



CABINET

Tuesday 4 June 2019

PUBLIC SPACE PROTECTION ORDER - LATITUDE

EXECUTIVE SUMMARY

Provisions in the Anti-Social Behaviour Crime and Policing Act 2014 enable District Councils to make Public Space Protection Orders (PSPOs). The Home Office has issued guidance in which it is stated that PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of the area which apply to everyone.

The two Councils (at the time) agreed a 3 Year PSPO for the Latitude site (which spans both Suffolk Coastal and Waveney) in 2016. Suffolk Police have requested that Easts Suffolk Council consider extending the PSPO and therefore to conduct the necessary consultation in order to establish the level of support or otherwise for the proposed PSPO.

Is the report Open or Exempt?	Open
Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	N/A

Wards Affected:	Wenhaston and Westleton
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Cabinet Member:	Cllr Mary Rudd – Cabinet Member with responsibility for Community Health
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Supporting Officer:	Name: Rachel Tucker Job Title: Anti Social Behaviour officer 9Communities Team Telephone: 01502 523111 Email address: rachel.tucker@eastsuffolk.gov.uk
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1 INTRODUCTION

- 1.1 Provisions in the Anti-Social Behaviour Crime and Policing Act 2014 enable District Councils to make Public Space Protection Orders (PSPOs). The Home Office has issued clear guidance in which it is stated that PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of the area which apply to everyone. The order could also be used to deal with likely future problems.

2 LATITUDE FESTIVAL – HENHAM ESTATE BLYTHBURGH

- 2.1 Suffolk Police have requested that the local authority reconsider a further PSPO for the Latitude Festival event on the Henham Estate site relating to 'Legal Highs'.
- 2.2 The anti-social behaviour under consideration consists of the taking of legal highs in a public place, including the detrimental impact of this on other festival goers.

3 WHAT THE LEGISLATION REQUIRES

- 3.1 Section 59 of the 2014 Act states that a PSPO may be made if two conditions are satisfied.
- The first condition is that activities carried on in a public place within the authority's area have had or are likely to have a detrimental effect on the quality of life of those in the locality.
 - The second condition is that the effect or likely effect of those activities is or is likely to be of a persistent or continuing nature, is or is likely to be unreasonable, and, justifies the restrictions to be imposed.
- 3.2 A PSPO which was previously in place will expire before the commencement of the next Latitude event in July 2019. During the three year term of a PSPO it can be discharged or varied if circumstances changed. The previous PSPO has been in place for the full 3 year term i.e. three Latitude Festivals.
- 3.3 Enforcement of the requirements of a PSPO is a matter for the council in partnership with the local police.
- 3.4 The proposed restrictions are as follows: Distribution, possession, consumption, sale, offering or exposing for sale and supply of psychoactive substances (also known as "legal highs").

4 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?

- 4.1 This action contributes to the Business Plan Action 'Continue to work, with partners, to ensure East Suffolk remains a safe place for our communities'.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 5.1 The Order will be compliant with the Human Rights Act 1998 as long as the Council is reasonably satisfied that the measures in it are justified. Although the Order is at least partially directed at a youth facility and hence raises age specific issues, its effect is intended to be even handed and proportionate and so not to negatively impact any of the protected characteristic groups identified in the Equality Act.
- 5.2 There will be modest costs associated with advertising the order. As stated above the implementation and enforcement will be undertaken in partnership with the local police. It is not expected that any resource issues will arise as a result of the order.

6 OTHER KEY ISSUES

- 6.1 The making of a PSPO is a matter for the Council's Executive (Cabinet). Formal consultation with the Police, Town Council and residents is required before an Order can be made.
- 6.2 Cabinet is asked to authorise the consultation that is required and to delegate the making of an Order once the consultation is concluded to the Cabinet member responsible for Community Safety and Public Protection. The Cabinet member is of course able to refer the matter back to Cabinet by choice if the consultation exercise indicates that further discussion by Cabinet would be advisable.

7 CONSULTATION

- 7.1 The Council has engaged in initial consultation with Suffolk Police, relevant Cabinet Members, our in-house Legal Department and the Head of Communities.

8 OTHER OPTIONS CONSIDERED

- 8.1 The option of not having a PSPO in place for Latitude 2019 and onwards may be an option however initial consultation indicates wide support for a continuation of the current approach.

9 REASON FOR RECOMMENDATION

- 9.1 Suffolk Police have produced reports (enclosed) which highlight the potential dangers of legal highs which according to National statistics are on the increase. The effects of NPS are highlighted in a statement from Acting Detective Inspector Bodmer.
- 9.2 Peter Nicholson the Security Co-Ordinator for Latitude has said;
"The introduction of a Public Spaces Protection Order at Latitude Festival has provided a very useful tool in tackling a range of anti-social and criminal behaviour. From it being first introduced there has been a step-change in the effectiveness of security on site. The fact that it is in place gives security staff the confidence that enforcement is an option when dealing with these matters and provides even more safety at what is predominantly a family event."
- 9.3 Robin Pivett, Suffolk Constabulary's Controlled Drug Liaison Officer has provided a statement in which he highlights current local and national drug trends, the harm that NPS present and the amount of drugs & NPS found within amnesty bins in previous years at Latitude Festival.
- 9.4 The Psychoactive Substances Act 2016 introduced powers for police officers and other designated persons to deal with the production, importation and supply of NPS but did

not go so far as to make simple possession a criminal offence. This omission has resulted in a number of difficulties for event staff during large scale events.

- 9.5 Both the Police and Anti Social Behaviour Officer are satisfied that the effect of these activities is or is likely to be of a persistent or continuing in nature, is or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed by this order.

RECOMMENDATIONS

1. That Cabinet authorises a consultation upon the proposed order.
2. That the Cabinet Member with responsibility for Community Health be given delegated authority to authorise the making of a Public Space Protection order as set out in this report subject to and following the consultation process.

APPENDICES (List the title of each separate Appendix below)

Appendix A	PSPO Police Supporting Evidence
Appendix B	Statement of Robin James Pivett – Controlled Drugs Liaison Officer
Appendix C	Statement of Matthew Bodmer – A/DI 310
Appendix D	PSPO Process 2016
Appendix E	Map of proposed PSPO area

BACKGROUND PAPERS

Date	Type	Available From
8th July 2016	Previous PSPO	Communities Team