

Meeting: Cabinet
Date: 4th March 2024
Classification: Part 1
Key Decision: Yes
Title of Report: Renewal of Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas Public Space Protection Order (No 1)

Executive Director: Alan Richards

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Executive Councillor: Cllr James Courtenay

1. Executive Summary

- 1.1. To invite Members to approve the renewal of the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 (“the 2021 PSPO”) following public consultation.

2. Recommendations

2.1 It is recommended that Cabinet:

Approve the renewal of the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 (“the 2021 PSPO”).

3. Background

- 3.1. Local Authorities have a key role to play in helping to make local areas safe places to live, work and visit. Tackling behaviour which has a detrimental impact on the quality of life of those in the locality is a key element of this role. These behaviours are sometimes called anti-social behaviour (‘ASB’); it is noted that behaviour which has a detrimental impact can be broader than that which has traditionally been described as ASB.

- 3.2. Under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

Local Authorities can use PSPO’s to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location.

3.3. Currently the 2021 PSPO prohibits within the restricted area:

- Urination, defecation, spitting or littering;
- Consuming alcohol and behaving in an anti-social manner or failing to surrender any containers (sealed or unsealed) which are believed to contain alcohol, in a public place, when an Authorised Officer has required such consumption to cease;
- Ingesting, inhaling. Injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances.

3.4 The full order is included at appendix A.

4. Reasons for Decisions

4.1 The 2021 PSPO was implemented due to a steep rise in Anti-Social Behaviour in the area having a detrimental effect on those living in the area as well as those visiting the area for pleasure.

4.2 Whilst the 2021 PSPO has not been used to issue Fixed Penalty Notices, it has been used by officers to educate and disperse anti-social behaviour from the restricted area consistently for the past 3 years.

4.3 The 2021 PSPO has acted as a preventative measure discouraging anti-social behaviour and it is feared that the expiry of the current order could lead to a resurgence of anti-social behaviour in the restricted area.

4.4 The 2021 PSPO forms part of the Operation Union toolkit designed to address anti-social behaviour and crime in high profile foreshore areas across the City of Southend.

4.5 Renewal will enable continued necessary control of relevant matters relating to the behaviours listed and the ability for officers to issue Fixed Penalty Notices where breaches of the Order are witnessed and those responsible are identified.

5. Other Options

5.1 The Council could choose not to renew the 2021 PSPO. This would result in the current PSPO expiring at midnight on the 31st July 2024, and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling ASB in the restricted area.

6. Financial Implications

6.1 None specific to this renewal.

7. Legal Implications

7.1 The introduction of a PSPO must be undertaken in accordance with the 2014 Act and the Statutory Guidance. Failure to do so could result in a legal challenge.

7.2 Section 72 of the 2014 Act provides that the Council must carry out necessary consultation before making a PSPO, the results of the consultation are below.

7.3 Before making a PSPO the Council must consider comments and representations received.

8. Policy Context

8.1 Contribution to Southend City Councils Corporate Plan.

8.2 A safe city with a good quality of life for all.

8.3 [Public spaces protection orders: guidance for councils \(local.gov.uk\)](https://www.local.gov.uk/public-spaces-protection-orders-guidance-for-councils)

9. Carbon Impact

9.1 None specific to this renewal.

10. Equalities

10.1 None specific to this renewal. Please refer to the Equalities Analysis report attached with these documents

11. Consultation

11.1 The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and do see that a PSPO needs to be renewed to cover existing provisions for anti-social behaviour within the area.

Of those responding to the consultation, all had at some point experienced the antisocial behaviour identified. Littering had the highest response with a majority of people experiencing this, closely followed by consuming alcohol and behaving in an anti social manner, then urination, defecation or spitting, with drug taking/ingestion not as commonly seen.

12. Appendices

12.1 **Appendix 1: The Public Space Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No 1 of 2021 with maps.**

12.2 **Appendix 2: Public Consultation results.**

12.3 **Appendix 3: SCC Equality Analysis Leigh PSPO.**

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
S151 Officer	Joe Chesterton	2/1/24
Monitoring Officer	Kim Sawyer	2/1/24
Executive Director(s)	Alan Richards	21/12/23
Relevant Cabinet Member(s)	James Courtney	21/12/23