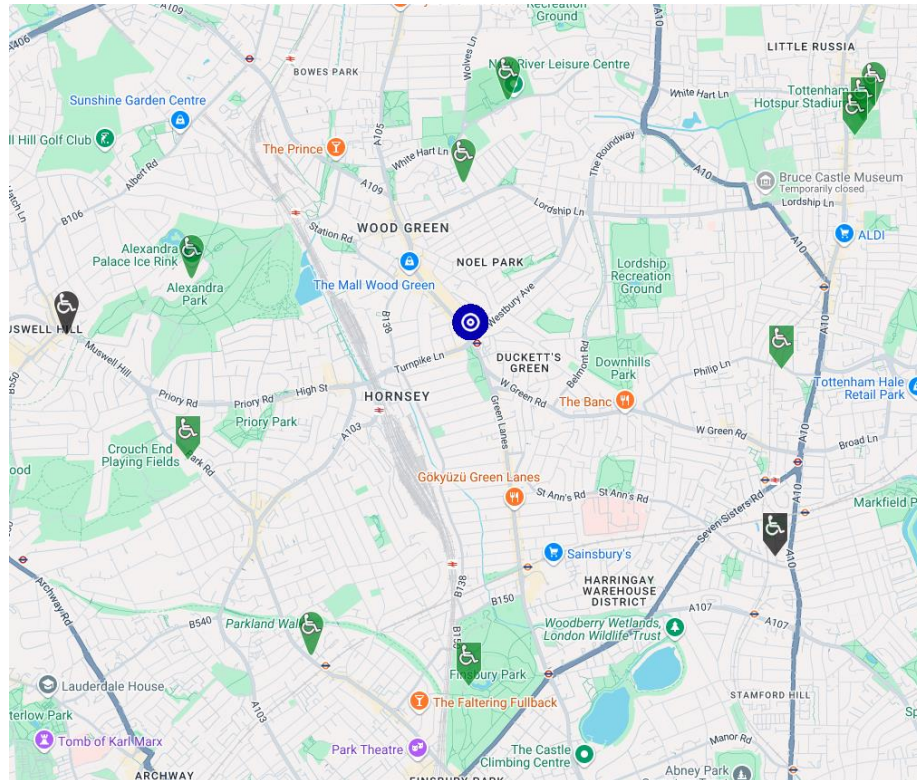


Fig. 3 Public toilets with Changing Facilities – from Changing Places website

- 9.4 As mentioned above, the PSPO includes a "without good reason" clause, allowing for context to be considered before penalties are issued. Additionally, as with other areas contained with the PSPO, the police already have powers to tackle public urination including the use of Section 5 of the Public Order Act 1986.
- 9.5 The PSPO cabinet paper made it explicitly clear that the enforcement of any offence committed in respect of public urination or defecation would not be undertaken, in cases where there the person is identified as street homeless and/or they have a mental or physical condition, which would prevent them from being able to adhere to this restriction.
- 9.6 Witnessing an individual urinating or defecating in the street can feel threatening and alongside the anti-social aspects which, as the Call-in agrees, are unpleasant for residents, the impact is also damaging the local environment through pollution and causing damage to buildings via acidic erosion.

- 9.7 Officers believe that the authority must take whatever steps necessary to ensure that the boroughs public spaces are safe, clean and free from human waste. It is appreciated that this is not a problem solved by a single solution, but through a range of complimentary actions including assisting and supporting rough sleepers in the borough. However, one option available to the authority is to use the powers contained within the PSPO to discourage and minimise the impact of individuals urinating and defecating in public places.
- 9.8 The health implications for the borough's residents because of exposure to faeces and urine due to open toileting are both real and serious. In 2019 a research article entitled [Health and social impacts of open defecation on women: a systematic review](#) outlined the health concerns resulting from open defecation in public space. *'The health risks most researched in context of open defecation are those associated with human excrement linked infectious diseases. Infected human excreta contain several harmful organisms that are associated with a number of health problems. Virtually, one gram of infected human excreta can contain a variety of microbes which includes 106 pathogenic viruses and infectious virions, 106–108 bacterial pathogens, 103 protozoan cysts and 10–104 helminth eggs. Inappropriate human waste disposal also increases the risk of exposure to these pathogens which can pose significant health risks such as transferable infectious diseases, diarrhoea, typhoid and cholera, and viral infections.'*
10. **Call-in issue d) Equalities Impact. The PSPO may lead the Council to breach its Public Sector Equality Duty to eliminate discrimination and harassment. We believe the implementation of the PSPOs will have a detrimental effect on those already experiencing marginalisation within the borough, as outlined above. The legislation seeks to criminalise behaviours, such as public urination and alcohol consumption, which would be more effectively addressed with increased provisions in place for those at most risk. Homeless people are more likely to experience disability, particularly mental disability. Street drinking is also likely to be significantly higher in this group, as well as housed peoples who do not have access to private spaces due to socioeconomic standing. As outlined, we do not think the proposed exemptions/discretion can be meaningfully implemented, particularly by the Police, which will lead to this group being disproportionately impacted by the PSPO.**

The Casey report found that the Metropolitan Police is institutionally racist with black people significantly more likely to experience stop and searches compared to their white counterparts. The PSPO gives additional power to police officers

to administer fines for cyclists, those drinking in public, or urinating. We believe the PSPO will lead to further discrimination against and criminalise black people in the Borough, an unequal outcome the Council should actively avoid. There is very little evidence to suggest that PSPOs are effective at preventing anti-social behaviour. No comparative data has been provided to show that in Haringey areas where alcohol restrictions have been implemented, that the number of alcohol related ASB incidents has fallen at faster rate than where no PSPO has been in place. For particularly vulnerable people who may have little money, fines are unlikely to serve as a deterrent if they are not able to pay. Therefore, the likely discriminatory impact on protected groups substantially outweighs any potential benefits of the PSPO.

10.1 Haringey previously had 11 related Public Spaces Protection Orders (PSPOs) in place across specific areas of the borough. However, some of these PSPOs were very niche, covering specific roads or small areas, which presented challenges in terms of data collection and analysis. To address these limitations, proxy zones were identified and used for data collation. The data used was obtained from the Metropolitan Police Anti-Social Behaviour (ASB) incident level data, accessed via BOX and covers the calendar years Jan – Dec for 2023 and 2024.

10.2 The proxy zones, based on pre-2022 ward boundaries, include:

- **Noel Park**
- **Northumberland Park**
- **Seven Sisters**
- **Tottenham Green**

These areas were selected for their representativeness and the availability of police-recorded data, ensuring a practical and reliable analysis of PSPO effectiveness. Additionally, due to changes in Metropolitan Police Service (MPS) data recording, only data from Jan to Dec for 2023 and 2024 is currently available for this analysis. The data was sourced from Metropolitan Police Anti-Social Behaviour (ASB) incident level data, accessed via BOX

10.3 **Key Findings**

The table below outlines alcohol-related ASB incidents recorded by the Metropolitan Police (Anti-Social Behaviour (ASB) incident level data, accessed via BOX) in the proxy PSPO zones and non-PSPO areas across Haringey for calendar years (Jan-Dec) 2023 and 2024:

10.4 Table: *Alcohol-Related ASB Trends in Haringey (2023–2024)

Zone Type	Ward/Area	2023 (Jan-Dec) Incidents	2024 (Jan-Dec) Incidents	Change (%)
PSPO Proxy Zone	Noel Park	30	20	-33%
PSPO Proxy Zone	Northumberland Park	40	30	-25%
PSPO Proxy Zone	Seven Sisters	25	20	-20%
PSPO Proxy Zone	Tottenham Green	15	10	-33%
Total (Proxy Zones)	<i>All Proxy Zones</i>	110	80	-27%
Non-PSPO Areas	Rest of Borough	90	95	+6%

*Data source: Metropolitan Police Anti-Social Behaviour (ASB) incident level data, accessed via BOX, Jan-Dec

Reduction in Alcohol-Related ASB

- The proxy PSPO zones demonstrate a **27% reduction** in alcohol-related ASB incidents between 2023 and 2024.
- By contrast, non-PSPO areas experienced a **6% increase** in alcohol-related ASB incidents during the same period.

Effectiveness of PSPOs

- The significant reduction in ASB within the proxy zones underscores the success of targeted interventions. Expanding PSPO provisions borough-wide would replicate these benefits across all areas, ensuring equitable protection for residents and reducing ASB displacement.
- **Addressing Cross-borough challenges**
These challenges are not specific to Haringey but represent a wider issue for London with neighbouring boroughs Barnet, Enfield, Camden, Hackney, Islington and Waltham Forest already having PSPOs in place to address similar issues.

10.5 A detailed EQIA informed the PSPO, identifying potential impacts on protected groups and outlining mitigations, including officer training on unconscious bias and proportionate enforcement.

- 10.6 Successes from PSPOs in other boroughs are a helpful guide in confirming that the PSPOs are one effective way to help reduce the number of offences committed under the prohibitions contained. For example, the London Borough of Havering saw a reduction of 24% of incidents relating to alcohol as logged by the British Transport Police, Transport for London and the Ambulance Service in Romford following the introduction of a street drinking PSPO. The London Borough of Hackney noted similar outcomes from Ambulance alcohol related callouts dropping 27% between April 2021 and 31st December 2023 and the Police figures also showing an 8% reduction in street drinking and alcohol related incidents in the same period.
- 10.7 Additionally, the Royal Borough of Windsor and Maidenhead found that the introduction of PSPOs for dog fouling and dangerous cycling had led to positive outcomes in respect of the number of incidents in the borough. They also found that people committing offences became compliant when it was identified that they were committing an offence leading a minimal need for further enforcement action to be taken beyond engagement and education. Officers believe that the PSPO targets behaviours, not individuals, ensuring fairness in its application.
- 10.8 In 2018, Havering Council introduced a PSPO to address issues related to parking inside a prohibited zone. The results were immediately positive, with instances of such parking reduced to almost zero.
- 10.9 A detailed EQIA informed the PSPO, identifying potential impacts on protected groups and outlining mitigations, including officer training on unconscious bias and proportionate enforcement. In summary, section 149 of the 2010 Equalities Act requires the Council, when exercising its functions, to have 'due regard' to the need to:
- a) Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act (which includes conduct prohibited under section 29);
 - b) Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it;
 - c) Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).

Protected characteristics are described as:

- **Age** - Ensuring fair treatment across all age groups.

- **Disability** - Protecting individuals with physical or mental impairments.
- **Gender Reassignment** - Supporting individuals undergoing or who have undergone gender transition.
- **Marriage and Civil Partnership** - Protecting individuals from discrimination based on marital status or partnership.
- **Pregnancy and Maternity** - Safeguarding rights during pregnancy and maternity leave.
- **Race** - Preventing discrimination based on race, ethnicity, or nationality.
- **Religion or Belief** - Respecting all religions, beliefs, or lack thereof.
- **Sex** - Ensuring gender equality.
- **Sexual Orientation** - Protecting individuals from discrimination based on their sexual orientation.

10.10 The Council is committed to upholding these protections and ensuring that the implementation of the PSPO is aligned with its Public Sector Equality Duty (PSED). The suggestion in the call-in is that by preventing individuals from cycling dangerously the PSPO is directly discriminating against individuals on the grounds of race. The call-in makes the link between people employed as cycle couriers being from Black and Minority Ethnic backgrounds, but they have provided no evidence to support this assertion. However, even if the scrutiny panel were to accept this to be a true and correct statement, the argument to allow individuals to cycle dangerously cannot be supported by Council officers, much in the same way that motoring offences apply to all demographics for the same reason of ensuring and prioritising safety at all times.

10.11 The call-in also considers that the prohibitions against street drinking and public urination discriminate against people with disabilities. For the reasons outlined in this report, officers do not consider that this is the case. The prohibitions are designed to prevent ongoing ASB and examples from other local authorities that have demonstrated that this can be an effective measure without targeting specific cohorts. Additionally, the PSPO is designed to make provision for individual circumstances where it presents good reason, alongside making specific exemption for verified rough sleepers.

10.12 Existing legislation already provides powers to address many of the behaviours targeted by the PSPO, including public urination, dangerous cycling, and anti-social behaviour associated with street drinking:

- Public urination is a criminal offense under the **1986 Public Order Act**, and those found guilty may be fined.
- **Sexual Offences Act 2006**, public urination may be considered exposure if it is intentional and intended to cause alarm or distress.

- **Environmental Protection Act 1990** – public urination is a littering offence under this act.
- Dangerous cycling is an offence under the **1988 Road Traffic Act**
- **Anti-social Behaviour, Crime and Policing Act 2014**, ASB arising from street drinking can be considered an anti-social act under this act.

10.13 The Council's decision not to issue on the spot fines adds an important safeguard, ensuring that enforcement actions are taken arbitrarily and that the needs of the vulnerable groups are carefully considered during the review process.

10.14 Islington Council's PSPO addressed street drinking and was designed to be part of an early intervention approach rather than a blunt enforcement tool. Since implementation in 2010 there have been no cases of fixed penalty notices being issued to people who are street homeless.

11. **Variation of action proposed: Pause the implementation of the PSPOs.**

11.1 Officers believe that the PSPO has been designed following robust and extensive research, engagement and development. They will provide the local authority with powers that they are entitled to use in order to help prevent a range of crimes from being committed in the borough. These include preventing dog owners from letting their dogs foul on the streets and open spaces in the borough without cleaning up after them. Preventing people from urinating and defecating in public places leading to greater risks of harm through disease spreading illnesses.

11.2 Preventing people from using fireworks in public spaces and therefore reducing the risk of serious harm. In October 2024 the London Fire Brigade published a statement stating that this serious issue led to over 2,000 calls in 3 days in 2023 with a number of serious incidents arising from stray fireworks. The PSPO also prevents cyclists from driving dangerously on pavements, putting children and disabled people at risk of harm. The proposal to pause the implementation of the PSPOs for an undefined period is neither necessary nor sensible and will restrict the local authority in its ability to adequately address these issues.

12. **Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes?**

12.1 The contribution of the decision regarding strategic outcomes was set out in the report to Cabinet on 10 December 2024.

13. **Carbon and Climate Change**

13.1 The carbon implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 December 2024.

14. Statutory Officers' comments

Finance

- 14.1 The financial implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 December 2024.

Procurement

- 14.2 There are no procurement implications of the decision taken by Cabinet and this was confirmed in the Cabinet report on 10 December 2024.

Assistant Director of Legal & Governance

- 14.3 The legal implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 December 2024.

Equality

- 14.4 The equality implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 December 2024.

15. Use of Appendices

None

16. Background papers

Anti-Social Behaviour, Crime & Policing Act 2014

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

Environmental Protection Act 1990

<https://www.legislation.gov.uk/ukpga/1990/43/contents>

Extension of Romford Town Centre Public Spaces Protection Order

<https://democracy.haringey.gov.uk/documents/s46819/Cabinet%20report%20PSPO%20RTC%20Extension%20October%202020%20Final.pdf>

Hackney Borough Alcohol PSPO Data <https://drive.google.com/file/d/1-s6uXZaF4GCinV3erO2XVSf4GWpQUHjy/view>

Haringey Borough-wide PSPO Cabinet paper, December 10 2024

<https://www.minutes.haringey.gov.uk/documents/g10862/Public%20reports%20pack%2010th-Dec-2024%2018.30%20Cabinet.pdf?T=10>

Haringey Rough Sleeping Strategy 2023-2027

https://haringey.gov.uk/sites/default/files/2024-02/appendix_1_-_rough_sleeping_strategy_2023_.pdf

Haringey Walking & Cycling Action Plan

https://haringey.gov.uk/sites/default/files/2023-11/adopted_walking_and_cycling_action_plan.pdf

Havering Council's PSPO Implementation

https://archive.londoncouncils.gov.uk/node/34463/case-study-havering%E2%80%99s-public-space-protection-order-pspo?utm_source=chatgpt.com

Health and social impacts of open defecation on women: a systematic review

<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-019-6423-z>

Highways Act 1980 <https://www.legislation.gov.uk/ukpga/1980/66>

London Fire Brigade issues fireworks warning as emergency calls reach six-

year-high <https://www.london-fire.gov.uk/news/2024-news/october/london-fire-brigade-issues-fireworks-warning-as-emergency-calls-reach-six-year-high/>

Proposal for the continuation of two Public Spaces Protection Orders (PSPO) in Windsor, Maidenhead and Ascot to address dog fouling, dog control and cycling prohibition areas in Maidenhead and Windsor town centres

<https://rbwm.moderngov.co.uk/documents/s59415/PSPO%20Report.pdf>

1986 Public Order Act <https://www.legislation.gov.uk/ukpga/1986/64>

Public Space Protection Order Extension 2023

<https://democracy.islington.gov.uk/documents/s33980/PSPO%20Extensions%20September%202023.pdf>

Report of: Review of the current Ropemakers Public Spaces Protection Order (PSPO), expiring on 1 March 2024

<https://democracy.towerhamlets.gov.uk/documents/s231006/Directorate%20Leadership%20Team%20Report.pdf>

1988 Road Traffic Act <https://www.legislation.gov.uk/ukpga/1988/52/contents>

Sexual Offences Act 2003

<https://www.legislation.gov.uk/ukpga/2003/42/contents>