

## Public Space Protection Orders: Yeovil

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### Purpose of the Report

1. For members to agree to the approval of the time extension of two Public Space Protection Orders (PSPOs); one to restrict street drinking in Yeovil and the other to prohibit begging in the central area of Yeovil. Both PSPOs have a duration of three years and as such are due expire on the 11<sup>th</sup> October 2022.

### Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 6<sup>th</sup> October 2022.

### Public Interest

3. The report is about extending two public space protection order (PSPO) regarding:-
  - Failure to stop drinking alcohol and surrender alcohol by an authorised officer within the designated area.
  - Prohibit persons from approaching another person, in order to solicit monies from the other person.

### Recommendation

4. That District Executive agrees to time extensions for the two existing Public Space Protection Orders (PSPOs) in Yeovil relating to street drinking and begging as set out in Annex 1 and Annex 2. This will extend the duration of the PSPO's for another three years.

### Background

5. Local councils are responsible for making Public Spaces Protection Orders. The legal tests focus on the impact that anti-social behaviour is having on victims and communities. The council can make a Public Spaces Protection Order if they are



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satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:

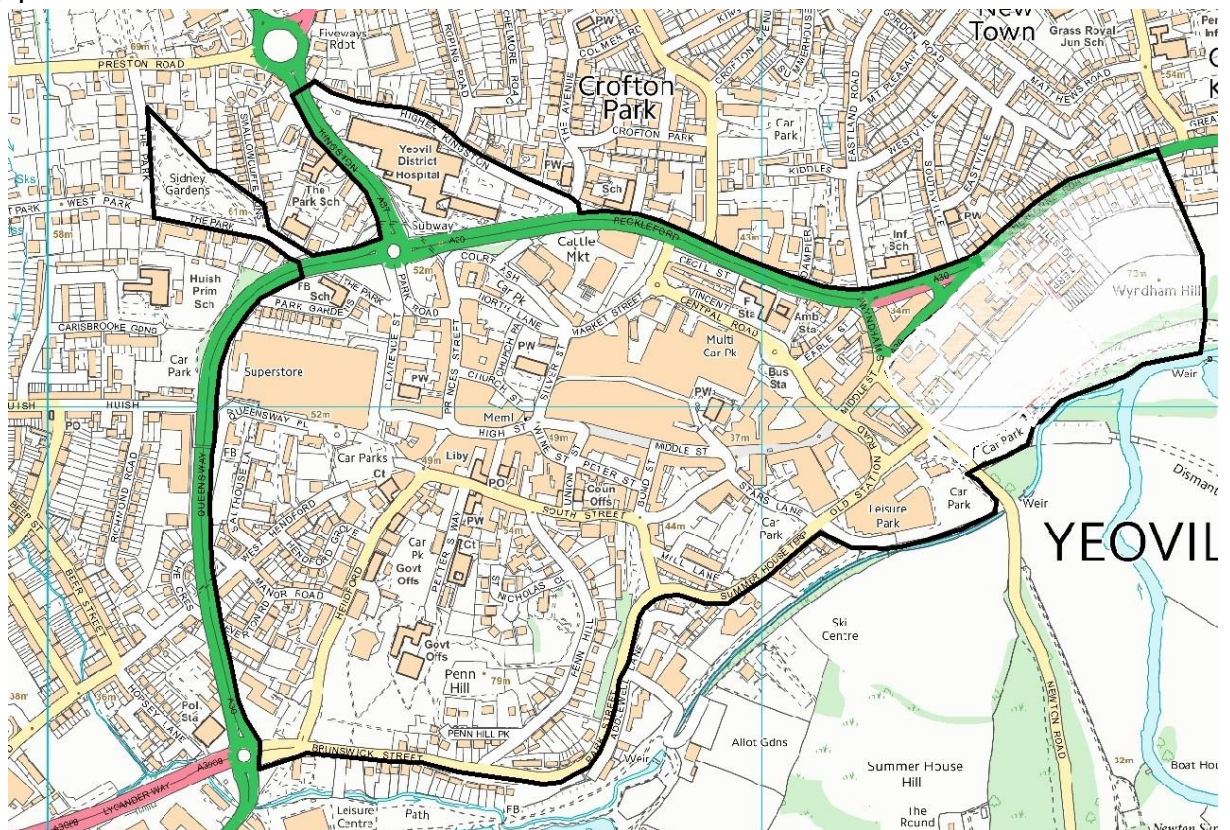
- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

6. Before making a Public Spaces Protection Order, the council must consult with the police in considering the extension of the existing PSPO officers have worked closely with the local police in Yeovil to gather the data relating to anti-social incidents.

### Street Drinking PSPO

7. On 11<sup>th</sup> October 2019, a PSPO was made restricting Street Drinking in a defined area of Yeovil Town centre. On the 7<sup>th</sup> October 2021 this area was extended to the east of Yeovil. The current PSPO covers the area shown in Figure 1 below.

Figure 1



### The Requirements



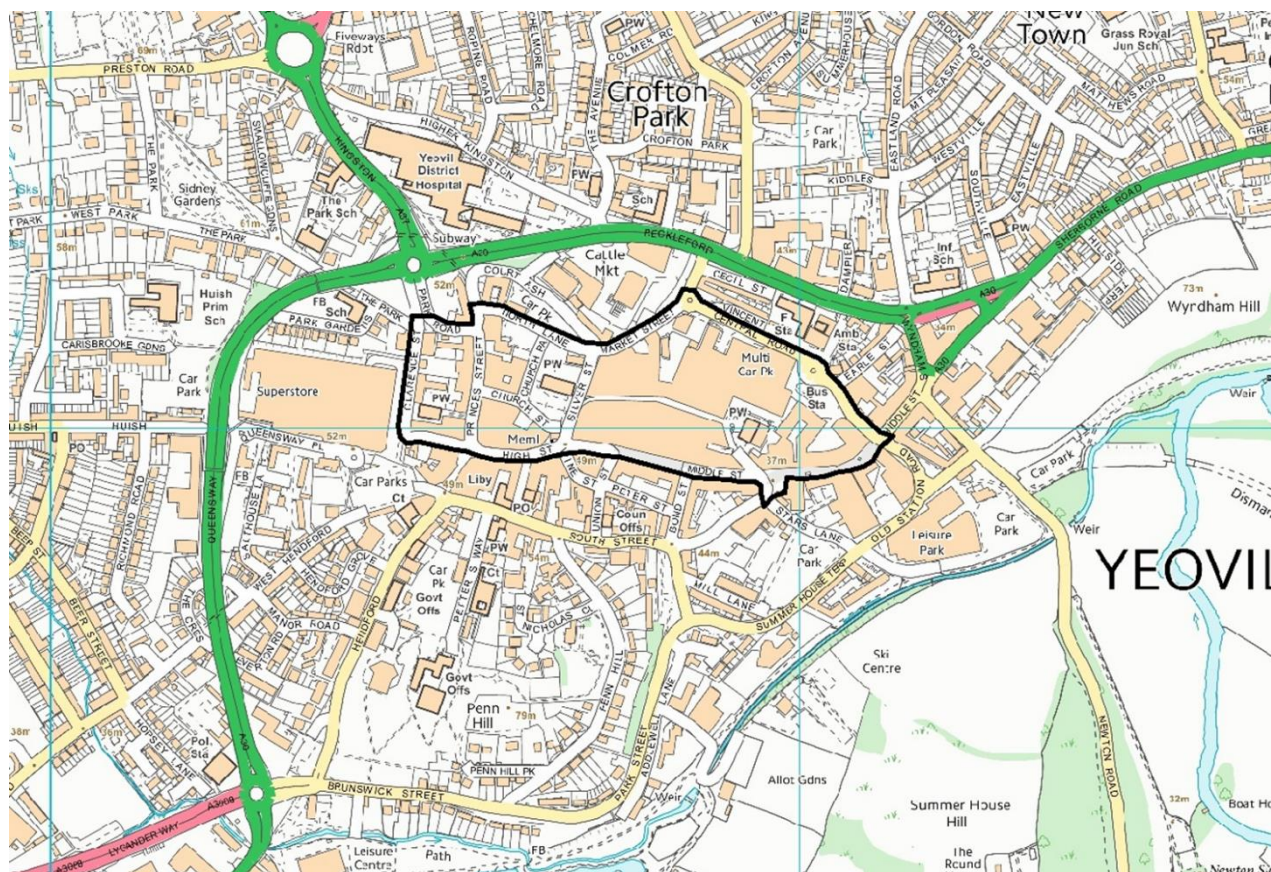
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- No person shall fail to stop consuming alcohol when required to do so by a Police Officer, Police Community Support Officer or an authorised officer from the Council.
- No person shall fail to surrender anything in his or her possession, which a Police Officer, Police Community Support Officer or authorised officer from the Council reasonably believes to be alcohol or a container for alcohol when required to do so.

### Begging PSPO

8. On 11th October 2019, a PSPO was made prohibiting begging in a defined area of Yeovil Town centre as shown in Figure 2 below.

Figure 2



### The Requirements

- All persons are prohibited from approaching another person, either in person, verbally or through action in a misleading manner in a public place in order to solicit monies from the other person.



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- All persons are prohibited from sitting or loitering in a public place between the hours of 08:00 to 20:00 hrs, being in possession of a receptacle used to obtain monies in a misleading manner. This includes the use of signage, children or animals to solicit monies from members of the public.

## Consultation

- Other than publishing the extension, no consultation is required for the extension.

## Offences

- Non-compliance with the requirements of a PSPO is an offence. The penalty, on conviction in a Magistrates Court, for committing an offence is a maximum fine of level 3 on the standard scale (currently £1000). The opportunity to pay a fixed penalty notice can be offered as an alternative to prosecution. The fixed penalty notice for DCO offences is currently set at £80, reduced to £50 if paid within 10 days. The statutory maximum amount that a fixed penalty can be set at, for an offence of contravening the PSPOs, is £100. It is proposed to leave the penalty at £80 reduced to £50 for early payment, as this is believed to be proportionate and reasonable.

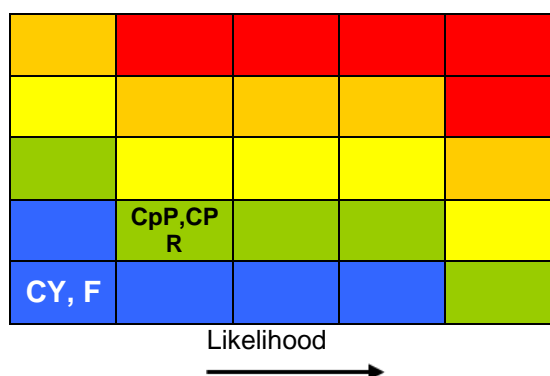
## Financial Implications

- As the enforcement of the PSPOs would not change, there are no financial implications to the Council.

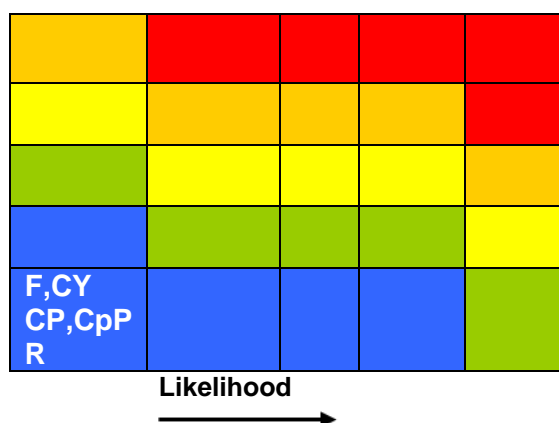
## Risk Matrix

- The risk matrix shows risk relating to the Corporate Plan headings.

Risk Profile before officer recommendations



Risk Profile after officer recommendations



### Key

<b>Categories</b>	<b>Colours</b> (for further detail please refer to Risk management strategy)
R - Reputation	High impact and high probability



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CpP - Corporate Plan Priorities  
CP - Community Priorities  
CY - Capacity  
F - Financial

Major impact and major probability
Moderate impact and moderate probability
Minor impact and minor probability
Insignificant impact and insignificant probability

### Council Plan Implications

13. The proposals in this report support the Council's Aims :

- To protect and enhance the quality of our environment

It also supports the Council's priorities to:

- Maintain Country parks and open spaces to promote good mental and physical health
- Keep streets and neighbourhoods clean and attractive

### Carbon Emissions and Climate Change Implications

14. There are no carbon emission or climate change implications with regard to this recommendation.

### Equality and Diversity Implications

15. An equality impact assessment has been completed. This is attached at Annex 3.

### Data Protection Impact Assessment

16. No privacy implications have been identified.

### Background Papers

- Annex 1: Restrictions on street drinking by Direction Public Spaces Protection Order
- Annex 2: Restrictions on begging by Direction Public Spaces Protection Order
- Annex 3: Equality impact assessment