

Public Spaces Protection Order (PSPO) to tackle alcohol related antisocial behaviour in public places

Analysis of stakeholder consultation

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Introduction

Background

The Council proposed the introduction of a Public Spaces Protection Order (PSPO) to tackle alcohol-related antisocial behaviour in public places across the borough. The measure intends to give the police and authorised Council officers powers to require individuals to surrender alcohol where drinking is linked to antisocial behaviour in public spaces. Under the proposed PSPO, anyone who fails to comply with the requirements of the order would be issued with a £100 Fixed Penalty Notice, with the possibility of prosecution and a fine of up to £500 on summary conviction if the fine is not paid.

The PSPO does not seek to make it illegal to carry alcohol or to drink alcohol in public places, as long as it is not associated with antisocial behaviour. The order is designed solely to address alcohol-related antisocial behaviour and to help ensure that public spaces remain safe for residents and visitors.

As part of the process, residents' input was sought on the proposed PSPO to ensure that the needs and safety concerns of the community were taken into account.

Consultation methodology

An online survey was promoted via various avenues, including the Council's Consultation and Engagement Hub, to seek views on the proposed PSPO. The Council also promoted the consultation through a range of engagement activities, including a meeting with the police Borough Commander, notifying neighbouring local authorities (London Borough of Hammersmith and Fulham and Westminster City Council), meeting with local Business Improvement Districts that work with local businesses and writing to and corresponding with local Residents Associations. In addition, the Council held a meeting with the resident Ward Panel and received detailed written comments from councillors and residents. In total, 103 individuals responded to the survey.

Appendix

An appendices document is also available on request, containing data tables and all comments made by respondents to the survey.

Acknowledgements

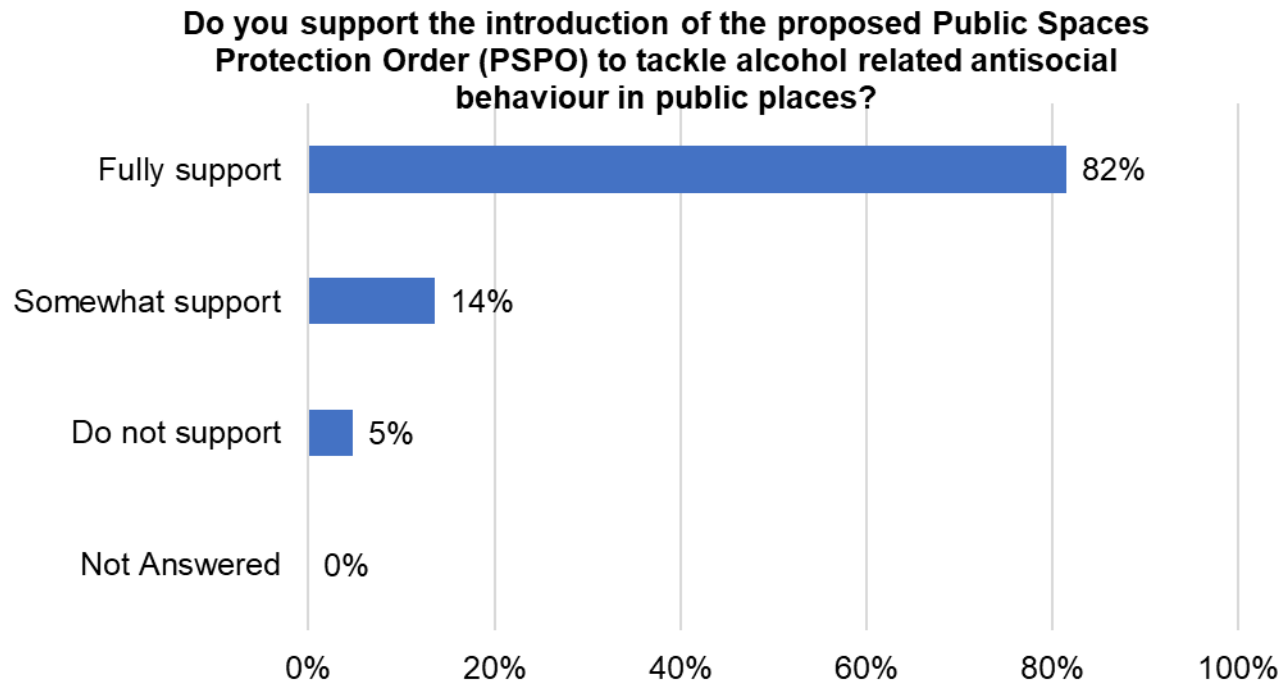
The Council would like to thank all residents and stakeholders who took the time to provide feedback on the proposed PSPO.



Support for the PSPO

Respondents were asked if they support the introduction of the proposed Public Space Protection Order (PSPO).

- The majority of respondents 'fully support' the introduction of the PSPO, 82 per cent of respondents.
- 'Somewhat support' was selected by 14 per cent of respondents, and five per cent said they 'do not support' the introduction of the PSPO.



Base: All respondents (103)

Support for the PSPO- Comments

There were 15 comments received, reflecting a broad range of views on the proposed PSPO. While some respondents did not support the introduction of the order, their comments highlighted both outright opposition and, in some cases, conditional support or specific concerns about aspects of the proposal. Examples of these comments are included below, with all comments provided in the appendices. The key feedback included:

- Support for action on antisocial behaviour**

“A borough-wide PSPO is a valuable enforcement tool to address rising public nuisance and alcohol-fuelled antisocial behaviour, particularly in areas like Chelsea Green.”

- Concerns about fairness and enforcement**

“I am concerned that there will be victimisation of individuals for improper reasons. Some people take the job of being a police support worker for the power it gives them and unless these crimes are ONLY prosecuted when properly recorded using on person cameras with sound. I do not think it is safe to introduce this order.”

- Protecting responsible social drinking**

“I think it would have to be very clear that normal social drinks are still fine. For example, at a picnic or people sitting on a lawn before attending the music and arts events or having a glass of wine with a friend in a flower garden.”

- Doubts about effectiveness of fines**

“I fully support but do not think this will make a difference as the major contributors to ASB as a result of alcohol cannot afford to pay fines.”

- Concerns about licensed premises and broader issues**

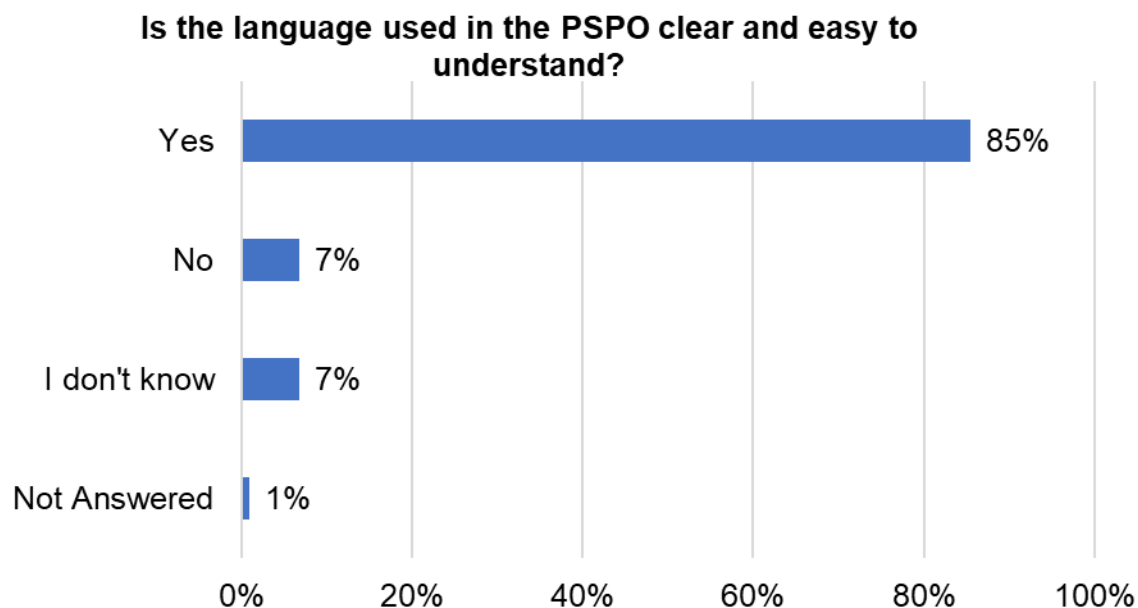
“Most of the alcohol-related ASB in and around Colville Square comes from people who have been drinking in licensed bars & restaurants, not from those (often poorer) people who buy their alcohol in a supermarket and sit out in the garden square or on the street to drink it... Also, any PSPO must apply to licensed premises which routinely do nothing when their customers who might be drinking & smoking outside stray beyond the area of the premises and spill over onto the public pavement.”



Language

Respondents were asked if the language used in the PSPO is clear and easy to understand.

- The majority of respondents said that the language used in the PSPO is clear and easy to understand, 85 per cent of respondents.
- The answer 'no' was selected by seven per cent of respondents, and seven per cent selected 'I don't know' for their answer.



Base: All respondents (103)



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Language

Respondents who said that the language of the PSPO was not clear were asked to explain their answer. There was 10 comments to this question. The comments are:

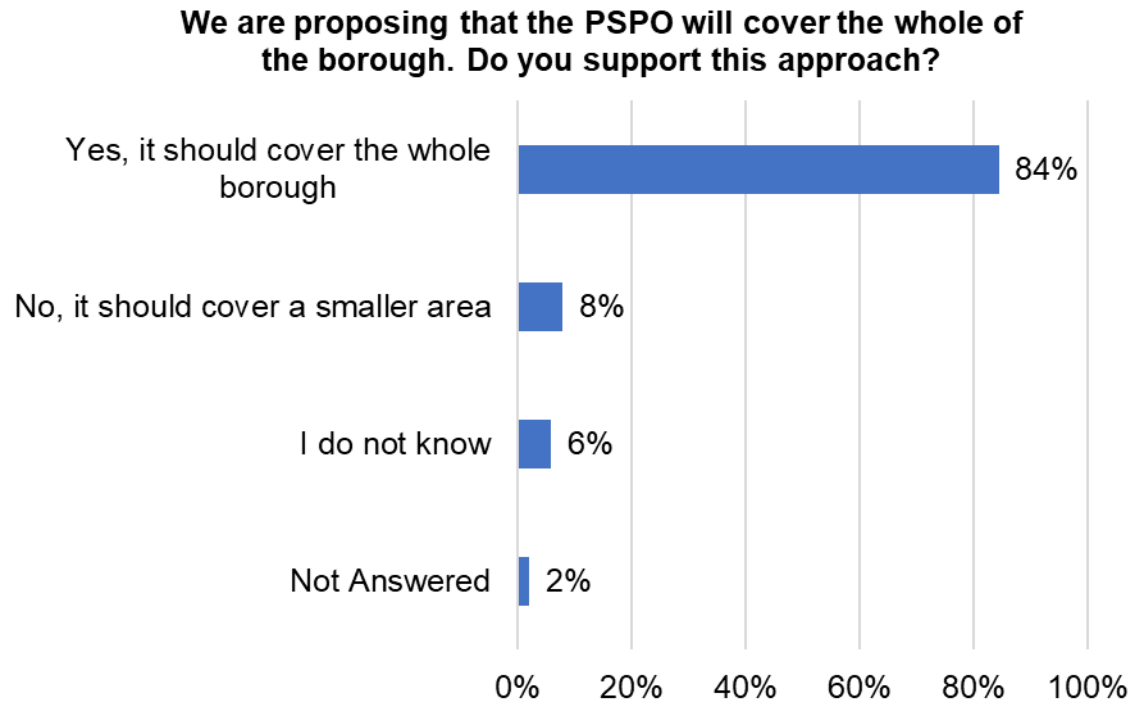
- Some sections may be overly technical, making it harder for the general public to fully understand. Simplifying certain legal terms or providing a summary in 'plain language'. Refrain from using legalese.
- As above I could not see the map clearly enough, or find the key, I am not disputing the value of this proposed PSPO, but I did not think it was clearly enough presented? Could you clarify exactly where this will take effect?
- "I believe the phrasing of 'detrimental effect' will suffer from far too much subjectivity. This will negatively impact the appropriate application by the office and the enforceability when challenged by the individual. I would suggest more work with officers to simulate what is considered detrimental and what is not, and work with lawyers on what language would be clear enough. Some parameterisation is one way to address this ambiguity. For instance, * disruptive noise (vocal or digital) after a certain hour of the night* confrontational behaviour to others (defined as..)* putting themselves in harms way (wandering into the street, physically harming oneself)* any form of vandalism also believe some form of frequency penalty should be enforced. If 2 offenses, fine of x. If 3 offenses within a year, x."
- I haven't read it.
- I do not understand the intent the law is in place to do deal with problem.
- Shorter sentences, and NO exemptions
- "Slightly confused with the wording about consumption of alcohol in the open air. That means everywhere? Would have liked it to be a little more specific. A picnic in the park with maybe a one can of shandy, beer etc could be subject to a fine?"
- The policy language is legally sound yet accessible. However, additional clarification would be helpful on how "authorised Council officers" will be identified and deployed in practice.
- Understand the need for detailed document, but it should include a paragraph at the end for the PSPO in Layman's terms.
- You are only discriminating against probably some of the most vulnerable people in society you are aware that RBKC has the highest amount of people in whole of Europe with mental health issues. You should be more concerned about your poor inadequate housing of your residents instead of trying to steal what little money they have in a cost-of-living crisis



PSPO Across the Whole Borough

Respondents were asked if they support the proposal of introducing the PSPO for the whole borough.

- The majority agreed that the PSPO should cover the whole borough, 84 per cent of respondents.
- Eight per cent said that the PSPO should cover a smaller area, and six per cent selected 'I do not know' for their answer.



PSPO Across the Whole Borough - Comments

Respondents who said that the PSPO should not cover the whole borough were asked to explain their answer. There was 10 comments to this question. The comments are:

- No, the policy should not be in place.
- A borough-wide approach ensures consistency, avoids displacement of the problem to unregulated streets, and supports enforcement in mixed-use areas like Chelsea Green where alcohol licences and residential areas coexist closely.
- False choice. There should be NO PSPO.
- I believe that considering the limited resources available, it should cover the areas that have proven to be the most problematic.
- I think it should cover certain streets - e.g. around Earl's Court Road and neighbouring streets, (just one example) but I think there are other streets where I would not waste police time.
- It shouldn't happen at all, money spent in better facilities is needed.
- Probably not necessary in all areas. Should concentrate where needed like Earl's Court.
- Standard approach for its enforcing.
- This is a misleading question. Why isn't there the option to say no part of the borough.
- You can barely manage to implement this in Earl's Court how will you do full brough? GET IT RIGHT IN EARL'S COURT FIRST



Other comments about the PSPO

At the end of the survey questions, respondents were given the opportunity to make any other comments about the PSPO. There were 48 comments to this question.

Examples of comments can also be seen on the next page, with the full list of themes and comments found in the appendices.

Theme	Count
Support the introduction of the PSPO	16
Implementation concerns	15
Other safety/anti-social behaviour concerns	14
Not in support of the introduction of the PSPO	5
Other	3
Use clear language/better maps	2



Other comments about the PSPO

“Excellent idea - let's reclaim our streets and street benches.”

Support the introduction of the PSPO

“Please implement this as soon as possible, I live opposite a small park and the disruption from people who are drinking and noise into the night is unbearable.”

Support the introduction of the PSPO



“I support the PSPO, however, with police numbers down and lack of visible police around, who is going to enforce the ban? The wardens are seldom seen North of Notting Hill Gate and while I have seen them in Portobello, I have not seen them actively doing anything about ASB.”

Implementation concerns

“This PSPO should be extended and second PSPO to be proposed to include cannabis use in a public area, the use of cannabis is prolific through out the whole of Kensington and Chelsea, especially in North Kensington.”

Other safety/anti-social behaviour concerns

“Ensuring compliance may require additional resources and personnel.

The success of a PSPO depends on how well it is communicated and enforced within the community. It will disproportionately target certain groups, homeless and vulnerable. The focus is too narrow - drug related issues should be included, e.g. laughing gas.”

Implementation concerns

“Another loss of freedom.

Not in support of the introduction of the PSPO

“Move Notting Hill Carnival out of RBKC”

Other

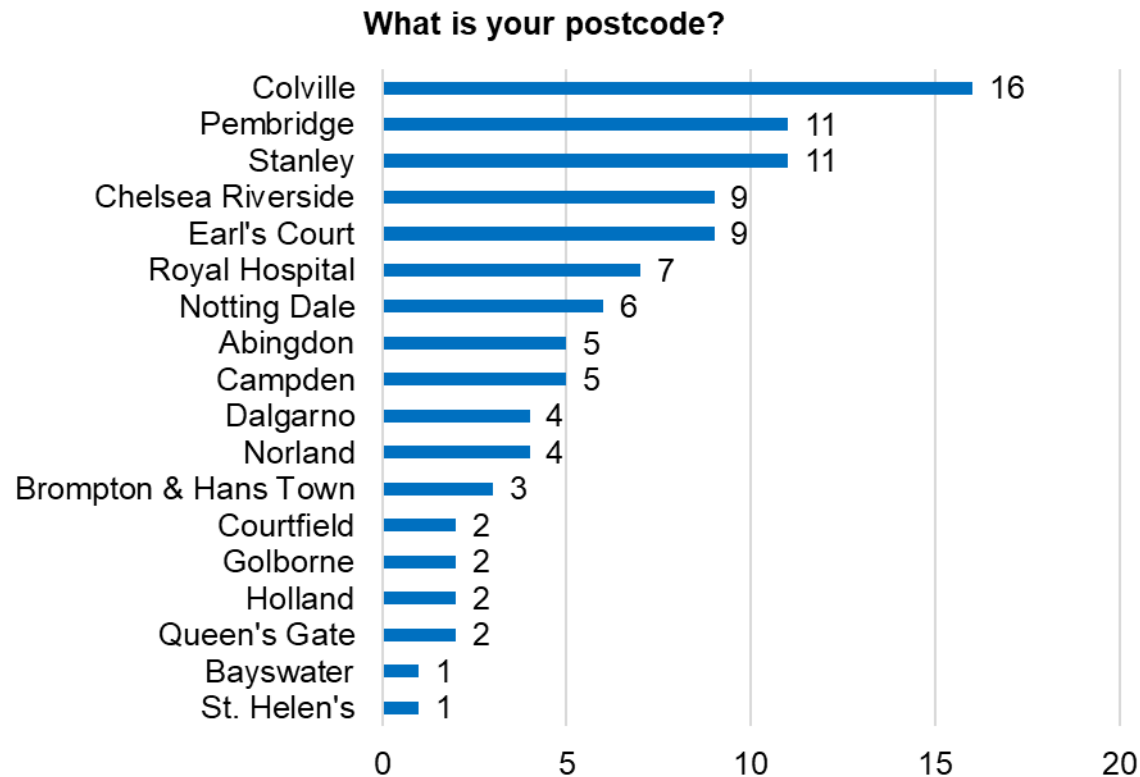


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Profile of respondents

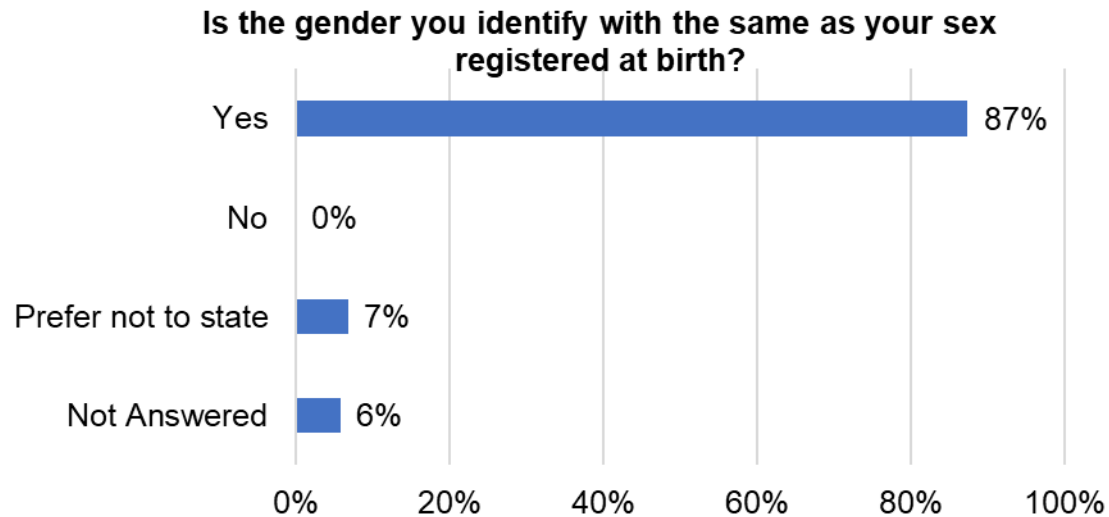
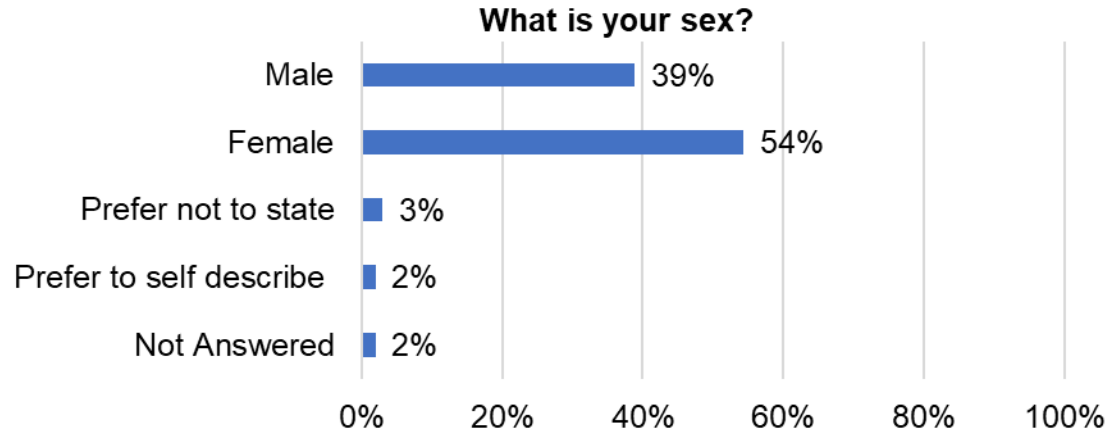
Respondents were asked a series of questions about themselves to help understand who took part in the consultation.

They were asked to provide their postcode — of the 103 total respondents, 100 provided a postcode. Of these, 99 responses came from within the Royal Borough of Kensington and Chelsea, and one response came from Westminster. The breakdown of responses by ward is shown in the graph below.

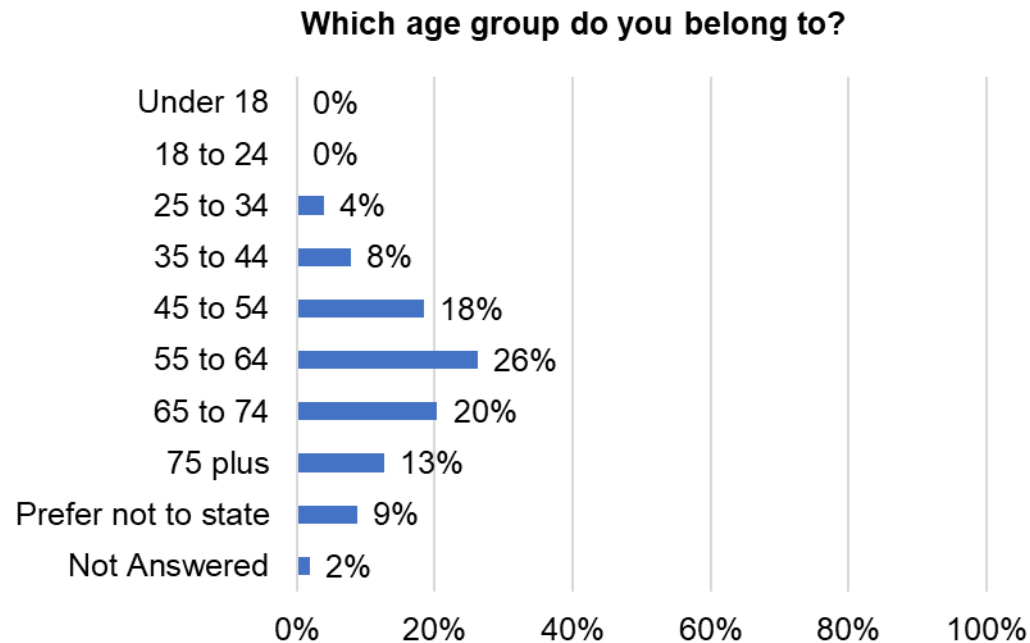
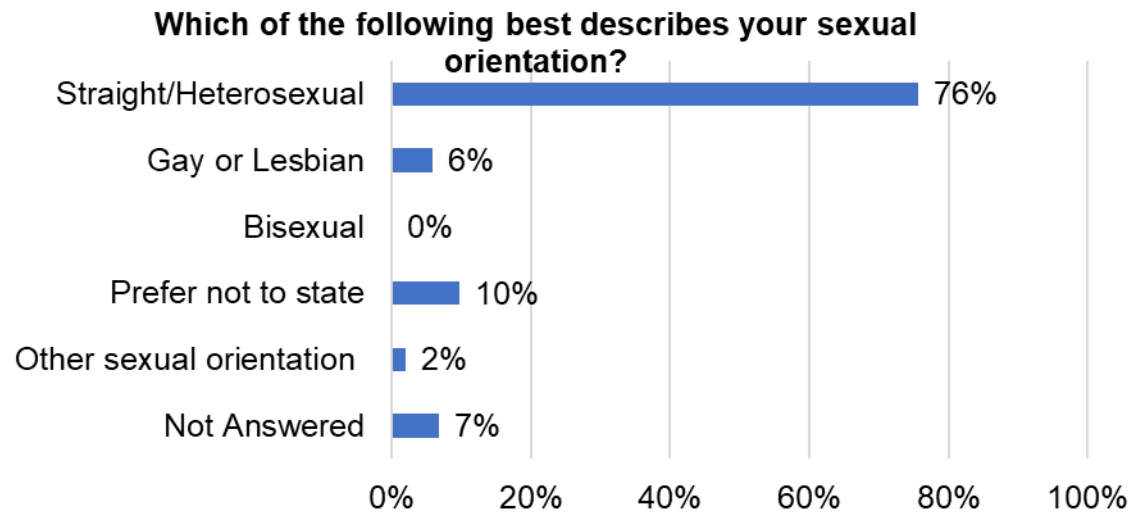


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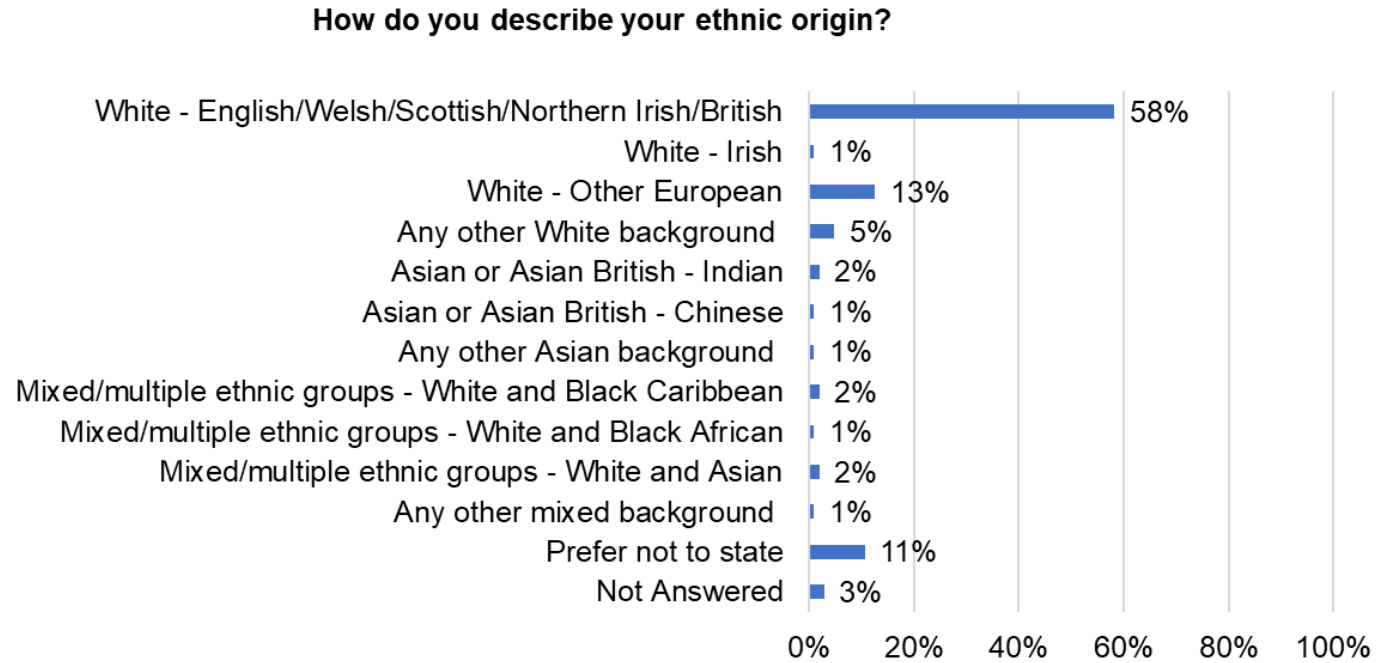
Profile of respondents



Profile of respondents



Profile of respondents

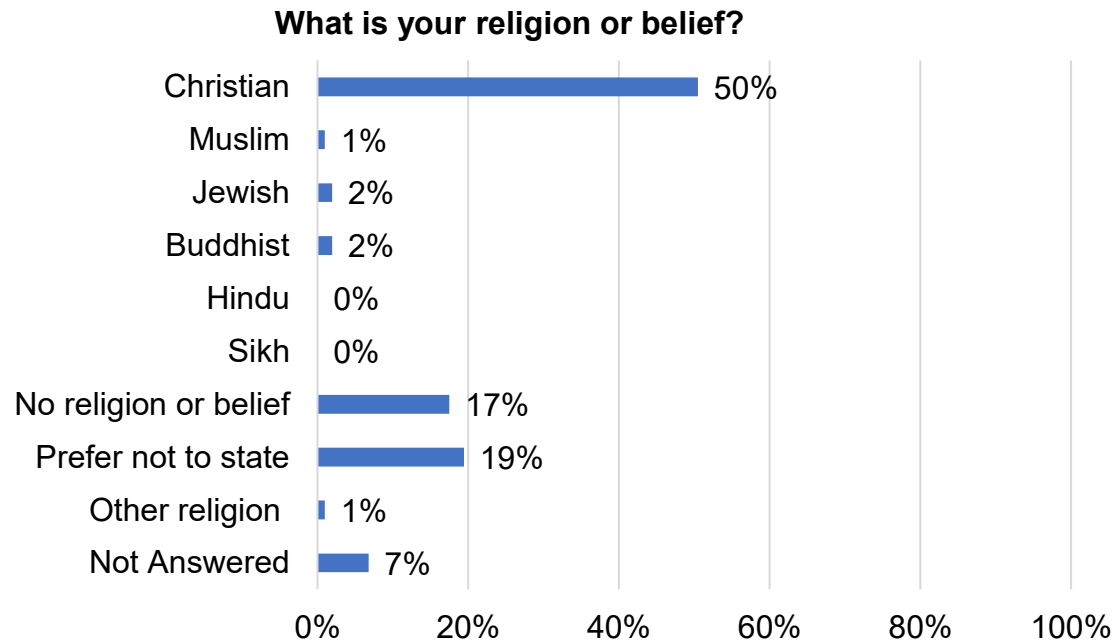


The graph shows the ethnic origins that were selected by respondents

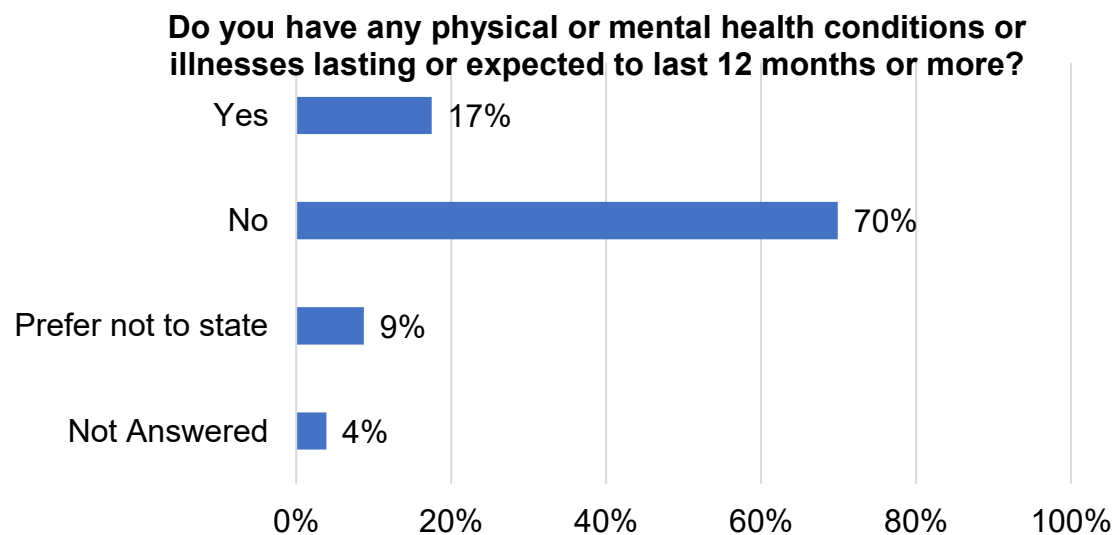


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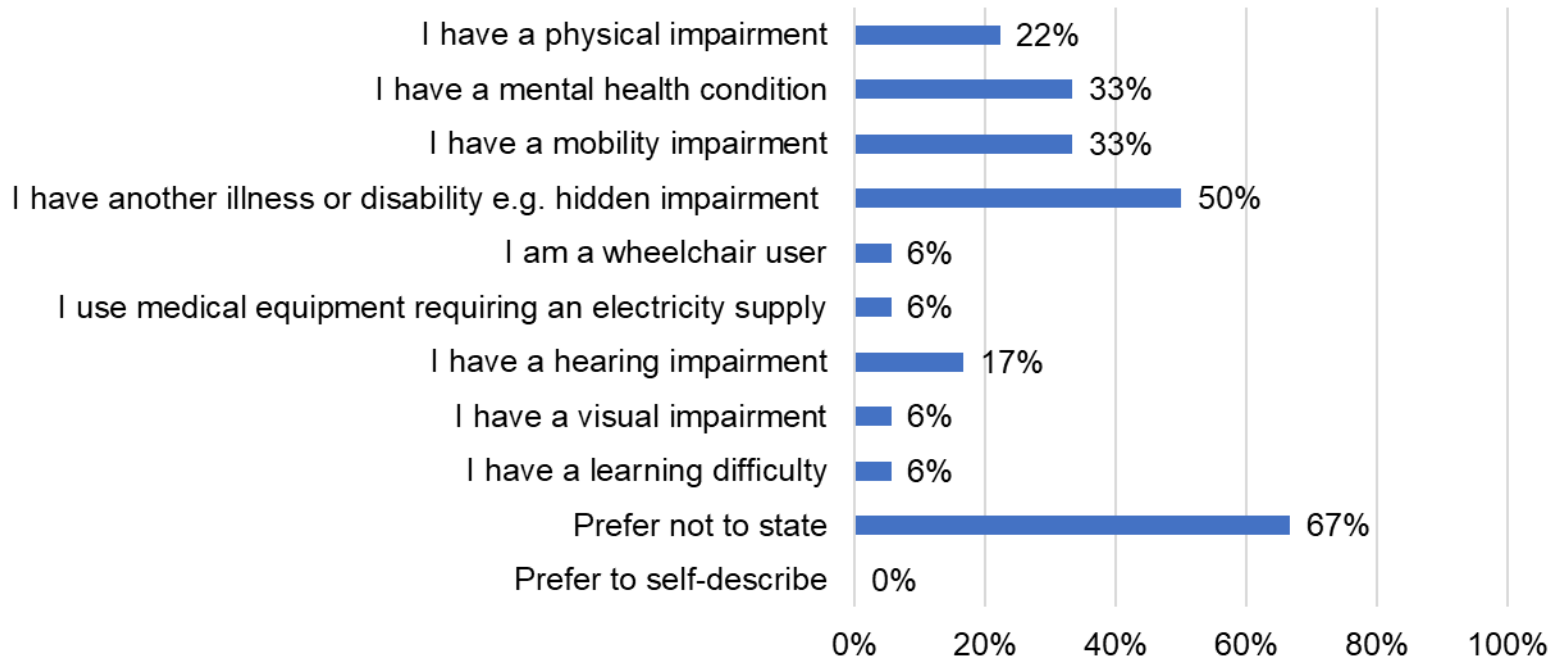


Profile of respondents



Profile of respondents

If yes, what is the nature of your physical or mental health condition or illness?



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