

Public Document Pack

Democratic Services



CRIME AND DISORDER COMMITTEE

Tuesday 22 October 2024 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

The members listed below are summoned to attend the Crime and Disorder Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Shanice Goldman (Chair)
Councillor Tony Froud
Councillor Christine Howells

Councillor James Lawrence
Councillor Alan Williamson

Yours sincerely

Chief Executive

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: democraticservices@epsom-ewell.gov.uk

Questions must be received in writing by Democratic Services by noon on the third working day before the day of the meeting. For this meeting this is **Noon, Thursday 17 October**.

A written copy of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Monday 21 October**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

Filming and recording of meetings

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Members of the Press who wish to film, record or photograph a public meeting should contact the Council's Communications team prior to the meeting by email at: communications@epsom-ewell.gov.uk

Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

AGENDA

1. QUESTIONS AND STATEMENTS FROM THE PUBLIC

To take any questions or statements from members of the Public.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any items of business to be considered at this meeting.

3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 6)

The Sub-Committee is asked to confirm as a true record the Minutes of the Meeting of the Sub-Committee held on 17 January 2024 (attached) and to authorise the Chair to sign them.

4. PUBLIC SPACE PROTECTION ORDER - PROPOSALS TO EXPAND EXISTING (Pages 7 - 44)

To determine the policy around the future of the legacy alcohol related Public Space Protection Order.

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Minutes of the Meeting of the CRIME AND DISORDER COMMITTEE held at the Council Chamber, Epsom Town Hall on 17 January 2024

PRESENT -

Councillor Alex Coley (Chair); Councillors Shanice Goldman, James Lawrence, Darren Talbot and Alan Williamson

Officers present: Rod Brown (Head of Housing and Community), Oliver Nelson (Public Protection Manager) and Phoebe Batchelor (Democratic Services Officer)

8 QUESTIONS AND STATEMENTS FROM THE PUBLIC

No questions or statements were received from members of the public.

9 DECLARATIONS OF INTEREST

No declarations of interest were made in relation to items of business to be discussed at the meeting.

10 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on **12 September 2023** and authorised the Chair to sign them.

11 COMMUNITY SAFETY ACTION PLAN

The Committee received a report presenting the responses of the recent Public Consultation and the revised Community Safety Action Plan.

Following consideration, the Committee unanimously resolved to:

(1) Note the outcome of the recent consultation exercise.

(2) Agree to adopt the Community Safety Action Plan for 2024-2025.

The meeting began at 7.30 pm and ended at 7.33 pm

COUNCILLOR ALEX COLEY (CHAIR)

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PUBLIC SPACE PROTECTION ORDER - PROPOSALS TO EXPAND EXISTING

| | |
|---|---|
| Head of Service: | Rod Brown, Head of Housing & Community |
| Report Author | Oliver Nelson |
| Wards affected: | (All Wards); |
| Urgent Decision?(yes/no) | No |
| If yes, reason urgent decision required: | |
| Appendices (attached): | Appendix 1 – Proposed PSPO Order Appendix 2 – Police balaclava data Appendix 3 – Police ASB map Appendix 4 – Letter from Borough Commander Appendix 5 – Council evidence Appendix 6 – Proposed consultation material |

Summary

To determine the policy around the future of the legacy alcohol related Public Space Protection Order.

Recommendation (s)

The Committee is asked to:

- (1) Authorise the Head of Housing and Community to carry out a public consultation on behalf of the Council on the basis of the proposed Public Spaces Protection Order outlined in appendix 1 of this report and for results of this consultation to be considered at the next meeting of the Crime and Disorder Committee, or;**
- (2) Identify which restrictions set out in Para 5 of the draft Order in appendix 1 ought to be taken forward and authorise the Head of Housing and Community to carry out a public consultation on behalf of the Council and for the results of this consultation to be considered at the next meeting of the Crime and Disorder Committee, or;**
- (3) Agree not to renew the Public Spaces Protection Order and therefore allow the existing alcohol control provisions to lapse on 22 December 2024.**

1 Reason for Recommendation

- 1.1 The committee is not being asked to make a Public Spaces Protection Order (PSPO), at its meeting of 22 October 2024. Whatever the decision of the committee, there will be a further opportunity to consider the proposals at its next meeting, together with the results of the required consultation which itself will represent a body of evidence for consideration.
- 1.2 A decision is required as to the future of the present PSPO and three viable options have been identified as recommendations.
- 1.3 The proposals have been developed using examples in place elsewhere in Surrey and more widely and have been designed, at police request, to enable additional support in the fight against antisocial behaviour and to offer enhanced community assurance.
- 1.4 At this stage and in order to protect all options, officers consider that recommendation one is the most advantageous as it enables the council to gauge public support on the fullest range of measures without committing to anything until the results of that consultation have been received and analysed. These results will in themselves contribute to the evidential base and it is expected that they will be available in time for the March 2025 meeting of the committee.

2 Background

- 2.1 Public Spaces Protection Orders are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 2.2 Local councils are responsible for making Public Spaces Protection Orders. Borough councils take the lead in England with county councils or unitary authorities undertaking the role where there is no district or borough.
- 2.3 It had been anticipated the previous government's proposed legislative changes would enable the police to propose their own PSPOs. The previous government were to bring in provisions to amend the law to allow them to take forward their own proposals. However, these provisions have not to date been re-convened by the current government and it is for the Borough Council to continue make policy in this area.

- 2.4 This particular PSPO has its heritage in the previous Designated Public Space Orders which were a feature of the now repealed section 13 of the Criminal Justice and Police Act 2001. The existing PSPO is limited to a defined geographical boundary. It has been renewed as a PSPO on 2 occasions since then, each time for three years with some minor boundary changes.

3 Proposed changes

- 3.1 At request of the police the proposals include expansion both the geographical area of the PSPO to cover the entire borough and to provide additional community support provisions to counteract antisocial behaviour in public spaces.
- 3.2 The proposed prohibitions in the PSPO include:
- a. Harassing or intimidating residents, businesses or members of the public.
 - b. Threatening any person with violence and / or being verbally abusive towards any person.
 - c. Urinating in an open public place.
 - d. Littering or spitting with the intent to cause harassment, alarm or distress to any person.
 - e. Wearing a piece of clothing with the intent to obscure or hide their identity for the purposes of committing crime and/or anti-social behaviour.
 - f. Acting, or inciting others to act, in an anti-social manner, that is to say a manner that is likely to cause harassment, alarm or distress to any person.
 - g. Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person.
 - h. Consumption of alcohol following a verbal warning by an authorised person to stop. An authorised person includes a Police Constable, Police Community Support Officer, a Council Officer, or any other person authorised by the Council.
- 3.3 Appendix 1 contains the proposed PSPO whilst appendix 2-5 contain the current evidential basis on which the PSPO is being sought. It is anticipated that depending on which option the committee adopts, further evidence will arise from the consultation exercise and will be available for consideration at the next meeting of the committee. Appendix 6 contains the proposed consultation material.

- 3.4 The proposal to expand the geographical boundary is because the evidence points towards the issues being widely spread and not confined to one area of the borough. Secondly, and to guard against displacement, it is assessed that a borough wide PSPO is the most suitable approach.
- 3.5 The threshold for determination that a PSPO is necessary is “reasonable grounds”. That is to say the council must be certain that there are reasonable grounds to make the Order. Reasonable grounds may be considered to be the lowest evidential threshold and certainly well below the criminal standard of “beyond all reasonable doubt”. Notwithstanding this, as a piece of criminal law, authorised officers need to demonstrate the criminal standard has been met in any use of the PSPO.
- 3.6 The committee will further note that the proposed restrictions have been designed to be focussed, precise, and to address the effect of the detrimental behaviour rather than activities which may not in themselves be detrimental or which target characteristics that might be shared by many other people. For example, under the existing draft it would not be an offence to wear a piece of clothing with the intent to obscure or hide identity. Were this to be the case it would almost certainly offend equalities legislation. In order for the PSPO to be engaged, this circumstance must be accompanied by evidence of them committing a crime or anti-social behaviour and so address the detrimental effect of antisocial behaviour perpetrated by those wearing ski masks, balaclavas and other face coverings evidenced in appendix 2-5.
- 3.7 Similarly, it is not the intention to criminalise anyone who chooses to form in a group for any lawful purpose and there are a vast number of positive reasons why people will come together in a public space for work, leisure, exercise or entertainment. However, the evidence points to occasions in the borough where a groups of people come together to cause harassment, alarm and distress to other innocent members of the public, businesses and residents and it is the behaviour, not the activity which requires additional control.
- 3.8 The remainder of the provisions are assessed as necessary taking into account available evidence and likely public support.

4 Public consultation

- 4.1 Should the committee determine either option one or two in the recommendations, it is anticipated that the required consultation be carried during the months of November, December and January hosted on the council’s consultation webpage and be promoted via:
- Appearing on the council’s website news carousel
 - A social media campaign on both council and police platforms
 - A conventional media release

- Depositing the document in all borough libraries and council community venues
- Posters in Borough Boards
- Article in E-Borough Insight
- Through engagement with youth services
- Through engagement with local colleges and universities

It is proposed the consultation be via the council's Microsoft Office forms capability accessed via a QR code or shortform web address. To support those who cannot or prefer not to use this, conventional paper forms will be either posted out to those who request them or be ready at the Town Hall reception. Additionally for those who simply prefer to email or write, it will be possible to respond in these conventional ways.

- 4.2 A copy of the proposed consultation material appears in appendix 6 which will be varied depending on which option the committee selects.

5 Risk Assessment

Legal or other duties

5.1 Equality Impact Assessment

5.1.1 None for this initial stage. However it would be expected that an Equalities Impact Assessment be prepared for the March meeting of the committee to support the decision making at that stage.

5.2 Crime & Disorder

5.2.1 The proposals are expected to enhance the protection against crime and disorder.

5.3 Safeguarding

5.3.1 None additional for the purposes of this report

5.4 Dependencies

5.4.1 None for this report

6 Financial Implications

- 6.1 The creation of PSPOs requires suitable signage to be installed in the locations where the order applies. However the costs of this will be addressed in the March report and depending on the recommendations at that time.

- 6.2 **Section 151 Officer's comments:** None arising from the contents of this report.

7 Legal Implications

- 7.1 Section 17 of the Crime and Disorder Act 1998 states the Council must, "exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent;
- 7.2 Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 permits a local authority to make a PSPO in the areas where a particular nuisance or problem occurs which is detrimental to the local community's quality of life.
- Crime and disorder
 - The misuse of drugs, alcohol and other substances
 - Re-offending and
 - Serious violence"
- 7.3 **Legal Officer's comments:** A PSPO may be considered to be an appropriate response where the Council have identified specific issues within the Borough. A single PSPO can incorporate a range of conditions targeting different ASB issues. The Order once implemented can be in place for 3 years, and may be extended beyond this for a further three-year period(s) in circumstances where certain criteria are met.

8 Policies, Plans & Partnerships:

- 8.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Safe and well
- 8.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 8.3 **Climate & Environmental Impact of recommendations:** None identified.
- 8.4 **Sustainability Policy & Community Safety Implications:** Set out in the body of this report.
- 8.5 **Partnerships:** Whilst the preparation and implementation of Public Space Protection Orders falls to the Council, the delivery of outcomes against the PSPO is inherently a partnership endeavour as it is expected police will be the principal users of these proposed provisions.

9 Background papers

9.1 The documents referred to in compiling this report are as follows:

Previous reports:

- 19 October 2021 Environment and Safe Communities Committee item 13.

Other papers:

- Home Office, 2003 - Anti-social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers Statutory guidance for frontline professionals [accessed 16/8/24].
- Local Government Association, 2018 - Public Spaces Protection Orders Guidance for councils [accessed 16/8/24]

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Public Spaces Protection Order No.1 of 2024

Notice is hereby given that Epsom and Ewell Borough Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

ORDER

In exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014.

1. This Order may be cited as Epsom and Ewell Borough Council Public Spaces Protection Order No.1 of 2024 ("the Order"). This Order takes effect on the **XXXX January 2024** and continues to have effect for a period of three years thereafter.
2. This Order applies to the land within the Epsom and Ewell Borough, being land in the area of the Council, to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this order (the Restricted Area).
3. This Order applies to all persons in 'public places' within the Restricted Area at all times of the day and night, save on where otherwise stated within the prohibitions. For the purposes of this Order, 'public places' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met, namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order.

PROHIBITIONS

5. The effect of the Order is to impose the following conditions on the use of the Restricted Area:
 - 5.1 In the Restricted Area a person commits an offence if without reasonable excuse they continue to carry out activities which are prohibited namely;
 - 5.1.1 Harassing or intimidating residents, businesses or members of the public.
 - 5.1.2 Threatening any person with violence and / or being verbally abusive towards any person.
 - 5.1.3 Urinating in an open public place.
 - 5.1.4 Littering or spitting with the intent to cause harassment, alarm or distress to any person.
 - 5.1.5 Wearing a piece of clothing with the intent to obscure or hide their identity for the purposes of committing crime and/or anti-social behaviour.

- 5.1.6 Acting, or inciting others to act, in an anti-social manner, that is to say a manner that is likely to cause harassment, alarm or distress to any person.
- 5.1.7 Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person.
- 5.1.8 Consumption of alcohol following a verbal warning by an authorised person to stop. An authorised person includes a Police Constable, Police Community Support Officer, a Council Officer, or any other person authorised by the Council.

6. For the purposes of paragraph 5.1.8 of this Order:

Paragraph 5.1.8 of this Order does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980 have a premises license of club premises certificate for the sale or supply of alcohol. This provision also does not apply to events within the Restricted Area which are licensed for the sale or supply of alcohol.

OFFENCE AND FIXED PENALTY NOTICES

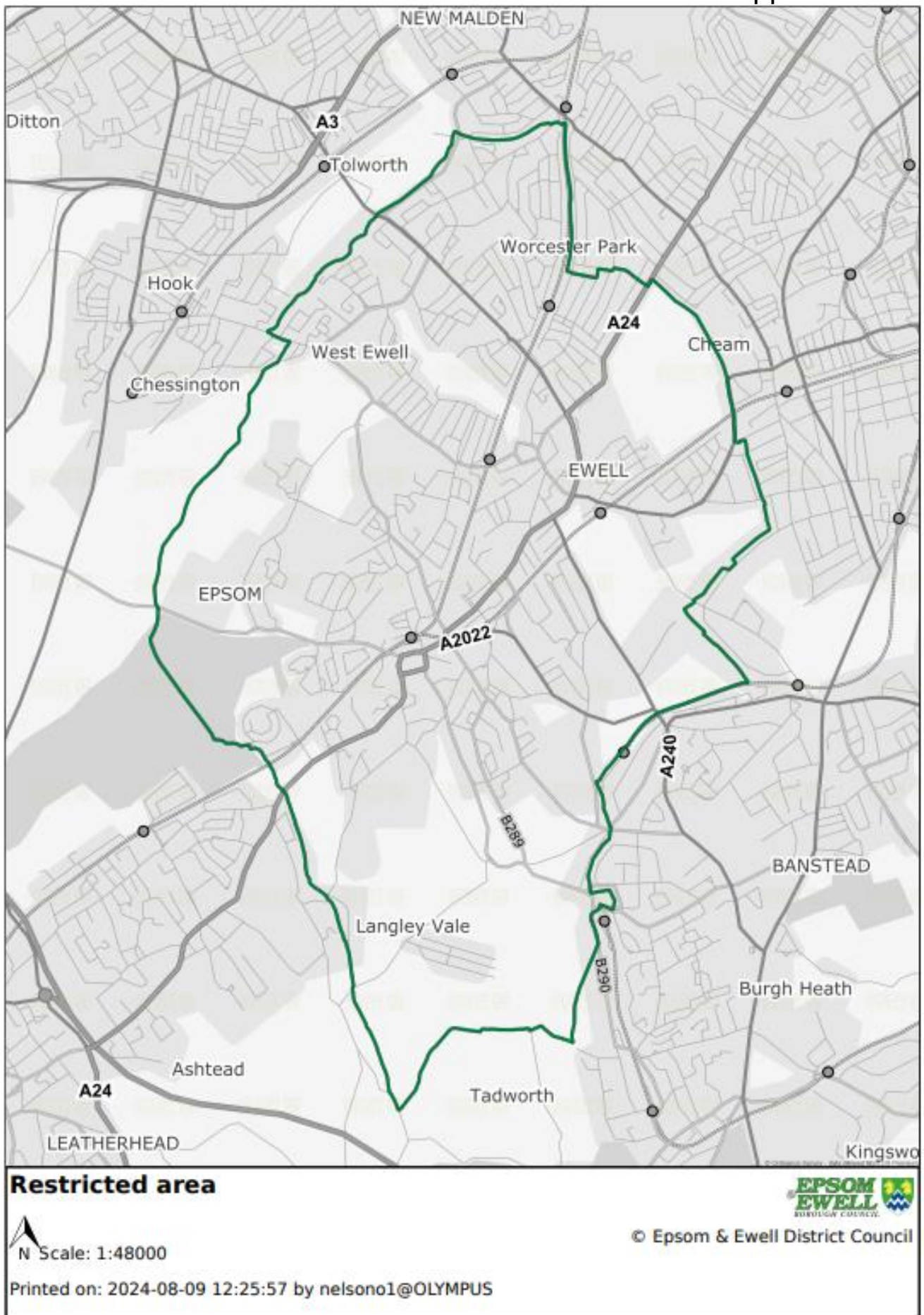
- 7. In accordance with section 63 of the Act, a person found to be in breach of paragraph 5.1.8 of this Order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- 8. In accordance with section 67 of the Act, a person found to be in breach of any other provision of this Order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale
- 9. An authorised person may issue a Fixed Penalty Notice of £100 under Section 68 of the Act to anyone they have reason to believe has committed an offence under this Order.

APPEALS

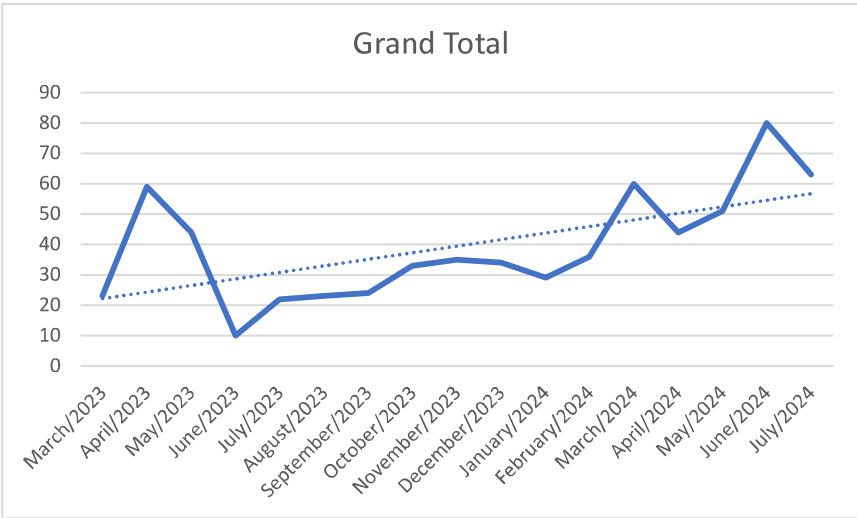
- 10. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that any requirement of the Act has not been complied with may apply to the High Court within six weeks from the date on which this Order is made. "Interested person" means an individual who lives in the restricted area or who regularly works in or visits that area.

The Common Seal of Epsom & Ewell
Borough Council was affixed in the
presence of:

Authorised Officer



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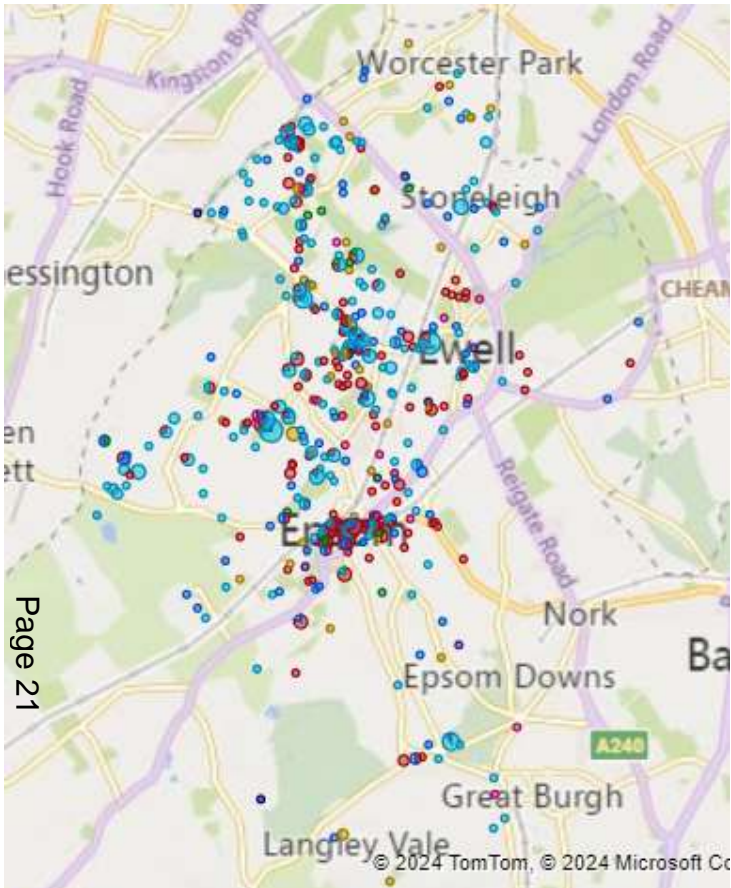
During the period March 2023 to July 2024 there were 670 incidents reported to Surrey Police in the Borough of Epsom and Ewell where face coverings such as balaclavas or face masks were involved. Incidents involving the use of face coverings has steadily risen month on month since June 2023 where just 10 were reported, to a peak of 80 during June 2024.

There is no correlation between the use of face coverings in the autumn /winter season with the most significant increase in the use seen outside of the colder months.

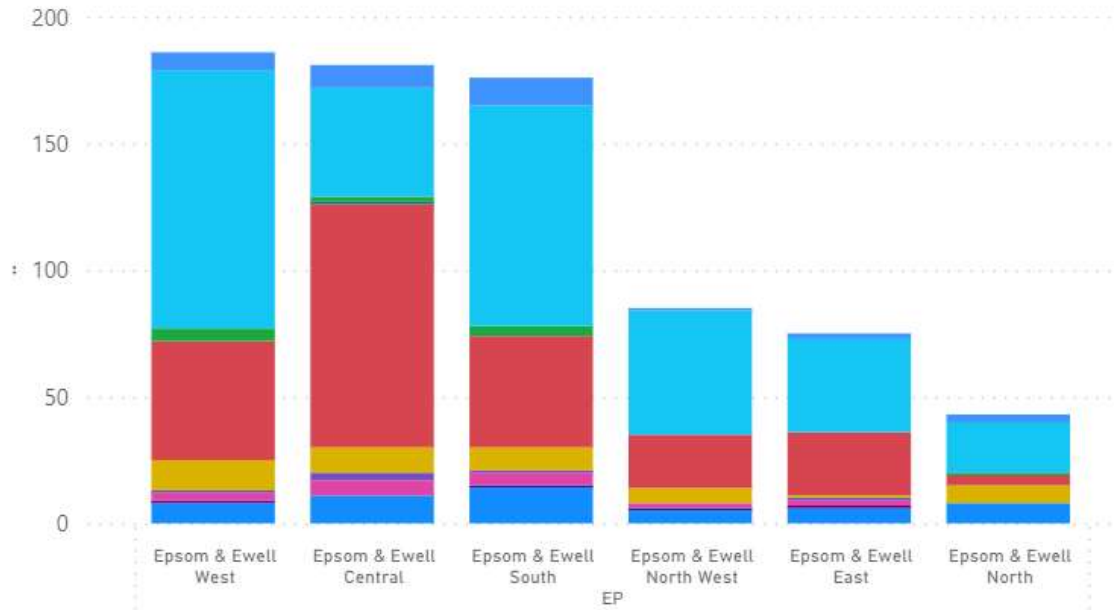
Recent incidents involving the use if face coverings include robberies, burglaries, theft of bikes and the antisocial use of motorbikes.

| month Year / NPT | Epsom & Ewell Central | Epsom & Ewell East | Epsom & Ewell North | Epsom & Ewell North West | Epsom & Ewell South | Epsom & Ewell West | Grand Total |
|--------------------|-----------------------|--------------------|---------------------|--------------------------|---------------------|--------------------|-------------|
| March/2023 | 3 | 4 | 6 | 3 | 4 | 3 | 23 |
| April/2023 | 11 | 9 | 2 | 4 | 7 | 26 | 59 |
| May/2023 | 7 | 5 | 3 | 2 | 16 | 11 | 44 |
| June/2023 | 1 | 1 | 2 | 2 | 4 | 0 | 10 |
| July/2023 | 1 | 3 | 3 | 3 | 5 | 7 | 22 |
| August/2023 | 7 | 3 | 2 | 2 | 6 | 3 | 23 |
| September/2023 | 3 | 4 | 1 | 3 | 8 | 5 | 24 |
| October/2023 | 10 | 4 | 0 | 4 | 4 | 11 | 33 |
| November/2023 | 13 | 6 | 3 | 3 | 2 | 8 | 35 |
| December/2023 | 8 | 8 | 0 | 9 | 5 | 4 | 34 |
| January/2024 | 6 | 5 | 1 | 9 | 3 | 5 | 29 |
| February/2024 | 8 | 5 | 3 | 4 | 4 | 12 | 36 |
| March/2024 | 11 | 6 | 3 | 5 | 14 | 21 | 60 |
| April/2024 | 12 | 6 | 3 | 6 | 11 | 6 | 44 |
| May/2024 | 8 | 6 | 4 | 8 | 13 | 12 | 51 |
| June/2024 | 17 | 10 | 4 | 5 | 28 | 16 | 80 |
| July/2024 | 14 | 5 | 4 | 2 | 19 | 19 | 63 |
| Grand Total | 140 | 90 | 44 | 74 | 153 | 169 | 670 |

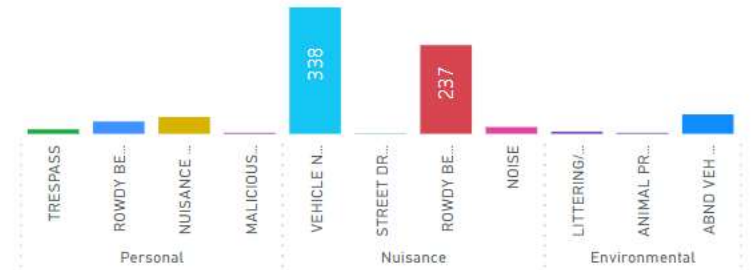
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Antisocial behaviour data for the period 01/02/2024 – 31/07/2024.

During the 6-month period ending 31st July 2024 Surrey Police received 746 reports classified as ASB with the largest proportion being in relation to the antisocial use of vehicles and rowdy behaviour. The map shows that the incidents recorded under the two main types are spread across the borough.

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Epsom and Ewell – Public Space Protection Order (PSPO)

What is a PSPO?

Public Space Protection Orders are enacted under powers given by the Antisocial Behaviour Crime and Policing Act 2014 and are designed to prevent antisocial behaviour in our communities such as issues on streets, parks, town centres and other community spaces. The order specifies an area where certain activities are prohibited to improve the local community's quality of life. The intention is to ensure that the law-abiding majority can use and enjoy public spaces safe from anti-social behaviour.

The PSPO is enforced by Police Officers, Police Community Support Officers and Council Enforcement Officers who can instruct a person to stop the prohibited behaviour in the designated area and / or require them to leave. Failure to comply with the instruction could result in a fine or prosecution.

PSPOs in Epsom and Ewell

The current PSPO expiring on **22nd December 2024** focuses on the consumption of alcohol in a public place. These are legacy arrangements originally brought in via a previous legal provision in the mid-2000s and renewed since. Whilst these controls remain valuable with the issue requiring monitoring and intervention, two key areas of concern have emerged and been identified as having a significant impact on the community. The wearing of balaclavas and face-coverings to conceal identity and groups behaving in an antisocial manner are areas of significant community concern. It is therefore suggested that the geography and prohibitions on the current PSPO are amended to assist in addressing the concerns identified.

It is suggested that the following prohibitions are included to address these identified concerns which are detailed further below:

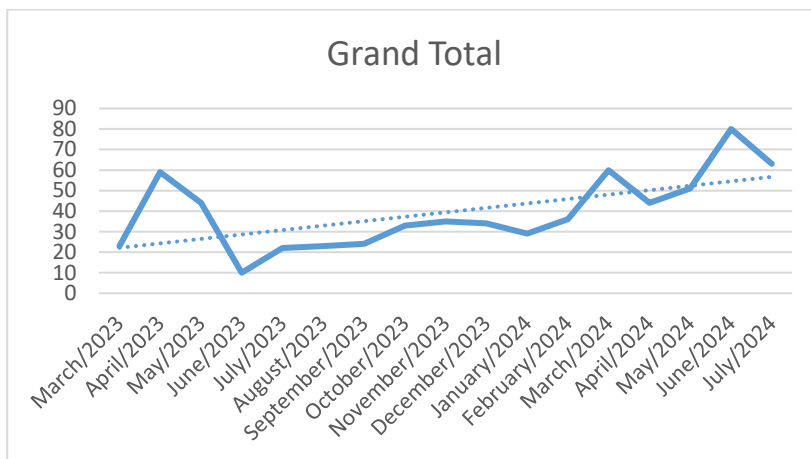
- Wearing a piece of clothing with the intent to obscure or hide their identity for the purposes of committing crime and/or anti-social behaviour.
- Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person.

Community Concerns

The concerns have been identified through data and community engagement – both in person and via Police reporting channels. This is further supported by reports to Epsom & Ewell Borough Council.

Face coverings & balaclavas

Reports to Police involving the use of face coverings have increased significantly in the last 12 months. Groups of people wearing balaclavas have become common place across the borough and the use has been linked to concealing identities to commit street robberies, assaults, thefts, burglaries and ASB such as riding motorbikes dangerously in the town centre and across open spaces. Since March 2023 there have been 670 reports to Surrey Police where balaclavas and face coverings have been involved in Epsom & Ewell. This has increased from 10 per month in June 2023 to 80 per month in June 2024.



It is considered that additional controls on the wearing of clothing with the intent to obscure or hide identity **for the purposes of committing crime and/or anti-social behaviour**, are a reasonable and proportionate response to this local issue and will provide enhanced community assurance on this increasing trend.

Groups behaving in an antisocial manner causing harassment, alarm and ditsress.

Reports of groups congregating in the town centre, the alley ways connecting the borough and the open spaces behaving in a way so as to cause harassment, alarm and distress are received by Police daily. Residents report that their families are unable to enjoy the many open spaces due to groups riding motorcycles and e-bikes across open spaces, often at speed with near misses with young children playing reported. Residents who also report suspected drug supply, report that when challenging the groups they have become victims of verbal abuse and threats to cause harm.

Within the town centre, members of the public, retailers, security staff and the Business Improvement District report groups gathering and entering stores acting in an anti-social manner.

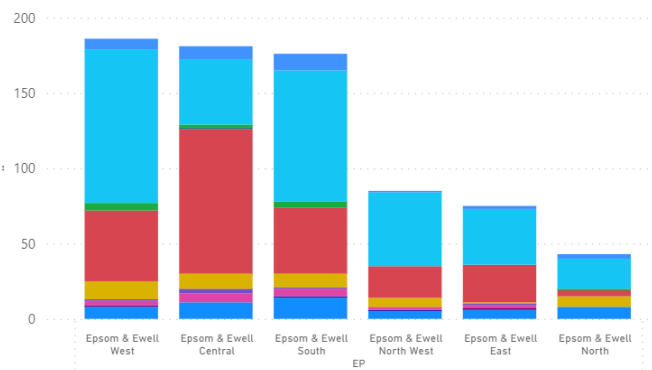
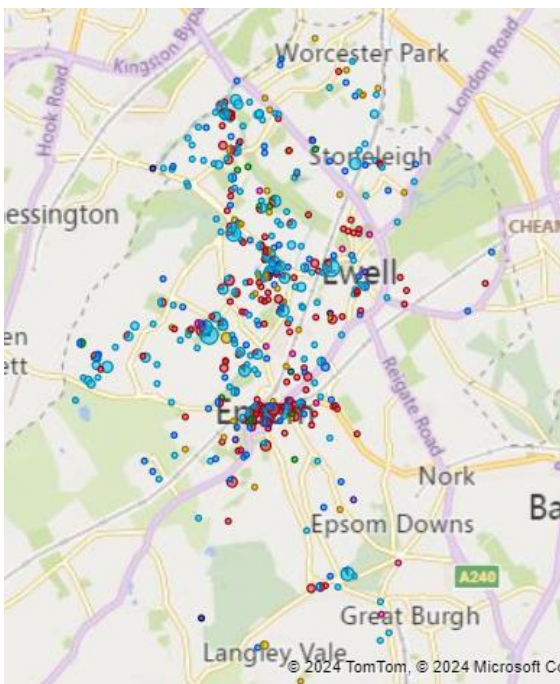
Agenda Item 4 Appendix 4

Recent reports include large groups entering stores to steal eggs which have then been thrown at members of the public and large groups gathering in Epsom Square on motor bikes and wearing balaclavas.

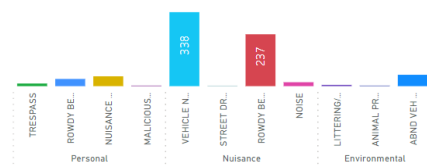
To combat this, it is considered that additional controls on the joining or remaining in a group of 2 or more people who are **acting in a manner that is likely to cause harassment, alarm or distress to any person** is an appropriate and proportionate response, allowing police to engage with such people and requiring dispersal if necessary.

Antisocial behaviour data for the period 01/02/2024 – 31/07/2024.

During the 6-month period ending 31st July 2024 Surrey Police received 746 reports classified as ASB with the largest proportion being in relation to the antisocial use of vehicles and rowdy behaviour. The map shows that the incidents recorded under the two main types are spread across the borough.



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Using the PSPO

Police officers use discretion daily, in a variety of situations using various powers and existing longstanding pieces of legislation. The additional powers provided under the suggested enhanced PSPO are no different and are to be used in a way that is proportionate, legal and necessary. Police are trained in the appropriate use of enforcement tools and required to justify their use every time.

The order would provide officers with a low-level early intervention option where the presence and behaviours of individuals or groups is likely to cause harassment, alarm, and distress. It is often used to prevent escalation to arrest for criminal offences such as offences under the Public Order Act.

There is no suggestion of a 'blanket' prohibition of being in company with a group of people **unless** the actions and behaviours of that group are likely to cause harassment, alarm, or distress to other members of the public. If for example, a group of 20 students go for a peaceful picnic in a park for their lunch break then they would not be part of group likely to cause harassment, alarm, or distress. Conversely, a group of 4 intoxicated adult males in the town centre behaving in a loud and intimidating manner whilst waiting for a taxi home could be considered likely to cause harassment, alarm, and distress and under the PSPO could be instructed to either cease the behaviour or leave the area.

Whilst police have an option to impose a 48-hour dispersal order in a specified locality which might achieve a similar effect, this often results in increased community alarm and is viewed more as an emergency stopgap. The use instead, of the proposed order will form part of a wider problem-solving response which aims to restore public confidence to use open spaces and playparks and support our economy by ensuring retailers, residents and visitors to the town centre and other commercial areas feel safe.

Additionally, it seeks to safeguard young people in our community by allowing no individual to be able to conceal their identity to commit crime and criminally exploit children in areas such as drug supply and acquisitive crime.

Kelly Clifton-Sinclair

Inspector 40350 Clifton-Sinclair
Borough Commander Epsom & Ewell

Council ASB Data

Not all complaints of ASB reported to the Council are considered to be ASB and are recorded under separate references of neighbourhood disputes, noise nuisance, flytipping etc. The data presented in this appendix is broken down into the following categories:

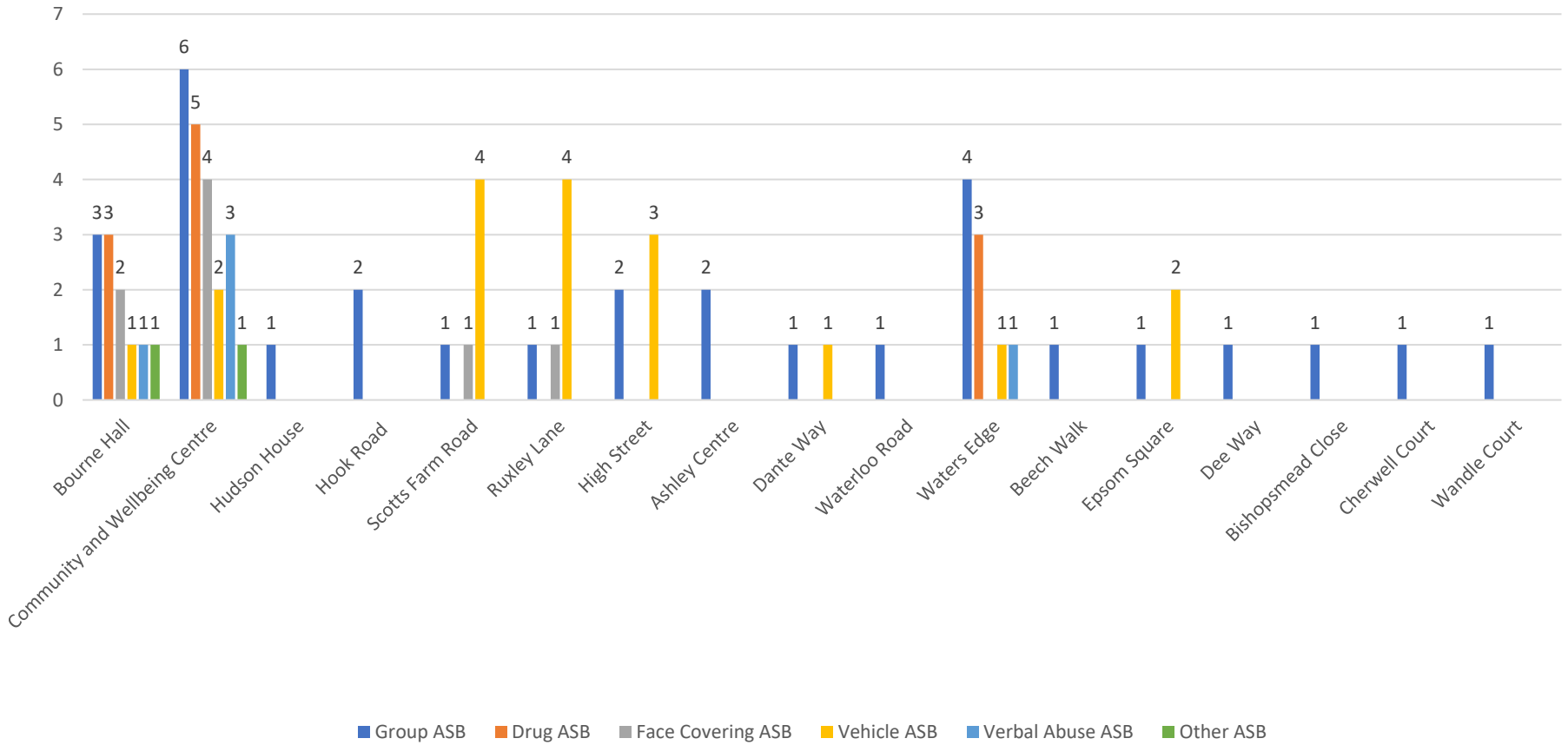
- Group of persons behaving in an antisocial behaviour
- Drug related ASB issues
- ASB perpetrated by persons wearing face coverings
- Vehicular related ASB issues
- Occasions of verbal abuse
- Other ASB not falling into the above.

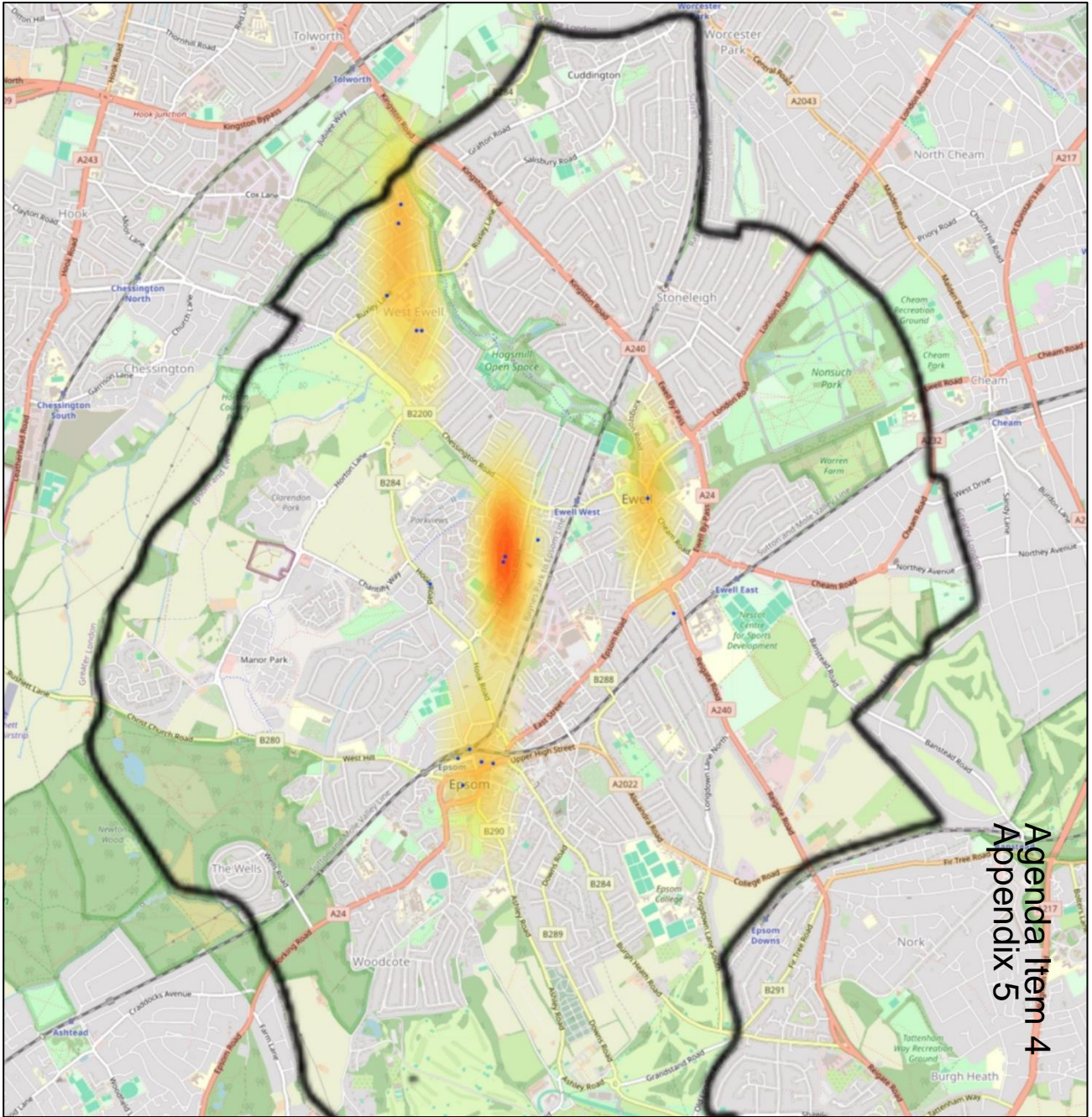
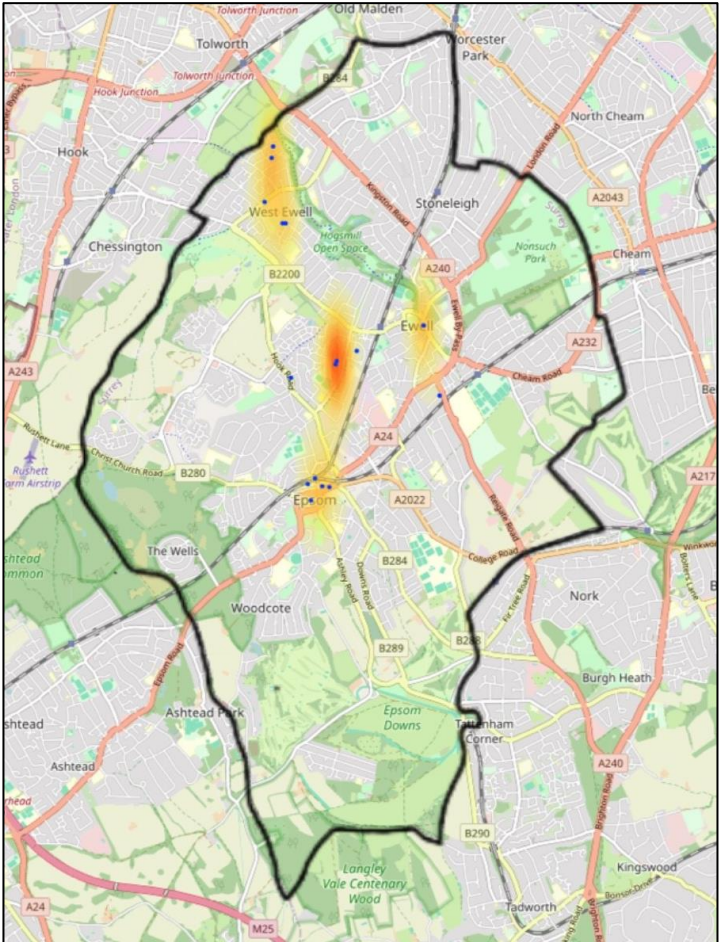
During the period August 2023 to August 2024 there were 74 ASB incidents brought to the attention of Epsom and Ewell Borough Council via a number of methods. These include reports from members of the public, reports from colleagues within the Council and issues brought to the attention of CHaRMM and JAG meetings.

The areas with the highest number of issues are Bourne Hall and the Community and Wellbeing Centre – this is likely due to staff raising complaints to the Community Safety Team more frequently than members of the public may. Members of the public may be more likely to report ASB issues to the Police as their first point of call rather than the Council and so this data set must be read in conjunction with police data. A heatmap has been created highlighting the areas of concern that have been reported to the Council.

| Location | Number of Group ASB Issues | Number of Drug ASB Issues | Number of Face Covering ASB Issues | Number of Vehicle ASB Issues | Number of Verbal Abuse ASB Issues | Number of Other ASB Issues | Total |
|--------------------------------|----------------------------|---------------------------|------------------------------------|------------------------------|-----------------------------------|----------------------------|-------|
| Bourne Hall | 3 | 3 | 2 | 1 | 1 | 1 | 11 |
| Community and Wellbeing Centre | 6 | 5 | 4 | 2 | 3 | 1 | 21 |
| Hudson House | 1 | | | | | | 2 |
| Hook Road | 2 | | | | | | 1 |
| Scotts Farm Road | 1 | | 1 | 4 | | | 6 |
| Ruxley Lane | 1 | | 1 | 4 | | | 6 |
| High Street | 2 | | | 3 | | | 5 |
| Ashley Centre | 2 | | | | | | 2 |
| Dante Way | 1 | | | 1 | | | 2 |
| Waterloo Road | 1 | | | | | | 1 |
| Waters Edge | 4 | 3 | | 1 | 1 | | 9 |
| Beech Walk | 1 | | | | | | 1 |
| Epsom Square | 1 | | | 2 | | | 3 |
| Dee Way | 1 | | | | | | 1 |
| Bishopsmead Close | 1 | | | | | | 1 |
| Cherwell Court | 1 | | | | | | 1 |
| Wandle Court | 1 | | | | | | 1 |

Number of Issues Reported to the Council in relation to ASB between August 2023-August 2024





Antisocial Behaviour reports into the Council

Meetings have been held with the Council's Commercial Services Team who have reported an increasing numbers of issues caused by groups of people over the last 12-18 months at community buildings.

Bourne Hall

Issues with groups of people coming to the location at night, vandalising the equipment, bringing alcohol and drugs, and consuming these on site and other antisocial behaviour issues. Most recently, an incident took place on 7th August where a group of youths were interfering with a Council Transport from Home vehicle, tried to open the doors whilst the driver was inside and caused the driver to feel alarmed/distressed. They then proceeded to climb onto the tail lift of the moving vehicle.

1. Group of youths causing ASB on roof of building
2. Building equipment stolen off roof
3. Groups of people causing damage to banner rails and placing graffiti on patio furniture
4. Lightning conductors torn from the roof and thrown into park
5. Groups of people causing ASB (pond fishing)
6. Groups of people causing ASB (swimming in pond)
7. Drug ASB – high number of nitrous oxide cannisters found around building and in the car park
8. Groups entering the building and causing ASB inside

Community and Wellbeing Centre

The Wellbeing and Community Centre also report that over the last 12 months they have had issues with groups of people wearing balaclavas, persisting around the car park, starting fires, taking drugs, and intimidating staff. This is beginning to threaten some of the services being offered at this location.

1. Groups of people smoking cannabis on site
2. Groups of people loitering and causing ASB – also laughing and mocking Dementia Hub clients and at times swearing/being abusive to staff
3. Groups of people entering the building and causing ASB inside
4. Groups of people wearing balaclavas and riding mopeds at high speed through the car park and smoking cannabis
5. Groups using the area for drug dealing and drug use
6. ASB litter issues
7. Groups of people starting fires in car park
8. Groups of youths shouting expletives through the windows of the building
9. Groups of youths intentionally throwing items such as footballs into the building via open windows
10. Groups of people throwing items at EEBC meals at home vehicle
11. Groups of people attempting to get inside EEBC transport bus and climbing onto moving vehicles

The following incidents are reports made to the council concerning other locations in the past 12 months.

1. Groups of people wearing balaclavas driving at high speed in and around Ruxley Lane/Scotts Farm Road which has been reported to us on numerous occasions
2. Group of people causing antisocial behaviour in Hook Road Car Park
3. Groups of people causing antisocial behaviour in Hudson House Car Park (particularly throwing eggs, putting nails in tyres and drinking
4. Groups of people causing antisocial behaviour in the Ashley Centre Car Park (throwing eggs at cars/people)
5. Groups of Deliveroo/Uber Eats drivers causing antisocial behaviour issues (littering/being abusive)
6. Groups of people taking drugs and causing antisocial behaviour issues on Ruxley Lane/Scotts Farm Road
7. Groups of 10-12 children causing antisocial behaviour issues on Dante Way
8. Groups of kids/teens playing loud music, drinking, and taking drugs on Waterloo Road/Hazon Way
9. Groups of people causing antisocial behaviour issues at Watersedge
10. Groups of people taking drugs and causing antisocial behaviour issues at Ash Court
11. Groups of people taking drugs and causing antisocial behaviour issues on Ruxley Lane
12. Groups of people causing antisocial behaviour issues and vandalising property at Beech Walk
13. Groups of people causing antisocial behaviour at Epsom Square
14. Groups of people causing antisocial behaviour issue at Hudson House
15. Groups of people causing antisocial behaviour issues on mopeds (Delivery Drivers) in Epsom High Street
16. Groups of people causing antisocial behaviour issues at Dee Way
17. Groups of people causing antisocial behaviour issues at Bishopsmead Close
18. Groups of people causing antisocial behaviour issues at Cherwell Court
19. Groups of people causing antisocial behaviour issues at Watersedge
20. Groups of people causing antisocial behaviour issues at Wandle Court
21. Groups of people on mopeds causing antisocial behaviour issues at Kings Church
22. Groups of people causing antisocial behaviour issues at Kiln Lane
23. Groups of people causing antisocial behaviour issues at Hook Road
24. Groups of people causing antisocial behaviour issues at Shawford Road

Locations on CHaRMM/JAG Meetings

1. Long Grove Park – group antisocial behaviour issues
2. Lincoln Walk – group antisocial behaviour and drug issues
3. Hudson House – group antisocial behaviour issues
4. Epsom Square – group antisocial behaviour issues
5. Kiln Lane – group antisocial behaviour issues
6. Ruxley Lane/Scotts Farm Road – group antisocial behaviour issues

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Public Spaces Protection Order (PSPO) Public Consultation

A Public Spaces Protection Order (PSPO) is made by a Local Authority if satisfied on reasonable grounds that two conditions are met. Firstly, that:

- (i) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; and
- (ii) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities is, or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable, and therefore justifies the restrictions imposed by the notice.

A PSPO is an order that identifies the public place and prohibits specified things being done in the restricted area and/or requires specified things to be done by persons carrying on specified activities in that area. The order may not have effect for more than 3 years and the Local Authority must consult with the chief officer of the police and the local policing body before issuing the order. Failure to comply with a public spaces protection order is an offence.

Please complete this survey to provide your thoughts on our PSPO renewal. There are three sections to complete and the survey should take no more than 15 minutes to complete. If you have any questions, please contact consultations@epsom-ewell.gov.uk.

Demographic Information

1. What is your gender?

Male

Female

Non-binary

Prefer not to say

2. How old are you?

Under 16

16-17

18-24

25-34

35-44

45-54

55-64

65-74

75-84

85+

Prefer not to say

3. What is your ethnic group?

White: Welsh/English/Scottish/Northern Irish/British

White: Irish

White: Gypsy or Irish Traveller

Mixed/multiple ethnic groups: White and Black Caribbean

Mixed/multiple ethnic groups: White and Black African

White and Asian

Any other mixed/Multiple ethnic background. Please describe below.

Asian/Asian British

Asian/Asian British: Indian

Asian/Asian British: Pakistani

Asian/Asian British: Bangladeshi

Asian/Asian British: Chinese

Any other Asian background. Please describe below.

Black/African/Caribbean/Black British: African

Black/African/Caribbean/Black British: Caribbean

Any other Black/African/Caribbean background.

4. Are your day to day activities limited because of a long term health problem or disability?

Yes, limited a lot

Yes, limited a little

No

Prefer not to say

5. Are you completing this survey as..

An individual

On behalf of a business

On behalf of a voluntary or community organisation

Other

6. Please tell us the name of your business, organisation or community group if applicable (please leave blank if you prefer not to say)

7. Please select all that apply that are applicable to you..

I am a resident in the Borough

I work in the Borough

I am a Local Councillor

I am completing this as a representative of a business or community group in the Borough

Other

EEBC Current PSPO

We have a current PSPO in specific highlighted areas within the Borough relating to alcohol consumption. Details and mapping can be found at this link: www.epsom-ewell.gov.uk/residents/communities-health-and-wellbeing/epsom-and-ewell-community-safety where a document at the bottom of the webpage titled 'Alcohol Public Spaces Protection Order No.1 of 2021 can be viewed.

8. How often do you use the highlighted areas in Epsom and Ewell?

Daily

At least once a week

At least monthly

Less frequently/never

9 .Are you aware of the current alcohol PSPO in place in Epsom and Ewell?

Yes

No

10. Have you seen any of the alcohol PSPO signs in Epsom and Ewell?

Yes

No

11. Tell us what you think about the alcohol PSPO in Epsom and Ewell (select all that apply)

I think it's a good thing, it makes me feel safer

It targets some people unfairly

It makes me feel unwelcome

It helps reduce anti-social behaviour

It is ineffective

It has moved the problem elsewhere

Other

12. From your experience, what impact, if any, do you think the alcohol PSPO has had on community safety in Epsom and Ewell in the last 3 years?

It has improved

It has deteriorated

It has stayed the same

I don't know

13. Has the alcohol PSPO stopped your enjoyment of the Borough in the last 3 years?

Yes, it has stopped me visiting as much as I would like

Yes, it has stopped me doing what I want in the town (e.g. meeting friends)

No, it has not negatively affected me using the town

14. Please share any comments that you have on your experience of the alcohol PSPO?

15. Have you been directly affected by alcohol related anti-social behaviour in Epsom and Ewell in the last year?

Yes, I have been a victim of anti-social behaviour

Yes, I have witnessed anti-social behaviour

Yes, I have been a victim and witnessed anti-social behaviour

No

16 .If you have been affected by alcohol related anti-social behaviour, please explain how

Behaviours

The current PSPO focuses only on alcohol consumption, however there is opportunity to include further anti-social behaviours into the renewed PSPO to improve community safety.

17. Here is a list of behaviours which can be considered to add to the order. For each one, please tell us whether you feel it should or should not be included. Remember: by including a behaviour in the PSPO, local councils and the police have additional powers to regulate that activity. Not including a behaviour from the order does not necessarily mean it is permitted (for example, it may still be regulated by other legislation)

| | Include in PSPO | Don't include in PSPO | Not sure |
|--|-----------------------|-----------------------|-----------------------|
| Harassing or intimidating residents, businesses or members of the public | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Threatening any person with violence and / or being verbally abusive towards any person | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Urinating in an open public place | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Littering or spitting with the intent to cause harassment, alarm or distress to any person | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Wearing a piece of clothing with the intent to obscure or hide his/her identity for the purposes of committing crime and/or anti-social behaviour | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Acting, or inciting others to act, in an anti-social manner, that is to say a manner that is likely to cause harassment, alarm or distress to any person | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Joining or remaining in a group of 2 or more people which is acting in a manner that is likely to cause harassment, alarm or distress to any person | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Consumption of alcohol from an open vessel following a verbal warning by an authorised person to stop | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

18. Have you been directly affected by any of the above anti-social behaviour in Epsom and Ewell in the last year?

Yes, I have been a victim of anti-social behaviour

Yes, I have witnessed anti-social behaviour

Yes, I have been a victim and witnessed anti-social behaviour

No

19. Would you like to make any further comments?

PSPO Extension

20. Do you support the extension of the Public Spaces Protection Order in Epsom and Ewell for a further 3 years to help control anti-social behaviour that may have detrimental affect on the local community?

Yes

No

21. Please share any thoughts and comments on the PSPO renewal.

22. Would you support this PSPO is considered to cover the entire Borough of Epsom and Ewell to help control anti-social behaviour that may have detrimental effect on the local community?

Yes

No

23. Thank you for participating in this survey. Please share any other thoughts or comments on the PSPO becoming Borough wide

A large, empty rectangular box with a thin black border, intended for participants to provide their thoughts or comments on the PSPO becoming borough-wide.

**The area that the PSPO is proposed
to cover:**



Have your say:

**Epsom and Ewell Public Space Protection
Order**



**Let us know your views on the plans to
renew the order**

What is a Public Space Protection Order (PSPO)?

PSPOs aim to discourage anti-social behaviour in public areas and give police officers and the council powers to intervene early, preventing anti-social behaviour escalating into a crime. Epsom and Ewell put a PSPO in place in Epsom town centre in 2018 because of local concerns about anti-social behaviour in the town centre. The order was renewed in 2021 following a public consultation which identified a strong support for its continuation. The PSPO is now up for review.

What area does the PSPO cover?

Epsom and Ewell's PSPO currently only covers certain areas within the Borough, however this review looks to amend the Order and cover the Borough in its entirety. This is all with the sole purpose of reducing anti-social behaviour issues in the Borough.

What behaviours does the PSPO cover?

The PSPO sets out a range of controlled behaviours and means that a person will commit an offence if they fail to comply with a request by an authorised officer to cease any of those behaviours within the specified area - it could result in either a Fixed Penalty Notice being issued, or prosecution.

The controlled behaviours listed in the order are intended to cover a range of anti-social behaviour, and include: threatening violence; being verbally abusive; urinating in an open public place; littering or spitting with the intent to cause harassment, alarm or distress.

Have your say: fill in the survey

We want to hear your views about the existing order and plans for its renewal.

Please complete the online survey, which closes on the XXXXX 2024.

Use the QR code below or visit: <https://forms.office.com/e/G093q4zvuU>



Alternatively, if you have a specific comment or query you would like to raise please e-mail: csp@epsom-ewell.gov.uk.

Find out more

You can find out more about our PSPO's on our website: <https://www.epsom-ewell.gov.uk/residents/communities-health-and-wellbeing/epsom-and-ewell-community-safety>

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