



## AGENDA

### RECORD OF OFFICER DECISION MEETING

Date: Thursday, 19 October 2017

Time: 10.00am

Venue: Cabinet Room, Swale House, East Street, Sittingbourne, Kent ME10 3HT

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	Pages
1. Decision to make a Public Spaces Protection Order (PSPO) entitled Alcohol Control Sheerness/Leysdown	1 - 4

Decision taken by the Head of Economy and Community Services.

**Issued on Monday, 23 October 2017**

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Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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## RECORD OF OFFICER DECISION

This form must be completed by or on behalf of the relevant Officer immediately after any decision has been made. Please send to the Proper Officer for publication in accordance with the Council's Constitution.	
<b>NAME OF OFFICER MAKING DECISION (INCLUDING JOB TITLE) AND THE DECISION BEING MADE</b>	<p>Charlotte Hudson Head of Economy and Community Services</p> <p>Decision to make a Public Spaces Protection Order (PSPO) entitled Alcohol Control</p>
<b>TITLE OF REPORT</b>	Public Spaces Protection Order – Sheerness / Leysdown Alcohol Control
<b>DATE THE DECISION WAS TAKEN</b>	19th October 2017
<b>SUMMARY OF REASONS FOR DECISION</b>	<p>The decision to implement a Public Spaces Protection Order in Sheerness High Street and the Leysdown area as identified on the following maps:  <a href="http://www.swale.gov.uk/assets/Community/Community-Safety/Leysdown-DPPO-new.pdf">http://www.swale.gov.uk/assets/Community/Community-Safety/Leysdown-DPPO-new.pdf</a>  <a href="http://www.swale.gov.uk/assets/Community/Community-Safety/Sheerness-DPPO-new.pdf">http://www.swale.gov.uk/assets/Community/Community-Safety/Sheerness-DPPO-new.pdf</a></p> <p>has been taken to provide a means of tackling the anti-social behaviour caused by those who are drinking in the street to excess and causing a nuisance to the local community.</p> <p>The Local Authority is satisfied that the conditions under s.59 of the Anti-social Behaviour, Crime and Policing Act 2014 providing the power to make an Order have been met and that interference with any human rights are justified. The Local Authority has also had regard to equality considerations when deciding to implement this Order.</p>
<b>BACKGROUND</b>	<p>This decision is taken under the Head of Economic and Community Services delegated powers as set out in the Constitution (part 3.4, para 39, page 55).</p> <p>A report was prepared by the Anti-Social Behaviour Officer which set out the reasons and evidence supporting the need for a PSPO and setting out the results of the public consultation which was considered by the Community Safety Partnership and subsequently Members at an informal meeting. Following public consultation via on line surveys and public events resulting in the recommendation an order be made with the prohibitions of the consumption of alcohol where it is, or is likely to be, detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone.</p> <p>It will be an offence for a person to fail to comply with a request from a Police Officer, Police Community Support Officer or an authorised person to cease drinking or surrender alcohol in the controlled zone.</p>

<b>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	<p>The option of not implementing the consumption of alcohol restriction within the designated area was considered and although the current Designated Public Protection Orders have not required enforcement it is believed to act as a deterrent factor in controlling alcohol related behaviour. Alternative sanctions have been considered such as Section 34 dispersals but these orders have a wider impact on policing and restricts the enforcement of alcohol control due to only lasting 48 hours in each application.</p>
<b>DETAILS OF ANY CONSULTATION UNDERTAKEN</b>	<p>The consultation was carried out from June to August 2017 over an eight week period.</p> <p>An online survey was made available through Swale Borough Council website. Links to the survey were also circulated to Parish Councils, Local Councillors and Kent County Council Members, all licensed premises within the designated areas, Chief of Police for Swale and Kent Police and Crime Commissioner (PCC).</p> <p><b>Key findings from the survey</b></p> <p>No objections to the PSPO to control the consumption of alcohol were submitted, however, 4 responses to “don’t know” were logged out of the 18 completed surveys. Only one survey respondent who supplied a “don’t know” answer commented:</p> <ul style="list-style-type: none"> <li>• not sure what it opens the door for in other aspects</li> </ul> <p>Those who identified supporting the PSPO proposal have included comments including:</p> <ul style="list-style-type: none"> <li>• Because too many people walk around drinking alcohol during the day and of an evening there is too many fights.</li> <li>• PLEASE. I never saw a place in my life that needed a "No Alcohol Zone" area more than downtown Sheerness.</li> <li>• Because all residents should have the right not to be confronted with drunken or loutish behaviour in a town centre.</li> </ul> <p>The Chief Constable and Police and Crime Commissioner (PCC) has been fully consulted during the process and have provided written support for the proposed order and subsequent prohibitions.</p>
<b>DETAILS OF ANY CONFLICTS OF INTERESTS</b>	<p>None</p>
<b>CONTACT FOR ENQUIRIES/FURTHER INFORMATION</b>	<p>Tina Grafton – Anti-social Behaviour Officer Swale Borough Council</p>
<p>A copy of this Notice will be published on the Council's website (<a href="http://www.swale.gov.uk">http://www.swale.gov.uk</a>)</p>	

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