

SUBJECT: Extending Public Spaces Protection Orders (PSPOs) to tackle Anti-Social Behaviour (ASB)
MEETING: Single Cabinet Member Decision
DATE: 14th October 2020
DIVISION/WARDS AFFECTED: Priory and Lansdown, Abergavenny; and Drybridge, Monmouth
CABINET MEMBER: County Councillor Sara Jones

1. PURPOSE:

1.1 To seek approval to extend three Public Spaces Protection Orders (PSPO) in respect of Bailey Park, Abergavenny; Abergavenny Lower, Abergavenny and Monmouth Town, Monmouth in Monmouthshire.

2. RECOMMENDATIONS:

- 2.1 To approve the extension of Public Spaces Protection Orders in respect of Bailey Park, Abergavenny; Abergavenny Lower and Monmouth Town in Monmouthshire.
- 2.2 That the three PSPOs which are due to expire 20th October 2020, be extended for a further three years to 20th October 2023.

3. KEY ISSUES:

3.1 Key Issues - Bailey Park

- 3.1.1 Historically there have been issues with Anti-Social Behaviour (ASB) in Bailey Park connected to the consumption of alcohol. The boundary of the park is identified on the attached map at **Appendix A1**.
- 3.1.2 Due to these issues a Designated Public Place Order (DPPO) was imposed in September 2008 by the Licensing Committee of Monmouthshire County Council.
- 3.1.3 The order provided the police with powers to deal with persons in possession of alcohol who had caused, were causing or likely to cause anti-social behaviour.
- 3.1.4 Under new legislation, The Anti-Social Behaviour, Crime and Policing Act 2014, which commenced 20th October 2014, the DPPO was replaced by the PSPO. Written into the act was the provision for the DPPO to remain in force for three years, when they would convert into a PSPO. This current order is due to expire in October 2020.

3.1.5 There have been a number of calls to Gwent Police complaining about alcohol related ASB in Bailey Park between 2018 and 2020. Gwent Police Logs data are attached at **Appendix A2**.

3.2 Key Issues – Abergavenny Town, Abergavenny

3.2.1 Historically there have been issues with Anti-Social Behaviour (ASB) in Abergavenny Town connected to the consumption of alcohol. The boundary of the area concerned is identified on the attached map at **Appendix B1**.

3.2.2 Due to these issues a Designated Public Place Order (DPPO) was imposed in September 2008 by the Licensing Committee of Monmouthshire County Council.

3.2.3 The order provided the police with powers to deal with persons in possession of alcohol who had caused, were causing or likely to cause anti-social behaviour.

3.2.4 Under new legislation, The Anti-Social Behaviour, Crime and Policing Act 2014, which commenced 20th October 2014, the DPPO was replaced by the PSPO. Written into the act was the provision for the DPPO to remain in force for three years, when they would convert into a PSPO. This current order is due to expire in October 2020.

3.2.5 There have been a number of calls to Gwent Police complaining about alcohol related ASB in Abergavenny Town between 2018 and 2020. Gwent Police Logs data are attached at **Appendix B2**.

3.3 Key Issues – Monmouth Town, Monmouth

3.3.1 Historically there have been issues with Anti-Social Behaviour (ASB) in Monmouth Town connected to the consumption of alcohol. The boundary of the area concerned is identified on the attached map at **Appendix C1**.

3.3.2 Due to these issues a Designated Public Place Order (DPPO) was imposed in October 2008 by the Licensing Committee of Monmouthshire County Council.

3.3.3 The order provided the police with powers to deal with persons in possession of alcohol who had caused, were causing or likely to cause anti-social behaviour.

3.3.4 Under new legislation, The Anti-Social Behaviour, Crime and Policing Act 2014, which commenced 20th October 2014, the DPPO was replaced by the PSPO. Written into the act was the provision for the DPPO to remain in force for three years, when they would convert into a PSPO. This current order is due to expire in October 2020.

3.3.5 There have been a number of calls to Gwent Police complaining about alcohol related ASB Monmouth Town between 2018 and 2020. Gwent Police Logs data are attached at **Appendix C2**.

4. REASONS:

- 4.1 Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 states Local Authorities have the responsibility to make a Public Spaces Protection Order providing two conditions are met:
- 4.2 The first condition is that –
- (a) Activities carried out in a public space within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) It is likely that activities will be carried on in a public place within that area and they will have such an effect.
- 4.3 The second condition is that the effect, or likely effect, of the activities –
- (a) Is, or is likely to be, of a persistent or continuing nature;
 - (b) Is, or is likely to be, such as to make the activities unreasonable, and,
 - (c) Justifies the restrictions imposed by the police.
- 4.4 A Public Spaces Protection Order is an Order that prohibits specified activities taking place in a restricted area.
- 4.5 Not to extend the PSPOs would mean that the orders will expire on 20th October 2020 and will be discharged, that would undoubtedly give rise to the return of the problems within the localities, to the detriment of the local communities.

5. RESOURCE IMPLICATIONS:

- 5.1 The Community Safety Officer will work with Gwent Police and community partners as part of the substantive role to issue the Public Spaces Protection Orders and Gwent Police will enforce the Order through their usual policing practices.
- 5.2 Should the Order be granted, there is a requirement for signage to be erected outlining the conditions of the Order. The cost of signage will be met from the Community Safety existing budgets.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

7. CONSULTEES

- 7.1 Under the Anti-social Behaviour, Crime and Policing Act 2014, no consultation was required in 2017 to convert the DPPO into the PSPO as no objections had been raised in the preceding three years of the order. From the 20th October 2017 they were treated as PSPO's.

- 7.2 Under the Act, at any point before expiry, the council can extend a PSPO by up to three years if they consider it is necessary to prevent the original behaviour from occurring or recurring.
- 7.3 Consultation has taken place with the Chief Officer of Gwent Police for the concerned areas in order to establish the necessity of continuing with the restrictions, and they have confirmed their agreement to the extension of the PSPO.
- 7.4 In addition consultation was also carried out with the community in the effected areas in a slightly curtailed way due to COVID-19 restrictions, via a questionnaire circulated on social media platforms. This extended from 10th August – 17th September 2020, a period of five weeks.
- 7.5 The below statutory partners and other identified stakeholders were emailed advising of the proposal and invited to provide feedback as part of the consultation. These include:
- Chief Constable, Gwent Police
 - Police & Crime Commissioner (PCC)
 - County Councillor, Priory, Castle, Grofield and Drybridge Wards
 - Gwent Police, Abergavenny and Monmouth local policing teams
 - MCC – Senior Management Team
 - MCC Car Park Manager
 - MCC Head of Operations
 - MCC Head of Legal
 - MCC Head of Public Protection
 - Abergavenny and Monmouth Town Council Clerks
- 7.6 The local police support the continuation of the restrictions imposed by the PSPO's in their current format.
- 7.7 The draft PSPO's are attached.

7 BACKGROUND PAPERS:

Anti-Social Behaviour, Crime and Policing Act (2014)

8 AUTHOR:

Andrew Mason Community Safety Officer, Community and Partnership Development Team

9 CONTACT DETAILS:

Email - andrewmason@monmouthshire.gov.uk

10 APPENDICES

Appendix A1 – Bailey Park Map

Appendix A2 – Police Logs Data

Appendix B1 – Abergavenny Town Map

Appendix B2 – Police Logs Data

Appendix C1 – Monmouth town Map

Appendix C2 – Police Logs Data

Appendix D1 – Draft PSPO – Bailey Park

Appendix D2 – Draft PSPO – Abergavenny Town



Appendix D3 – Draft PSPO – Monmouth Town

Appendix E – Result of Consultation

Appendix F - Future Generations Evaluation

Appendix A1 – Bailey Park Map



	Bailey Park PSPO Public Spaces Protection Order - Sec 59 ASB, Crime and Policing Act 2014 Northamptonshire County Council, County Hall, The Rhadyr, Usk. NP15 1GA		
	Scale : 1:2835	Printed : 1/9/2017 at 14:32 PM	

Appendix A2 – Police Logs Data

PUBLIC SPACE PROTECTION ORDER (PSPO): BAILEY PARK, ABERGAEVNNY

Below is the list provided of calls to Bailey Park, Abergavenny for the previous 24 months beginning on 01/10/2018. As is evident from the below list, the root cause of all anti-social behaviour issues within the park grounds is related to alcohol and/or drug use. The PSPO has provide police with the power to issue warnings, disperse persons from the park and confiscate alcohol.

Calls 01/10/2018-09/09/2020.

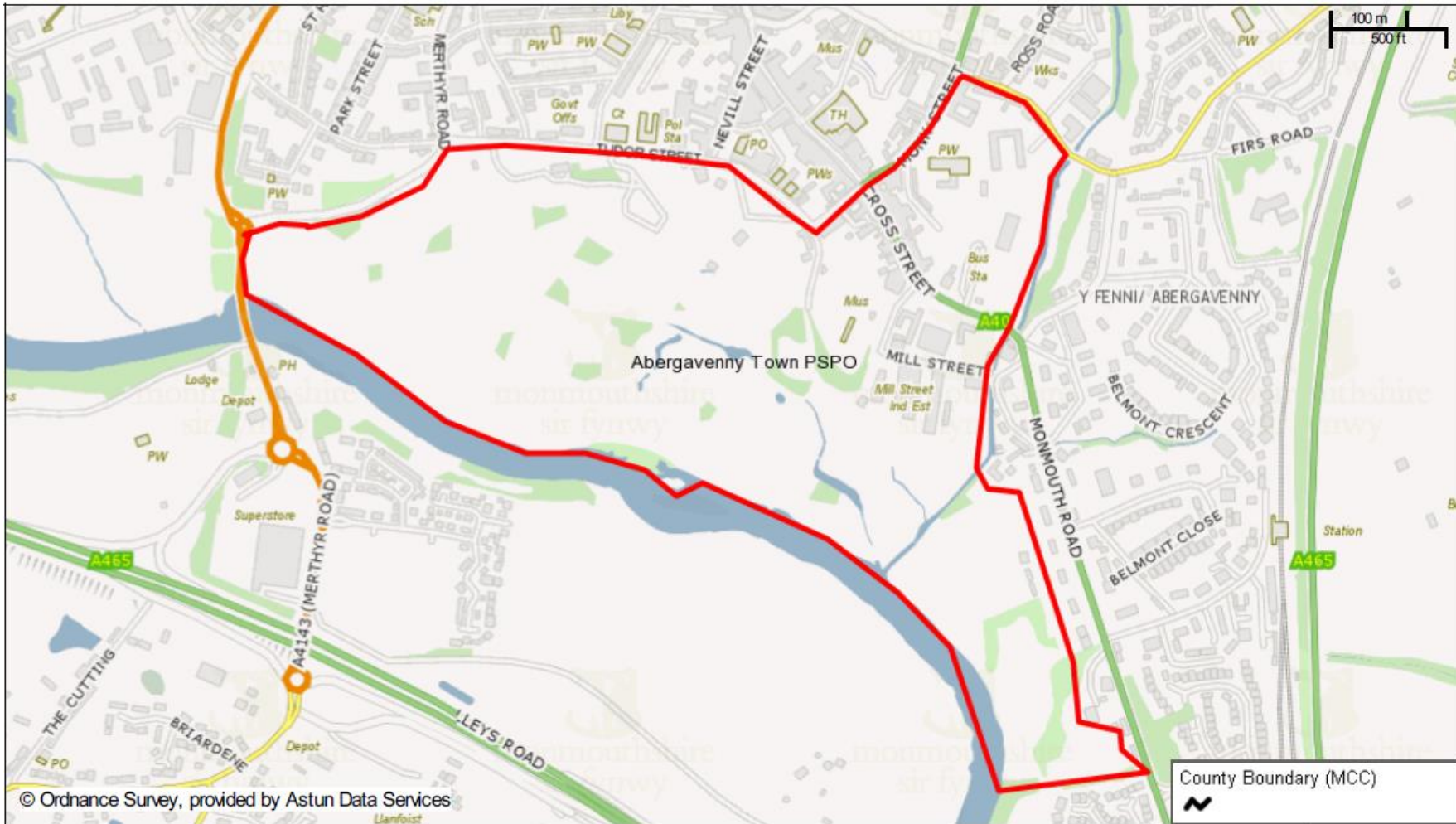
LOG	DATE/TIME	TYPE	CIRCUMSTANCES
GWP-20181228-0510	28/12/2018 22:14	ASB	Report youths had set fire to grandstand in the park.
GWP-20190320-0264	20/03/2019 14:42	DRUGS	Report of youths dealing drugs in the park.
GWP-20190321-0527	21/03/2019 20:37	ASB	Report of group of kids in the grandstand drinking, smoking cannabis and playing loud music.
GWP-20180323-0313	23/03/2019 15:06	ASB	Group of young girls drinking alcohol and swearing in the park.
GWP-20190722-0460	22/07/2018 18:45	ASB	Report of abusive youths in the park.
GWP-20190721-0064	21/07/2019 02:44	ASB	Report of youths in the park trying to overturn temporary public toilets.
GWP-20190820-0415	20/08/2019 17:59	ASB	Report of dozens of youths underage drinking in the park and causing a general nuisance. Made off on officers arrival.
GWP-20190825-0596	25/08/2019 21:23	ASB	Report of intoxicated males fighting in the park.
GWP-20190830-0188	30/08/2020 12:13	ASB	Reports of male drinking alcohol and smoking cannabis in the park. Located and dispersed from the park in breach of PSPO.
GWP-20190831-0380	31/08/2019 18:22	ASB	Call regarding fighting amongst youths and alcohol being poured on one youth.
GWP-20191007-0362	07/10/2019 16:35	ASB	Youths in the shelter drinking, smoking and playing loud music. Caller stated they are there regularly.
GWP-20191016-0411	16/10/2019 18:25	ASB	Youths hanging around in the park being rowdy and intimidating. Officers attended all persons were heavily intoxicated.
GWP-20191101-0288	01/11/2019 14:24	ASB	Youths setting off fireworks in the park.
GWP-20191217-0323	17/12/2019 16:31	DRUGS	2 young males found in possession of cannabis.
GWP-20200307-0060	07/03/2020 04:13	ASB	Intoxicated male shouting Help me. Officers attended and took the intoxicated youth home to his parents.
GWP-20200326-0296	26/03/2020 02:06	ASB	Call reporting group of kids drinking in the bandstand. On officers attendance they have dispersed.
GWP-20200327-0146	27/03/2020 11:35	ASB	Reports of 5 youths congregating in the park, on officers arrival they have dispersed.
GWP-20200502-0467	02/05/2020 22:44	ASB	Report of a large group hanging around in the park near the bandstand. Area search negative.
GWP-20200520-0169	20/05/2020 12:31	ASB	2 young males setting fire to grass in the park.
GWP-20200609-0366	09/06/2020 16:52	ASB	Large gathering of youths in the park.
GWP-20200626-0579	26/06/2020 20:11	Criminal damage	1 calls received about a group of young males around 14 years old damaging the roof and throwing stones at the bandstand.
GWP-20200627-0177	27/06/2020 11:24	ASB	Call reporting intoxicated female harassing members of the public in the park.
GWP-20200627-0373	27/06/2020 17:18	ASB	Group of youths gathering and drinking.
GWP-20200716-0250	16/07/2020 15:17	ASB	Deliberate refuse fire set in the park.

GWP-20200725-0005	25/07/2020 00:10	ASB	Call reporting large group of youths in the park shouting and drinking.
GWP-20200729-0028	29/07/2020 01:52	ASB	Call reporting group of youths smashing up the park.
GWP-20200807-0428	07/08/2020 18:28	ASB	Large groups gathering in the park shouting and swearing.
GWP-20200811-0581	11/08/2020 22:04	ASB	Call reporting large group of youths fighting in the park. Officers attended and escorted them out of the park due to being intoxicated.
GWP-20200812-0188	12/08/2020 11:36	DRUGS	Call reporting group of adults smoking cannabis. Officers attended located large group of adults drinking. All moved on from the park as breach of PSPO.
GWP-20200908-0347	08/09/2020 18:27	ASB	Reports of 2 young females fighting in the park.

Local officers have also received complaints via email from concerned members of the public regarding alcohol/drugs use in the park grounds. Below is a list of recent emails regarding Bailey Park.

10/09/2020	Complaint from local resident to Bailey Park stating that they have attended at the park on numerous occasions in the last 12 months especially after a Friday and Saturday night and located bottles and beer cans strewn all over different areas of the park. The sensory garden and the football stand seems to be where the youths congregate and has located a small 1 inch polythene packets which they believe to have contained some sort of drug. The picnic tables in the sensory garden are have been used for drug taking with the tops having been scorched. Numerous residents are always telling them that parties are being held as late as 2 am in the mornings.
11/09/2020	Complaint vi email from local resident concerned about alcohol and drug consumption in Bailey park. This is associated with a lot of littering and on occasion's vandalism. Anything that be done to lessen the problem would be appreciated.
09/09/2020	Complaint via email stating the area near the main gates, near to the Bailey pub, is a regular area for alcohol parties. The ground is covered in bottles tins discarded from the huge drinks drugs sessions.
09/09/2020	Complaint via email that there is evidence of alcohol being used in the park due to large amount of beer bottles/cans strewn around.

Appendix B1 – Abergavenny Lower Map



© Ordnance Survey, provided by Astun Data Services

County Boundary (MCC)



Abergavenny Town PSPO

Public Spaces Protection Order - Section 59 ASB, Crime and Policing Act 2014

Monmouthshire County Council, County Hall, The Rhadyr, Usk. NP15 1GA

Scale : 1:7087

Printed : 1/9/2017 at 14:14 PM

Grid Ref: 329811,213801



Appendix B2 – Police Logs Data

PUBLIC SPACE PROTECTION ORDER (PSPO): ABERGAVENNY LOWER

Below is the list provided of calls to Abergavenny Lower, Abergavenny for the previous 24 months beginning on 01/10/2018. As is evident from the below list, the root cause of all anti-social behaviour issues within the specified area is related to alcohol and/or drug use. The PSPO has provide police with the power to issue fines, disperse persons from the park and confiscate alcohol.



Calls 01/10/2018-09/09/2020.

LOG NUMBER	DATE/TIME	TYPE	CIRCUMSTANCES
GWP-20181110-0588	10/11/2018 23:45	ASB	Intoxicated male in the street causing issues with youths. Male taken to A&E.
GWP-20181204-0375	04/12/2018 14:14	ASB	Male living in Tent in swan meadows, rubbish and alcohol present.
GWP-20190424-0030	24/04/2019 01:15	asb	Intoxicated teenage female located unconscious. 2 other intoxicated teenage females with her.
GWP-20190521-0381	21/05/2019 17:33	ASB	Intoxicated male lead in the middle of the road. Male made off prior to officers arrival.
GWP-20190614-0447	14/06/2019 20:54	ASB	15 Underage persons drinking alcohol with loud music. Made off prior to officers arrival.
GWP-20190629-0382	29/06/2019 15:35	ASB	Intoxicated female unresponsive in park. Located and taken in to care of her friends.
GWP-20190629-0510	29/06/2019 19:19	ASB	Group of youths drinking alcohol and using foul language. Located and moved on by police.
GWP-20190906-0291	06/09/2019 15:20	ASB	Intoxicated male being aggressive, drinking from a big bottle of beer. Male removed by police from the location.
GWP-20190916-0415	16/09/2019 18:13	ASB	Report of 3 homeless persons drinking, swearing and possibly taking drugs in park. Made off prior to officers arrival.
GWP-20190919-0005	19/09/2019 00:27	PUBLIC ORDER	Intoxicated male in bus stop. Has then caused criminal damage to bus shelter.
GWP-20190921-0355	21/09/2019 15:28	ASB	Intoxicated male aggressive to members of the public. Located and moved on by police.
GWP-20191028-0069	28/10/2019 08:01	ASB	Wanted male located living in a tent in Castle meadows orchard. Alcohol in tent and rubbish strewn across the area.
GWP-20200327-0238	27/03/2020 13:49	ASB	Report of people partying down on the castle meadows. Area search negative.
GWP-20200507-0381	07/05/2020 16:25	ASB	Report of 13 persons drinking and taking drugs along the Castle Meadows.
GWP-20200507-0401	07/05/2020 16:44	ASB	Group of people drinking and being rowdy along the Castle meadows. Area search negative.
GWP-20200516-0175	16/05/2020 11:35	ASB	Group gathering in the bus station and drinking alcohol. Located and dispersed by police with words of advice given.
GWP-20200519-0474	19/05/2020 20:16	ASB	Intoxicated male drinking vodka and sleeping in the bus stop. Located by officers, ambulance called.

GWP-20200530-0424	30/05/2020 17:41	ASB	Group of people with caravans, horses and traps broken on to castle meadows. Drinking alcohol with loud music. 6 Calls from different callers.
GWP-20200530-0435	30/05/2020 18:01		
GWP-20200530-0436	30/05/2020 18:02		
GWP-20200530-0454	30/05/2020 18:18		
GWP-20200530-0490	30/05/2020 19:01		
GWP-20200530-0590	30/05/2020 21:06		

Appendix C1 – Monmouth Town Map



	Monmouth Town PSPO Public Spaces Protection Order - Section 59 ASB, Crime and Policing Act 2014 Monmouthshire County Council, County Hall, The Rhadyr, Usk. NP15 1GA		
	Scale : 1:9206	Printed : 1/9/2017 at 15:53 PM	

Appendix C2 – Police Logs Data

PUBLIC SPACE PROTECTION ORDER (PSPO): Monmouth Town

Below is the list provided of calls to Monmouth Town centre for the previous 24 months beginning on 01/10/2018. As is evident from the below list, the root cause of all anti-social behaviour issues within the town centre and local playing fields is related to alcohol and/or drug use. The PSPO has provide police with the power to issue fines, disperse persons from the local area and confiscate alcohol.

Calls 01/09/2018-09/09/2020.

LOG NUMBER	DATE/TIME	TYPE	CIRCUMSTANCES
GWP-20181010-0366	10/10/2018 18:27	Drugs	Drugs being dealt on the cricket field amongst youths.
GWP-20181103-0289	03/11/2018 14:06	ASB	Youths trying to set grass on fire.
GWP-20181105-0535	05/11/2018 19:44	ASB	20 youths congregating by the river setting off fireworks.
GWP-20181118-0038	18/11/2018 00:53	ASB	50 intoxicated young adults refusing to leave the football pitch. Officers attended and
GWP-20181225-0060	25/12/2018 02:06	ASB	Intoxicated youths shouting and swearing outside in the street.
GWP-2019-0220-0598	20/02/2019 20:39	ASB	Group of intoxicated youths on the town centre.
GWP-20190326-0495	26/03/2019 18:57	ASB	Group of intoxicated youths messing around with cars in store car park.
GWP-20190426-0283	26/04/2019 16:03	ASB	2 teenage girls intoxicated rolling around on the floor.
GWP-20190420-0634	20/04/2019 22:39	ASB	Call reporting 30 underage drinkers being rowdy.
GWP-20190418-0679	18/04/2019 23:51	ASB	Intoxicated male drinking and urinating in town square.
GWP-20190531-0606	31/05/2019 22:32	ASB	Intoxicated youths throwing glass bottles in the street.
GWP-20190519-0119	19/05/2019 09:17	Public Order	Male being abusive to store staff in the street.
GWP-20190518-0413	18/05/2019 19:54	ASB	Group of intoxicated young females. 1 unresponsive.
GWP-20190511-0421	11/05/2019 17:25	ASB	Alcohol confiscated off 2 underage persons in the street.
GWP-20190602-0153	02/06/2019 07:57	Public Order	Male arrested for shouting and swearing in the street.
GWP-20190622-0362	22/06/2019 17:18	ASB	Large group of adults with children drinking alcohol in playing field. Details taken and dispersed.
GWP-20190719-0430	19/07/2019 19:12	ASB	Intoxicated 15-year-old female found unresponsive in park.
GWP-20190724-0186	24/07/2019 12:09	ASB	Intoxicated male shouting and swearing in the street.
GWP-20190731-0450	31/07/2019 18:48	ASB	Report of 7 x 13 year old youths drinking alcohol.

GWP-20190906-0152	06/09/2019 11:19	Public Order	Report of homeless male shouting and swearing at passers-by.
GWP-20191129-0422	29/11/2019 18:28	ASB	Call reporting youths drinking and using drugs. No one located.
GWP-20191224-0299	24/12/2019 18:15	ASB	Call Reporting 5 males with 48 cans of cider and smoking cannabis.
GWP-20191224-0389	24/12/2019 21:42	ASB	Call reporting 6 youths drinking and smoking cannabis. All persons made off on police arrival.
GWP-20200325-0246	25/03/2020 14:16	ASB	Report of 12 youths drinking on playing fields.
GWP-20200308-0275	08/03/2020 14:42	ASB	Male drinking from can offering drugs to 12 year olds.
GWP-20200406-0630	06/04/2020 21:22	ASB	Call of 6 males arguing. Officers located 6 very intoxicated males still drinking and sent on their way home.
GWP-20200606-0197	06/06/2020 13:35	Public Order	Male drinking cans and shouting abuse at passers-by.
n.a	17/06/2020 18:00	Public Order	Large party of youths dispersed on playing fields, alcohol seized.
GWP-2020730-0481	30/07/2020 20:31	Public Order	Intoxicated male shouting and swearing in the street at passer-by.
n.a	16/08/2020 16:00	ASB	Group of 20 youths. 3 stopped in possession of alcohol, the rest made off. Strike letters sent to parents.
GWP-20200822-0005	22/08/2020 00:46	ASB	Report of youths having party on playing field. Youths seen leaving as officers arrived.

MONMOUTHSHIRE COUNTY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
Public Space Protection Order (PSPO) covering Bailey Park, Abergavenny

Monmouthshire County Council (“the Council”) in exercise of its powers under Sections 59, 60, 62, 63, 66, 67, 68 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers hereby makes the following order.

1. The Order shall come into operation on 20th October 2020 and shall have effect for a period of 3 years thereafter unless varied or discharged by further orders of the Council.
2. The Order relates to the areas defined edged red on the attached map(s) known as Bailey Park (referred to in this Order as “the Restricted Area”).
3. The Order is made because the Council is satisfied on reasonable grounds that activities at the Restricted Area are having a detrimental effect on the quality of life of those in the locality, or it is likely that activities will have such an effect, and that the effect is, or will be, of a persistent or continuing nature and is, or will be, unreasonable and justifies the restrictions imposed by the Order.
4. In making this Order consultation has taken place with the Chief Constable, the Office of the Police and Crime Commissioner, relevant community representatives, the Town and Community Councils, and owners/occupiers of the Restricted Area (where relevant) and of neighbouring properties.
5. The effect of the Order is to impose the following prohibitions and requirements within any part of the Restricted Area.
 - 5.1. No person shall within the restricted area refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance and disorder.**
 - 5.2. This Order does not prevent the taking place of community events organised by the Council**
6. Section 67 of the Act applies to the prohibitions and requirements set out in paragraphs 5.1 to 5.2 of this Order, namely:
 - 6.1. It is an offence for a person without reasonable excuse
 - a) To do anything that the person is prohibited from doing by paragraphs 5.1 to 5.2 of this Order
 - b) To fail to comply with a requirement to which a person is subject under paragraph 5.1 to 5.2 of this Order

- 6.2. A person guilty of an offence under this section is liable under summary conviction to a fine not exceeding level 3 on the standard scale (or to a Fixed Penalty Notice of a maximum of £100 as an alternative to the prosecution).
- 6.3. A person does not commit an offence under this section by failure to comply with a prohibition or requirement that the Council does not have power to include in the Public Spaces Protection Order

7. Appeals

- 7.1. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.
- 7.2. The right to challenge also exists where an Order is varied by the Council. Interested persons can challenge the validity of this Order on two grounds: that the Council did not have power to make the Order, or to include particular prohibitions or requirements; or that a requirement of the legislation was not complied with in relation to the Order.

MONMOUTHSHIRE COUNTY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Public Space Protection Order (PSPO) covering Abergavenny Town, Abergavenny

Monmouthshire County Council (“the Council”) in exercise of its powers under Sections 59, 60, 62, 63, 66, 67, 68 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers hereby makes the following order.

1. The Order shall come into operation on 20th October 2020 and shall have effect for a period of 3 years thereafter unless varied or discharged by further orders of the Council.
2. The Order relates to the areas defined edged red on the attached map(s) known as Abergavenny Town (referred to in this Order as “the Restricted Area”).
3. The Order is made because the Council is satisfied on reasonable grounds that activities at the Restricted Area are having a detrimental effect on the quality of life of those in the locality, or it is likely that activities will have such an effect, and that the effect is, or will be, of a persistent or continuing nature and is, or will be, unreasonable and justifies the restrictions imposed by the Order.
4. The Order is made because the Act allows for the transition of existing designated public place orders to Public Space Protection Orders where three years has elapsed since the commencement date of the Act.
5. In making this Order consultation has taken place with the Chief Constable, the Office of the Police and Crime Commissioner, relevant community representatives, the Town and Community Councils, and owners/occupiers of the Restricted Area (where relevant) and of neighbouring properties.
6. The effect of the Order is to impose the following prohibitions and requirements within any part of the Restricted Area.
 - 6.1. **No person shall within the restricted area refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance and disorder.**
 - 6.2. **This Order does not prevent the taking place of community events organised by the Council**
7. Section 67 of the Act applies to the prohibitions and requirements set out in paragraphs 5.1 to 5.2 of this Order, namely:
 - 7.1. It is an offence for a person without reasonable excuse

- a) To do anything that the person is prohibited from doing by paragraphs 5.1 to 5.2 of this Order
 - b) To fail to comply with a requirement to which a person is subject under paragraph 5.1 to 5.2 of this Order
- 7.2. A person guilty of an offence under this section is liable under summary conviction to a fine not exceeding level 3 on the standard scale (or to a Fixed Penalty Notice of a maximum of £100 as an alternative to the prosecution).
- 7.3. A person does not commit an offence under this section by failure to comply with a prohibition or requirement that the Council does not have power to include in the Public Spaces Protection Order

8. Appeals

- 8.1. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.
- 8.2. The right to challenge also exists where an Order is varied by the Council. Interested persons can challenge the validity of this Order on two grounds: that the Council did not have power to make the Order, or to include particular prohibitions or requirements; or that a requirement of the legislation was not complied with in relation to the Order.

MONMOUTHSHIRE COUNTY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
Public Space Protection Order (PSPO) covering Monmouth Town, Monmouth

Monmouthshire County Council (“the Council”) in exercise of its powers under Sections 59, 60, 62, 63, 66, 67, 68 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers hereby makes the following order.

1. The Order shall come into operation on 20th October 2020 and shall have effect for a period of three years thereafter unless varied or discharged by further orders of the Council.
2. The Order relates to the areas defined edged red on the attached map(s) known as Monmouth Town (referred to in this Order as “the Restricted Area”).
3. The Order is made because the Council is satisfied on reasonable grounds that activities at the Restricted Area are having a detrimental effect on the quality of life of those in the locality, or it is likely that activities will have such an effect, and that the effect is, or will be, of a persistent or continuing nature and is, or will be, unreasonable and justifies the restrictions imposed by the Order.
4. In making this Order consultation has taken place with the Chief Constable, the Office of the Police and Crime Commissioner, relevant community representatives, the Town and Community Councils, and owners/occupiers of the Restricted Area (where relevant) and of neighbouring properties.
5. The effect of the Order is to impose the following prohibitions and requirements within any part of the Restricted Area.
 - 5.1. **No person shall within the restricted area refuse to stop drinking alcohol or hand over containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance and disorder.**
 - 5.2. **This Order does not prevent the taking place of community events organised by the Council**
 - 5.3. **In respect of Chippenham Mead fields no glass containers allowed.**
6. Section 67 of the Act applies to the prohibitions and requirements set out in paragraphs 5.1 to 5.3 of this Order, namely:
 - 6.1. It is an offence for a person without reasonable excuse
 - a) To do anything that the person is prohibited from doing by paragraphs 5.1 to 5.3 of this Order

b) To fail to comply with a requirement to which a person is subject under paragraph 5.1 to 5.3 of this Order

6.2. A person guilty of an offence under this section is liable under summary conviction to a fine not exceeding level 3 on the standard scale or a Fixed Penalty Notice of maximum £100 as an alternative to the prosecution (reduced to £75 if paid within 14 days).

6.3. A person does not commit an offence under this section by failure to comply with a prohibition or requirement that the Council does not have power to include in the Public Spaces Protection Order

7. Appeals

7.1. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits any of the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.

7.2. The right to challenge also exists where an Order is varied by the Council. Interested persons can challenge the validity of this Order on two grounds: that the Council did not have power to make the Order, or to include particular prohibitions or requirements; or that a requirement of the legislation was not complied with in relation to the Order.

Appendix E – Consultation Results

Town Councillor, Monmouth Town - 07/08/2020

“Regarding the PSPO, I believe that this order should be continued.

At the moment, the order covers the town including the Chippingham mead, could this order please also include the Two River Meadow, which is part of the Chippingham mead.

There is a small group of volunteers who try to look after this area, unfortunately, the volunteers continually having to clear up empty alcoholic drink cans and bottles, and also having to repair damaged benches and picnic tables that appear to be damaged by drunken individuals, normally there are many empty cans surrounding the broken benches and tables.” Regards, **Cllr Terry Christopher**

Abergavenny Town Council – 24/08/2020

Hi Andrew

Abergavenny Town Councillors support the extension of the PSPOs at Bailey Park, Fairfield CP and Town Centre.

Regards, **Jane Lee Town Clerk** 01873 735820/07473 977041 clerk@abergavennytowncouncil.gov.uk

Gwent Police – 23/09/2020

Thanks for the email and huge amount of work you have been involved in to make these orders permanent as we move forward. The existence of the orders have reduced ASB incidents and allowed us to take positive. We know that all of our communities throughout Monmouthshire have been surveyed using the “Your Voice” platform and as a result have nominated these key areas as place of community concern, so maintaining the orders will provide the community with the joint service provision they need. I fully support the application. Thanks **Inspector Micah Hassell** BA (Hons) Crim Psych (Open)

Regarding Bailey Park: PC 1926 Elliot Morgan - Abergavenny Police Station

Local Community Support Officers have been actively engaging with the local residents to the park conducting door to door and attending park meetings.

CSO Parker recently attended the Friends of Bailey Park meeting on 3rd September where concerns raised regarding the youths returning and gathering in the bandstands drinking alcohol and the litter being discarded on the floor.

Door to door in the local area conducted by local Community Support Offices on 09/09/2020, in total stopping at 21 properties who backed on to the park in Park Lane and Park Avenue. Nine of these residents stated they were not aware of any issues. The remainder of the residents all raised concerns regarding youths congregating on the grandstand late at night consuming alcohol, with many entering the park to continue drinking when the local public houses close. Residents said this was having a detrimental impact on their lives as loud music and shouting continues until around 2am. There was also concerns raised regarding drug use and the noise of vehicles around the park.

The PSPO provides the police with an additional power to prevent ASB and punish those who repeat offend following numerous warnings. Following one member of the group being issued with a ticket for breach of PSPO, others do not return as has been seen in the neighbouring Fairfield car park where there is currently a PSPO. Recently there were concerns from local residents regarding vehicle ASB, as a result, those repeat offenders have been issued with FPNs and they have not returned. Therefore, the PSPO is crucial in preventing a detrimental impact on the local and wider communities that we serve.

Regarding Abergavenny Lower: PC 1926 Elliot Morgan - Abergavenny Police Station

As is evident from the table (Appendix B2) there has been a constant stream of calls over the period 24 months relating to drink related ASB. There was a spike in related issues during the coronavirus lockdown as groups of people attended the Castle Meadows area for parties during the good weather. Often requiring police attendance to disperse them. The PSPO was a crucial tool in dispersing these people and preventing further groups congregating.

The PSPO provides the police with an additional power to prevent ASB and punish those who repeat offend following numerous warnings. Following one member of the group being issued with a ticket for breach of PSPO, others do not return as has been seen in the nearby Fairfield car park where there is currently a PSPO. Recently there were concerns from local residents regarding vehicle ASB, as a result, those repeat offenders have been issued with FPNs and they have not returned. Therefore, the PSPO is crucial in preventing a detrimental impact on the local and wider communities that we serve.

NB:- Full results of the Social Media consultation will be available when my colleague returns from sick leave, however, I believe the above more than covers the over-whelming support for the continuation of the three PSPO's.



Future Generations



<p>Name of the Officer: Andrew Mason</p> <p>Phone no: 01633 644210 E-mail: andrewmason@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal: The proposal is for an extension to three existing Public Spaces Protection Orders (PSPOs), which cover three areas of Monmouthshire. They impose conditions to tackle Anti-social behaviour, related to the consumption of alcohol.</p> <p>The areas are: Monmouth Town; Abergavenny Lower Town; and Bailey Park, Abergavenny.</p>
<p>Name of Service: Community & Partnerships Development Team</p>	<p>Date Future Generations Evaluation: 4th August 2020</p>



1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.


Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>The PSPO will reduce the demand on police resources. It will improve behaviour in the towns which should impact positively on the community who reside closest to the restricted areas. Also shops and businesses should prosper if the towns are pleasant areas to visit.</p>	<p>The PSPO will be enforced and will reduce repeat ASB offences in the identified areas. The order will not be used to criminalise law abiding people who use the restricted area legitimately.</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>The PSPO will restrict the use of ASB in our car parks creating a more welcoming space for people to enjoy.</p> <p>The PSPO will restrict the use of Bailey Park, Abergavenny and Monmouth towns to individuals who cause ASB when drinking alcohol, creating a more welcoming space for people to enjoy.</p>	
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>The PSPO will reduce the negative impact on the wellbeing of residents by individuals drinking alcohol and causing anti-social behaviour. It will encourage residents to use the open spaces free from nuisance behaviour caused by alcohol.</p>	<p>Young People who use the areas for social gatherings will still be able to do so in a manner which does not adversely affect others in the community.</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	At Bailey Park and Chippenham sites, families will be able to use the recreation areas free from exposure ASB.	
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	The PSPO will reduce the amount anti-social activity surrounding drinking alcohol which will reduce litter, and make the area more attractive to frequent.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The PSPO will not only improve wellbeing for the local community who have been exposed to ASB in the area that they live, visitors to the sites who wish to participate in leisure activities will also benefit from the Orders and be protected from ASB exposure.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Families living in the vicinity of and visitors will be able to use the areas in question free from being subjected to ASB.	
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Families living in the vicinity of and visitors will be able to use the areas in question free from being subjected to ASB.	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The extension of these PSPOs will continue to address Anti-social behaviour causing nuisance and annoyance to residents in the short-term. However, as the PSPO lasts for another 3 years, it is anticipated this reduction will be sustained not only for the duration of the Order but beyond.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>While the PSPO is a power to be implemented by the Local Authorities, it has on this occasion been jointly commissioned by Community Safety and Gwent Police. MCC & Gwent Police will continue to work together in executing any Order that is made.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>The following have been consulted/informed:</p> <ul style="list-style-type: none"> • Chief Constable, Gwent Police • Police & Crime Commissioner (OPCC) • MP – Monmouthshire • Assembly Member, Monmouthshire • County Councillors, • Gwent Police, Inspector for Monmouthshire • MCC – Chief Executive & SLT • MCC Youth Service Manager • MCC Car Park Manager • MCC Head of Operations • MCC Head of Public Protection • MCC Head of Social Care • Members of Safer Monmouthshire Group • Members of PSB Programme Board • Town Council Clerks and Councillors • Members of the Public in relevant areas. 	
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>The PSPO will prohibit the continuation of ASB associated with alcohol consumption and will give the Police additional powers to deal with individuals causing ASB. Anyone breaching the Order can be issued with £100 Fixed Penalty Notice. This is anticipated to be preventative action for continued ASB.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.	If not, what has been done to better meet this principle?
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>At present anti-social behaviour is having a detrimental impact on the community in the vicinity of areas covered by the PSPOs. It is anticipated that the making of the Orders will have a positive impact on the quality of life and wellbeing of the residents in the locality and on visitors who wish to attend the sites.</p> <p>The wider community will also benefit from a reduction in alcohol related anti-social behaviour.</p>	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this link: <http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole. It is not anticipated that the proposal will have any negative impacts	It is possible the issues will transfer to another venue & there may be protected characteristic impacts should this happen.	MCC Community Safety Officer & Gwent Police will closely monitor the Order and retain oversight of any ASB hotspots that arise in the surrounding areas.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Gender reassignment	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Marriage or civil partnership	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Pregnancy or maternity	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Race	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Religion or Belief	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sex	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Sexual Orientation	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole.	There are no anticipated negative impacts on this protected characteristic group.	
Welsh Language	The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on the community as a whole. All signage in Welsh and English.	There are no anticipated negative impacts on this protected characteristic group.	

- 4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?

Safeguarding	<p>The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on safeguarding for the community as a whole.</p> <p>The Orders will reduce the exposure of children, young people and families in the vicinity to ASB related to alcohol consumption.</p> <p>The restriction on glass containers on Chippenham Fields will reduce the risk of injury to young people and adults using the sports fields.</p>	It is not anticipated that the proposal will have any negative impacts.	
Corporate Parenting	<p>The proposal is designed to alleviate a number of ASB issues the community is suffering and will have a positive impact on corporate parenting for the community as a whole.</p> <p>The Orders will reduce the exposure of children, young people and families in the vicinity to vehicle related ASB.</p>	It is not anticipated that the proposal will have any negative impacts.	

5. What evidence and data has informed the development of your proposal?

There is a range of evidence available, attached to the main report as Appendix 2 & 3. These include:

- The Anti-Social Behaviour, Crime and Policing Act 2014 outlines the evidence-based interventions for tackling persistent ASB.
- Gwent Police Crime Log data
- Comments made during Consultation

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

These PSPOs will have a significant positive impact on the local community as it will prevent any further exposure to ASB and its detrimental impact on the quality of life to residents and the community.

It is aimed at preventing unsocial gatherings involving consumption of alcohol accompanied by anti-social behaviour, which causes harassment, alarm or distress to those present. Furthermore the amount of litter left behind and the intimidating nature of the group.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress
Monitor progress	Six monthly overview	Andrew Mason	

--	--	--	--

8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	The Community Safety Officer & Gwent Police CADROs will review the situation at the monthly Crime & Disorder Group. Safer Monmouthshire Group will be updated on a quarterly basis at the meetings. The order will be in force for three years and will have to be reviewed in order to continue. Date of Review = three years after the date the order is signed.
--	--

9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Submitted for Individual Cabinet Member decision.	25 Sept 2020	