

**BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

**RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS**

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

<b>REPORT TITLE:</b>	Public Space Protection Order (Restricting alcohol consumption) - renewal
<b>OPEN/EXEMPT</b>	Open
<b>LEAD OFFICER</b>	Andy Nederpel
<b>IS DECISION SUBJECT TO CALL IN?:</b>	If Exec decision then yes. If non Exec decision then no. If Urgent decision then no – need to provide reasons.  No, the renewal is urgently required due to the PSPO expiring on the 30 <sup>th</sup> September 2023 and the requirement to have the renewal in place on the 1 <sup>st</sup> October 2023.
<b>DATE DECISION ADVERTISED:</b>	
<b>DATE OF DECISION:</b>	
<b>DEADLINE FOR CALL IN:</b>	
<b>PRE-SCREENING EQUALITY IMPACT ASSESSMENT COMPLETED:</b>	YES

**Delegated Power**

Specify the particular delegated power being exercised by reference to the Scheme of Delegation or the Council body minute and date.

Scheme of delegation July 2023 S8.13

Chief Executive and Executive Directors General day to day management of the community safety service and compliance with any legislative provisions relating to crime, disorder and nuisance.

Investigations, authorisations and interventions relating to anti-social behaviour including service of notices, warrants and any other statutory enforcement.

**Decision Taken**

Specify precise details of the decision taken.

Renewal of a Public Space Protection Order (Restricting Alcohol Consumption) for a further three years.

**Reasons for the Decision**

Specify all reasons for taking the decision

An order restricting alcohol consumption known as a Designated Public Place Order (DPPO) has been in place in King's Lynn, Downham Market and Hunstanton since 2007 using powers under the Criminal Justice Act 2006. This power allowed the restriction to remain in place without expiry, this made amending or rescinding the DPPO extremely complex, costly and did not allow for other unacceptable behaviours types to be restricted within the DPPO.

The legislation relating to DPPO changed in 2014 when the section of the Criminal Justice Act 2006 relating to DPPO's was repealed and replaced with the Anti-Social Behaviour, Crime and Policing Act 2014. This allowed Local Authorities to convert the existing DPPO's to a PSPO, create a Public Space Protection Order (PSPO) covering other behaviours and amend according to the behaviours and needs of the community in a simplified process.

The PSPO is very similar to the DPPO but has variable differences which includes limiting the order for a maximum period of 3years. After a period of 3years the order must be renewed, varied, or be allowed to expiry.

Initially the new legislation allowed a transitional period of 3years after which the order required conversion of a DPPO to a PSPO. This transition occurred in 2017 as a like for like order.

In 2020, the designated areas were increased to cover the majority of the three towns. The rationale for increasing the designated area was to tackle displacement of alcohol related disorder caused by the smaller DPPO zones and to provide protection to new and proposed housing developments.

A consultation process include statutory consultees and those affected by the restriction (the public) is required by the Local Authority when seeking a new or, when renewing a PSPO. This renewal consultation took place between the 1<sup>st</sup> August 2023 and the 31<sup>st</sup> August 2023. The public consultation and statutory consultees demonstrated support for the renewal of the PSPO.

**Details of alternative options, if any, considered and rejected.**

The PSPO provides additional powers for agencies to tackle alcohol related disorder and is a preventative order which often works in conjunction with other powers such as a direction to leave.

Without the PSPO, agencies have lose a key preventative tool in the toolkit in tackling alcohol related disorder. Without the PSPO the power to deal with behaviour would only be available once an offence has occurred and the behaviour has already caused harm to the community.

**Any declarations of interest and details of any dispensations granted in respect of interests (in relation to officers and any Members consulted).**

No

**List of Background papers**

Copies of the draft orders attached.

**Authorisation**

Post Held – Executive Director

Signature



Date

27/9/2023.

**Consultation with members/officers**

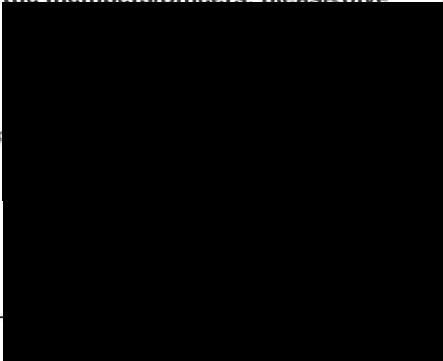
**If the decision is taken following consultation with the members/officers, please give details:**

**Name of Members/officers consulted:**

Jo Rust (Portfolio Holder for People and Communities)

**Signed by Member/officer as consulted:**

Date



**Pre-Screening Equality Impact Assessment**

Borough Council of  
**King's Lynn & West Norfolk**



Name of policy/service/function		Public Space Protection Order (Restricting Alcohol Consumption)				
Is this a new or existing policy/ service/function?		Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations		The PSPO is aimed at protecting law abiding members of the public from alcohol related disorder and improve the quality of life of those living, working or visiting the designated areas.				
<b>Question</b>		<b>Answer</b>				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age			<input checked="" type="checkbox"/>	
		Disability			<input checked="" type="checkbox"/>	
		Gender			<input checked="" type="checkbox"/>	
		Gender Re-assignment			<input checked="" type="checkbox"/>	
		Marriage/civil partnership			<input checked="" type="checkbox"/>	
		Pregnancy & maternity			<input checked="" type="checkbox"/>	
		Race			<input checked="" type="checkbox"/>	
		Religion or belief			<input checked="" type="checkbox"/>	
		Sexual orientation			<input checked="" type="checkbox"/>	
Other (eg low income)			<input checked="" type="checkbox"/>			
<b>Question</b>	<b>Answer</b>	<b>Comments</b>				
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	The PSPO does not target groups within the community and demonstrates the Council is using it's Anti-Social Behaviour powers to tackle ASB and support other agencies in providing them with additional powers.				
3. Could this policy/service be perceived as impacting on communities differently?	No	No this particular PSPO is based upon areas who are likely to suffer higher levels of alcohol related disorder and require additional support to protect the community.				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	The PSPO can only be used where alcohol related disorder is occurring or is likely to occur.				
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	<b>Actions:</b>				
		<b>Actions agreed by EWG member:</b> Name .....				
Assessment completed by: Andy Nederpel						
Job title: Community Safety Manager		Date: 15.09.2023				
Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.						